



General Assembly

Distr.: General
8 February 2022

English only

Human Rights Council

Forty-ninth session

28 February–1 April 2022

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Disability Association of Tavana, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 January 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Interactive Dialogue with the Special Rapporteur on the rights of persons with disabilities. Unilateral Coercive Measures (UCM)s Violate the Rights of People with Disabilities

Persons with disabilities have the right to the enjoyment of the highest attainable standard of health, as the other members of their society, without discrimination, under CRPD Article 25.7. However, Disability Association of Tavana is highly concerned about the discriminatory and crippling effect of unilateral coercive measures (UCM)s on the human rights of the people with disabilities in target countries. UCMs that curb the people's access to all social services, seriously discriminate against people with disabilities by hindering their full and effective participation in society.

The Right to Non Discrimination and the Right to Health

In Article 3. CERD emphasizes on non-discrimination; participation; autonomy, including the freedom to make one's own choices; social inclusion; gender equality; and equality of opportunity for the people suffering from disabilities, while UCMs adversely affect all of them. The measures coerce the persons with disabilities to face a range of barriers in accessing health care services, including cost, accessibility, availability, effectiveness and quality of the services with harmful repercussion for both the physical and mental health of the people with disabilities. The sanctions pose the people with disabilities at serious risk of delayed diagnoses, secondary disability, persistent abuse and isolation. Deteriorating health conditions will violate the right to non-discrimination, the right to work, social participation and social inclusion and undermines the living standards of the disabled.

The impact of sanctions on people's livelihood and its impact on people's income determines families' capacity to offer support to people with disabilities, especially in childhood which is the most important phase for educating the children suffering from disabilities.

The right to work and employment of the people with disabilities is directly mentioned in Article 27 of the Convention. Our organization feels the direct impact of the sanctions on the income of the people with disabilities, because sanctions meddle in with the implementation of national programs to create job opportunities for the disabled. In normal economic conditions, economic stability and economic prosperity, free of currency fluctuations, States and the private sector run programs to include the people with disabilities in the workforce, however, under sanctions the implementation of such projects face various challenges.

In addition to job opportunity issues, another serious challenges for people with disabilities is the limitation of access to new technologies for developing rehabilitation equipment - including wheelchair, walking and mobility equipment, devices required by the visually impaired people, assisting hearing devices and all the equipment that facilitate the social participation of people with disabilities - in sanctioned countries due to the effect of secondary sanctions and bans on interbank transactions that prevent the import of all goods including humanitarian items.

On the other hand, UCMs dangerously affect the sanctioned States' capacity to take steps to addressing and safeguarding the rights people with disabilities, by developing health care infrastructure, training health professionals, or implementing health care legal reforms to strengthen realization of the rights of this vulnerable group.

In addition to the commitments of the States where people with disabilities reside, the sanctioning States, upon signing CRPD are obligated to guarantee that economic, social and cultural rights of the people without discrimination based on geographical borderlines. The obligation to guarantee non-discrimination must be implemented as obligation for all States, including the sanctioning States who are responsible for all their policies that create inequalities including health-related discrimination, by the extra-territorial reach of UCMs.

The Right to Education and Access to Education Facilities

Education is a determinant of health, and contribute to the enjoyment of the right to health and other economic and social rights. Lower levels of education are usually associated with poorer health outcomes and access to quality education can determine higher levels of physical and mental health.

The Article 24 of CRPD provides that persons with disabilities must not be excluded from the general education system. States parties need to adopt policies to develop inclusive education systems. People with disabilities may not be excluded on the basis of their disability and governments must offer additional funding to develop inclusive education systems and provide persons with disabilities with the support necessary to their education.

However, UCMs that undermine the economy of the target countries, deprive many people including all children and more specifically the children with disabilities from schooling. Under sanctions many schools are not able to receive the funding needed to facilitate education for persons with disabilities, thereby creating barriers to educational and social development of children, pushing them to the margins of society where they would suffer increasing isolation.

Our organization, notes the recent report of the Special Rapporteur on the "rights of persons with disabilities in the context of armed conflict", would like to draw the focused attention of the Special Rapporteur to the multitude of rights violated under unilateral sanctions which are considered as "economic warfare"(1) by UN experts. We also, draw your attention to the huge body of literature produced by various mechanisms of the Human Rights Council – including the Special Rapporteurs' reports(2), the resolutions(3) and the public statements(4) – that unanimously condemn and criticize application of UCMs as illegal, deadly measures, that "collectively punish"(5) the target people and systematically violate all their economic, social and cultural rights including the right to life and the right to health.

With the destructive effect of UCMs in mind, we urge the Special Rapporteur to repeat and join the calls made by the UN SG(6)/ UN HC(7) and the UN experts including the Special Rapporteur on the Negative Impact of the Unilateral Coercive Measures on the enjoyment of human rights on lifting and removing UCMs, specifically during the outbreak of the pandemic.

Finally, we urge the Special Rapporteur to study and discuss the effect of UCMs on the enjoyment of the human rights of people with disabilities in sanctioned countries and present the findings to the Human Rights Council in annual reports.

It is a natural and inalienable right of children with disabilities to enjoy the latest scientific achievements in the field of rehabilitation support equipment, which unfortunately is also affected by sanctions.

Graduates point to glass, including life skills training, which is usually denied to people with disabilities and who have problems in life.

the impact of sanctions on people's livelihood and its impact on people's income, which is directly related to the type of family support for people with disabilities, especially in childhood and Childhood, which is the primary field of education, which, given the impact of sanctions and livelihoods, I think has had a profound effect on families who have too much willpower to take steps to educate their children, who do not have the financial means to do so.

1- e.g., A/74/165; A/HRC/42/46; A/HRC/39/54

2- e.g., 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

3- e.g., A/HRC/RES/24/14; A/HRC/RES/30/2; A/HRC/RES/34/13; A/RES/71/193; A/HRC/RES/46/5; A/HRC/RES/43/15

4- e.g., UN Experts: Sanctions proving deadly during COVID pandemic, humanitarian exemptions not working:

<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26155&LangID=E>;

Unilateral sanctions hurt all, especially women, children and other vulnerable groups – UN human rights expert:

<https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=27931&LangID=E>

5- e.g., A/HRC/42/46; A/HRC/39/54

6- <https://www.un.org/press/en/2020/sgsm20024.doc.htm>

7- <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25744&LangID=E>