



General Assembly

Distr.: General
26 August 2022

English only

Human Rights Council

Fifty-first session

12 September–7 October 2022

Agenda item 3

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

Joint written statement* submitted by Organization for Defending Victims of Violence, Abshar Atefeha Charity Institute, Association of Iranian Short Statured Adults, Chant du Guépard dans le Désert, Charitable Institute for Protecting Social Victims, The, Disability Association of Tavana, Ertegha Keyfiat Zendegi Iranian Charitable Institute, Family Health Association of Iran, Iran Autism Association, Iranian Thalassemia Society, Jameh Ehyagaran Teb Sonnati Va Salamat Iranian, Maryam Ghasemi Educational Charity Institute, Medical Support Association for Underprivileged Iranian Patients, Network of Women's Non-governmental Organizations in the Islamic Republic of Iran, Pars Non Trading Development Activists Co., Peivande Gole Narges Organization, Rahbord Peimayesh Research & Educational Services Cooperative, Society for Protection of Street & Working Children, Society of Iranian Women Advocating Sustainable Development of Environment, The Association of Citizens Civil Rights Protection "Manshour-e Parseh", The Society for Recovery Support, non-governmental organizations 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.

[14 August 2022]

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



Interactive Dialogue with the Special Rapporteur on Unilateral Coercive Measures. Iranian NGOs Raise Voice Against Sanctions

Comprehensive Unilateral Coercive Measures (UCM)s in the form of multi-layered bans on all formal monetary transactions and interbank exchanges; sectoral sanctions; freezing of assets and bank accounts; entry bans in addition to secondary sanctions, accumulate to establish a regime that purposefully violates all economic, social and cultural rights including the right to life of all the people residing in the targeted countries with the vulnerable strata bearing the most burnt.

The Humanitarian exceptions of sanctions are proven to ineffective and insufficient due to the impediments created by multiple sanctions, specifically by secondary sanctions. For example, various cases have been recorded, proving the failure of pharmaceutical companies from delivering medicine and medical products to patients (1) living in sanctioned countries, as a result of over compliance with sanctions. Also, there are reports of denial of international banks from making financial transfer for delivering humanitarian aid to sanctioned countries in natural crisis – the case of the Islamic Republic of Iran floods in early 2019 – or delivering humanitarian items such as medicine and vaccine during the pandemic.

UN Human Rights Council and UN General Assembly resolutions have repeatedly denounced (2) the application of unilateral coercive measures beyond the authority of the United Nations and in violation of the international human rights and humanitarian law. The text of the resolutions have expressed deep regrets over the negative effect of UCMs on human rights including but not limited to "the right to life, the rights to health and medical care, the right to freedom from hunger, the right to an adequate standard of living, food, education, work and housing and the right to development..."(3) emphasizing on the illegality of sanctions from the international law perspective. International courts have made judgements on sanctions including the International Court of Justice (4) ruling in 2018 and the numerous cases judged by the European Court of Justice (5) . More specifically, there has been over 436 decisions by ECJ so far including the cases referred to the court by the entities affected by UCMs and secondary sanctions including Iranian companies affected by the measures.

All international rejections of unilateral coercive measures are taking place while some United States' officials support the country's illegal and inhuman "maximum sanctions" and "maximum pressure" policy, overlooking the negative human rights impacts associated with it, despite confessing the fact that the excessive sanctions policy tool has demonstrably failed to meet its intended political objectives, targeting the sick and the vulnerable instead.

The surprising paradox of sanctions is reflected in the effect they leave on the civilian lives. UCMs massively and indiscriminately violate human rights on the excuse of protecting human rights.

Additionally, UCMs disrupt reconstruction of societies in the post Covid-19 phase, because of the impediments they create in the normal functioning of public and private institutions. The unilateral measures, decrease the financial resources available to both the government and private sector that could contribute to reconstruct civilian infrastructures. In addition to the harmful effects on reconstruction efforts, UCMs wreak havoc with the functioning of all NGOs based in targeted countries, especially the NGOs that support chronic patients, including the people suffering from thalassemia, hemophilia, MS, EB, cancer, autism as well as the NGOs that offer livelihood support, healthcare or education services to vulnerable groups such as the disadvantaged, refugees and asylum seekers, abandoned and street children or NGOs that work in the field of environment or sustainable development.

Recommendations

Noting the Special Rapports' report to HRC51, we encourage her excellency to continue efforts to collect information on the repercussions of UCMs on human rights of the affected populations and to find solutions to mitigate such effects.

In line with our previous calls, presented in the Human Rights Council, especially in the previous decade, we call on NGOs located in sanctioned countries to join hands to nullify the negative effects of sanctions on the human rights of the vulnerable groups.

We also call on all sanctioned States to refer sanction cases to international courts in order to provide the victims with adequate compensation, remedy and redress.

In addition, we call on the sanctioned States to take steps toward establishing a compensation mechanism within the UN system to address the losses and sufferings of the millions of victims caused by illegal application of unilateral measures.

Finally, we call on the sanctioning countries to stay committed to their international obligations and refrain from sanctions that constitute “collective punishment” (6) as defined by The Hague and Geneva protocols, to which the United States of America is a signatory. We also remind the international community that the United States of America UCMs violate international obligations including the Vienna Declaration and Programme of Action; UN Human Rights Council and General Assembly Resolutions (mentioned in the reference No.2 above); UN officials (7) and the experts repeated calls (8); and rulings by the International Court of Justice and the European Court of Justice (discussed in reference No. 5 above).

1. Including the patients and children suffering from EB, thalassemia, MS, hemophilia, cancer and autism.

2. HRC Res. 15/24, 6 October 2010, available at: <https://undocs.org/en/A/HRC/RES/15/24>; HRC Res. 19/32, 18 April 2012, available at: <https://undocs.org/en/A/HRC/RES/19/32>; HRC Res. 24/14, 8 October 2013, available at: <https://undocs.org/en/A/HRC/RES/24/14>; HRC Res. 30/2, 12, October 2015, available at: <https://undocs.org/en/A/HRC/RES/30/2>; HRC Res. 34/13, 24 March 2017, available at: <https://undocs.org/en/A/HRC/RES/34/13>; HRC Res. 45/5, 6 October 2020, available at: <https://undocs.org/en/A/HRC/RES/45/5>. UNGA Res. 69/180, 18 December 2014, available at: www.ohchr.org/Documents/Issues/UCM/Res/A-RES-69-180.pdf; UNGA Res. 70/151, 17 December 2015, available at: www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/151; UNGA Res. 71/193, 19 December 2016, available at: www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/193.

3. e.g. A/HRC/RES/45/5

4. “The court considers that the United States, in accordance with its obligations under the 1955 treaty, must remove, by means of its choosing, any impediments arising from the measures”; available at: <https://www.icj-cij.org/files/case-related/175/175-20181003-PRE-01-00-EN.pdf>

5. This includes the cases referred to ECJ by: Bank Melli Iran; Islamic Republic of Iran Shipping Lines; Post Bank Iran; Iran Insurance Company; National Iranian Tanker Company; Bank Tejarat; Bank Mellat; Export Development Bank of Iran; National Iranian Oil Company; National Iranian Tanker Company; Iranian Offshore Engineering & Construction; Bank Saderat Iran; Central Bank of Iran; Iran Liquefied Natural Gas; Petropars Iran & Others; National Iranian Gas Company and Iran Transfo. Available at: <https://www.europeansanctions.com/judgment/>

6. See also: A/HRC/42/46; A/HRC/39/54

7. António Guterres, “Remarks at G-20 Virtual Summit on the COVID-19 Pandemic”, 26 March 2020, available at: www.un.org/sg/en/content/sg/speeches/2020-03-26/remarks-g-20-virtual-summit-covid-19-pandemic; António Guterres, “We Are All in This Together: Human Rights and COVID-19 Response and Recovery”, 23 April 2020, available at: www.un.org/en/un-coronavirus-communications-team/weare-all-together-human-rights-and-covid-19-response-and; “COVID-19 Shows ‘Urgent Need’ for Solidarity, UN Chief Tells Nobel Forum”, UN News, 11 December 2020, available at: <https://news.un.org/en/story/2020/12/1079802>. See also UNGA Res. 74/270, “Global Solidarity to Fight the Coronavirus Disease 2019 (COVID-19)”, 3 April 2020.

8. UN Experts: Sanctions proving deadly during COVID pandemic... available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26155&LangID=E>; OHCHR, “An immediate human rights response to counter the COVID-19 ...” says UN expert”, 20 March 2020, available at: <https://www.ohchr.org/en/press-releases/2020/03/immediate-human-rights-response-counter-covid-19-and-global-recession-ahead>; OHCHR, “UN rights expert urges Governments to save lives ...”, 3 April 2020, available at: <https://www.ohchr.org/en/press-releases/2020/04/un-rights-expert-urges-governments-save-lives-lifting-all-economic-sanctions>;

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