

Mal-effects of UCMs on Human Rights under Covid-19

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Report No. 8

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Introduction

As part of our ongoing efforts to shed light on and challenge the systematic human rights violations of the most vulnerable people in Iran, due to comprehensive unilateral/multilateral coercive measures, Organization for Defending Victims of Violence (ODVV) has published a series of reports on the ways in which economic sanctions negatively impact the daily life of the civilian citizens in this country. The first volume in the series addresses the detrimental consequences of the imposed economic sanctions on “patients and the process of the production and distribution of medicines in Iran” ; the second volume discusses “corruption and money-laundering” as a result of sanctions; the third volume centers on the economic sanctions forced upon Iran and its people, particularly by “banks and other financial institutions;” the fourth volume focuses on “the humanitarian consequences of sanctions”; the fifth volume explores “the impact of sanctions on refugees and migrants in Iran”, the sixth volume reflects on “Sanctions and Medicines”, the seventh volume discusses “Sanctions and the people with Disabilities” and this issue draws the reader’s attention to “Mal-effects of UCMs on Human Rights under Covid-19”.

«At this crucial time,
both for global public
health reasons, and
to support the rights
and lives of millions
of people in these
countries, sectoral
sanctions should be
eased or suspended.
In a context of global
pandemic, impeding
medical efforts in one
country heightens
the risk for all of us,»
Michelle Bachelet,
March 24, 2020



Why UCMs are imposed on Iran?

The Islamic Republic of Iran is under the United States illegal unilateral coercive measures that violate people's human rights especially the right to food and the right to health.

After 12 years of talks, finally in July 2015 the Islamic Republic of Iran and the group known as 5+1 (the Russian Federation, People's Republic of China, the United Kingdom, France, Germany and the United States) reached an agreement on the peaceful Iranian nuclear programme "Joint Comprehensive Plan of Action" or JCPOA. Through suspension of some nuclear activities of Iran, the agreement lifted some of the heavy sanctions imposed on the country. The agreement received its official support by the UN Security Council Resolution 2231 which placed JCPOA in international law, and made it enforceable.

Right from the outset, the United States failed to stay fully committed to lifting the nuclear related sanctions against the Iranian people and ultimately in May 2018 US pulled out of the agreement and announced that severe sanctions, "unprecedented in history"¹ would be re-imposed on Iran.



Despite the objection of the rest of the JCPOA signatories and 12 IAEA reports unequivocally confirming Iran's commitment to the agreement, the United States imposed even harsher sanctions against Iran, and what is usually overlooked in this unilateral and unfair measures is the adverse human rights consequences of such sanctions and "collective punishment" of Iranian people, through the "economic warfare" that directly violates people's right to health and right to life. While sanctions violate many human rights, Washington claims that fundamental and humanitarian goods, particularly medicines and medical equipment are exempt from the sanctions. This is while

evidence shows that these sanctions are pursued solely with political objectives and intentionally target human rights of Iranians. The clarity of the issue is to an extent that on numerous occasions the international community has criticized the United States' actions and shown reactions. Also, top Iran officials have cautioned about the human consequences of sanctions. Alongside these officials, NGOs have clarified the various aspects of catastrophes that have occurred to the international community due to the urgency of the issue. To this aim, in one voice with other human rights defenders and in order to conduct a part of its mission of defending human rights, ODVV reviews the inhuman repercussions of sanctions on innocent people who need medicines and highlights the existing evidence-based facts to clarify the fictions claimed by the United States regarding sanction exemptions.

“Humanitarian organizations refer to unilateral sanctions as the main obstacle to the delivery of aid, including medicine, medical equipment, protective kits, food and other essential goods,”
... “the sanctions were complex, confusing and non-transparent while humanitarian exemptions remain ineffective, inefficient and inadequate.”
Prof. Alena Douhan,
December 10, 2020

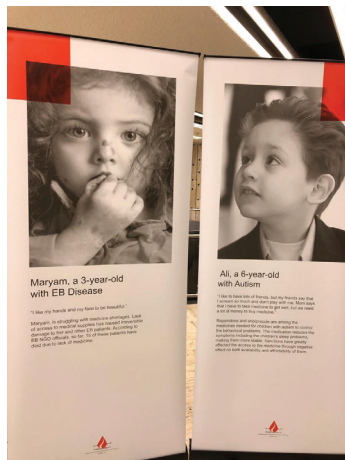


Repeated calls for lifting UCMs under Covid-19

Since the outbreak of the pandemic, many UN officials have called upon the UN member states to lift unilateral sanctions in order not to disrupt the capacity of the health care systems to fight the COVID-19 pandemic in the target counties in order to save lives.

There has been the March statement² of the UN High Commissioner for Human Rights to ease or suspend sanctions; the 26 March 2020 appeal of the UN Secretary General³ to waive sanctions that undermine countries' capacity to respond to the pandemic;

UN General Assembly resolution 74/270 on “Global solidarity to fight the coronavirus disease 2019 (COVID-19)” that called for multilateral cooperation, unity and solidarity, acknowledging the need of all relevant stakeholders to work together at the national, regional and global levels and to provide assistance especially to the most vulnerable ones to ensure that no one is left behind in medical treatments; the UN policy



brief entitled “COVID-19 and Human rights; We are all in this together” of 23 April 2020, in which the UN Secretary General identifies the need to save human lives as the UN priority; the Group of 77 and China statement of 3rd of April, 2020 that called upon the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures

against developing countries; the UCM Special Rapporteur joint public statement of 30th April, that called on the United States to lift its economic and financial embargo on Cuba that was obstructing humanitarian responses in order to help the country’s health care system fight the COVID-19 pandemic; the UCM Special Rapporteur’s first Covid-19 Guidance Note, on May 1st, 2020 that called on UN member states to lift or at least suspend any sanctions impeding trade in or delivery of essential humanitarian goods; the Non-Aligned Movement (NAM) Declaration under the theme of “United against COVID-19 pandemic” on May 4th 2020 that expressed their condemnation at the promulgation and application of unilateral coercive measures against Member States of the Movement.



Humanitarian concerns are” hardly taken into account despite the generally recognized poverty, food and health insecurity, high chances of the violation of the right to life in some of sanctioned countries, by transferring the fault for not guaranteeing these rights to the governments of the latter,” Prof. Alena Douhan, September 28, 2020

During the Universal Periodic Review of the US in November 2020, some sanctioned countries including, Iran, Cuba, Syria, China, Nicaragua and Venezuela called on the US to stop unilateral sanctions.⁴

In June, 2020, the United States' decision to sanction members of the International Criminal Court, triggered waves of international protest round the world⁵ and within the United Nations. In addition to the protests expressed in the media, some countries (Switzerland, Denmark, Liechtenstein, Spain, France, Germany, Ireland, Sweden and the State of Palestine), recommended the United States to remove ICC sanctions, during the Universal Periodic Review of the US in November 2020⁶.

In September 2020, the UN Special Rapporteur on negative effect of unilateral coercive measures on human rights, Professor Alena Douhan, repeated her previous calls on sanctioning countries to lift the measures during the pandemic, in the regular session of the human rights council⁷ and in the meeting of the members of Non-aligned Movement, reiterating on the fact that sanctioning countries fail to pay due attention to the widespread humanitarian concerns caused by UCMs and put the responsibility on the governments of target countries, blaming their ability to protect the human rights of their populations.⁸ “Humanitarian concerns are hardly taken into account despite the generally recognized poverty, food and health insecurity, high chances of the violation of the right to life in some of sanctioned countries, by transferring the fault for not guaranteeing these rights to the governments of the latter,” the Special Rapporteur said.

In October, 2020, while presenting her report to the UN General Assembly,

the UN Special Rapporteur on UCMs, reiterated on the necessity of ending the unilateral coercive measures, one more time and specifically discussed various and widespread effects of comprehensive unilateral sanctions on target states' capacity to respond to the pandemic:

“Targeted countries face shortages of medications and medical equipment, including oxygen supplies and ventilators, protective kits, spare parts, software, fuel, electricity, drinking water and water for sanitation, cannot use foreign assets for humanitarian imports, their citizens and medical personnel cannot get access to information about COVID-19, telemedicine or use communication and educational platforms. In the long-term perspective unilateral sanctions hinder targeted countries' ability to respond to COVID-19, to implement national response plans; result in breaches of existing regional and bilateral cooperation/integration mechanisms; make populations dependent on humanitarian aid and prevent the economic recovery of the targeted countries through the development and maintenance of necessary infrastructure.” “This violates labor rights, right to education, access to information, right to food and right to health of their populations.”⁹



Sanctions limited the State's access to its foreign currency reserves to purchase medical supplies and the raw materials needed to produce supplies locally. This disruption has led to issues of scarcity and affordability affecting the right to health” Javaid Rehman, January 11, 2021

In December 2020, the Special Rapporteur echoed the concerns expressed by humanitarian organizations that: “Humanitarian organizations refer to unilateral sanctions as the main obstacle to the delivery of aid, including medicine, medical equipment, protective kits, food and other essential goods,” adding that “the sanctions were complex, confusing and non-transparent while humanitarian exemptions remain ineffective, inefficient and inadequate”¹⁰.

The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javáid Rehman, in his report (published on 11 January 2021), submitted to the Human Rights Council has expressed dismay “that sanctions imposed by the United States of America continue to have a negative impact on economic and social rights in the Islamic Republic of Iran, especially during the coronavirus disease (COVID-19) pandemic, with humanitarian exemptions proving unsuccessful”. “Sanctions limited the State’s access to its foreign currency reserves to purchase medical supplies and the raw materials needed to produce supplies locally. This disruption has led to issues of scarcity and affordability affecting the right to health”.¹¹ Numerous UN resolutions¹² and report¹³ recommendations have also



called on the member states to refrain from resorting to unilateral measures against each other.

The repeated calls seem to have fallen on deaf ears, because there have been numerous announcements by the United States - as one of the countries using most unilateral measures against other countries - that the administration has continued adding to its unilateral sanctions against Iran (especially from October 2018 to January 2021), Cuba, Syria and other target states. In addition, there has been no decision on reversing the measures on ICC as recommended in the United States' UPR session.

As of early February 2021, there has been progressive calls on Biden's administration to immediately cease unilateral sanctions¹⁴, one more time. On January, 22, 2021, a group of church leaders and international figures requested President Biden to lift sanctions imposed on Syria "to help Syrians alleviate a humanitarian crisis that threatens to trigger a new wave of instability in the Middle East". Also, on the very first day of Joe Biden's work, a Global Coalition called on the new president to lift unilateral sanctions on target countries¹⁵, so that their right to self-determination is protected and they have access to global markets, are able to generate wealth, stabilize their currencies, and provide basic human rights for their people.



The situation on the ground

The United States Comprehensive Unilateral Coercive Measures (UCM)s, that according to the former UN Special Rapporteur on UCMs amount to de facto blockades¹⁶ or economic wars¹⁷, have detrimental effects on fundamental human rights specially the right to life and the right to health. They adversely target all economic, social and cultural rights of the target population especially the right to life and health of the most vulnerable groups including the children, the patients, the disabled and the migrants and they aim at the “collective punishment”¹⁸ of citizens in the target countries including Cuba, Iran, Syria and Venezuela.

Economic wars seriously harm the economy of the target country, leading to high rates of inflation and unemployment. The escalation of prices, coupled with decrease of income, limit the affordability of life-saving medicine, medical equipment and healthcare. The situation is worsened by prevention of the banking system of the target country from having any financial transactions with the international community which contributes to the scarcity of life-saving medicine in the market and limits the access of patients to the already difficult-to-afford medicine.

The complicated situation created by banning import, prevention of banking transactions, skyrocketing of prices of food and medicine and serious decrease in income, leads to the mass killing of the vulnerable people in silence. The collective punishment of the target population through silent mass killing can amount to “crimes against humanity”¹⁹ and is proven to be forbidden under international law.

The U.S. comprehensive embargo on Cuba, has very limited the country’s access to humanitarian aid, medical care and supplies. Cuba has also been unable to buy pulmonary ventilators necessary to fight COVID-19 from a European manufacturer which suspended all commercial relations with Cuba because of the sanctions. IN addition, the sanctions have caused more than \$144 billion trade losses for Cuba economy in the past six decades²⁰. The pressure on the economy and international trade of the island is threatening lives under Covid-19.²¹

Venezuela has recorded an alarming death toll of 40000 people in a year, caused by sanctions before the outbreak of Covid-19²². Under Covid-19, the country is confronting more challenges due to trade



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restrictions that affect shortages of goods including fuel, medicine, disinfectants as well as hygienic and sanitary goods, in addition to shortages of drinking water and water which is required for sanitary purposes.

- Iran is also experiencing limitation of access to medicine, medical equipment, diagnostic and treatment machines spare parts in addition to economic challenges. The country officials refer to sanctions as “economic terrorism” and “genocidal” measures that threaten human lives. Iran is prevented from buying medicine, medical equipment and grains from European companies who are over-concerned about the US retaliation and because of the banks who have the same worries about doing business with sanctioned countries. Recently, it is reported that limitation of access to insulin endangers the lives of diabetics in the country.

- The sanctions have also affect access to medical information. Iranian doctors are unable to access to medical databases (Pub Med) after its server had been transferred to Google. Also, in target countries including Iran, Zoom and other on-line platforms cannot be used for telemedicine, education, research, communication or other purposes.

- One of the most inhuman faces of unilateral sanctions can be seen when an Iranian medical center which is conducting research in order to make Covid vaccine is sanctioned by the United States²³.

- In addition to the unilateral sanctions imposed by the United States on other countries and the secondary sanctions that are imposed

on people and entities who do not abide by the US sanctions, international and national financial institutions have also failed to support the states targeted by unilateral sanctions. The requests presented by sanctioned countries – including Iran and Cuba – to the World Bank and IMF in order to receive emergency loans under COVID-19 has been rejected. Also, Syria and Venezuela are deprived of access to their deposits that are blocked in the Bank of England, that could be used for fighting Covid-19 pandemic.

Syria, Cuba, Iran and Sudan are facing challenges in buying medical equipment and medicine, including anesthetic, respiratory, endoscopy and other pharmaceutical equipment; ventilators, CT scanners, tests, protective kits and many other fundamental items because of the prohibition of banking transactions and because of the fear of banks of US fines under secondary sanctions. Syria has been unable to import the technology necessary, inter alia, for CT scans and ventilators.²⁴

In Russia, a number of research centers involved in developing and testing a COVID-19 vaccine have been listed by the U.S. as being allegedly involved in the development of chemical and biological weapons.

A Serious Concern

At the moment, following the outbreak of the pandemic and the necessity of widespread vaccinations, a concern is being expressed by the UN experts over the global divide on the access to the vaccine.

On January, 22nd, 2021, UN Special Rapporteurs on international solidarity, health, development and international order, in a joint public statement have emphasized on the importance of global coordinated efforts to provide equal access to vaccine round the world, expressing worries that rich states have more opportunity to provide their populations with the vaccine, while the people of developing countries will not be able to share the opportunity²⁵.

Needless to say that, countries targeted by sanctions, will not be able to have an equal share an equal access to the vaccine due to the limitations of export and import imposed by the sanctions. This is while “this pandemic will not end for anyone, until it ends for everyone.”²⁶

Under the pandemic, there is an urgent need to immediately lift all unilateral, illegal deadly United States sanctions before the continue to take more human lives.

“I ... appeal for the waiving of sanctions that can undermine countries' capacity to respond to the pandemic” António Guterres', March 27, 2020



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