*Organization for Defending Victims of Violence*

**ODVV contributions to in response to the call for inputs distributed by the mandate of the Special Rapporteur on foreign debt:**

**International Financial Obligations, Digital Systems and Human Rights**

ODVV's response to question No.1 and question No. 6 of the Questionnaire:

1. What are the challenges facing the regulation of financial transactions within the digital economy in the national, regional, continental and international levels?

While the digital economy is totally reliant on growing interconnectedness of people, organizations, and countries through Internet, blocking countries' access to digital financial platforms can have devastating effects on all human rights. For example, The Society for Worldwide Interbank Financial Telecommunication, commonly known as SWIFT facilitates secure, efficient communication among financial institutions round the world. That is, removing a country from the SWIFT platform -enacted via Unilateral Coercive Measures (UCM)s or economic sanctions that are imposed on counties beyond the authority of the United Nations and the rule of law - is a means of violating all economic, social and cultural rights in addition to the right to health in sanctioned countries that at the moment house billions of people.

Sanctioning a nation by eliminating its access to SWIFT can have negative impacts on trade partners and others around the world and limit the sanctioned populations' access to medicine, medical equipment, medical care, health care products and machinery jeopardizing and taking many lives. As an example that only represent a tip of the iceberg, according to a report by CEPR, in Venezuela, sanctions death toll was recorded to amount to 40,000 lives in a one-year period[[1]](#footnote-1).

In addition to violations of the right to health and the right to life, the sanctions imposed on SWIFT and interbank exchanges undermine the target economies, limit the sanctioned States revenues and violate a myriad of human rights including the right to work, the right to an adequate standard of living, the right to housing, the right to education, the right to access to safe drinking water and sanitation, all aspects of the right to development and attainment of all sustainable development goals, including eradication of extreme poverty, establishing inclusive education systems and healthcare services and cooperation among countries to attain the defined SDGs.

Unequal access to digital financial platforms and to international market create complicated problems for nationals of sanctioned States who live or travel abroad by blocking their access to bank account and bank cards.

* we draw the attention of the independent expert on foreign debt to the adverse repercussions of UCMs on human rights of sanctioned populations, through political manipulation of international financial digital transactions, including the following:
* Increase in the unemployment rate, especially for women;
* Limiting the access of academics to scientific assemblies and resources;
* Serious decrease in all exports and imports including humanitarian items;
* Decrease in gross domestic product rate;
* Drastic increase in inflation rate;
* Decrease in foreign investment;
* Increase in widespread poverty;
* Disruption of all shipping and transportations;
* Decreasing food security;
* Decreasing access to safe drinking water;
* Undermining government's response to natural and man-made crises;
* Undermining the functioning of industries including the oil, gas, electricity and air navigation;
* Limiting political and diplomatic participation in international forums;
* and impeding the attainment of all sustainable development goals.

In addition to States capacity to pay foreign debts, receive foreign demands[[2]](#footnote-2), use the national assets that get blocked in foreign banks or receive emergency situation loans from foreign financial institutions.

Finally, we reiterate that imposition of UCMs, breach the obligation of the sanctioning states to protect and respect human rights.

1. What other issues ought to be addressed by the Independent Expert in this domain, both for her report to the Human Rights Councils, 52nd Session, and for other activities and initiatives that she may undertake in line with her mandate?

ODVV urges the Special Rapporteur on Foreign Debts to discuss sanctioning States responsibility and accountability for all violations of human rights that take place by imposition of sanctions on SWIFT and provide both the UN and the intentional community with recommendations on how to approach this form of unilateralism and disregard for international rule of law.

Finally, ODVV draws the attention of the Special Rapporteur on foreign debt to the multitude of HRC reports and UN resolutions that criticized imposition of Unilateral Coercive Measures (UCM)s or Economic Sanctions[[3]](#footnote-3).

1. . Economic Sanctions as Collective Punishment: The Case of Venezuela available at: *http://cepr.net/publications/reports/economic-sanctions-as-collective-punishment-the-case-of-venezuela* [↑](#footnote-ref-1)
2. . With $1.6 billion in arrears, Iraq urges US to allow cash payments to Iran, *https://thearabweekly.com/16-billion-arrears-iraq-urges-us-allow-cash-payments-iran*  [↑](#footnote-ref-2)
3. . Reports: A/HRC/48/59; A/HRC/48/59/Add.2; A/HRC/45/7; A/HRC/42/46; A/HRC/36/44; A/HRC/33/48; A/HRC/48/59; A/HRC/48/59/Add.2; A/HRC/51/33; A/HRC/51/33/Add.1; Resolutions:

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 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/Res/A-RES-69-180.pdf; UNGA Res. 70/151, 17 December 2015, paras 5–6, available at: www.un.org/en/ga/search/view\_doc.asp?symbol=A/RES/70/151; UNGA Res. 71/193, 19 December 2016, paras 5–6, available at: www.un.org/en/ga/search/view\_doc.asp?symbol=A/RES/71/193. [↑](#footnote-ref-3)