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Gender and Human Rights Violations as structural part of UCMs.

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International civil society and human rights defenders welcome the UN Human Rights Council resolution ([A/HRC/19/L.12](#)) that states unilateral coercive measures, (war, militarism and targeted economic sanctions) violate human rights.

Powerful states that impose unilateral coercive measures (UCMs) argue that sanctions are necessary even though the ordinary citizens of receiver regimes suffer because they ultimately put pressure to create conditions for regime change. States that oppose UCMs argue that sanctions do not work; are ineffective; are ideological and based on geo-economic and geo-political consideration; that the sanction senders are the privileged former colonial countries; that sanctions violate international law; are discriminatory and so on.¹ We argue that research and empirical reality is weighted in favor of those who oppose UCMs. We also argue that it is necessary to broaden the discourse on UCMs to include the 'impact on' approach and place this within the frame of gendered human rights. This is because UCMs have long term and

¹ Use of unilateral sanctions has increased four fold in the 1990's (the UN had imposed only two till the 1990 -Rhodesia 1966 and south Africa 1977. Since 1990 comprehensive sanctions were sent out against Iraq, Afghanistan, Haiti, Iran, Iraq, Libya, Burma, former Yugoslavia, Haiti,). The rate of success in using these sanctions has not increased. Literature on the subject has established they do not work. There is a debate on how to make them effective or whether to have them at all. Pape establishes that the success rate of sanctions has been only 4%. (Pape 1997). Galtung argued that economic cost borne by a state has little impact on the political cost borne by rulers and their supporters. Sanctions are often used to de-stabilize, punish and change regimes based on geopolitical and strategic interests of the senders. (eg. US on Cuba). The sanctions regime argues that targeted sanctions, pressurizes populations who then seek to overthrow their regimes. Smart sanctions regime believes that sanctions can be targeted at the regimes elite, while the rest of the population is shielded from harm. They thus argue in favour of controlling investment flows, freezing bank accounts, etc. but again studies show that these are difficult to impose, second are likely to fail, third, the entrenched elite still manages to pass on the burden to the population. (Cortright and Lopez, 2000: 210). Studies of policy choices based on calculation like the Nash-Cournat assumption also have concluded that smart sanctions have not been favourable to the sender and also actually harm their interests in the long run. (Wallenstein, 1968; Major and McGann, 2005). Further, globalization has created more suppliers and this has increased the failure rate. Supporters of a sanctions regime argue that when the Security Council does so it creates and gives a signal that the sanctioned country is an 'outlaw' from the international community. (Addis, 2003)

devastating effects on people as a whole, but women, the excluded sections of societies like minorities, the political opposition, human rights defenders, and those who actually seek to change the regime.

The argument of human rights has been used to legitimize UCMs by sender states who often use the repression and gendered policies in receiver states to justify UCMs. On the other hand, receiver states dub human rights as Western double standards used as political and selective tools to penalize them. This kind of de-contextualized debate undermines the idea of gender and human rights because rights and especially the gender power relations impact very site of human interaction from home to the international and any discussion on UCMs must weave in this trope. Thus, the primary aim of a discussion on UCMs should be framed within gendered human security and law based international regime as well as in the context of Security Council Resolution 1325, that ask the international community to be sensitive to women's rights, participation and inclusion in international decision making.

It has been established that the impact of UCMs on the economic situation in receiver countries is devastating and sets them back by generations. But here too, the impact is more deeply felt by women and excluded communities. Women are the first to lose jobs, moved out of higher education, get malnourished and face food insecurity. (The shrinking monthly food basket, in a culture where women are the last to eat has deeply impacted the health and mortality of women and women use risky survival strategies when their families are at risk). It is well known that in Iraq sanctions followed by war led to poverty unknown in the region. Monthly salaries and economic distress that had already set in during the Iran Iraq war worsened into an economic and social collapse. The lack of resources led to huge migrations and brain drain with 2 million Iraqis living abroad. Forced migration imposed on men because of UCM accounts for a high number of widows and female headed households. (2003 UNICEF report). Studies have found that almost every multi family household had one widow (Al-Ali:749). Despite the new responsibilities women were most disempowered in the changed circumstances.

In Iraq as public facilities like school and hospitals started collapsing the most vulnerable suffered. The hidden cost was borne by children who become breadwinners. UN Reports showed that 5000-7000 Iraqi children died each month since 1991 from malnutrition, water borne and controllable diseases. Malnutrition level for children under five rose to 30%. Higher education and skills declined with the exodus of university professors. Iraqi women once the most advanced in West Asia became the biggest losers during the sanctions regime in 1990-2003, as well as the war of 2003. More girl children were withdrawn from school, women steadily lost socio economic rights, and had to accept early marriage. (ICAN Brief3). UNICEF has shown that 55% of women aged 15-49 in Iraq are illiterate as a result of sanctions and war (2003 UNICEF Report). Reduction of family income, traditionally forces women to find alternate sources of income as well as coping strategies that include cutting back on their own diets and health, and indulging in risky survival strategies including sex work and accepting violence. (Hussein Al Jawaheri, 2008).

The same pattern is following in Iran (ICAN Brief3). Smart sanctions imposed on the banking, gas, insurance sectors has wreaked havoc on the lives of ordinary Iranian citizens. As price hikes, shortages have led to high costs of food prices (increases by 1500% in two years 2010-12). Besides increasing black cash economy and increased criminalization, women's access to higher education has decreased. The decline in women's status coincides with the sanctions regime (ICAN briefs, 3). Women are being pushed out of job market, and the socio-economic pattern of distorted development as in Iraq is emerging.

US President George Bush imposed targeted sanctions on Burma's garment industry in 2003. 80,000 workers lost their jobs. Hundreds of factories closed down. Who suffered? Domestic small and medium sized firms suffered, while foreign firms could maintain their operations. Two third of employees were from rural areas. And their remittances impacted entire families. The sanctions did not impact military related enterprises as foreign companies actually benefitted. military related enterprises as foreign companies that actually benefitted.² The sanctions kept Myanmar backwards, militarized and underdeveloped. This is evident now as sectarian clashes and violence increases.

US embargo on medicines and technologies to Cuba has led to curtailment on human rights of citizens of Cuba. Amnesty international on the basis of several fact finding reports shows that the embargoes contribute to malnutrition especially effecting women and children, poor water supplies, lack of medicine supplies. UN High Commissioner described the effect of embargoes on Cuban people as "disastrous". (A/HRC/4/12, para 7). The American Association for World Health (AAWH) who conducted a detailed health survey in Cuba showed that the U.S. embargo on food and the de facto embargo on medical supplies has wreaked havoc with the island's model primary health care system." (AAWH in Amnesty International, 2009:16). However, because of high social spending by the Cuban Government, 3 of the Millenium Development Goals out of 8 were achieved till 2010.

In all countries where sanctions and coercive measures are used, there is a drastic fall from middle class existence into poverty. As the social fabric of societies is torn apart the standard cultural and social norms get inverted. The consequence is anger against 'moderate' positions in religion and politics. In many known cases the only people seen to have provided security are the religious entities because people perceive both the state and the international community as identifiable oppressors. There is a turn towards conservative and radicalized ideologies and women are again the first to suffer the backlash that arises from such ideas.

² Campaigns like Burma Campaign UK argued that Eco sanctions did not impact people because large numbers in informal economy. This was relative. As thousand lost jobs and livelihoods. The balance of impact was on ordinary people especially women and ethnic minorities as opposed to regime. (Kudo, 2008).

Movements for democracy, independent civil society, get negatively impacted as sanctions and war lead result in regime linked mafias, and to an increase in violence levels that prevents serious efforts at state reconstruction. Also evident is the backlash against liberal, democratic, secular values and women's liberation which is identified with wider foreign occupation and is perceived to be part of a Western plot to destroy a society's traditional cultures and values. In fact studies by academics like Al Ali have shown that pro-women resolutions like SCR 1325 are seen with hostility by even those who are sympathetic to women's empowerment.

There is a need to recognize the wider effects of unilateral coercive measures on militarization, and gender power relations. Because the accumulation of militarist power has always lead to the wiping out the 'other' - who can be a person, culture or country. Sanctions are an indirectly violent method of coercion when seen in a larger context of global and civilization history of exclusion, expulsion, displacement, destruction.

Studies have established that UCMs lead to widespread shame, frustration and depression and strain in social relations the consequence is that anomie and social alienation marks such societies (Halliday 1999). There is a need to recognize the wider effects of unilateral coercive measures on militarization, and gender power relations. Feminists scholars like Al- Ali (2005) have argued that in Muslim countries that have gone through coercive measures like Iraq, Iran and Afghanistan, 1325 is perceived to be part of a Western plot to destroy a society's traditional cultures and values. Women are at the receiving end of alienated and militarized societies. UCMs impel the regimes concerned to crackdown on dissent and democracy even while the senders of sanctions wish for democratic regime change. This has happened in Iraq, Iran and Cuba, where HRD have been labeled as supporters of US and West. Women HRD and dissenters are gendered victims.

The General Assembly and Security Council that have adopted resolutions like SCR 1325 and the 'Responsibility to protect' need to be told that the multiple violence that are imposed through their actions are the very same kind of human rights violations that they accuse authoritarian regimes of. The frame of reference on sanctions should be the impact these have on ordinary people rather than the discourse of foreign and strategic policy interests, of specific policy making communities.

Sanctions are an indirectly violent method of coercion when seen in a larger context of global and civilization history of exclusion, expulsion, displacement, destruction. The UN Human Rights Council resolution on UCMs needs to be followed up with stronger statements.

Conclusions and Recommendations

UCMs and sanctions have little or no foundation in international humanitarian or human rights law (Schrijver,1994) This needs course correction. Sanctions impact the most vulnerable sections of the population, and are deeply gendered in nature. The threats and insecurity

represented in terms of gender- lead to greater masculinization, militarization, alienation of a society.

UCMs lead to constant displacement- dislocation, despair that is a form of silent but constant repression. This repression plays a major role in forming political identity. It lead to greater radicalization, and conservatism that takes on anti-liberal and especially anti-western turn. Women's bodies become the sites for violence and practice of repressive politics.

UCMs have deep and long term negative social-psychological effects. An alternative is working with people in a rogue regime. It is regional organizations that can play a more positive role in isolating rogue regimes as opposed to UCMs. There is little morality for punishing a population and that too its most vulnerable sections like women, children, human right defenders, minorities because of foreign policy aims, or high moral ground of the international community.

Recommendations

The UNHRC should set up a expert committee supported by HRC, UN Women and other UN bodies be mandated to put together available studies, carry out a fact finding mission on the gendered and human right aspects of UCM in order to inform the international community on the impact of these. There has been no formal mechanism to monitor the impact of sanctions. Nor has there been any impact assessment of UCMs and post-UCM regime. This report should be popularized at every level

Member states who used unilateral force should apologize for the imposition of unilateral coercive measures especially the women whose suffered indescribable misery and whose lives were set back by two generations.

The HRC should seriously consider passing a non country specific resolution that denotes UCMs as a human rights violation and urges all UN member states to withdraw and desist from imposing such measures until mandated to do so in keeping with UN Charter and SCR 1325. This would be in keeping with the 17 times that the UN General Assembly has called on the US to end its embargo on Cuba because it violates international law and on moral, political and economic grounds.

International women's movements and human rights movements that pushed for SCR 1325 should now be encouraged to push the Security Council for a resolution against UCMs.

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