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Statement by Ms. Alena Douhan

**SPECIAL RAPPORTEUR ON THE NEGATIVE IMPACT OF
UNILATERAL COERCIVE MEASURES ON THE ENJOYMENT OF
HUMAN RIGHTS**

Europe and Central Asia Seminar

“The Contribution of Development to the Enjoyment of All Human Rights”

1-2 September 2022



Honourable Chair, Ladies and Gentlemen,

It is a privilege to participate today in the first regional seminar focusing on the contribution of Development to the enjoyment of all human rights, especially in view of our universal respect for and intention to achieve all 17 Sustainable Development Goals.

I congratulate the organizers for bringing together so many highly qualified professionals for this discussion as well as for launching this panel, as I strongly believe that that we can only achieve the SDGs, promote and protect human rights if we all work together in the feeling of solidarity, universality and cooperation.

I have the honor to be the first Special Rapporteur speaking at this seminar, although I am confident that my colleague Olivier de Schutter, who is starting the following session, will be able to share his experience with the problems of poverty as an impediment for achieving the right to development as well as all other human rights. Therefore, I will give an overview of the role the Special Procedures can play in enhancing cooperation, development and human rights.

Special procedures in the form of working groups and special rapporteurs are independent experts provided with mandates by the Human Rights Council. They are not recruited by states and are not UN staff, so they can act fully independently and impartially in doing thematic reports, country visits, addressing human rights violations within the scope of their mandates, raising awareness, bringing concerns about possible human rights violations to all types of stakeholders, as well as building cooperation networks. Their status provides for the possibility to have an external look at facts and problems and draft recommendations outside of any political agenda.

I am a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, which is one of the most controversial and politically perceived mandates in the whole system, and one of the few mandates which is voted on rather than adopted by consensus by the Human Rights Council. Countries which impose unilateral sanctions as well as social media repeatedly announce that this mandate shall not exist, that the problem of UCMs has nothing to do with human rights, that unilateral sanctions are selective and have humanitarian impact, or that any finding about the humanitarian impact can be misused by countries under sanctions for political purposes. I, as many other mandate holders, are often criticized if states do not like my findings. That is why I believe my

mandate is a very good example to show how Special Procedures try to protect human rights, to promote development and cooperation.

With great regret I have to admit that unilateral coercive measures constitute today one of the most serious challenges to solidary, universality, development and human rights protection, and that is reflected in the resolutions establishing and expanding my mandate.

My thematic studies, country visits and the individual complaints submitted by victims of human rights violations clearly demonstrate that unilateral coercive measures today are affecting a very broad scope of human rights, including economic, social, and cultural rights, the right to development, the right to life, and the prohibition of inhuman treatment and discrimination. At the beginning of the COVID-19 pandemic the UN Secretary General and the UN High Commissioner repeatedly called to lift and minimize sanctions to avoid discrimination and to protect the life of every individual. Their voices unfortunately were not heard, leaving many people from countries under sanctions behind, often without medicine and medical equipment and even without soap and water.

My purpose as a SP mandate holder is not however blaming and shaming. It is to assess the legality of specific facts, do fact-finding, raise concerns and draft recommendations.

Being human, I, as any other SP expert, cannot know everything that is happening around the world, which is why my very first task was to build cooperation networks to be able to collect first-hand information and to know situations on the ground.

That is why cooperation with **humanitarian non-governmental organizations** is a very important part of my work both in Geneva and during country visits. These organizations, both national and international, complain about problems they face in doing their humanitarian jobs in the face of unilateral sanctions: about the length of time and costs for getting humanitarian licenses; about the impossibility to get licenses for any development projects; about the reluctance of donors, delivery and insurance companies and even food and medicine producers to have anything to do with countries under sanctions; about the impossibility to pay their workers on the ground; about their bank accounts being blocked by banks because of de-risking policies; about people who are dying because even medical help is not available.

As a Special Rapporteur I closely cooperate with **UN agencies and organs**, many of which especially on the ground are so engaged in procuring basic goods, like food, medicine and water purifying reagents that are unavailable because of unilateral coercive measures, that they have no time to do the work they were supposed to do on behalf of development.

As my mandate is among the newest ones (it was established only in 2015), many of them face problems in understanding the legal and practical mechanisms even when the UN staff in countries under sanctions are personally affected, e.g. they are requested to close bank accounts in their home countries; cannot get their salaries; or are unable to implement already approved development projects because of unilateral sanctions.

To be able to guarantee impartiality and to comprehensively assess situations, I closely cooperate with **scholars** all around the world to exchange experiences and expertise. Academics from different fields provide valuable assessment of the situation on the ground as concerns health, education, population, food security and many other areas during my country visits. Unfortunately unilateral sanctions are often preventing even scholars from cooperation, as far as those from countries under sanctions face problems in registering in international conferences and professional databases, participating in international projects and associations; and being published in academic journals just because of their nationality. It is especially regretful that in the COVID time this tendency became even stronger. As I strongly support the position of UNESCO and the Committee on Economic, social and cultural rights that everyone is entitled to benefit from academic cooperation and knowledge, I have established sanctions research platform welcoming any relevant publications from all around the world, launch expert consultations and welcome scholarly submissions.

And naturally many human rights violations come within the scope of several Special Procedures mandates, therefore the cooperation and expertise of **mandate holders** helps us to be more convincing. My mandate, due to its broad nature, often raises issues of the right to health, poverty, food security, right to life, development, education and many others. For the same purpose I try to cooperate with the **UN Treaty bodies, UN specialized agencies, and UN organs** involved in the maintenance of international peace and security, suppression of terrorism and other transboundary crimes.

My work as a Mandate holder largely depends on interaction with all the above and many other stakeholders. Only this approach can guarantee that standards of comprehensiveness, independence, impartiality and verification are observed. I strongly believe that no one alone can solve all problems, to guarantee security, human rights and development. That is why cooperation and solidarity rather than isolation is the only way forwards.

I would like to congratulate the organizers once again with this important event and thank them for all their efforts.

I am open for your questions.