



General Assembly

Distr.: General

31 July 2019

English

Original: English/French/Russian

Seventy-fourth session

Item 17 (a) of the provisional agenda*

**Macroeconomic policy questions: international trade
and development**

Unilateral economic measures as a means of political and economic coercion against developing countries

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution [72/201](#), entitled “Unilateral economic measures as a means of political and economic coercion against developing countries”. It contains the outcome of the monitoring by the Secretary-General of the imposition of such measures and a brief analysis of their impact on the affected countries, including the impact on trade and development. The report reflects the replies of Member States and selected international organizations to the note verbale sent by the Under-Secretary-General for Economic and Social Affairs. It also includes additional data collected by the Secretariat.

The responses from Member States indicate their disagreement with the imposition of unilateral economic measures as an instrument of political and economic coercion against developing countries. Such measures are viewed as being inconsistent with the principles of the Charter of the United Nations, the norms of international law and the multilateral trading system. Member States expressed their concerns about the adverse impacts of unilateral measures on the sustainable development of the affected countries. An international organization reported detrimental impacts of unilateral measures on the development outcomes and human rights of the affected countries. The number of unilateral measures has been increasing.

* [A/74/150](#).



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I. Introduction

1. In its resolution [72/201](#), entitled “Unilateral economic measures as a means of political and economic coercion against developing countries”,¹ the General Assembly urged the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries that were not authorized by relevant organs of the United Nations or were inconsistent with the principles of international law as set forth in the Charter of the United Nations and that contravened the basic principles of the multilateral trading system.
2. In the same resolution, the General Assembly requested the Secretary-General to continue monitoring the imposition of such measures, study their impact on the affected countries, including the impact on trade and development, and report on the implementation of the resolution to the Assembly at its seventy-fourth session.
3. Pursuant to that request, in a note verbale dated 18 April 2019, the Under-Secretary-General for Economic and Social Affairs invited Governments of Member States and international organizations to provide any information they might wish to contribute to the preparation of the report. An additional note verbale was sent on 3 June 2019 to remind recipients to respond.
4. The replies received from Governments of Member States as at 21 June 2019 are reproduced in the annex to the present report. Replies received after that date will be reproduced as addenda to the report.

II. Summary of replies received from Member States, United Nations bodies and international organizations

5. Member States expressed their disagreement with the imposition of unilateral measures. They considered unilateral measures to be inconsistent with the principles of the Charter of the United Nations. Member States were of the view that such measures impeded the rule of law, the transparency of international trade, the freedom of trade and navigation and sustainable development.
6. Member States that identified themselves as countries affected by unilateral measures (Burundi, Cuba, Jordan, the Russian Federation, the Sudan and the Syrian Arab Republic) reported negative impacts of such measures on their countries and the rules-based multilateral trading system. Member States indicated that unilateral measures tended to have severe humanitarian consequences and adverse effects on vital economic sectors, thereby harming the welfare of the population.
7. The Economic and Social Commission for Western Asia considered that the imposition of unilateral measures on the Syrian Arab Republic, Yemen and the Occupied Palestinian Territory had a detrimental impact on the development outcomes of those countries and had triggered adverse effects on human rights and, worse, humanitarian crises. The measures disproportionately damaged the most vulnerable and often the most innocent segments of society.²
8. The Economic Commission for Latin America and the Caribbean (ECLAC) reported that unilateral measures had had significant negative impacts on Cuba and

¹ In the present report, “unilateral economic measures as a means of political and economic coercion” has been abbreviated as “unilateral measures”.

² Reply from the Economic and Social Commission for West Asia to the note verbale, received on 30 April 2019.

Venezuela (Bolivarian Republic of), and that new measures on Nicaragua might as well.³

III. Monitoring the imposition of unilateral measures and studying the impact of such measures on the affected countries

9. As at the end of June 2019, 31 unilateral measures against developing countries were in effect.⁴

10. The number of unilateral measures has continued to increase in recent years. Since the previous report on unilateral measures ([A/72/307](#)) was issued in 2017, four new measures have been introduced, including the one against Nicaragua reported by ECLAC. Between 2010 and mid-2019, 2.8 new unilateral measures were issued per year on average, as compared with 1.9 per year in the 2000s. The re-establishment of economic relations in long-standing cases, such as Cuba and Myanmar, was initiated but, as at mid-2019, had not yet concluded.

11. Evidence suggests that unilateral measures, especially broad trade embargoes, can have unintended adverse impacts on human rights and public welfare (see [A/HRC/39/54](#) and [A/73/85](#)).

³ Replies from the Economic Commission for Latin America and the Caribbean to the note verbale, received on 27 June 2019.

⁴ Department of Economic and Social Affairs database.

Annex

Replies received from Member States and the European Union

Burundi

[Original: English]
[30 April 2019]

Burundi does not agree with the imposition of unilateral measures. These measures are contrary to the principles of the Charter of the United Nations and are often applied against developing countries in order to influence domestic politics in violation of the sacred principle of non-interference in the internal affairs of sovereign countries.

Burundi has been subject to economic sanctions since December 2015, which remain in effect despite the return to calm, peace and tranquillity in the country. The countries imposing the measures are members of the European Union. These sanctions were politically motivated to influence domestic policy in Burundi. The unilateral economic sanctions that the European Union has imposed on Burundi unjustly have direct consequences on the implementation of sustainable development goals in general and the lives of vulnerable groups such as women, children, sick people in hospitals and unemployed youth, among others.

Unilateral measures violate the economic and social rights of the people living in the target countries. They are immoral because many vulnerable people die for lack of basic necessities. These measures also violate the Charter of the United Nations and the duty of all to international solidarity. If we want to build a just world order based on the rule of law, the United Nations should take concrete steps to discourage the imposition of unilateral, politically motivated measures against sovereign States.

Cambodia

[Original: English]
[3 May 2019]

Cambodia does not agree with the imposition of unilateral measures. Cambodia is of the view that the current use of unilateral measures by certain superpowers on developing countries are done with the objective of undermining development efforts and, in certain cases, putting pressure on them for regime change in order to serve the superpowers' political agendas.

Central African Republic

[Original: English]
[6 May 2019]

The Central African Republic does not agree with the imposition of unilateral measures. Such measures prevent these countries from achieving the Sustainable Development Goals.

All countries that are subject to such measures are limited in their quest for development and their populations are the victims, owing to a lack of health, education and basic necessities.

Cuba

[Original: English]
[8 May 2019]

The Republic of Cuba does not agree with the imposition of unilateral measures. Cuba rejects all unilateral measures, since they are inconsistent with the principles of international law as set forth in the Charter of the United Nations and contravene the basic principles of the multilateral trading system. Cuba considers that these measures directly violate the sovereignty of developing countries and that they hinder the advancement of national development and the achievement of better social and economic realities. The unilateral coercive measures are intended to cause economic and political difficulties in the States against which they are directed. Therefore, they do not make any real distinction between the States subject to the sanctions and the civilian population residing in these States.

Cuba has endured, and still endures to date, an economic and financial blockade imposed by the Government of the United States of America since 1962. The laws and regulations that uphold this policy of unilateral measures are rigorously applied by United States authorities.

These measures were designed to bring about “hunger, desperation and overthrow of [the Cuban] Government”.¹ They constitute an absurd policy that is morally unsustainable, as former President Barack Obama acknowledged. They have not served the purpose of breaking down the decision of the Cuban people to choose their political system and control their future.

The President of the United States has broad executive prerogatives to modify the application of these laws and regulations, just as former President Obama did during the final years of his Administration. Although the United States Congress is the body empowered to revoke the laws supporting the blockade against Cuba and to decree its demise, this act could be preceded by the dismantling of the immense majority of the restrictions composing it via executive actions.

There are four aspects of the blockade that the President of the United States cannot act upon since they require the action of Congress to be eliminated or changed:

- (a) The prohibition on United States subsidiaries in third countries from doing business with Cuba (Torricelli Act);
- (b) The prohibition on carrying out transactions with United States properties that were nationalized in Cuba (Helms-Burton Act);
- (c) Preventing United States citizens from travelling to Cuba as tourists (Trade Sanctions Reform and Export Enhancement Act of 2000);
- (d) The prohibition on financing for sales of United States agricultural products to Cuba (Trade Sanctions Reform and Export Enhancement Act of 2000).

The main laws and administrative provisions establishing and governing the embargo policy are the following:

- The Trading with the Enemy Act of 1917, in its section 5 (b), provides that the President may impose economic sanctions in time of war or any other national emergency, and prohibits trading with the enemy or with allies of the enemy during hostilities. In 1977, the International Emergency Economic Powers Act restricted the powers of the President to impose new sanctions, referring to

¹ Lester D. Mallory, “Memorandum From the Deputy Assistant Secretary of State for Inter-American Affairs (Mallory) to the Assistant Secretary of State for Inter-American Affairs (Rubottom)”, 6 April 1960, United States Department of State.

national emergency situations. However, the Trading with the Enemy Act has remained in effect against Cuba, even though the White House has never declared a national emergency with respect to Cuba. Since then, successive Presidents of the United States have extended the application of the Act to Cuba. Under that legislation, the Cuban Assets Control Regulations were adopted in 1963; they prohibited United States persons subject to United States jurisdiction from conducting financial transactions with Cuba, froze Cuban assets and banned the import of goods of Cuban origin into the United States, among other restrictions. Cuba is the only country to which this legislation applies. On 10 September 2018, President Trump renewed the sanctions against Cuba for another year.

- The Foreign Assistance Act of 1961 authorizes the President of the United States to establish and maintain a total embargo upon trade with Cuba and prohibits the granting of any aid to the Cuban Government. It also provides that United States Government funds earmarked for international aid and delivered to international agencies cannot be used for programmes involving Cuba. It prohibits the granting to Cuba of any assistance mentioned in the Act or any other benefit mentioned in any other law, until such time as the President determines that Cuba has taken action to return to United States citizens and entities no less than 50 per cent of the value of properties nationalized by the Cuban Government following the triumph of the Revolution, or to provide equitable compensation for such properties.
- In Presidential Proclamation 3447 of 3 February 1962 by President John F. Kennedy, a total embargo on trade with Cuba was declared, pursuant to section 620 (a) of the Foreign Assistance Act.
- Under the Cuban Assets Control Regulations of the Department of the Treasury (1963), all Cuban assets in the United States are frozen, all financial and commercial transactions are prohibited unless approved under a licence, Cuban exports to the country are prohibited and any person from the United States or third countries is prohibited from conducting transactions in United States dollars with Cuba, among other provisions.
- Section 2404 (b) (1), “National Security Controls”, “Policy toward individual countries”, of the Export Administration Act of 1979 establishes the Commerce Control List, on which the President of the United States keeps a number of countries for which special export controls may be imposed for reasons of national security. Cuba is included on that list.
- The same Act of 1979 establishes the grounds for general controls over items and activities subject to Export Administration Regulations control, consistent with the sanctions imposed by the United States Government. It establishes a general policy of denying exports and re-exports to Cuba.
- The Cuban Democracy Act (“Torricelli Act”) of 1992 prohibits the subsidiaries of United States companies in third countries from trading in goods with Cuba or with Cuban nationals. It bans third-country vessels that have visited a Cuban port from entering United States territory within 180 days, except for those which have a licence from the Secretary of the Treasury.
- The Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996, or Helms-Burton Act, codifies the provisions of the embargo and expands its extraterritorial scope through the imposition of penalties on directors of foreign companies that conduct transactions involving United States property nationalized in Cuba and the threat of lawsuits in United States courts. The Act also limits the powers of the President of the United States to suspend the

embargo even though it maintains his power to authorize transactions with Cuba through the issuance of licences.

- Section 211 of the Emergency Supplemental Appropriations Act of 1999 prohibits United States courts from recognizing the rights of Cuban companies to trademarks associated with nationalized property.
- The Trade Sanctions Reform and Export Enhancement Act of 2000 authorizes the export of agricultural products to Cuba, conditional upon payment in cash and in advance, and without United States financing. It prohibits travel to Cuba for tourist activities by United States persons, defining tourist activity as any activity involving travel to, from or within Cuba that is not explicitly authorized under title 31, section 515.560, of the Code of Federal Regulations. In other words, it limits travel to the 12 categories authorized when it was enacted.

The United States Government set back bilateral relations with Cuba on 16 June 2017, when President Donald Trump signed the National Security Presidential Memorandum on Strengthening the Policy of the United States toward Cuba, which endorsed among its objectives the tightening of the embargo against Cuba. In November 2017, the United States Departments of Commerce, the Treasury and State issued new regulations and provisions to implement the memorandum.

Further measures have been applied to restrict the right of United States citizens to travel to Cuba and imposed additional constraints on the limited opportunities of the United States business sector in Cuba by establishing a list of Cuban entities with which United States institutions and persons are prohibited from conducting transactions.

The strengthening of the extraterritorial application of the embargo has been another distinctive manifestation of the tightening of this policy, with a marked impact on Cuban international financial and credit relations. In recent months, the constant persecution of Cuban financial transactions and of credit and banking operations involving Cuba has intensified on a global scale. This has caused serious damage, in particular to the business activities of domestic companies and banks in their links with international banking.

The Helms-Burton Act of 1996 was conceived to codify and tighten the economic, commercial and financial blockade policy officially imposed in 1962. The Act has sought to universalize the economic blockade through pressures exerted by the United States against third countries, their Governments and companies. It is intended to suffocate the Cuban economy and generate or increase shortages among the population with the purpose of imposing in Cuba a Government that serves the interests of the United States. It consists of four titles and has been implemented since its enactment. It is characterized by having an extreme extraterritorial scope, violating the rules and principles of international law, contravening the rules of trade and international economic relations and being harmful to the sovereignty of other States.

The United States State Department announced the decision to allow, from 19 March 2019, the filing of lawsuits under Title III of the Helms-Burton Act only against Cuban companies that are included in the List of Restricted Entities issued by that Government in November of 2017. This list is intended to tighten the blockade and expand its extraterritorial effects, and forbids United States citizens from engaging in direct financial transactions with the aforementioned entities. The announcement made by the State Department also indicated the possibility of initiating legal action with the same purposes against other Cuban entities or foreign companies that maintain commercial or economic relations with Cuba. These measures also affect other countries and their citizens, including United States citizens who are not allowed to visit Cuba as tourists. Its extraterritorial scope ensures

that all matters pertaining to Cuba, especially international banking transactions, are targeted by United States authorities, even in third countries. On 17 April 2019, the Government of the United States announced the full application of Title III of the Helms-Burton Act from 2 May.

For now, the longest set of unilateral measures ever to be applied in history remains in force.

The blockade on Cuba constitutes to date the single largest obstacle in its path to development, and especially towards the full implementation of the 2030 Agenda for Sustainable Development. The laws and regulations supporting it continue to be in force and are being applied rigorously by United States government agencies, especially by the Departments of the Treasury and Commerce, and by the Office of Foreign Assets Control.

This has manifested particularly through its extraterritorial scope and the continued harassment of Cuban international banking and financial activity over the past few years. Consequently, the normal progress of Cuba in all spheres of economic, social, cultural and political life continues to be seriously hindered.

By virtue of this blockade, Cuba is still unable to freely trade products and services with the United States; it cannot have direct banking relations with that country or receive United States investment in other sectors of the economy, with the exception of telecommunications. Fear persists within the banking sector of the United States and third countries about relations with Cuba even when the United States has authorized the use of the United States dollar in Cuba's international financial transactions. Large fines against United States and non-United States banks imposed in recent years by the Office of Foreign Assets Control and other United States institutions created an environment that has led to systematic denial of banking and financial services to Cuban banks, companies, diplomatic missions and regular citizens.

The growth attained in the public health sector in Cuba is undeniable. All the health indicators collected by international organizations demonstrate the success of the sector. Nonetheless, this sector has not been exempted from the blockade by the United States. The accumulated repercussions of the blockade on Cuban public health are estimated to be \$3 billion since the beginning of the blockade.

These repercussions are manifested because access has been prohibited to United States markets for medicines, reagents, spare parts for medical equipment and instruments and other supplies. In most cases, these products have been acquired in geographically distant third markets, making purchases costlier and treatment for patients prolonged. In many cases, alternative products used are of lesser quality than those available on the United States market and this has serious effects on treatment.

Although a few of these adverse effects can be calculated in monetary terms, no figure, no matter how high, can show the intangible costs of the damage of social and human significance incurred by the denied access to state-of-the-art supplies, technology, knowledge and other resources that are vital for this sensitive area.

The right to development in Cuba is limited because of the negative effects of the blockade. Sectors such as biotechnology, tourism, transportation, mining and renewable energy have suffered considerable losses as a result of this unfair policy. In particular, Cuba's biotechnological and pharmaceutical industries struggle constantly against the blockade in developing new products, medicines, highly advanced equipment and services destined to improve the health of the Cuban people and generate exportable goods and services and cutting-edge technologies for the production of food.

Despite all this, Cuba has received various delegations of United States businessmen interested in the products of Cuban biotechnology, and a few actions of interest and contracts for some of them have materialized, but the blockade still restricts interchanges between the two nations. That also deprives the people of the United States of the benefits of the biotechnological and pharmaceutical products developed in Cuba.

Since this policy began to be applied almost 60 years ago, the blockade has caused damages of over \$934 billion, taking into account the depreciation of the dollar against the price of gold on the international market. At current prices, the embargo has caused quantifiable losses of more than \$134.5 billion.

There are numerous examples of unilateral economic coercive measures in the world, all in violation of international law as provided for in the Charter of the United Nations, and the Republic of Cuba condemns them all. The blockade of the United States Government against Cuba happens to be the longest, most unjust and illegal set of unilateral economic coercive measures ever to be applied in history to a single country. This policy and its extraterritorial scope have tried to isolate our country simply because it defends its sovereignty and its right to freely choose its future.

Cuba and the United States are not at war. Cuba has never launched any military aggression against the United States nor has it promoted acts of terrorism against the American people. It is unsustainable to justify the measures being taken under this ordinance.

The blockade also qualifies as an act of genocide by virtue of the Convention on the Prevention and Punishment of the Crime of Genocide of 1948 and as an act of economic warfare according to the Declaration concerning the Laws of Naval War adopted by the Naval Conference of London of 1909.

The blockade against Cuba must end. On 27 occasions, the General Assembly, by an overwhelming majority, has declared itself to be in favour of respect for international law, compliance with the principles and purposes of the Charter of the United Nations and the right of the Cuban people to choose their own future for themselves. That must be respected.

Ghana

[Original: English]
[4 June 2019]

Ghana does not agree with the imposition of unilateral measures.

Ghana believes that unilateral measures adversely affect the economic development of countries on which such policies are imposed and therefore urges the international community to halt all such measures worldwide.

Jordan

[Original: English]
[21 May 2019]

Jordan does not agree with the imposition of unilateral measures because they violate the terms of World Trade Organization agreements and weaken the economies of developing countries.

Nigeria

[Original: English]
[6 May 2019]

Nigeria does not agree with the imposition of unilateral measures as instruments of political and economic coercion against developing countries.

Unilateral measures are contrary to the principles of the multilateral trading system and contravene the Charter of the United Nations. Such measures negatively impact the economic development of the affected countries.

Russian Federation

[Original: Russian]
[20 May 2019]

Unilateral economic restrictions imposed by individual States and groups of countries affect a whole series of States in Africa, Asia and Latin America, in particular, Cuba, the Democratic People's Republic of Korea, Iran, Syria and Venezuela. Such coercive measures hold back economic development, hamper the establishment and strengthening of global trade and investment links and hinder efforts to build on the global financial architecture that is vital to all participants in the global economy. They pose a threat to financial and debt sustainability and diminish the trading capacity of countries subjected to such restrictions. Indeed, unilateral sanctions are a tool of unfair economic competition used to drive "undesirable" suppliers of goods and services from global markets. They dampen business activity and disrupt established cooperation mechanisms and supply and value chains. Furthermore, such restrictive measures undermine respect for human rights and fuel social tension, seriously eroding ordinary people's quality of life. Ultimately, they stymie international efforts to achieve the Sustainable Development Goals.

Increasing sanctions pressure has a wide-ranging adverse effect on the economy of all countries, including those that impose such restrictive measures. Their greatest impact lies not so much in losses in quantitative terms as in the steady worsening of the qualitative situation arising from the tension stoked by sanctions and the concomitant erosion of trust between economic actors.

The Russian Federation has always maintained that the unilateral imposition of restrictive economic measures as a means of exerting pressure on other countries is inadmissible. Such measures, taken in contravention of international law, are illegitimate and run counter to the accepted principles of fair competition and the freedom of trade and investment. They undermine trust between countries and the role of the United Nations as the sole legitimate arbitrator in such matters. We believe that only the Security Council may decide to impose sanctions, in line with the provisions of Chapter VII of the Charter of the United Nations (arts. 39–42).

Albania, Australia, Canada, the European Union, Iceland, Liechtenstein, Montenegro, Norway, Ukraine and the United States of America are among the States and country groupings that have adopted restrictive measures against the Russian Federation.

The restrictions apply both to persons, natural and legal, and to whole sectors, and include trade, investment and financial prohibitions. They provide for the freezing of bank accounts, the seizure of real estate and other property and a ban on entry into the countries imposing the restrictions for certain public officials and leading business people. A number of Russian companies, including some major

banks, face restrictions on financial and other transactions and on borrowing. The export of certain types of equipment and technologies to the Russian Federation has been made subject to licence.

The Russian Federation regards the economic sanctions imposed on it as an attempt to encroach on its foreign policy sovereignty. The initiators of the economic restrictions do not hide the fact that the restrictions are designed to subject the country to long-term economic pressure, on the assumption that Russian financial institutions will be unable to find other sources to compensate for the lack of access to Western loans. The imposition of restrictive measures, as the Russian Federation has repeatedly stated, is thus no more than an attempt, under false pretexts, to give their own businesses a competitive edge.

It cannot be ignored that the anti-Russian restrictions have a significant human rights and humanitarian dimension. Indeed, the people of various regions are being held collectively responsible for simply pursuing the exercise of their basic civil rights and freedoms, first and foremost, the right of peoples to self-determination. Regardless of the declarations to the contrary of the initiators of the sanctions, sanctions have a directly adverse impact on the lives of ordinary people.

The trend towards a broader application of economic restrictions of an extraterritorial nature is a source of particular concern. Such actions in practice amount to a form of blockade, violate the basic norms of international humanitarian law and create a toxic and intimidatory atmosphere.

It should be noted that the Russian Federation has been given no choice but to apply its own restrictions in response. They are targeted and designed to protect the legitimate rights and interests of Russian economic actors. We remain open to dialogue on the most sensitive international issues and to defusing the situation, provided that the initiators of the sanctions revise their position with respect to our country.

Senegal

[Original: French]
[21 May 2019]

Senegal does not agree with the imposition of unilateral measures, for several reasons.

First, Senegal is one of the developing countries that have ratified United Nations system conventions relating to economic development. Second, coercive economic measures were strongly condemned by the United Nations General Assembly in October 2000. In addition, Senegal complies with trade measures and rules which it has adopted under World Trade Organization agreements.

To promote the country's economic development through international trade, Senegal has put in place a number of trade defence measures, including:

- (a) Anti-dumping measures to combat imports of products priced lower than local products;
- (b) Protective measures to combat excessive price hikes of agricultural and industrial products in the country;
- (c) Countervailing measures to combat imports of subsidized products that compete unfairly with local products.

South Africa

[Original: English]
[3 May 2019]

First and foremost, South Africa opposes unilateral measures, as we believe that there should be other ways to resolve conflicts without resorting to such measures.

Sri Lanka

[Original: English]
[3 June 2019]

Sri Lanka does not approve of the use of unilateral measures against any country that are inconsistent with the principles of the Charter of the United Nations and international law. Sri Lanka is of the view that the implementation of such measures impedes the rule of law, the transparency of international trade and the freedom of trade and navigation.

Sudan

[Original: English]
[3 May 2019]

The Republic of the Sudan not does not agree with the imposition of unilateral measures.

Sudan rejects all unilateral measures since they are inconsistent with the principles of international law as set forth in the Charter of the United Nations and contravene the basic principles of the multilateral trading system. The Sudan considers that these measures directly violate the sovereignty of developing countries and that they hinder the achievement of sustainable development and inclusive economic growth.

The Sudan was affected by unilateral measures between 1997 and 2017.

Syrian Arab Republic

[Original: English]
[2 May 2019]

The Syrian Arab Republic strongly opposes the imposition of unilateral measures, as these measures are fundamentally based on an unethical concept and contradictory to the principles of human rights and international humanitarian law. The content of this unethical concept is that there are some Member States with the economic power and the financial means to use unilateral measures, which only harm peoples, as a means of achieving private and unfair political goals and agendas, especially against developing countries. On this basis, the United Nations will never be able to achieve the goals and objectives of sustainable development in the 2030 Agenda for Sustainable Development as long as these countries and communities, particularly the United States of America and the European Union, continue to impose these coercive measures on many peoples of the world. The recent unilateral restrictive and coercive measures imposed on the Syrian Arab Republic directly targeted vital services and sectors such as fuel, petroleum supplies, the energy sector, and maintenance and rehabilitation of the health equipment necessary to provide vital health services. While the European Union and the United States are convening so-called “donors conferences for the future of Syria”, they link any development or rebuilding assistance to political conditions, an attitude that heavily affected and still

affects the efforts of the Syrian people to get their economy back on track to development and any efforts to create conditions suitable for the safe and voluntary return of refugees and displaced persons. To date, including during the period from 2016 to 2018, the Syrian Arab Republic has been subject to many unilateral coercive economic measures imposed by the United States, the European Union, the League of Arab States, the United Kingdom of Great Britain and Northern Ireland, Norway, Australia and Canada. Some of these illegitimate measures date back to 1979, when the United States began imposing some of them on Syria and other States on the basis of non-objective annual reports issued by the United States Department of State, which reflect only the policies of successive United States administrations towards these countries. They are even using issues such as terrorism and human rights to impose such measures.

The most important unilateral measures imposed against Syria, in particular those related to the Syrian crisis since 2011, are set out below.

United States

The coercive measures against Syria implemented by the United States Office of Foreign Assets Control began in 2004 when Executive Order 13338 was issued by the President of the United States to deal with the Government of Syria's policies towards Lebanon. Following the events in Syria beginning in March 2011, subsequent executive orders have been issued. The United States Government describes the unilateral measures programme as "one of the most comprehensive sanctions programmes currently implemented by the Office of Foreign Assets Control".

Current unilateral coercive measures imposed by the United States against Syria are as follows:

- Block the property and interests in property of the Government of Syria pursuant to Executive Order 13582
- Block the property and interests in property of persons listed in an annex to, or that are determined by the Secretary of the Treasury, in consultation with the Secretary of State, to meet the criteria described in Executive Orders 13338, 13399, 13460, 13572, 13573, 13582 or 13606
- Prohibit transactions or dealings with foreign persons that are determined by the Secretary of the Treasury, in consultation with the Secretary of State, to meet the criteria described in Executive Order 13608
- Prohibit certain transactions with respect to Syria pursuant to Executive Order 13582
- Under Executive Order 13582, all property and interests in property of the Government of Syria, which includes its agencies, instrumentalities and controlled entities, which are in the United States or within the possession or control of United States persons, are blocked. Executive Order 13582 also prohibits the following:
 - New investment in Syria by a United States person, wherever located
 - The direct or indirect exportation, re-exportation, sale or supply of any services to Syria from the United States or by a United States person, wherever located
 - The importation into the United States of petroleum or petroleum products of Syrian origin
- Any transaction or dealing by a United States person, wherever located, in or related to petroleum or petroleum products of Syrian origin

- Any approval, financing, facilitation or guarantee by a United States person, wherever located, of a transaction by a foreign person where the transaction by that foreign person would be prohibited if performed by a United States person or within the United States
- In addition to the prohibited transactions described above, other United States Government agencies may prohibit other transactions with Syria. For example, the United States Department of Commerce regulates the exportation or re-exportation to Syria of many items subject to the Export Administration Regulations

On 20 November 2018 and 25 March 2019, the Office of Foreign Assets Control, with the United States Department of State and the United States Coast Guard, issued an advisory to alert persons globally to the significant United States sanctions risks for parties involved in petroleum shipments to the Government of Syria. These shipments create significant sanctions risk for entities and individuals in the shipping industry, insurers and financial institutions. Countries such as Iran and Russia have been involved in providing the Government of Syria with petroleum. Those who in any way facilitate the financial transfers, logistics or insurance associated with these or other petroleum shipments are at risk of being targeted by the United States for sanctions.

The President of the United States issued the following Executive Orders:

Executive Order 13608 of 1 May 2012, finding that “efforts by foreign persons to engage in activities intended to evade United States economic and financial sanctions with respect to Syria and Iran undermine [United States] efforts to address the national emergencies declared in Executive Order[s] 13338 ... 12957 ... 12938 ... and 13224 ... and [taking] additional steps pursuant to those national emergencies”;

Executive Order 13606 of 22 April 2012, determining that “the commission of serious human rights abuses against the people of Syria and Iran by their governments, facilitated by computer and network disruption, monitoring, and tracking by those governments ... threaten[s] the national security and foreign policy of the United States”. Executive Order 13606 is designed primarily to address the need to prevent entities located in whole or in part in Syria and Iran from facilitating or committing serious human rights abuses and takes additional steps with respect to the national emergencies declared in Executive Orders 13338 and 12957, while recognizing the vital importance of providing technology that enables the Syrian and Iranian people to communicate with each other and the outside world, and of the preservation of global telecommunications supply chains to enable the free flow of information;

Executive Order 13582 of 17 August 2011, on taking “additional steps with respect to the Government of Syria’s continuing escalation of violence against the people of Syria and with respect to the national emergency declared in Executive Order 13338 ... as modified in scope in ... Executive Order 13572”;

Executive Order 13573 of 18 May 2011, on taking “additional steps with respect to the Government of Syria’s continuing escalation of violence against the people of Syria ... and with respect to the national emergency declared in Executive Order 13338 ... and expanded in scope in Executive Order 13572”;

Executive Order 13572 of 29 April 2011, expanding “the scope of the national emergency declared in Executive Order 13338 ... finding that the Government of Syria’s human rights abuses ... constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States”;

Executive Order 13460 of 13 February 2008, finding “that the Government of Syria continues to engage in certain conduct that formed the basis for the national emergency declared in Executive Order 13338 [and] that the conduct of certain members of the Government of Syria and other persons contributing to public corruption related to Syria ... enables the Government of Syria to continue to engage in certain conduct that formed the basis for the national emergency declared in Executive Order 13338 ... and to take additional steps with respect to the national emergency declared in Executive Order 13338”;

Executive Order 13399 of 25 April 2006, determining, among other things, that: “It is in the interests of the United States to ... assist the Government of Lebanon in identifying and holding accountable ... those persons who were involved in planning, sponsoring, organizing, or perpetrating the terrorist act ... that resulted in the assassination of former Prime Minister of Lebanon Rafiq Hariri, and the deaths of 22 others [and] tak[ing] additional steps with respect to the national emergency declared in Executive Order 13338”.

European Union

On 4 March 2019, The European Council added seven ministers of the Government of Syria to the list of persons and entities subject to restrictive measures, which brought the number of persons targeted by a travel ban and an asset freeze to 277. In addition, 72 entities are targeted by an asset freeze in view of the situation in Syria.

On 27 October 2016, the Council added 10 persons to the list of those targeted by European Union measures against the Syrian Government, including high-ranking military officials and senior figures linked to the Government.

More broadly, the Union gradually introduced comprehensive restrictive measures, starting in May 2011. On 28 May 2018, the Council extended European Union restrictive measures against the Syrian regime until 1 June 2019. The Council also updated the information relating to certain persons and entities on the list. They consist of:

- An export ban on arms and related materiel and on equipment. The ban also includes a prohibition on related technical or financial assistance.
- An import ban on crude oil and petroleum products from Syria. The prohibition concerns the import, purchase and transport of such products, as well as related finance and insurance. The ban also includes a prohibition on related technical and financial assistance.
- A ban on investment in the Syrian oil industry and in companies engaged in the construction of new power plants for electricity production in Syria. This covers loans and credits, acquisition or extension of participation and the creation of joint ventures.
- Prohibition from participating in the construction of new power plants, including related technical or financial assistance.
- A ban on exports to Syria of key equipment and technology for the oil and gas industry. The ban also includes a prohibition on related technical and financial assistance.
- The assets of the Central Bank of Syria within the European Union are frozen and it is prohibited to make funds or economic resources available, but the provision allows for legitimate trade to continue under strict conditions.

- A ban on trade in gold, precious metals and diamonds with Syrian public bodies and the Central Bank.
- A ban on supplying banknotes and coinage to the Central Bank of Syria.
- Member States must not give new grants and concessional loans to the Syrian Government.
- An export ban on equipment, technology or software primarily intended for monitoring or interception of Internet or telephone communications.
- No disbursements or payments in connection with existing loan agreements between Syria and the European Investment Bank, as well as the suspension of technical assistance contracts relating to projects in Syria.
- Prohibition from trading Syrian public or public guaranteed bonds with the Government of Syria or its public bodies and Syrian financial institutions. No brokering or issuing services for such bonds are allowed.
- Prohibition for Syrian financial institutions from opening new branches or subsidiaries in the European Union or establishing new joint ventures or new correspondent banking relationships with European Union banks. European Union banks are prohibited from opening offices or accounts in Syria.
- Member States are to restrain short- and medium-term financial support for trade with Syria, including export credits, guarantees and insurance. No more long-term support.
- No insurance or reinsurance to the Syrian Government, public bodies, corporations or agencies (except health and travel insurance or compulsory third-party insurance for Syrian persons or entities in the European Union).
- Cargo flights operated by Syrian carriers may not have access to European Union airports (except mixed passenger and cargo flights).

On 31 May 2013, in Council Decision 2013/255/CFSP, the European Union Council agreed to adopt restrictive measures against Syria in the following fields, as specified in Council Decision 2012/739/CFSP of 29 November 2012 concerning restrictive measures against Syria:

- Export and import restrictions, with the exception of arms and related material and equipment which might be used for internal repression
- Restrictions on financing of certain enterprises
- Restrictions on infrastructure projects
- Restrictions on financial support for trade
- Financial sector
- Transport sector
- Restrictions on admission
- Freezing of funds and economic resources

The European Union approved the following further sanctions against Syria in implementing Council Regulation EU No. 168/2012 of 27 February 2012 amending Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria:

- Imposing an asset freeze on the Central Bank of Syria
- Banning transactions of gold and other precious metals

- Banning cargo flights operated by Syrian carriers
- Designating seven ministers of the Syrian Government to be subject to restrictive measures

In January 2012, Council Regulation (EU) No. 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No. 442/2011 was adopted.

The Council expanded the scope of its measures against Syria by way of Council regulations on 2 and 23 September, 13 October and 14 November 2011, as well as by making amendments and additions to the list of targeted persons and entities through successive Council implementing regulations. Further measures, which do not fall within the scope of Union law, are set out in the corresponding CFSP decisions of the Council.

In May 2011, Council Regulation (EU) No. 442/2011 of 9 May 2011 concerning restrictive measures against Syria was adopted, prohibiting the sale, supply, transfer or export of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, as well as equipment which might be used for internal repression, to Syria by nationals of member States or from the territories of member States or using their flag vessels or aircraft, whether originating or not in their territories.

League of Arab States

On 27 November and 3 December 2011, the League of Arab States imposed unilateral coercive measures against Syria in an unprecedented move by the League against an Arab State. These measures include:

- Syrian officials and very important persons are banned from travelling to Arab States
- Asset freeze of (named) Syrian officials and very important persons
- Arms embargo
- Flights of Arab airlines to Syria are to be stopped
- All dealings with the Central Bank of Syria and the State-owned Commercial Bank of Syria are suspended
- Financial dealings and trade agreements with the Syrian Government are halted
- Bank assets of the Syrian Government are frozen
- Arab financing of new projects in Syria is stopped
- The League prohibited Arabic satellites (Arabsat, Nilesat, etc.) from broadcasting Syrian channels or providing any services to Syrian media outlets

Syrian people have been suffering from the impacts of unilateral measures since their first imposition in 1979 and these impacts have seriously increased since 2011. A general and concise presentation of these impacts can be summarized as follows:

- The ranking of the Syria on the Human Development Index has fallen to the list of the least developed countries (Human Development Report 2016).
- There has been a serious negative impact of these illegitimate measures on the delivery of humanitarian assistance (report of the Economic and Social Commission for Western Asia), as well as the undermining of the ability of the Syrian people to meet their basic needs, and the harming of the ability of the

Syrian Government to provide basic services to its citizens, especially in the energy sector.

- The unilateral measures directly affect the ability of key economic sectors to carry out their functions effectively, particularly the sectors of banking, energy, health, industry, transportation, communications, internal and external trade; local currency; and the high and rising prices of all essential materials and services, among other things.
- These illegal measures also indirectly affect many sectors in Syria, particularly education, investment and investment in development, as well as create obstacles to the rehabilitation of infrastructure and the achievement of economic and social development goals and objectives.
- These unilateral measures also affect the possibility of cooperation or work with any foreign public and private entities. The measures impede, by their nature, any foreign public and private entities from contracting with the Syrian Government or any Syrian company or individual, because of serious concerns of being subject to financial and banking penalties and the prohibition on dealing with them by the States that are imposing these unilateral measures.

In paragraph 2 of its resolution 70/185, the General Assembly urged the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries that were not authorized by the relevant organs of the United Nations or were inconsistent with the principles of international law as set forth in the Charter of the United Nations and that contravened the basic principles of the multilateral trading system.

The legal and ethical dilemma and paradox, to which the United Nations today has the primary responsibility to provide serious and effective solutions, are that there are no international legal mechanisms to challenge these unilateral measures. These illegitimate measures will continue to reflect a bitter international reality in which some States and economic groups exert their influence and dominance over developing countries. As a result, annual resolutions of the General Assembly and annual reports of the Secretary-General, while important, will not alone put an end to injustice imposed on peoples, States, individuals and institutions that fall victim to such illegal unilateral measures.

Turkey

[Original: English]
[7 May 2019]

Turkey does not agree the imposition of unilateral measures. It believes international problems and/or conflicts need collective action and responses with the participation of the international community as a whole.

The United States reimposed economic sanctions on Iran, which had been lifted on 16 January 2016, starting from 5 November 2018. As an initial effect, the Iranian currency, the rial, saw a sudden depreciation and Iran's trade figures decreased sharply. Being a neighbour to Iran, Turkey will be seriously affected by the reimposition of the sanctions, although it will take some time to feel the effects.

Given the interconnected nature of the international economy and trade, unilateral measures have implications not only on the countries that the measures are imposed on, but also on all countries around the world. Besides, past experiences have proved that unilateral measures also have the potential to harm the country that is imposing those measures.

Zambia

[Original: English]
[6 May 2019]

The Government of the Republic of Zambia does not agree with the imposing of unilateral measures that are not authorized by relevant United Nations organizations, or those inconsistent with the principles of the international laws as provided for in the Charter of the United Nations.

European Union

[Original: English]
[29 May 2019]

The key principles guiding European Union restrictive measures are compliance with international law and human rights, proportionality and their targeted nature. These principles are set out in the 2004 European Union Basic Principles on the Use of Restrictive Measures (Sanctions) and in the European Union Guidelines on Implementation and Evaluation of Restrictive Measures, both public documents. The European Union reiterates that the restrictive measures it imposes autonomously are fully compliant with international law and are a legitimate part of its Common Foreign and Security Policy.

The European Union condemns the application of unilateral restrictive measures that have extraterritorial effects contrary to international law.

Regarding proportionality and the targeted nature of restrictive measures, the European Union's principled approach is that the restrictive measures should always be proportionate to the objectives they seek to achieve and should be targeted in a way that has maximum impact on those whose behaviour is to be influenced by the measures. Targeting should reduce to the maximum extent possible any adverse humanitarian effects or unintended consequences for persons not targeted or for neighbouring countries.

Overall, compliance by the European Union with relevant international obligations and its policy of targeted measures underpin a system of exemptions and derogations, notably for humanitarian purposes. This exemption and derogation system under European Union law is consistent with the system of exemptions operated under United Nations sanctions.
