

# The consequences of United State unilateral sanctions on the humanitarian activities of the Iranian Red Crescent Society



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## Background

Over the years, economic sanctions have contributed to violation of right of disaster affected population deprived them to have access to international humanitarian aids. Iran has been under comprehensive unilateral economic sanctions by groups of countries in recent years especially by the United States of America. They have been intensified from 8th May 2018 when the U.S.A. unilaterally withdraws from the JCPOA. This article aimed to identify the humanitarian impacts of the sanctions on the right of Iranian disaster affected people to have access to International assistance during the large scale disasters occurred in Iran since March 2019.

## Methods

To assess the humanitarian impact of unilateral sanctions to the activities of the Iranian Red Crescent (IRCS), especially during the March – April 2019 floods, the evidences and documents available within the IRCS have been identified and studied and the results of the filed assessment to the flood affected areas carried out by FACT<sup>1</sup> team have been analyzed.

## Results

The U.S. led unilateral sanctions against Iran have been tightened to unprecedented levels since 8th May 2018 when the USA withdraws from the JCPOA. The sanctions imposed by the U.S. to the Islamic Republic of Iran affected many of the activities implemented by the Iranian Red Crescent Society, especially the emergency relief efforts. In recent floods occurred in 13 provinces of Iran in March 2019, the effectiveness of emergency response to disasters has been considerably affected by the unilateral sanctions.

## Conclusion:

The sanctions must have a lawful purpose, must be proportional, and must not harm the human rights of the ordinary citizens, particularly the right to access the international assistance during the emergency phase of the disasters and none of these criteria not only is met in this case but also deteriorating the humanitarian situation in the country.

<sup>1</sup> Filed Assessment and Coordination Team

## Introduction

As a largest humanitarian organization in the Islamic Republic of Iran, the Iranian Red Crescent Society (IRCS) is responsible to respond to the disasters occurred in the country as part of its mandate to have auxiliary role to the government.<sup>2</sup> The Iranian Red Crescent is the unique Iranian non-governmental organization rendering humanitarian services to the disaster affected population, dispatching international assistance and aids to the targeted groups as well as deploying relief workers and medical experts to the disaster affected countries based on the Article<sup>3</sup> (4) of its statute.

The impact of U.S unilateral sanction to the humanitarian work of the Iranian Red Crescent is considerable as the IRCS was not able to receive any international cash donation during the March 2019 floods due to the financial system and banks restrictions. At this stage, the main question is if, another natural or man-made large scale disaster (like the March –April flooding) occurs in Iran, what would be the humanitarian consequences of the unilateral sanctions to the on time, efficient and effective response to the disaster?

To answer this question we have to look the nature of the sanctions and to see if the humanitarian organizations are exempted from the scope of the sanctions.

Sanctions are “measures taken by a state to coerce another to conform to an international agreement or norms of conduct, typically in

the form of restrictions on trade.<sup>3</sup> These measures are called countermeasures which are resorted against an international wrongdoer in the case that they are not decided by UN Security Council.<sup>4</sup> They may be comprehensive which prohibit commercial activities entirely with a country, or targeted (or smart) which block transactions of and with certain businesses, groups, or individuals of a target country.<sup>5</sup>

Sanctions are called “brutal instruments” by the UN Food Program; WHO has asked international community to ban them altogether.<sup>6</sup> The Committee on the



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<sup>1</sup> Article 1, Iranian Red Crescent statute.

<sup>2</sup> Sanction. Oxford Dictionary website. <http://www.oxforddictionaries.com/definition/english/sanction>. Accessed August 15, 2016.

<sup>3</sup> Ronzitti N. Coercive Diplomacy, Sanctions and International Law: Martinus Nijhoff Publishers; 2016.

<sup>4</sup> Masters M. What are economic sanctions? <http://www.cfr.org/sanctions/economic-sanctions/p36259>. Accessed March 25, 2016. Published 2016.

<sup>5</sup> Maggie O. The Wake of War. Guardian. 1996

Rights of the Child also declared that economic sanctions can act as an obstacle to the implementation of the Convention on the Rights of the Child (CRC).<sup>7</sup> Through humanitarian exemptions for food and medicine, the sanctions often do not aim to violate people's right to health in target countries. But, still civilians of target countries suffer from deprivation; since, it is not possible to separate effects of economic sanctions on humanitarian issues, health and economy. UN Human Rights Council in 2013 declared that there are reliable evidences about serious consequences of sanctions on the rights of people particularly vulnerable groups such as women, children, the elderly, the poor, minorities, indigenous people and persons living with disabilities.<sup>8</sup>

ICJ provisional measures on Iran – U.S. case:

The provisional measure of the International Court of Justice (ICJ) on 3th October 2018,<sup>9</sup> has excluded the medicine and medical equipment, agricultural commodities and other humanitarian items from the scope of the United States unilateral sanctions re-imposed to Iran. The ICJ in its provisional measures indicated that:

The United States of America, in accordance with its obligations under the 1955 Treaty of Amity, Economic Relations, and Consular Rights, shall remove, by means of its choosing, any impediments arising from the measures announced on 8 May 2018 to the free exportation to the territory of the Islamic Republic of Iran of:

- (i) Medicines and medical devices;
- (ii) Foodstuffs and agricultural commodities; and
- (iii) Spare parts, equipment and associated services (including warranty, maintenance, repair services and inspections) necessary for the safety of civil aviation;

As clearly mentioned in the provisional measures the humanitarian items such as medicine and medical devices, the foodstuff and agricultural commodities as well as the spare parts for the safety of the civil aviation have been excluded from the sanctions.

Moreover, the International Court of Justice at the second paragraph of the measures declared that:

The United States of America shall ensure that licenses and necessary authorizations are granted and that payments and other transfers of funds are not subject to any restriction in so far as they relate to the goods and services referred to in point (1);

The ICJ in this paragraph declares that the United States of America must provide facilitation for the payments and transfer of the funds which is one of the main constrain in humanitarian activities of the Iranian Red Crescent. The funds donated either through the emergency appeal of the International Federation of Red Cross

<sup>7</sup> United Nations. Yearbook of the United Nations. United Nations; 1998.

<sup>8</sup> UN Human Rights Council. Human rights and unilateral *coercive measures* (24/14). New York: UN General Assembly; 2013

<sup>9</sup> <https://www.icj-cij.org/en/case/175>

and Red Crescent Societies or throughout different donors to the IRCS have been seized or blocked due to the sanctions on the financial systems and banks.

Draft articles on the protection of persons in the event of disasters  
The United Nations International Law Commission (ILC) has Considered the frequency and severity of natural and human-made disasters and their short- term and long-term damaging impact and the necessity of the essential needs of persons affected by disasters, and conscious that the rights of those persons must be respected in such circumstances 10 has adopted the draft articles and submitted to General Assembly by resolution 71/141 on 13 December 2016.<sup>11</sup> Article 2 of the draft article clearly mentioning that: The purpose of the present draft articles is to facilitate the adequate and effective response to disasters, and reduction of the risk of disasters, so as to meet the essential needs of the persons concerned, with full respect for their rights.<sup>12</sup>

The main purpose of this article is to protect the people affected by disaster and to render them adequate supports with full respect of their life. It is the right of the affected people to receiving the support from the national and international donors, yet the unilateral sanctions made impediment to get the international cash assistance through banking systems. Despite of emphasis at article 5 of the draft article which clearly talks about the human rights of the affected population, the sanctions are the real obstacle to protect the



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human rights of persons. Persons affected by disasters are entitled to the respect for and protection of their human rights in accordance with international law<sup>13</sup> and these rights are violated due to the unilateral sanctions. The United States of America also neglected article 7 of the draft articles as the ILC intended to have ultimate cooperation of the states with the humanitarian organizations. Article 7 indicates the cooperation and coordination of states to facilitate the humanitarian efforts and to ease the access to international assistances. This article says: in the application of the present draft articles, States shall, as appropriate, cooperate among themselves, with the United Nations, with the components of the Red

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<sup>10</sup> United Nations international law commission, draft articles on the protection of persons in the event of disasters, [http://legal.un.org/ilc/summaries/6\\_3.shtml](http://legal.un.org/ilc/summaries/6_3.shtml), 2016

<sup>11</sup> <http://legal.un.org/docs/?symbol=A/RES/71/141>

<sup>12</sup> United Nations international law commission, draft articles on the protection of persons in the event of disasters, [http://legal.un.org/ilc/summaries/6\\_3.shtml](http://legal.un.org/ilc/summaries/6_3.shtml), 2016

<sup>13</sup> Article 5, draft articles on the protection of persons in the event of disasters, [http://legal.un.org/ilc/summaries/6\\_3.shtml](http://legal.un.org/ilc/summaries/6_3.shtml), 2016

Cross and Red Crescent Movement, and with other assisting actors.<sup>14</sup> The flood affected persons did not benefit from the international cash program due to the lack of the fund transfer mechanism and banks were not permitted to transfer the donated funds.

### **The United Nations position on the unilateral sanctions**

The independent expert appointed by the Human Rights Council has expressed deep concern at the recent imposition of unilateral coercive measures on Iran by the United States, saying the use of economic sanctions for political purposes violates human rights and the norms of international behavior. Such action may precipitate man-made humanitarian catastrophes of unprecedented proportions.<sup>15</sup> The UN Special Rapporteur concerned with the negative impact of sanctions and said real



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concerns and serious political differences between governments must never be resolved by precipitating economic and humanitarian disasters, making ordinary people pawns and hostages thereof.<sup>16</sup> As it is obvious, the unilateral sanctions violates the right of the ordinary people and make more pressures to the disaster affected population who lost all of their properties by the natural or human made disasters. The case has been repeatedly seen during the 2017 Kermanshah earthquake in western province of Iran and 2019 floods in 13 provinces of the country.

### **The International Federation of Red Cross and Red Crescent Societies (IFRC) emergency appeal**

The IFRC with the coordination and request of the Iranian Red Crescent has launched the emergency appeal for the flood affected population on 8th April 2019. The unprecedented rainfall in March 2019 led to catastrophic flash flooding and landslides, initially in Golestan Province, and subsequently spreading further north and east. At least 23 of 31 provinces across Iran are affected.<sup>17</sup> The Iranian

<sup>14</sup> Article 75, draft articles on the protection of persons in the event of disasters, [http://legal.un.org/ilc/summaries/6\\_3.shtml](http://legal.un.org/ilc/summaries/6_3.shtml), 2016

<sup>15</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24566&LangI>

<sup>16</sup> Idriss Jazairy, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24566&LangI>

<sup>17</sup> Iran Emergency Appeal 2019, <https://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2019/04/08042019-IR-A4-EN.pdf>

Red Crescent Society launched its relief efforts in 5 provinces of the country, including Ilam, Golestan, Khuzestan, Sistan and Baluchestan and Lorestan. Floods affected over 12 million people, leaving 2 million people in need of assistance. 78 persons lost their lives, 1,136 people are reported injured. More than 4,000 cities and villages have been hit by the floods, destroying 65,000 houses, damaging another 114,000 houses, and causing massive destruction to infrastructure (e.g. damaging/destroying 14,000 km of roads). About 366,000 people remain temporarily displaced, staying in emergency shelters or with relatives. Agricultural areas were heavily hit, with crops and livestock being lost. The main needs are in the sectors of water, sanitation and hygiene; health; shelter, education and agriculture.<sup>18</sup>

To respond to this large scale disaster, the Iranian Red Crescent (IRCS) started a major response operation that reached 602,000 persons in need. Key elements of the operation are:

**Search & Rescue Services:** IRCS has evacuated 8,340 persons to safe areas, utilizing IRCS helicopters, boats and vehicles. Evacuations also included livestock; 5,853 vehicles were towed from water. The country's well-functioning early warning system prevented further loss of life.

**Emergency Shelter:** IRCS provides emergency shelter to those displaced and unable to return to their destroyed or seriously damaged houses. Camps, widely set up in schools, sport clubs and alike, are managed by IRCS located mainly in Khuzestan (91 camps), and four main cities in Lorestan (Noor Abad, Aligodarz, Pol-Dokhtar, and Dorood). By end of March 2019, 269,000 people are provided emergency shelters in IRCS camps. IRCS services include the distribution of hot meals, which are widely provided by local NGOs, the facilitation of social activities, and transport service to schools.

**Relief:** People in shelters as well as other persons in need are provided food and basic non-food items. The relief operation uses IRCS emergency stocks (held in warehouses at national and provincial level) and in-kind donations of the public, commercial enterprises, and international donors. More than 2,000 'collection points' were set up all across the country, where IRCS volunteers collect in-kind donations; in 'packing stations' volunteers (IRCS, with the support of local NGOs and including spontaneous volunteers) pack standard items. Distribution logistics utilize IRCS's air, water, and land fleet capacities.<sup>19</sup> Many of the services have been provided by the relief air capacity of the IRCS which 20 relief helicopters were involved in these operations.

**Health:** 24 mobile clinics are providing basic health care, assisting the Ministry of Health's (MoH) activities. By end of March 2019, 7,195 outpatients and 2,033 paramedical cases were supported, 2,518 mother and child interventions done, 406 cases of malnutrition (children under 5 years) taken care of. IRCS psychosocial teams have done more than 2,007 psychosocial support interventions. 512

<sup>18</sup> Emergency plan of action, 2019, IFRC/IRCS joint program, <https://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2019>

<sup>19</sup> Emergency plan of action, *ibid*,

environmental health interventions have been done.<sup>20</sup>

In general, IRCS has mobilised a total of 30,000 volunteers and staff (in 4,700 operational teams). Teams from all provinces were deployed to hardest hit areas; the human resources capacities of the IRCS allowing for continued operation at scale. 20 relief and rescue helicopters, 24 mobile clinics, 41 boats, and more than 2,000 light and heavy relief vehicles have been involved in the operation, carrying out response activities in line with IRCS's mandate within the national response system.<sup>21</sup>

As highlighted briefly above the Iranian Red Crescent has done its utmost efforts and used the capacity and resources to respond to this catastrophe in a proper and professional way. The main constrain to the IRCS effectiveness and on time

response was not having access to the international funds donated by different stakeholders and volunteer individuals. As the Iranian banks are not able to receive and transfer any money from abroad as the result of the U.S.A led unilateral sanctions, the Iranian Red Crescent did not receive the funds consequently. The IFRC assessment team highlighted this vital issue as follow:

“The economic sanctions imposed on Iran have the potential to affect the efficiency of the relief and recovery efforts, e.g. for the flow of supplies (e.g. 6 out of the 24 relief and rescue helicopters of IRCS not

**“**  
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being operational due to the unavailability of spare parts).

For the same reason, there is a risk that the transfer of funds from IFRC to IRCS may be delayed or no funds cannot be transferred to the National Society. Options to transfer funds are subject of intense discussions with partners, the banking sector and diplomatic channels. The IRCS intends to back delays with its own funds to ensure implementation of the Appeal activities.<sup>22</sup>

As a result of the unilateral sanctions, the most needy people and affected persons are suffered by the sanctions and humanitarian organizations like the Iranian Red Crescent and other local NGOs are not able to receive the international funds and consequently will not be able to render their humanitarian services in a proper manner.

<sup>20</sup> activities related to hygiene and sanitation

<sup>21</sup> <http://en.rcs.ir/wp-content/uploads/sites/5/2019/04/IRCS-Bulletin-13.pdf>

<sup>22</sup> Emergency plan of action, 2019, IFRC/IRCS joint program, <https://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2019>

## **Conclusion**

The unilateral sanctions imposed against Islamic republic of Iran have targeted the most vulnerable population affected by the disasters. It also affects the efficiency of the disaster response of the humanitarian organizations like the Iranian Red Crescent. No exemptions of sanctions could be designed as many of the tools (financial systems and banks) are under the coverage of sanctions. The sanction designer must bear in mind the right of the disaster and economic affected people while trying to target a county. Iranian Red Crescent was not able to act properly and to respond to the disaster in an efficient way because the unilateral sanctions are a real constrain in humanitarian areas. The main issue is the right of the affected people which is violated by the unilateral sanctions.

## **Resources:**

<http://legal.un.org/docs/?symbol=A/RES/71/141>

<https://www.icj-cij.org/en/case/175>

Iranian Red Crescent statute, available at [www.rcs.ir](http://www.rcs.ir)

Iran Emergency Appeal 2019, <https://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2019/04/08042019-IR-A4-EN.pdf>

Masters M. What are economic sanctions? <http://www.cfr.org/sanctions/economic-sanctions/p36259>. Accessed March 25, 2016. Published 2016

Maggie O. The Wake of War. Guardian. 1996

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UN General Assembly; 2013

United Nations international law commission, draft articles on the protection of persons in the event of disasters, [http://legal.un.org/ilc/summaries/6\\_3.shtml](http://legal.un.org/ilc/summaries/6_3.shtml), 201