

Who Suffers? How Sanctions Affect Human Rights

Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights

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Direct (primary) targets of unilateral sanctions

States: Sanctions against States are intended to create economic disruptions that make it costly for the targeted State to maintain the conduct, policy or governing system that the sanctioning party finds objectionable. Humanitarian exemptions fail to eliminate the harm caused by sanctions to the human rights of a target country's population.

Economic sectors: Sectoral sanctions apply non-selectively to individuals and organizations acting in a specific sphere of the economy, without any identifiable reason or violation on their part.

Individuals: Sanctions against individuals often involve freezing their assets, blocking financial transactions, and imposing travel bans. These measures inherently deny targeted individuals the enjoyment of a broad range of protected rights.

Companies: The harm to human rights from sanctions imposed against companies is felt first by employees, who suffer in terms of labour rights, but the humanitarian damage reaches far beyond the companies themselves. This "ripple effect" can spread very widely when the sanctioned company is a bank.

Indirect targets of unilateral sanctions

Workers at companies: Unilateral sanctions impacting a company also affect the rights of its workers, with the most obvious impact on their labour rights, notably the rights to work, to decent employment, and to freely choose one's employment.

Family members: Family members who are not direct targets of sanctions have their rights denied when sanctions are applied against an individual on whom they depend economically or for social benefits. The rights affected range from the right to a decent life to the rights to health and to education.

Population as a whole: Most unilateral sanctions, regardless of the target, affect the rights of many people who are not direct targets themselves, including a State's entire population. The precision of targeted sanctions is illusory in view of the breadth of their adverse impact.

Other States: Neighbouring states are the first points of arrival when humanitarian problems, such as economic crises and lack of essential goods, in the targeted or affected state lead to outward migrations. Companies in third States may also face the possibility that secondary sanctions will be imposed against them unless they cut business ties with a State or foreign company targeted by sanctions.

Sanctioning States: The detrimental humanitarian effects of unilateral sanctions are also felt by individuals in the sanctioning State, who are prohibited from continuing the transactions they previously had with the sanctioned State or party.

Targets of secondary sanctions

Secondary sanctions are imposed by a sanctioning State against individuals and companies in any state around the world who cooperate with a target of the primary sanctions, individuals or companies from countries or sectors of economy under sanctions in ways forbidden by the sanctions regimes.

Humanitarian actors, including NGOs and their employees and volunteers in sanctioned States, are often threatened with civil or criminal penalties or secondary sanctions because of their efforts to minimize the humanitarian harm caused by sanctions to the rights of people in targeted countries.



Recommendations

Lift or Minimize Sanctions: States and organizations should lift, suspend, or minimize unilateral coercive measures, especially those with significant humanitarian impacts.

Prioritize Humanitarian Concerns: Ensure that sanctions are designed and implemented with primary consideration given to their humanitarian impact and the protection of human rights.

Prevent Overcompliance: Simplify and clarify sanctions and compliance procedures to prevent overcompliance that can harm human rights. States should take measures to prevent overcompliance in line with due diligence principles.

Guarantee Human Rights Universally: States are under obligation to make sure that their activity or activity under their jurisdiction or control does not violate human rights also extraterritorially. References to collateral or unintentional character of humanitarian damages do not legitimize the use of unilateral sanctions. No “good intentions” can justify widespread human suffering or violation of fundamental human rights.

Avoid Secondary Sanctions: States shall refrain from using secondary sanctions, civil, administrative or criminal penalties as the means of enforcement of primary sanctions as being contrary to international law and cause significant damage to human rights and rising the risk of over-compliance.

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Targets of unilateral coercive measures: notion, categories and vulnerable groups