**Response by the Government of the Cooperative Republic of Guyana to the Call for Submissions on the “Notion, characteristics, legal status and targets of unilateral sanctions”**

The Government of the Cooperative Republic of Guyana, is against the recognition and application of sanctions without the approval from a multilateral entity such as the United Nations Security Council (UNSC) and remains committed to the objective and purpose of the Charter of the United Nations and the principles of international law. The Government of Guyana continues to embrace and underline the respect for the principles of sovereignty and sovereign equality of all States; equal rights and self-determination of peoples; and respect for territorial integrity and non-intervention in the internal affairs of any State. Moreover, the Government of the Cooperative Republic of Guyana rejects the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations. The Government hold as sacrosanct, States right to choose a path of development in accordance with their national priorities and without external interference into their internal affairs. Additionally, the Government of Guyana supports the encouragement for States to take effective measures for the suppression of acts of aggression or other breaches of peace. The Government of Guyana continues to encourage the settlement of international disputes by peaceful means that does not threaten international peace, security, and justice and further rejects the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures, including unilateral sanctions against developing countries, and continues to reiterate the urgent need to eliminate them immediately.

1. The Government of the Co-operative Republic of Guyana recognises

“collective/multilateral sanctions,” which fall within the ambit of the UN Charter and the powers granted to the United Nation’s Security Council (UNSC) to take action to maintain or restore international peace and security. The Government of Guyana reiterates that unilateral coercive measures constitute a major obstacle to the full realization of human rights, development of societies, security and peaceful resolution of conflicts at the regional and global levels. The Government of Guyana views “illegal unilateral coercive measures”, as those measures utilised by States and International Organizations that are outside the authorization of a multilateral medium such as the UNSC and actions that fall outside the realm of permissible “unfriendly” acts under customary international law and countermeasures as part of State responsibility.

Moreover, the Government of Guyana views that any proposed definition for “unilateral coercive measures” should include measures that are:

• Applied by States (s) or regional organizations unilaterally; • Unauthorized by the UNSC (for purposes of UN);

• Impermissible under International Law;

• Outside of the multilateral realm of approval or framework for collective security;

• Seeks to achieve a political goal or alter/target (direct or indirect) a State’s behavior or foreign policy.

• applied to states, entities or individuals able to decide on the policy of the State

Reference is made to Chapter VII of the U.N. Charter which empowers the UNSC to

take action to maintain or restore international peace and security. These enforcement measures constitute an exception to the principles of international law and as such a narrow interpretation must be employed. Therefore, any measures taken beyond the limits of authorization by the UNSC necessitate satisfactory permissible conduct under international law and must comply with the principles of legality, legitimacy, proportionality and necessity. As such, unauthorized sanctions, is viewed as an internationally wrongful act and has the potential of attracting a permissible countermeasure under State responsibility. The Government of Guyana does not recognise unilateral sanctions and holds the position that physical or cyber sanctions must be authorised and within the parameters set by the UNSC. Once article 39 of the UN Charter has been satisfied the UNSC has great discretion to decide on the types of measures to adopt within the limits emanating from peremptory norms of international law.

Unilateral sectoral sanctions and sanctions against legal persons outside of the

authorisation and supervision of the UNSC are not recognised as permissible by the Government of Guyana. Unilateral sanctions against legal persons (individuals and entities) are regarded as an inappropriate substitute for law enforcement, seeking to punish persons for offenses without due process.

All members of the UN are obliged to implement measures adopted under Chapter VII of the UN Charter in compliance with the Charter’s principles. The Government of Guyana does not support supplemental measures beyond the Security Council’s authorisation and further measures would need to be in conformity with international law under State responsibility.

The Government of Guyana holds the position that extraterritorial application of

unilateral “sanction” or laws must satisfy customary international law’s norms and principles establishing jurisdiction. Extraterritorial application of unilateral sanctions or national legislation violates the principles of national sovereignty, non-intervention into internal affairs, the equality of States, freedom of trade and the peaceful settlement of disputes. Therefore, without consent or a treaty, the Government does not endorse the extraterritorial application of laws.

1. The Government of Guyana maintains that secondary sanctions are extraterritorial

in purpose and effect. Further, they go beyond the sanctioning State’s jurisdiction and territorial sovereignty. Therefore, any unilateral measure taken by a State must satisfy the requirements for the establishment of jurisdiction under international law.

1. The Government of Guyana condemns the extraterritorial application of national

legislation and reiterates that it is a violation of the legal equality of States and the principles of national sovereignty and nonintervention in the internal affairs of the State. Jurisdiction could be extended beyond national boundaries/territory only where a State consents or when the principles establishing jurisdiction are present.

1. The Government of Guyana gives no recognition to unilateral sanctions therefore no

State, individual, or entity can be viewed as a legitimate target. Such acts and targets will have to be those permitted under the responsibility of States for internationally wrongful acts. Unilateral sanctions impose suffering and deprivation on innocent citizens, especially those from vulnerable groups, causing mass humanitarian and human rights violations and deprives them of their right to development, self-determination, countermeasures and dispute settlement, and freedom of trade and navigation.