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Requests currently under consideration by the Committee

Human rights and unilateral coercive measures

Written statement* submitted by the Organization for Defending Victims of Violence, 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.

[22 July 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Unilateral Coercive Measures Defined

The term “unilateral coercive measures” refers to economic measures taken by one State to make a change in the policy of another State. Examples of such measures include trade sanctions in the form of embargoes and the interruption of financial and investment flows between sender and target countries. More recently, so-called “smart” or “targeted” sanctions such as asset freezing and travel bans have been employed by individual States in order to influence persons who are perceived to have political influence in another State. Other forms of the measures include, withholding of vital medical supplies and spare parts for various machineries.

Also, in some cases, unilateral military actions are used against certain countries, while they are not compatible with UN Charter¹. Such as the Israeli military operations in Lebanon which is condemned in UN resolutions², because they are contrary to international law, international humanitarian law, the UN Charter and the principles governing peaceful relations among States. (Resolutions A/RES/66/156; A/66/462/Add.2; 63/179)

The continuing practice of imposing various forms of unilateral coercive measures and the potential impact of such measures on human rights, has drawn the attention of a large number of Member States, UN human rights bodies and mechanisms, academics and civil society organizations.

The Sanctions are Unanimously Condemned

The fact that these sanctions negatively impact human rights, is reflected in UN resolutions(A/C.3/61/L.35), inputs offered by State parties and the civil society. Academic research has also proven that targeted measures fail to attack their assigned targets and violate vulnerable people human rights. Such as the U.S. trade sanctions against the Myanmar military government that damaged Myanmar’s garment industry in particular. The sanctions impact was inflicted disproportionately on small private firms and their workers.³

UN General Assembly has repeatedly condemned the implementation of unilateral coercive measures, rejecting them as an instrument of political or economic pressure against any country. Different resolutions have been adopted by the UN urging the countries to refrain from using unilateral measures.(A/57/L.4)

A great majority of UN member states are against the use of economic measures as political instruments. General Assembly resolution calling on all States not to recognize or apply such measures was adopted by a recorded vote of 133 in favor to two against (Israel, United States) and two abstentions (Australia, Latvia).⁴

UN state members have also expressed their views on rejecting these measures. Expressing views about the negative impact of unilateral coercive measures on its population, Cuba has stated that the measures negatively impact development; violate norms of international trade; are incompatible with the World Trade Organization agreement and discriminate against the target countries in the world market; reiterating that the United States measures against Cuba are brutal violations of Cuban people right to life, well-being and development.

Other states have unanimously rejected the imposition of unilateral coercive measures. Jamaica believes that such measures violate States' sovereignty. The Organization of the Islamic Conference has called on all States not to apply such measures, stressing that all States should be able to enjoy their right to development. The group of African States has emphasized that these measures violate the spirit of the contemporary world characterized by globalization. And the "Group of 77" developing countries and China has rejected the imposition of such measures.

Civil Society has also been against the coercive measures. In a Seminar of Experts on Unilateral Coercive measures April 5, 2013 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.

The Sanctions Violate the most Basic Human Rights

Unilateral Coercive Measures in the form of economic sanctions can have far reaching implications for the human rights of the general population of target States.

As an example, the United States economic sanctions against Cuba which has been continuing for over 5 decades, have negatively influenced all Cuban citizens of different age, race, sex, religion or social standing. The United States, as the major regional economic power has deprived Cuba of new medicines and technologies.

In addition, through urging other countries to put embargos on Cuba, the United States has made attempts to turn unilateral sanctions into multi lateral sanctions. These measures can add to the sufferings of all Cuban population and increase the violation of all human rights in Cuba.

Economic sanctions target the most vulnerable people in target countries: women and children, the poor, the aged, the patients and the disabled people. Lack of access to medicine can violate the vulnerable people's fundamental rights, such as right to life, and economic sanctions can violate the right to food. Economic sanctions can also, negatively impact the right to health, the right to development, the right to education, the right to have a proper standard of living and the right to have a decent job. As a result of the sanctions, the poor become poorer, and the rich richer, sanctions eliminate the middle class people and strengthen the smugglers and the black market. In the long run, sanctions ruin a country's economy and create various social problems, including poverty and unemployment. This is while the government of target countries and the elite do not necessarily get affected by economic sanctions, and it seems as if targeted economic sanctions target the most basic human rights of those in urgent need of social protection: the most vulnerable and innocent people of a country.

In the Islamic Republic of Iran, targeted sanctions and exclusion of the country from the global financial system and SWIFT has lead to a scarcity of medicine which is a violation of patients right to life. Medicine shortages, skyrocketing prices of medicine , and advanced medical technologies lead to the devastation of those in need of medical care. The shortage of medicine for chronic diseases such as, Hemophilia, cancer, Thalassemia, Multiple Sclerosis and transplant and kidney dialysis often leads to death.

The sanctions have also negative impacts on Iranian food system, violating the disadvantaged people right to food and as a result of sanctions, the poor have less access to food products.

It is regrettable that the negative effects of coercive measures on human rights does not receive proportional attention, ironically, the sanctioning countries even refuse to show commitments to international agreements. According to the Interim Agreement on Iran's Nuclear Program (November 24, 2013, Geneva), the P5+1 countries agreed to refrain from imposing new sanctions and permit Iran "to facilitate humanitarian purchases of food and medicine".⁵

Unfortunately, to date, there has been no attempts to facilitate medicine purchases leading to considerable financial loss of medicine companies in Iran and the continued violation of patients right to life.⁶

ODVV Condemns the Inhuman Measures

Organization for Defending Victims of Violence (ODVV) is deeply concerned that, despite the recommendations adopted on unilateral coercive measures by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, the measures continue to be implemented, more frequently with all their negative implications for the social humanitarian activities and economic and social development of developing countries.

In addition ODVV regrets that the violation of people's most basic rights as a result of continued exercise of unilateral coercive measures is justified for political reasons, and western countries refusal to feel committed to international agreements.

Condemning such cruel, inhuman measures, Organization for Defending Victims of Violence (ODVV), calls on the Human Right Council to adopt more effective measures in order to stop the imposition of unilateral coercive measures on countries and end the sufferings of the innocent, vulnerable people living in developing countries.

¹ Gillian Brock, Darrel Moellendorf. (eds.). (2005). Current Debates in Global Justice. Netherlands: Springer

² A/RES/61/154 (3.1266); A/HRC/RES/S-2/1 (2.0952); A/HRC/S-2/L.1(2.0955); A/C.3/61/L.13/Rev.1(3.0915)

³ Kudo, Toshiro, (2008). The Impact of US Sanctions on the Myanmar Garment Industry, Asian Survey, vol.48, no.6 (November /December 2008, pp. 997-1017.

⁵ <http://fas.org/sgp/crs/nuke/R43333.pdf>;

⁶ http://www.bbc.co.uk/persian/iran/2014/07/140719_193_geneva_iran_banking.shtml