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Requests addressed to the Advisory Committee stemming from Human Rights Council resolutions currently under consideration by the Committee

**Situation regarding racial equality in the world and
Promotion of a democratic and equitable international order**

Written statement* submitted by Organization for Defending Victims of Violence (ODVV), a non-governmental organization with 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.

[10 August 2021]

* Issued as received, in the language(s) of submission only.



Written Statement to the 26th session of the Advisory Committee

Unilateral Coercive Measures (UCMs) Discriminate against Nationality and Undermine the Equitable and Democratic International Order

ODVV presents the following written statement on two of the working agendas of the Committee:

“Situation regarding racial equality in the world” and “Promotion of a democratic and equitable international order”.

UCMs Discriminate against Nationality

The Convention on the Elimination of All Forms of Racial Discrimination warns State parties against any discrimination based on race or nationality. Articles 2 and 5 of the Convention require States Parties not “to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin.” ODVV is seriously concerned about the continuous and systematic discrimination based on nationality against all people living in countries targeted by Unilateral Coercive Measures (UCMs).

ODVV is alarmed by the bitter reality that all economic social and cultural rights including the right to life is being persistently violated by the regime of unilateral sanctions round the world, taking many lives in silence. While the Convention calls on state parties to refrain from adoption of discriminatory measures, some state parties to the Convention have continued to resort to UCMs against developing countries including Cuba, the Islamic Republic of Iran, the Bolivarian Republic of Venezuela and the Syrian Arab republic. Unfortunately, the UCMs were kept in place even during the global health emergency of the Covid-19 pandemic and the repeated calls made by the UN Experts¹, the UN SG² and the UN High Commissioner³ to eliminate or ease sanctions during the pandemic only lead the sanctioning countries to tighten their grip on targeted countries.

The legal argument that sanctions may have a discriminating effect on the basis of the country of residence or nationality of the targeted populations is also presented in the report of the former Special Rapporteur on the negative effect of UCMs on human rights in his report presented to the Human Rights Council in September 2018 (A/HRC/39/54).

While noting the previous report of the Advisory Committee on the negative effect of UCMs on human rights, ODVV urges the members of the Committee to study the lethal effects of this form of discrimination based on nationality, that limits access of the people living in targeted countries to medicine, medical equipment, food and even Covid-19 vaccine threatening many lives during the pandemic.

Also ODVV, urges the Committee to offer recommendations to the HRC on how to prevent discrimination based on nationality through UCMs.

UCMs reverse all efforts to promote a democratic and equitable international order

ODVV strongly condemns unilateralism specifically the Unilateral Coercive Measures and unilateral exercise of political and economic power over developing countries.

ODVV solemnly believes that UCMs violate an international equitable order through disproportionate and indiscriminate violation of all human rights of innocent civilians

¹ *UN Experts: Sanctions proving deadly during COVID pandemic, humanitarian exemptions not working*; available in <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26155&LangID=E>.

² e.g. <https://www.un.org/press/en/2020/sgsm20024.doc.htm>.

³ e.g. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25744&LangID=E>.

including the following rights related to promotion of a democratic and equitable international order:

- The right of all people to self-determination and to freely determine their political status because UCMs interfere with political integrity and sovereignty of target countries.
- The right to freely pursue the economic, social and cultural development, because all economic and cultural exchanges of target countries are hampered and hindered by UCMs.
- The right of people to use their natural wealth and resources, because prohibition of international trade (such as oil export) means preventing a nation from using its natural resources.
- The right of every person to development. UCMs impair the right to development by preventing constant improvement of the people's well-being and contributing to growth of social inequalities. The unequal access to essential social services is among the most serious adverse consequences of UCMs because when vital items such as medicine, medical equipment and medical care are detrimentally influenced by UCMs, many human lives are threatened by the measures.
- The right of all people to peace and social, political stability as well as having friendly relations with all other States are also violated by UCMs. These rights are normally supported by free access to international trade and co-operation prohibited by UCMs.
- The right to an international economic order based on cooperation among all States because target countries are forced to have a very small share of the international market.
- International solidarity, as a right of people is another right violated by UCMs because it is largely promoted through international trade which is forbidden under UCMs.
- The promotion and consolidation of democratic, just and accountable international institutions is another aspect of social development impaired by UCMs because the unilateral measures seriously undermine democratic institutions.
- The right to equitable participation in global decision-making is violated by UCMs because target countries will never have equal participation opportunity to do so.
- The right of every person to a healthy environment and to use modern, nature-friendly technologies and to reduce over-reliance on fossil fuels, because UCMs prevent import of modern technologies to target communities on various excuses, as in the case of Iran the ban on foreign financial transactions seriously limits the use of green technologies in the country.
- The promotion of equitable access to benefits from the international distribution of wealth because economy and trade is the first section of each society seriously targeted by UCMs and international inequality in access to global wealth is the first and foremost product of the unilateral measures.
- The fulfilment of the shared responsibility of the world for managing worldwide economic and social development as well as threats to international peace and security, that should be exercised multilaterally is also impaired by UCMs that deprive the target country from the opportunities of international cooperation forcing the target state into isolation.

Considering the scope of violations resulted by exercise of UCMs against developing countries, (ODVV) calls on the UN Advisory Committee to:

- Study the negative consequences of UCMs on the people's right to promotion of a democratic and equitable international order in target countries and report the findings to the Human Rights Council, contributing to the mandates of the UN high commissioner for Human Rights, special procedures and more specifically the Special Rapporteur on UCM and the Special Rapporteur on a democratic and equitable international order.

- Draw the attention of the Human Rights Council and UCM source countries to the scope of violations of human rights as a result of imposition of UCMs.
- Considering the ineffectiveness of the calls made by the UN on easing or elimination of sanctions, ODVV calls on the Advisory Committee to offer recommendations to the UN on how to approach the state parties resort to UCMs that undermine the authority of the UN as the main body that processes the jurisdiction to decide on international sanctions; violates the right of targeted people to equitable international order and compromise the equitable international order.
- Considering the warning reality that UCMs are considered as various forms of crimes including crimes against humanity⁴ (A/HRC/39/47/Add.1), ODVV calls on Advisory Committee to offer the Council with recommendations on how to hold the perpetrators of such crimes accountable for their inhuman policies.
- Considering the scope and intensity and proportionality of violations of human rights caused by UCMs and the alarming number of victims⁵, ODVV calls on the Committee to study the proposals offered by the former Special Rapporteur on UCMs on establishment of a compensation mechanism to mitigate for the losses of UCM victims and offer recommendations on creation of such a mechanism.

⁴ “...sanctions can amount to crimes against humanity.” p.14 & p.23.

⁵ e.g. According to a report by CEPR, in Venezuela, “sanctions death toll was recorded to amount to 40,000 lives in a one-year period”: **Economic Sanctions as Collective Punishment: The Case of Venezuela**; cited in <http://cepr.net/publications/reports/economic-sanctions-as-collective-punishment-the-case-of-venezuela>.