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

Written statement* submitted by Organization for Defending Victims of Violence (ODVV), 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.

[19 August 2019]

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

ID with the Special Rapporteur on the Negative Impact of Unilateral Coercive Measures (UCM)s on the Enjoyment of Human Rights

Over the recent years especially in the time period following the United States unilateral withdrawal from the Joint Comprehensive Plan of Action (JCOPA), and re-imposition of Unilateral Coercive Measures (UCMs) on Iran, Organization for Defending Victims of Violence (ODVV), has tried to shed light on the human and humanitarian consequence of UCMs on Iran population, stressing on the scope and extent of human rights violations caused by imposition of UCMs.

One more time, ODVV draws the attention of the international community, the Human Rights Council and its mechanisms to the following inhuman outcomes of imposing UCMs on Sovereign countries:

- UCMs target the most fundamental human rights of the target population including the right to life, the right to health and the right to food.
- Under sanctions which are imposed on banking transactions including the sanctions on SWIFT, sanction exemptions on humanitarian aid will not work.
- Sanctions on SWIFT interbank system interfere with financial exchanges with target countries and prevent purchase of fundamental items including food and medicine by the country.
- Economic sanctions that hurt innocent populations contravene the spirit and letter of the Charter of the United Nations. Over decades, United Nations bodies have condemned unilateral coercive measures, including the successive General Assembly resolutions that condemned the Sanctions against Cuba since 1992.
- In Venezuela, sanctions death toll was recorded to amount to 40,000 lives in a one-year period¹.
- Comprehensive UCMs act as “collective punishment” of the civilians residing in the target country and they are also considered as a “blockade” both of which are considered as “unlawful” and are banned under international law.
- Comprehensive UCMs are considered as “crimes against humanity” by UN Special Rapporteur², also, UCMs can amount to crimes against humanity under Article 7 of the Rome Statute of the International Criminal Court.
- In the case of Iran, the excessive harms created by UCMs are to an extent that they even prevented humanitarian aid from reaching flood stricken communities of the recent flood that affected the country in early spring 2019 and the situation proved that the claim on creating exemptions for humanitarian items were false.

Also, ODVV expresses worries that UCMs against Iran violate the UN resolutions that call on States not to resort to unilateralism as a solution to political disagreements, including the Security Council Resolution 2231 and the UN General Assembly Resolution 46/182³.

1 . <http://cepr.net/publications/reports/economic-sanctions-as-collective-punishment-the-case-of-venezuela>

2 . A/HRC/39/47/Add.1

3 . the resolution emphasizes on the necessity of respect to sovereignty, territorial integrity and national unity of States which are violated by UCMs.

UCMs are condemned in numerous reports prepared by the Human Rights Council⁴ including the 6 annual reports submitted by the Special Rapporteur on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights.

- ODVV welcomes the attempts made by France, Germany and Britain supported by the European Union to establish the Instrument in Support of Trade Exchanges (INSTEX), however, expresses concern over the fact that sanctions on oil export can seriously jeopardize the effectiveness of the mechanism, because the sanctions deprive the country from national income and the funds that Iran need to insert into INSTEX.

Recommendations:

ODVV warns the international community about the increased use of unilateral sanctions against countries by few sanctioning countries and stresses on the international obligations of international community to take action on this regard.

Echoing the call made by the Special Rapporteur on Unilateral Coercive Measures, (UCMs), the Organization for Defending Victims of Violence (ODVV) urges on the appointment of a special representative of the UN Secretary General on Unilateral Coercive Measures.

ODVV urges the international community and the United Nations to take practical steps to translate the existing consensus⁵ on condemnation of Unilateral Coercive Measures into action in order to end the unnecessary sufferings of people in target countries as soon as possible.

ODVV urges the UN General Assembly and the Human Rights Council to establish a mechanism for the right of UCM victims to an effective remedy including appropriate and effective financial compensation.

ODVV draws the attention of all member states to their obligation under international law not to recognize unlawful situations arising from UCMs nor to offer any assistance to the sanctioning country in that respect.

4 . reports are available in <https://www.ohchr.org/EN/Issues/UCM/Pages/Reports.aspx>

5 . A/HRC/42/46, p.13