

Organization for Defending Victims of Violence (ODVV)

**4th session of the Forum on Human Rights, Democracy and the Rule of Law on
“Strengthening Democracies to build back better: opportunities and challenges” (24-25
Nov. 2022)**



Unilateral Coercive Measures (UCM)s Create Serious Obstacles for Global Rule of Law

Organization for Defending Victims of Violence (ODVV) requests the Forum to discuss the negative effect of Unilateral Coercive Measures (UCM)s on the international rule of law and States capacity to respond to emergencies, in the 4th Session.

UCMs, that ban all international trade and interbank messaging, block all formal channels of export and import, including the delivery of humanitarian items including pharmaceuticals and medical equipment, killing many people¹ in sanctioned countries. In addition, UCMs strengthen all enemies of democracy including social inequalities, poverty, unemployment and equal access to health care, education, food and basic services as well as the implementation of national programs to achieve sustainable development goals, sustainable infrastructures and inclusive and sustainable social protection programs. The measures seriously harm vulnerable communities – including thousands of Afghans who fled to Iran in recent year, reducing the resources available to the government to support the new wave of asylum seekers and illegal migrants.

UCMs create systemic inequality both within the target community and between the sanctioned country and other countries. The sanctions violate the principles of non-discrimination described

¹ " Sanctions have killed people ... the most convincing reason is the lack of access to medicine..." available at :
"<https://www.tehrantimes.com/news/473695/Sanctions-profoundly-affected-lives-of-Iranians-UN-Special-Rapporteur>

in international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

In addition to the challenges created in sanctioned countries, ODVV calls for Forum's discussion on the impact of UCMs on international cooperation. UCMs are designed to isolate targeted countries and deprive them from any international trade and cooperation. Even more troubling is the fact that, within the past two years, all the harmful UCM impacts have been exacerbated by the outbreak of the pandemic, while the sanctioning countries turned a blind eye to the repeated calls made by the UN Secretary-General and the UN High Commissioner for Human Rights (1)² and the UN Special Procedures mandate holders (2)³ - to ease sanctions during the pandemic and refrain from endangering human lives by unilateral sanctions. So far, the sanctioning countries have intentionally ignored the voices raised in the UN against the human rights repercussions of UCMs.

We draw the attention of the Forum to the fact that Unilateral coercive Measures (UCM)s - which are imposed on countries beyond the authority of the United Nations, and the text of numerous UN resolutions that consider unilateral sanctions "illegal"⁴ - undermine the authority of the UN

² . António Guterres, "Remarks at G-20 Virtual Summit on the COVID-19 Pandemic", 26 March 2020, available at: www.un.org/sg/en/content/sg/speeches/2020-03-26/remarks-g-20-virtual-summit-covid-19-pandemic; António Guterres, "We Are All in This Together: Human Rights and COVID-19 Response and Recovery", 23 April 2020, available at: www.un.org/en/un-coronavirus-communications-team/weare-all-together-human-rights-and-covid-19-response-and; "COVID-19 Shows 'Urgent Need' for Solidarity, UN Chief Tells Nobel Forum", UN News, 11 December 2020, available at: <https://news.un.org/en/story/2020/12/1079802>. See also UNGA Res. 74/270, "Global Solidarity to Fight the Coronavirus Disease 2019 (COVID-19)", 3 April 2020, available at: <https://undocs.org/en/A/RES/74/270>; UN Human Rights, "Bachelet Calls for Easing of Sanctions to Enable Medical Systems to Fight COVID-19 and Limit Global Contagion", 24 March 2020, available at: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25744&LangID=E.

³ . Including the repeated calls by the Special Rapporteur on UCMs in individual and joint statements with other mandate holders including the UN Independent Expert on International Solidarity, e.g.: UN experts urge States to consider humanitarian impacts when imposing or implementing sanctions, available at: <https://www.ohchr.org/en/press-releases/2022/03/un-experts-urge-states-consider-humanitarian-impacts-when-imposing-or>; UN Experts: Sanctions proving deadly during COVID pandemic, humanitarian exemptions not working, available at: <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26155&LangID=E>. OHCHR | Over-compliance with US sanctions harms Iranians' right to health, available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27665&LangID=E>

⁴ HRC Res. 15/24, 6 October 2010, paras 1–3, available at: <https://undocs.org/en/A/HRC/RES/15/24>; HRC Res. 19/32, 18 April 2012, paras 1–3, available at: <https://undocs.org/en/A/HRC/RES/19/32>; HRC Res. 24/14, 8 October 2013, paras 1–3, available at: <https://undocs.org/en/A/HRC/RES/24/14>; HRC Res. 30/2, 12

as the main international law-making institution, as well as the international rule of law. What is worst, is that UCMs place the sanctioning countries above international law.

ODVV emphasizes on the necessity to respect the international rule of law. And, in the COVID-19 recovery process, we reiterate that universal, timely and equitable access to all quality and affordable medicine, medical care, diagnostic, therapeutics, and other pharmaceutical products is still essential in all sanctioned countries and that urgent removal of unjustified unilateral coercive measures, in accordance with the provisions of relevant international treaties is necessary.

Finally, ODVV calls on the Forum to find solutions for strengthening the Rule of law against unilateralism and unilateral human rights violations through sanctions.

October 2015, paras 1–2, 4, available at: <https://undocs.org/en/A/HRC/RES/30/2>; HRC Res. 34/13, 24

March 2017, paras 1–2, 4, available at: <https://undocs.org/en/A/HRC/RES/34/13>; HRC Res. 45/5, 6

October 2020, Preamble, available at: <https://undocs.org/en/A/HRC/RES/45/5>.

UNGA Res. 69/180, 18 December 2014, paras 5–6, available at: www.ohchr.org/Documents/Issues/UCM/