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**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 [74/200](#), 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 sustainable development. The report reflects the replies from 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 diverging views on unilateral economic measures. Some Member States expressed that such unilateral economic measures are admissible in certain circumstances, while other Member States expressed their disagreement with the imposition of unilateral economic measures, regarding them 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 concerns about the adverse impacts of unilateral measures on sustainable development of the affected countries. One United Nations body reported detrimental impacts of unilateral measures on the development outcomes and human rights situations of affected countries. The number of unilateral economic measures has been increasing in recent years.

* [A/76/150](#).



Contents

	<i>Page</i>
I. Introduction	3
II. Summary of replies received from Member States, United Nations bodies and international organizations	3
III. Monitoring the imposition of unilateral measures and studying the impact of such measures on the affected countries	4
Annex	
Replies received from Member States and the European Union	5
Cuba	5
Islamic Republic of Iran	7
Iraq	12
Russian Federation	12
South Africa	14
Syrian Arab Republic	14
European Union	17

I. Introduction

1. In its resolution 74/200, 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 or that contravened the basic principles of the multilateral trading system and affect, in particular, but not exclusively, developing countries.
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-sixth session.
3. Pursuant to that request, in a note verbale dated 23 April 2021, the Under-Secretary-General for Economic and Social Affairs invited Governments of Member States and international organizations to provide any information they consider relevant for the preparation of the report. An additional note verbale was sent on 9 June 2021 to remind recipients to respond.
4. The replies received from Governments of Member States by 1 August 2021 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. There are diverging views among Member States on the issue of unilateral economic measures. Some Member States expressed that such unilateral economic measures are admissible in certain circumstances. Other Member States expressed their disagreement with the imposition of unilateral measures. They consider unilateral measures to be inconsistent with the principles of the Charter of the United Nations. Member States are of the view that such measures impede 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 in the questionnaire (Cuba, the Islamic Republic of Iran, the Russian Federation and the Syrian Arab Republic) reported negative impacts of such measures on their countries and the ruled-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 considers the imposition of unilateral measures on Libya, Lebanon, the Syrian Arab Republic and Yemen as detrimental to the development outcomes of these countries, negatively affecting human rights and contributing to humanitarian crises. While in the cases of Libya, Yemen and Lebanon the measures mainly target certain individuals, institutions, and groups, the measures against the Syrian Arab Republic are more of a blanket nature, targeting many aspects of life. The measures disproportionately harm the most vulnerable segments of society. These measures are deemed to carry threats to the key principles of achieving the Sustainable Development Goals, and more

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

particularly, Sustainable Development Goal 16 related to promoting peaceful and inclusive societies and access to justice and accountable institutions.²

8. The Economic Commission for Latin America and the Caribbean reported unilateral measures against Cuba and Nicaragua. The measures against Cuba have had significant negative economic impacts, hindering the achievement of the Sustainable Development Goals and having a negative effect on access to inputs for the production of coronavirus disease (COVID-19) diagnostic tests and inputs for the vaccine candidates. The measures against Nicaragua have not yet significantly affected the country's access to development finance, but might have stronger impacts in the future.³

9. The Economic Commission for Africa reported unilateral measures against several member countries under its mandate, namely Burundi, Ethiopia, Rwanda and Zimbabwe.⁴

10. The United Nations Conference on Trade and Development (UNCTAD) recalled the Nairobi Maafikiano (TD/519/Add.2 and Corr.1), adopted at the fourteenth session of UNCTAD in July 2016, which states: "States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries, and that affect commercial interests. These actions hinder market access, investments and freedom of transit and the well-being of the populations of affected countries." It also noted how unilateral measures against Cuba had hindered the country's efforts to use trade as an instrument of sustainable development. It stated that this was all the more significant in the light of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals, which profiled international trade as an essential means of implementation.⁵

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

11. As of the end of July 2021, 35 unilateral measures against developing countries were in effect.⁶

12. The number of unilateral measures has continued to increase in recent years. Since the most recent report on the unilateral measures (A/74/264) was issued in 2019, four new measures have been introduced. Between 2010 and 2019, 2.5 new unilateral measures were issued per year on average, as compared with 1.9 per year between 2000 and 2010. The re-establishment of economic relations in long-standing cases, such as that of Cuba, was initiated but, as of mid-2021, has not yet been concluded. Unilateral measures have not only affected targeted States, but, in some cases, also punished individuals and enterprises registered in third States who had commercial transactions with the targeted States.

13. Evidence suggests that unilateral measures can exacerbate pre-existing socioeconomic challenges and have unintended adverse impacts on human rights and sustainable development.⁷

² Response by the Economic and Social Commission for Western Asia to the note verbale, received on 24 June 2021.

³ Response by the Economic Commission for Latin America and the Caribbean to the note verbale, received on 11 June 2021.

⁴ Response by the Economic Commission for Africa to the note verbale, received on 25 June 2021.

⁵ Response by UNCTAD to the note verbale, received on 11 June 2021.

⁶ UNITED NATIONS DESA database.

⁷ See <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26749&LangID=E>.

Annex

Replies received from Member States and the European Union¹

Cuba

[Original: English]
[12 July 2021]

The Republic of Cuba rejects all unilateral economic coercive measures, since they are inconsistent with the principles of international law as set forth in the United Nations Charter 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 programmes and the achievement of the 2030 Agenda for Sustainable Development.

Since 1962, the United States Government has imposed a blockade policy on Cuba, ignoring the systematic and growing clamour of the international community to immediately put an end to it. This policy constitutes an obstacle to the implementation of the National Plan for the Economic and Social Development of Cuba, as well as to the fulfilment of the 2030 Agenda.

The tightening of the United States blockade has been expressed, particularly in the intensification of the extraterritorial nature of this policy. In recent years, sanctions and persecution against citizens, institutions and companies of third countries that establish or intend to develop economic, commercial and financial relations with Cuba have been intensified in an unprecedented manner.

The blockade inflicts important adverse effects on the material, psychological and spiritual well-being of the Cuban people, and it imposes serious obstacles on its economic, cultural and social development.

As a result of this policy, Cuba remains unable to freely export and import products and services to or from the United States, it cannot use the United States dollar in its international financial transactions or hold accounts in that currency in third country banks. It is also not allowed to have access to loans from banks in the United States, from their branches in third countries and from international financial institutions.

There is not one single sphere of economic and social activities of the Cuban people that is exempt from the destructive and destabilizing action imposed by this illegal policy.

In the last four years, the Government of the United States has applied more than 240 coercive measures against the Cuban people and Government, which are still in force. These measures do not constitute simple actions to intensify the blockade, but new methods, some of them unparalleled, which escalated the economic war against Cuba to extreme levels, which is reflected in the material shortages that accompany the daily life of every Cuban.

For Cuba, these limitations deepen the manifold challenges of the COVID-19 pandemic and multiply its ravaging effects in the socioeconomic, health and financial areas. These measures have repeatedly hampered the arrival of humanitarian aid, which is immoral and unjustifiable in the context of combating the pandemic and reveals the criminal nature of the blockade.

¹ Some replies have been slightly edited for brevity.

Redirecting the costs of the blockade into the country's payment capacity would make it possible, in less than a five-year period, to significantly remedy the obsolescence of a large part of Cuba's infrastructure and, in particular, to transform the country's energy matrix in favour of renewable energy sources. To have the aforesaid amount available would allow for a favourable reversal of the country's financial exposure, consolidation of the confidence of foreign investors and creditors and a substantial increase in the capacity to access financial and capital markets.

Under the present conditions, the blockade poses a colossal burden for the Cuban population and economy, with particularly devastating effects within the context of the COVID-19 pandemic, in which Cuba has had to allocate considerable resources to guarantee the necessary equipment and materials for its national health system.

The impact of the blockade on the health sector, one of the hardest-hit sectors, is reflected in the shortage of essential products for the population's consumption and the difficulties of the national industry to purchase necessary supplies for food preservation, the production of medicines and other activities.

Although just a few of these adverse effects can be calculated in monetary terms, no figure, no matter how high, can show and explain the intangible costs of the damage to social and human transcendence given the impossibility of being able to access state of the art supplies, technology, knowledge and other resources that are vital for this sensitive area.

Losses assumed by the Cuban economy each year total billions of dollars generated by lost incomes from exports of goods and services; expenses caused by geographical relocation of trade, especially that which derives from immobilized inventories and adverse monetary-financial effects due to the exposure of the economic actors to exchange rate variations (the dollar cannot be used in any payments) and the increased financing costs.

At current prices, the accumulated damages caused by almost six decades of application of this policy amount to over 147.8 billion dollars. Considering the dollar's depreciation against the price of gold in the international market, the blockade has caused quantifiable damages of more than 1.3 trillion dollars.

There are numerous examples of unilateral economic coercive measures in the world, all in violation of international law as provided for in the United Nations Charter. The blockade of the United States Government against Cuba is the longest set of unilateral economic coercive measures ever to be applied in history. 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.

Such a policy should come as no surprise, since the core of the United States blockade against Cuba resides in the following words: to bring about "hunger, desperation and overthrow of [the Cuban] Government".²

The complicated and multi-branched body of laws and political and administrative regulations that codify the blockade has been strengthened. A demonstration of the tightening of this policy, without precedents, was the decision implemented since May 2019 to permit the possibility, under Title III of the Helms-Burton Act, of taking judicial actions in United States courts before lawsuits filed by United States citizens or entities against Cuban enterprises or individuals or those of third countries which have commercial relations with properties nationalized in Cuba in the 1960s. This decision ended the practice assumed since 1996 by earlier United States Governments

² 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.

and by President Trump in the first two years of his mandate, who had suspended this possibility every six months.

The blockade constitutes a massive, flagrant and systematic violation of the human rights of all Cuban men and women. Because of its declared purpose and the political, legal and administrative framework sustaining it, these sanctions qualify as an act of genocide according to the Convention on the Prevention and Punishment of the Crime of Genocide of 1948 and as an act of economic warfare according to the Naval Conference of London of 1909.

The blockade against Cuba must end. It is the most unfair, severe and prolonged unilateral system of sanctions that has ever been applied to any country. On 29 occasions, the General Assembly, with overwhelming majority, has declared itself to be in favour of respect for international law, compliance with the principles and purposes of the United Nations Charter and the right of the Cuban people to choose their own future for themselves. That must be respected.

Islamic Republic of Iran

[Original: English]

[22 July 2021]

As stipulated in numerous United Nations resolutions, including Human Rights Council resolution [27/21](#), the Islamic Republic of Iran is of the view that the unilateral coercive measures and even unilateral economic measures are a tool for leveraging political and/or economic pressure against any other countries, in particular against developing countries, with a view to prevent those countries from exercising their right to decide their own political will, their political, economic and social systems and to benefit from their human rights, including, but not limited to, the right to development and fulfilling the Sustainable Development Goals, in particular Goal 17.

The unilateral coercive measures and unilateral economic measures have negative effects on vulnerable people, including but not limited to patients with special needs such as epidermolysis bullosa and diabetes as well as persons with disabilities, since they do not comply with collective and multilateral actions as set forth in the United Nations Charter. These unilateral acts could even be regarded as economic terrorism, violating the United Nations Charter (Article 2(4)) and international law with the potential to trigger the use and threat of use of force and endanger international peace and security.

The Islamic Republic of Iran has systematically been a victim of such unilateral measures for decades, including the 2019–2021 period illegally and inhumanly imposed by the United States of America under the so-called name of “targeted sanctions” or simply as blanket sanction regimes. The United States and its allies have even unilaterally targeted a certain number of other countries as well.

The unilateral measures systematically and directly target the banking system, individuals and domestic private or non-private corporations as well as entities who conduct business or simply cooperate with Iran and other targeted countries, including those who are active in the medical sector and research and development; they violate a collection of human rights, deprive targeted individuals and corporations of a chance to respond, and deny their right to due process and to apply for effective remedy. The latter has contributed to the secondary sanctions regime and overcompliance despite numerous calls in Human Rights Council and General Assembly resolutions to negate their impacts on the enjoyment of all human rights. The so-called exemptions are proved to not only be merely political and humane gestures but also ineffective due to complicated procedures. The irony of

“exemptions” is that any procurement requires the revenue or foreign deposits of the Islamic Republic of Iran, while the unilateral measures are illegitimately in place to block revenue to the zero level.

The measures are still binding and effective even under the new United States Administration, targeting the Islamic Republic of Iran and still extending the unilateral listings of Iranian individuals and corporations.

A few detailed indicative examples are as follows:

(a) Malign policy to get Iran’s revenues to zero:

The United States Government still threatens and punishes countries and companies that seek to purchase oil from Iran, stating “Entities that engage in sanctionable activity involving Iran risk severe consequences”.³ Since May 2019, oil imports from Iran are under full sanctions and the main governmental revenues of Iran are missing. Moreover, on 8 May 2019, the then-President of the United States issued Executive Order 13871 (unilateral coercive and economic measures with respect to the iron, steel, aluminium and copper sectors of Iran).⁴ On 31 October 2019, the United States Department of State extended the unilateral measures against the construction sector of Iran. The then-President issued Executive Order 13902 (imposing unilateral measures with respect to construction, mining, manufacturing and textile sectors of Iran) on 10 January 2020.⁵ These actions directly affected the private sector of Iran, reducing the revenues of businesses and ordinary people. Therefore, the unilateral coercive measures and unilateral economic measures by the United States have significantly reduced the Government’s incomes and its ability to provide subsidies for basic commodities consumed by Iranian citizens, and, more importantly, the country’s revenues necessary to contain COVID-19. The unilateral measures have reduced the private sector’s capacity for production and employment as well.

(b) Targeting main Iranian actors in humanitarian trade (financial and transportation players):

On 16 October 2018, the United States Office of Foreign Assets Control listed the Central Bank of Iran, main Iranian banks and financial institutions.⁶ Due to this action, Parsian Bank and Mellat Bank, which played the main role of channelling humanitarian trade activities (during the sanction period from 2010 to 2015), were designated as so-called terrorist supporters. On 20 September 2019, the Office of Foreign Assets Control designated the Central Bank of Iran as a so-called terrorist supporter to isolate Iran from the global financial system.⁷ According to the Office’s regulations, “certain exemptions available under the International Emergency Economic Powers Act (IEEPA) relating to personal communications, humanitarian donations, information or informational materials, and travel do not apply to transactions with persons designated under E.O. 13224 or otherwise blocked pursuant to the GTSR”.⁸ Therefore, the Central Bank of Iran could not facilitate transactions related to humanitarian trade, let alone other types of foreign trade. To compensate for this defect, the Office issued General License 8, entitled “Authorizing certain

³ Available at <https://2017-2021.state.gov/advancing-the-u-s-maximum-pressure-campaign-on-iran/index.html>.

⁴ Available at <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions>.

⁵ Available at <https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information>.

⁶ Available at <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions>.

⁷ Ibid.

⁸ United States, Office of Foreign Assets Control, Resource Center, Frequently Asked Questions, Iran Sanctions, No. 534, available at <https://home.treasury.gov/policy-issues/financial-sanctions/faqs/534>.

humanitarian trade transactions involving the Central Bank of Iran”, on 27 February 2020.⁹ However, it was so limited that it could not end the uncertainty surrounding the use of the Central Bank and other banks in humanitarian trade. Furthermore, on 11 December 2019, the United States State Department announced the designations of the Islamic Republic of Iran shipping lines under Executive Order 13382. The decision is in effect since 8 June 2020 and will have negative direct effects on Iranian trade and, in particular, the transportation of humanitarian goods.

(c) Imposition of arbitrary United States regulations on third parties:

The United States refers to the Swiss Humanitarian Trade Arrangement as an exemption. This channel works within the mechanism established in October 2019 with enhanced due diligence and reporting expectations. The Swiss Humanitarian Trade Arrangement and the October 2019 mechanism, by introducing an enhanced level of due diligence and reporting, first of all by compelling others to comply with unilateral coercive and economic measures by the United States and secondly, by requiring several conditions, has sophisticated rather than simplified the facilitation of humanitarian trade with Iran. This arrangement entirely falls within the scope of unilateral coercive and economic measures by the United States and was established to ensure the full implementation of United States unilateral extra-territorial laws which are in violation of its specific and general obligations. In fact, the United States has broadened its primary unilateral coercive and economic measures to secondary such measures. The unilateral coercive and economic measures by the United States regulations authorize very restricted exceptions on humanitarian trade, and such exceptions are embodied in the Swiss Humanitarian Trade Arrangement. The Arrangement is of no meaningful use, since foreign financial institutions repeatedly refused to carry out Iran-related transactions, even humanitarian transactions. The Arrangement and the October 2019 mechanism do not resolve the issue of “humanitarian equipment” and only cover “humanitarian commodities”. The result is that international trade with Iran for necessary humanitarian and medical items, as well as the associated financial and transportation services, are nearly blocked. In fact, the United States exceptions on humanitarian trade and its Agreement instrument are aimed at precluding moral and legal responsibility.

(d) United States actions against the civil aviation industry of Iran:

On 24 January 2019, the United States Office of Foreign Assets Control added Flight Travel LLC and Qeshm Fars Air (a civil aviation company) as well as two Iranian aircrafts to the Specially Designated Nationals and Blocked Persons List.¹⁰ On 11 June 2019, the United States Department of Justice reported that a Morris County woman pleaded guilty for conspiring with an Iranian national to illegally export aircraft components to Iran. On 23 July 2019, the Office published an Iran-related Civil Aviation Industry Advisory in order to prevent foreign individuals and companies from providing services to Iranian airlines.¹¹ Furthermore, on 11 December 2019, the Office imposed unilateral coercive and economic measures against three companies for their connections to the civil aviation industries.¹² Additionally, on 16 March 2020, the Bureau of Industry and Security of the United States Department of Commerce added Iran Air to the entity list and imposed a license review policy of a “presumption of denial”, making it almost impossible for Iran Air to get the related licenses to acquire

⁹ Available at <https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information>.

¹⁰ Available at <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions>.

¹¹ Available at <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions>.

¹² Ibid.

related services.¹³ These practices clearly indicate that the United States Government prevents Iranian national airlines from acquiring spare parts and other necessary equipment and from accessing associated services necessary for civil aircraft.

In accordance with the first and second paragraphs of the Court Provisional Measures, the United States shall ensure that licenses and necessary authorizations are granted and that payments and other transfers of funds are not subject to any restriction insofar as they relate to the spare parts and other necessary equipment, as well as from accessing associated services. But owing to the Office of Foreign Assets Control regulations, the individuals and entities subjected to unilateral coercive or economic measures cannot be granted licenses. This is also a clear violation of their own Court Provisional Measures.

An extended list of total unilateral coercive and economic measures imposed on the Islamic Republic of Iran can be found on the United States Treasury website under “Sanction programs and country information”, “Iran sanction”, as updated for 2 July 2021.

Human rights are inalienable, interrelated, inherent and interdependent. Violation of one right unquestionably impacts the realization of another right. The unilateral coercive and economic measures violate all human rights. Furthermore, the consequences of the unilateral coercive and economic measures wind back directly and indirectly progress under the Sustainable Development Goals. The unilateral coercive and economic measures are also contrary to the various resolutions of the General Assembly, Human Rights Council and the Commission on Human Rights, international law, international humanitarian law, the United Nations Charter and the norms and principles governing peaceful relations, such as the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States.

The economic crisis, deteriorating living standards, poverty and inequalities, high inflation, widespread unemployment, discontent and demonstrations in affected countries have positive correlations with the imposition of the systematic, cruel, illegal and unlawful unilateral coercive and economic measures, which, in many cases, disrupt the public safety, public order, public health and fundamental rights of people, inflicting exceptional and unwarranted limitations or restrictions as set forth in articles 12 (3), 18 (3), 19 (3), 21 and 22 (2) of the International Covenant on Civil and Political Rights. The violating nature of unilateral coercive and economic measures is specifically contrary to Sustainable Development Goal 17, in which a global partnership is envisioned, and also contrary to all of the international documents that encourage partnership and cooperation for the achievement of a better future, including chapter IX of the United Nations Charter.

Unilateral coercive and economic measures and legislation are contrary to international law, international humanitarian law, the United Nations Charter and the norms and principles governing peaceful relations among States. They have a severe damaging effect on the people living in targeted States, including in situations of emergency. Unavailability and deprivation of resources due to unilateral coercive and economic measures has a direct effect on the potential of that State to procure humanitarian needs and services for its population to combat the pandemic. Moreover, the refusal of business partners to engage in trade with those States due to the fear of being punished by the State exercising unilateral coercive and economic measures, difficulty in paying for those goods and services, as well as the fees and funds of health-care and humanitarian-related personnel and organizations because of the

¹³ Available at <https://www.federalregister.gov/documents/2020/03/16/2020-03157/addition-of-entities-to-the-entity-list-and-revision-of-entry-on-the-entity-list>.

unilateral coercive and economic measures on the transfer of money, difficulty in delivering goods and services because of unilateral coercive and economic measures on the shipping, insurance and other pertinent sections are a few among a long list of negative effects of such measures on the potential of States under the measures to fight pandemics and emergencies.

The availability of medicine, medical devices and consequently medical services is restricted owing to a series of difficulties.

To effectively combat a pandemic, States have an obligation to cooperate with each other. This obligation is recognized in various international documents:

- According to Article 1 (3) of the United Nations Charter, international cooperation in solving international problems of an economic, social, cultural or humanitarian character is one of the objectives of the United Nations. Articles 55 and 56 of the Charter speak about the promotion of solutions of international economic, social, health and related problems by the United Nations and the pledge of the members to take joint and separate action in cooperation with the Organization to achieve them.
- The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the United Nations Charter maintains that States have the duty to cooperate with one another, irrespective of the differences in their political, economic and social systems, in the various spheres of international relations to maintain international peace and security and promote international economic stability and progress, the general welfare of nations and international cooperation free from discrimination based on such differences.
- The obligation to cooperate has also been repeated in various resolutions of the General Assembly. Paragraph 5 of the annex to General Assembly resolution [46/182](#) asserts that “the magnitude and duration of many emergencies may be beyond the response capacity of many affected countries. International cooperation to address emergency situation and strengthen the response capacity of affected countries is thus of great importance.”
- According to the preamble to the Constitution of the World Health Organization, “the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition” and “the health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest cooperation of individuals and States.” Again, based on Article 44 of the International Health Regulations, States Parties shall collaborate with each other, to the extent possible, in (a) the detection and assessment of, and response to, events as provided under the Regulations and (b) the provision or facilitation of technical cooperation and logistical support, particularly in the development, strengthening and maintenance of the public health capacities required under the Regulations.

Based on the above, unilateral coercive and economic measures seriously hamper cooperation among the States, especially when States affected by a pandemic seek help from other States. By reducing available resources for the targeted States, unilateral coercive and economic measures negatively affect the ability to fulfil the commitments under different conventions and mechanisms.

Persons affected by disasters are entitled to the respect for and protection of their human rights in accordance with international law. Unilateral coercive measures

disrupt the exercise of the rules and principles governing humanitarian assistance and partially or totally prevent them to be delivered.

According to various resolutions of the General Assembly,¹⁴ the Human Rights Council¹⁵ and the Commission on Human Rights,¹⁶ unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the United Nations Charter and the norms and principles governing peaceful relations among States.

To counter the unilateral coercive and economic measures, measures may be taken by the international community, including:

- Condemning and not recognizing the inhumane nature of unilateral coercive and economic measures, especially in a situation of pandemic which greatly exacerbates their already detrimental effects on the targeted States and populations as well as violates multiple human rights, the most important of which is the fundamental right to life;
- Not heeding the parties introducing and enforcing those unilateral coercive and economic measures, taking into consideration the inherent illegality of those measures and cooperating to bring them to an end;
- Helping targeted States by sending them humanitarian commodities, as well as engaging in normal business with them so that those States possess much-needed financial resources to enforce medical, quarantine and economic rehabilitation measures; and
- The Secretary-General and the Human Rights Council Special Rapporteurs should increase collaboration in order to shed light on different aspects of the negative impacts of the unilateral coercive and economic measures on their concerned area, assigned under their respective mandates, bearing in mind that unilateral coercive and economic measures violate all inalienable, interrelated, inherent and interdependent human rights.

Iraq

[Original: English]
[22 July 2021]

Unilateral economic measures affect the economies and development efforts of developing countries and have negative impacts on international economic cooperation. They have a negative impact on the implementation of the Sustainable Development Goals that require financing and harnessing domestic resources, and have a negative impact on trade and overall development. Any economic measures must be taken in accordance with the United Nations Charter, and should be authorized by relevant organs of the United Nations.

Russian Federation

[Original: English]
[29 July 2021]

The Russian Federation has consistently adhered to the position of inadmissibility of the use of unilateral restrictive economic measures as an instrument of coercion

¹⁴ See General Assembly resolutions [71/193](#), of 19 December 2016, and [70/151](#), of 17 December 2015.

¹⁵ See Human Rights Council resolutions [36/10](#), of 28 September 2017, and [30/2](#), of 1 October 2015.

¹⁶ See Commission on Human Rights resolutions 2005/14 and 2004/22.

against developing countries. Such measures, taken in flagrant violation of international law, are illegitimate, contrary to generally accepted principles of freedom of trade and investment; and fair competition. They undermine trust between countries and the role of the United Nations as the sole legal arbiter in this issue. Any decision to apply the sanctions toolkit can only be adopted by the Security Council in accordance with the provisions of Articles 39 to 42 of chapter VII of the Charter of the Organization. Russia is considering economic sanctions against it as an attempt to put pressure on its sovereign foreign policy. Restriction initiators do not hide the fact that economic restrictions are aimed at providing long-term economic pressure on Russia and expect that domestic financial institutions will not be able to compensate for the lack of Western loans from other sources. In fact, anti-Russian restrictive measures are aimed at ensuring competitive advantages for the business entities of Western countries. Importantly, the retaliatory restrictive measures applied by the Russian Federation are forced, targeted and aimed at protecting the legal rights and interests of Russian citizens and domestic business. We stand ready for dialogue on the most pressing international problems, as well as for a “détente” of the situation, provided that the initiators of the “sanctions race” revise their positions in relation to our country.

1. The following countries have imposed restrictions against the Russian Federation: Australia, Canada, Liechtenstein, Norway, Albania, Iceland, United States, Ukraine, Montenegro as well as the European Union. Measures were declared in 2014–2015, and they are still binding.

2. The restrictive measures against the Russian Federation are both of a personal (in relation to individuals and legal entities) and a sectoral nature, including trade, investment and financial bans. To a number of representatives of public authorities and major business, the freezing of bank accounts, the seizure of real estate and other assets and a ban on entry into countries that have adopted the corresponding restrictions are applied. Restrictions on the execution of transactions, carrying out financial transactions and raising loans are directed against individual Russian companies, including a number of major banks. There is also a de facto ban on the export to Russia of certain species of equipment and technologies.

3. Unilateral economic restrictions imposed by individual countries and their associations are in effect in relation to a number of States of Europe, Asia, Africa and Latin America, including Belarus, Venezuela, Cuba, the Islamic Republic of Iran, the Syrian Arab Republic, Zimbabwe and others. Of particular concern is the trend towards more widespread use of economic restrictions of an extraterritorial nature. Similar actions in practice are reduced to some form of blockade, are in violation of the basic norms of international humanitarian law, create a sentiment of toxicity and intimidation around the targeted country and its entities. For example, due to the financial restrictions on Venezuela, payments have been blocked for purchases by the authorities of this country of Russian and Chinese vaccines for COVID-19.

Such coercive measures hold back economic development and impede the establishment and strengthening of global trade and investment ties and the building of a global financial architecture that meets the interests of all participants in the global economy. As a result, the financial and debt stability and the trade potential of countries falling under the restrictions are impacted. In essence, unilateral sanctions are an instrument of unfair economic competition, used to squeeze out of the global markets “problematic” suppliers of goods and services. They lead to a drop in business activity and disrupt existing business and, often, humane and cultural ties, alongside established supply chains and added value. In addition, restrictive measures have a detrimental effect on respect for human rights and are fraught with social tension, leading to a significant deterioration in the quality of life of ordinary people. Ultimately, they disrupt international efforts to achieve the Sustainable Development

Goals. The escalation of sanctions pressure has a complex negative impact on the economy of all countries, including those who introduce restrictive measures themselves. The most significant effect of restrictions is not quantitative losses per se, but qualitative long-term deterioration of the situation under the influence of sanctions' tension and attendant low levels of mutual trust among economic operators.

We appreciate the call by the Secretary-General (in his report on the socioeconomic impact of COVID-19), together with international human rights organizations, to waive sanctions imposed on developing countries to ensure their access to food, essential health supplies and medical support, and in this regard call to keep humanitarian trade and deliveries free from trade barriers and sanctions, primarily for essential goods, foods, medicines and personal protective equipment, to fight the pandemic and protect the human rights of the poorest and those who may be vulnerable or in vulnerable situations, within and among countries. We acknowledge that unilateral coercive measures have likely had a disruptive effect on economic development of the sanctioned countries, including the least developed of them. We recall the humanitarian exemptions and relevant guidance introduced by several countries or unions of countries against the backdrop of the COVID-19 pandemic, while noting with concern that challenges to humanitarian assistance have worsened owing to costly and lengthy procedures for those exemptions and operators and financial institutions' unwillingness to engage in transactions related to a sanctioned country. We therefore propose to facilitate the work of the implementing partners who assist in humanitarian aid delivery and may face obstacles because of unilateral measures. In this regard, we invite those of the United Nations entities working "on the ground", with the help of the reinvigorated system of resident coordinators and the Member States involved, to identify and mitigate the damage that unilateral measures imposed on programme countries may have on the COVID-19 pandemic response and recovery policies, as appropriate.

South Africa

[Original: English]
[14 July 2021]

South Africa opposes unilateral coercive measures and is of the view that measures should be undertaken in the multilateral framework, that is, by the United Nations. Further to the context of the pandemic, these measures have escalated situations and country challenges.

"We must reiterate our steadfast condemnation of the continued unilateral sanctions against affected countries, especially at a time when resources and assistance are needed to respond to the pandemic and to save lives." – statement by Naledi Pandor, Minister of International Relations and Cooperation of the Republic of South Africa, on the occasion of the Mid-term Ministerial Conference of the Non-Aligned Movement under the theme "Non-Aligned Movement at the centre of multilateral efforts in responding to global challenges," held on 13 and 14 July 2021.

Syrian Arab Republic

[Original: English]
[13 July 2021]

The Syrian Arab Republic strongly opposes the imposition of unilateral economic measures, as these measures are fundamentally unethical because they catastrophically impede meeting the basic needs of the targeted people. The resorting of some countries or regional groups to imposing inhuman measures for the purposes of

political and economic coercion individually and without the authorization of the Security Council is a practice that contravenes the rules of international law and the principles and purposes contained in the Charter of the United Nations, including the principle of equal sovereignty and the principle of non-interference in the internal affairs of States. On this basis, the United Nations will never be able to achieve the goals and objectives of the 2030 Agenda for Sustainable Development as long as these countries and communities, particularly the United States and the European Union, continue to impose these coercive measures.

For many years and to date, the Syrian Arab Republic has been subject to multiple layers of unilateral coercive measures, particularly economic and financial measures imposed by the United States, the European Union and some other Western countries, including the United Kingdom, Norway, Australia and Canada, as well as the League of Arab States.

The European Union extended its unilateral coercive measures against Syria for an additional year as at 1 June 2021, and the United States also resorted to strengthening and tightening its unilateral coercive measures against Syria, by activating the so-called Caesar Act in June 2020 for a period of five years, aiming to impose a complete economic blockade on Syria and its people to hinder the Government's rebuilding efforts, as well as to target third parties by threatening them with sanctions if they contribute in any way to the above-mentioned Syrian national efforts, including development efforts to achieve the 2030 Agenda, which represented a clear manifestation of practicing economic terrorism.

In reference to the letter dated 6 May 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General ([A/74/844-S/2020/368](#)) and the identical letters dated 4 August 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council ([S/2020/775](#)) regarding the repercussions of the unilateral coercive measures on Syria and its people: 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, transportation, telecommunications and technology, electricity and maintenance and rehabilitation of health equipment necessary to provide vital health services, especially given the spread of the COVID-19 pandemic, by which Syria was most affected because of its inability to import its basic needs, including medical needs.

In the financial and economic sector: resorting to imposing coercive measures by European Union and United States authorities (Council of the European Union, and Office of Foreign Assets Control of the United States Department of the Treasury), targeting the banking sector, particularly the Central Bank of Syria and the Syrian Commercial Bank, and freezing financial and banking assets abroad have undermined the ability of the Syrian Arab Republic to finance the purchase of basic and vital needs by creating additional difficulties for the ability of countries to supply basic commodities and to increase their prices and transportation costs, and have led them, many times, to cancel the contracts of supply concluded or to refrain from selling materials to companies and institutions in Syria for fear of being subjected to sanctions because of their dealings with those companies or institutions.

Furthermore, these measures caused indirect losses to the national economy in 2019 of \$69 billion, a deficit in the public budget and negative rates of economic growth that covered all sectors and led to a significant decrease in per capita gross domestic product, a decrease in the volume of trade and an increase in the rate of inflation to unprecedented levels, which left Syria behind and far from achieving the Sustainable Development Goals.

The following table contains an approximate, but not exhaustive, estimation of the amounts in the frozen bank accounts of the Government of the Syrian Arab Republic in Europe:

<i>State</i>	<i>Total balances</i>
Austria	\$1 900 000
Belgium	\$150 000
Denmark	\$273 000
France	\$7 000 000
Germany	\$21 700 000
Italy	\$1 900 000
Sweden	\$53 000
Switzerland	\$27 500 000
United Kingdom	\$3 700 000

In the energy sector: the measures that affected the electricity sector have led to extensive damage to other vital sectors and basic services and to the deterioration of the humanitarian situation of citizens, which reflected negatively on their daily lives, including the need for electricity for studying and education, the provision of needed medical care and the operation of critical equipment in health facilities, such as baby incubators for newborns. In addition, the lack of electricity affected the operation of water pumping stations for drinking and household use and for irrigation, which reflected negatively on the quality of water and led to the spread of many diseases due to the use of polluted water. Furthermore, losses to the national economy resulted from depriving the industrial and service sectors of energy sources, mainly electricity, because of the imposition of unilateral coercive measures on this vital sector, and international companies refrained from participating in bids to implement new generation plants or to participate in rehabilitating damaged power plants. In addition to the inability to benefit from renewable energy projects, as many companies had refrained from financing these projects and supplying, building and transferring specialized stations as a result of these measures and the difficulty of importing the fuel needed to operate power plants, increased demand for the electricity sector for domestic purposes led to significant damages in the various components of the electricity transmission and distribution networks.

In the health sector: unilateral coercive measures limited the possibility of providing vital and immunomodulatory drugs, oncology drugs, blood derivatives and medical devices and their replacement parts, health-related equipment, such as magnetic resonance imaging, high-precision diagnostic equipment, ambulances and mobile clinics and production lines for pharmaceutical industries, which reflected very negatively on health care and hospital services, leading to the disruption of the capacity of hospitals and medical centres to provide their services with the required effectiveness and to provide necessary and appropriate medical care for COVID-19 patients.

In the transportation sector: unilateral coercive measures imposed on the transport sector have led to the difficulty of obtaining ships, planes or freight carriers for Syrian goods, and the delay in supplying the required materials to Syria in all sectors, especially the vital ones, and the high costs of transporting them, have caused price increases and sometimes a cancellation of supply contracts. Furthermore, the failure of many international insurance companies to cover transportation to Syria has led to a decline in imports, including basic foodstuffs, in a manner that threatens food security and affects the agricultural sector and the ability to provide basic

commodities, such as infant formula, rice, zinc, sugar, agricultural seeds, fodder, oils and raw vegetable fats.

In the education sector: the impacts of unilateral coercive measures caused the failure to some projects related to school buildings and decreased opportunities for cultural and scientific exchange and a lack or loss of laboratory, computer and office equipment necessary for the educational and research processes. Although the Syrian Government continued to provide the requirements of the educational process, due to the economic situation, it limited them to the basics, such as textbooks and basic necessities.

Unilateral coercive measures have deeply affected the Government's ability to properly provide basic services to its citizens and to address their social, economic and health impacts, especially given the crisis associated with the COVID-19 pandemic. The Syrian Government is exerting its efforts, within the available capabilities and in the light of the repercussions of the crisis that it has been undergoing for 10 years, to secure basic supplies for its citizens and to provide health-care services almost free of charge, as well as providing basic needs to guarantee their basic rights.

The allegations of the United States and the European Union that unilateral coercive measures do not target citizens and do not harm their living conditions and provide them with basic needs and services, including food and health, are misleading allegations aimed at justifying those measures and avoiding their humanitarian and moral consequences for the peoples of the targeted countries and their basic rights. In the context of defending the positions and policies adopted by those countries and regional groups and their actions to extend unilateral coercive economic measures and expand their scope in the light of the spread of the pandemic, the aforementioned States make unethical allegations of the existence of exceptions and exemptions that allow the provision of medical, nutritional and humanitarian needs of citizens of countries targeted by coercive measures to continue.

The United Nations should have a stronger position against the imposition of unilateral economic measures, which contradict its Charter, and must exercise its power to call upon the countries that impose unilateral coercive measures to lift them without any preconditions.

European Union

[Original: English]
[19 May 2021]

The member States of the European Union abstained from the adoption of the resolution in December 2019. In the European Union explanation of vote at the time, the Union and its member States expressed the view that unilateral economic measures should respect the principles of international law, including the international contractual obligations of the State applying them and the rules of the World Trade Organization, where applicable. They further stated the Union and its member States consider that such unilateral economic measures are admissible in certain circumstances, in particular when necessary in order to fight terrorism and the proliferation of weapons of mass destruction or to uphold respect for human rights, democracy, the rule of law and good governance.

The European Union works continuously to support the United Nations and to fulfil its obligations under the Charter of the United Nations. It implements all sanctions imposed by the Security Council. In addition, the Union may reinforce United Nations sanctions by applying additional measures. Finally, where the Union deems it necessary, it may decide to establish its own sanctions regimes. This is often

the case when serious human rights violations or abuses continue unabated, such as in Syria, Myanmar and Belarus.

Recalling the key principles underpinning the use of restrictive measures (sanctions) by the European Union:

- European Union sanctions comply with international law, including the obligations stemming from international human rights law, international humanitarian law and international refugee law, and they are part of an integrated, comprehensive policy approach.
- European Union autonomous sanctions are applied in the territory of the Union and by European Union persons and entities and do not have an extraterritorial application.
- European Union sanctions are not punitive, retaliatory or coercive in nature, but are designed to bring about a change in policy or activity by the target country, entities or individuals. Therefore, Union measures are always targeted at such policies or activities, the means to conduct them and those responsible for them. Furthermore, Union sanctions are reversible and proportionate to the objectives that they seek to achieve.
- European Union sanctions are in no way designed to adversely affect the economies and development efforts of developing countries.
- The majority of the European Union sanctions regimes provide a framework for restrictive measures (travel ban and/or asset freeze) against persons or entities involved in “sanctionable” activities. Sectoral measures, such as import and export restrictions, are less common, and far-reaching economic measures remain an exception.
- An example of limited economic sectoral measures that the European Union has decided to use in combination with an arms embargo is a prohibition on the export of monitoring equipment and of equipment that might be used for internal repression, imposed in view of the risk of further violence, excessive use of force and violations or abuses of human rights.
- The fact that European Union restrictive measures are targeted also reduces as much as possible any adverse humanitarian effects or unintended consequences for non-targeted persons, in particular the civilian population, or on neighbouring countries
- European Union sanctions are not meant to impede the delivery of humanitarian assistance and humanitarian activities. A system of exceptions is a standard feature of Union sanctions regimes, which allow for, when appropriate, the supply of certain restricted equipment and activities for the purpose of delivering humanitarian assistance. This system under Union law is consistent with the system of exceptions operated under United Nations sanctions.
- Where persons and entities are targeted by sanctions, their fundamental rights are respected, as required in European Union treaties and the Charter of Fundamental Rights of the European Union, including through the possibility to challenge the listing decisions before the European Court of Justice.
- Specifically with regard to designations of persons or entities, they require clear listing criteria and legally robust evidence. An accurate and up-to-date statement of reasons to enable the person or entity concerned to understand the reasons for the listing and to defend his or her rights is also required. The Council of the European Union reviews sanctions regimes and listings on a regular basis.

Furthermore, processes are in place for the listed persons and entities to access their file and for the handling of their delisting requests.

The principles underpinning the use of European Union sanctions are set out in the European Union Basic Principles on the Use of Restrictive Measures (Sanctions), complemented by the European Union Guidelines on implementation and evaluation of restrictive measures and the European Union Best Practices for the effective implementation of restrictive measures.
