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**Annual report of the United Nations High Commissioner
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High Commissioner and the Secretary-General**

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

Summary of the biennial Human Rights Council panel discussion on unilateral coercive measures and human rights

Report of the Office of the United Nations High Commissioner for Human Rights*

* The present document was submitted late to the conference services without the explanation required under paragraph 8 of General Assembly resolution 53/208 B.



I. Introduction

1. In its resolution 40/3, the Human Rights Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to organize a biennial panel discussion, in accordance with Council resolution 27/21, on the issue of unilateral coercive measures and human rights. Also in its resolution 40/3, the Council requested the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights to act as rapporteur for the panel discussion and to prepare a report thereon, and to submit and present the report to the Council at its forty-third session. Due to illness and the subsequent resignation of the Special Rapporteur, OHCHR submits the present report to the Council pursuant to the request contained in its resolution 40/3.

2. The biennial panel discussion, entitled “The way forward to a United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development”, was held on 12 September 2019. Its objectives were to facilitate an exchange of views and experiences among all stakeholders, including Member States, academic and civil society organizations and United Nations human rights mechanisms, on the impact of unilateral coercive measures on the enjoyment of human rights.

3. Participants in the panel discussion considered the way forward towards a United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development. The updated set of elements prepared by the Special Rapporteur pursuant to Human Rights Council resolution 37/21 were also considered (A/HRC/42/46/Add.1). In addition, participants followed up on the recommendations arising from the previous panel discussions and workshops held in 2013–2015 and 2017, in pursuance of Council resolutions, and contained in the report of the Human Rights Council Advisory Committee (A/HRC/28/74).

4. The panel was chaired by the President of the Human Rights Council and moderated by the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations Office and other international organizations in Geneva, Jorge Valero. The panellists were: Professor of International Law, Belarusian State University (Belarus), Alena Douhan; Professor and Deputy Vice Chancellor for Industry, Community and Alumni at Universiti Teknologi MARA (Malaysia), Rahmat Mohamad; and member of the Human Rights Council Advisory Committee (Switzerland), Jean Ziegler.

II. Opening of the panel discussion

5. In her opening remarks, the Director of the OHCHR Thematic Engagement, Special Procedures and Right to Development Division, Peggy Hicks, stressed the need, in the context of a rise in populism and radical extremism and the increasing threat to multilateralism, to examine the role of sanctions in addressing human rights violations. In that regard, she also recalled the Vienna Declaration and Programme of Action, in which States had been urged to refrain from taking any unilateral measure that was not in accordance with international law and the Charter of the United Nations. Despite that basic premise, for nearly three decades since the adoption of the Vienna Declaration, Member States had been divided as to the legality and effectiveness of unilateral coercive measures as a means to promote and protect human rights.

6. Ms. Hicks stated that many States had raised concerns about the possible adverse impact of such measures for the full realization of the enjoyment of many fundamental rights and freedoms. States had also expressed concern regarding the impact of unilateral coercive measures on their ability to implement the Sustainable Development Goals by 2030.

7. Other States regarded sanctions as a critical element of their foreign policy toolbox to counter impunity for human rights violations. They argued that, if used appropriately, they could help ensure greater respect for human rights and fundamental freedoms by both State and non-State actors.

8. Ms. Hicks recalled that OHCHR had repeatedly emphasized the need for multilateral approaches. While sanctions were not unlawful, in order for them to have the greatest positive impact on human rights, they needed to be carefully targeted and tailored.

9. Ms. Hicks referred to a 2012 OHCHR thematic study (A/HRC/19/33) that continued to provide helpful guidance in that regard. In line with the Vienna Declaration, OHCHR had recommended that all Member States should avoid the application of any coercive measures having negative effects on human rights, particularly on those of the most vulnerable.

10. In the 2012 study, the United Nations High Commissioner for Human Rights had noted that even carefully targeted sanctions imposed to end gross human rights violations must be subject to stringent conditions. In particular, they must be imposed for no longer than necessary, be proportional and be subject to appropriate human rights safeguards, including human rights impact assessments and monitoring conducted by independent experts (A/HRC/19/33, para. 38).

11. In his opening speech, the Minister for Foreign Affairs of the Bolivarian Republic of Venezuela, Jorge Arreaza, speaking on behalf of the Movement of Non-Aligned Countries,¹ stressed that the panel discussion was part of the preparatory work for a future United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of human rights, including the right to development.

12. For the Movement of Non-Aligned Countries it was important to fight against unilateral coercive measures, which were imposed illegally on countries in the global South fighting for their development, autonomy and independence. Such measures caused great suffering to nations and peoples and, within them, to the most vulnerable groups by boycotting economies, suffocating trade and promoting the destruction of productive systems.

13. Mr. Arreaza stressed that unilateral coercive measures openly violated the human rights enshrined in the International Covenant on Economic, Social and Cultural Rights. They produced death, hunger, poverty, inequality and – hidden behind the masquerade of “sanctions” – the destabilization of entire political systems in the nations on which they were imposed.

14. In line with the request of the Human Rights Council to identify and propose measures that guaranteed the withdrawal of unilateral coercive measures, the Movement of Non-Aligned Countries had called for preserving multilateralism and strengthening international cooperation. In that context, Mr. Arreaza called upon the members of the Movement to work together to help developing countries to realize the objectives and principles contained in the declaration on the promotion of world peace and cooperation, adopted at the Asia-Africa Conference held in Bandung, Indonesia, on 18–24 April 1955.

15. The Movement of Non-Aligned Countries promoted respect for the sovereignty and territorial integrity of all nations, condemned interventionism and interference in the internal affairs of States, and rejected threats or acts of aggression and the use of force against any country.

16. Multilateralism provided a great platform for addressing the complex threats and challenges facing the world. The Movement of Non-Aligned Countries advocated the establishment of a peaceful, prosperous, fair and equitable world. Those objectives were being hindered by those seeking to perpetuate inequalities and inequities in the world. Nonetheless, it was a difficult historical moment for multilateralism, as the world was facing a turbulent scenario marked by uncertainty and in which international peace and security, comprehensive economic development, social justice, human rights and the rule of law were being threatened.

17. In its most recent political declaration, adopted in Caracas on 20 July 2019, the Movement of Non-Aligned Countries had envisaged refraining from recognizing, adopting or applying unilateral coercive measures or extraterritorial laws, including unilateral economic sanctions. It had also reiterated its rejection of other arbitrary restrictions, such as

¹ The Bolivarian Republic of Venezuela held the Chairmanship of the Movement of Non-Aligned Countries from September 2016 to October 2019.

those that threatened sovereignty, independence, freedom of trade and investment. The States members of the Movement remained committed to reversing the unilateral coercive measures currently in force against several countries and urged other States to do the same through the General Assembly and other organs of the United Nations. In accordance with international law, the Movement expressed solidarity with affected States and demanded that they be compensated for the damages caused.

18. Mr. Arreaza reported that the Movement of Non-Aligned Countries had decided to create a working group on sanctions that was coordinated by the Bolivarian Republic of Venezuela and that was tasked with advancing the principles of the Movement.

19. In 2017, on the margins of the high-level segment of the seventy-second session of the General Assembly, the Movement of Non-Aligned Countries had unanimously adopted a political declaration on the promulgation and implementation of unilateral coercive measures in violation of international law and human rights of the people subject to them (A/72/509, annex). That political declaration remained a road map for the Movement.

20. Mr. Arreaza concluded by demanding that the unilateral coercive measures against his country be lifted. Specifically, he called for companies, assets and stolen money to be returned to the Bolivarian Republic of Venezuela and the cessation of the commercial and financial blockade imposed on his people.

21. In his opening speech, the Permanent Representative of the Islamic Republic of Iran to the United Nations Office and other international organizations in Geneva, Esmaeil Baghaei Hamaneh, stressed that unilateral coercive measures abrogated an array of human rights, including the right to health, as they hindered access to medicine and medical treatment, safe drinking water, a clean environment and development, all of which were essential for guaranteeing the right to life and to living in dignity. That abrogation affected tens of millions of people.

22. Unilateral coercive measures encompassed a wide variety of policies and actions, most of which were premised on weaponizing economic power, to pressure the target country into adopting a certain behaviour at the expense of the basic human rights of the whole population. As noted by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights in a recent report, it had been found that sanctions had inflicted very serious harm on human life and health, including by causing an estimated more than 40,000 deaths in 2017–2018, and that those sanctions would fit the definition of collective punishment as described in both the Geneva and Hague international conventions.²

23. Mr. Hamaneh challenged the assertion of the legality of sanctions. Sanctions led to the uprooting of millions of people and seriously affected the living conditions of many migrants and refugees who happened to reside in countries subject to sanctions. Sanctions even prevented international humanitarian agencies from delivering humanitarian assistance to people on the move and to people in need.

24. Unilateral coercive measures were contrary to the Charter of the United Nations, the Universal Declaration of Human Rights, international law, international humanitarian law and its norms and principles. Their negative impact on basic human rights and humanitarian law was so massive as to be tantamount to crimes against humanity.

25. The community of States had long deplored the use of unilateral coercive measures for being contrary to international law and because their negative impact on the enjoyment of human rights had been recognized. That impact was so serious as to pose a threat to international peace and security as well.

26. The rejection of unilateral coercive measures had become so widespread that the international community had come to view those measures as unlawful, the extraterritorial effects of which affected the sovereignty of nations, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation (A/HRC/42/46, para. 44). That constituted a solid basis for urging States to resist the extraterritorial

² Mark Weisbrot and Jeffrey Sachs, "Economic sanctions as collective punishment: the case of Venezuela" (Washington, D.C., Center for Economic and Policy Research, April 2019), p. 1, cited in A/HRC/42/46, para. 31.

application of unilateral coercive measures. In that regard, the Special Rapporteur's proposal that the International Law Commission be called upon to consider the issue of the obligation not to recognize unlawful situations arising from the imposition of unilateral coercive measures was very pertinent (*ibid.*, para. 53).

27. Concrete actions and meaningful initiatives needed to be taken. An effective mechanism should be set up to help mitigate the impact of unilateral coercive measures. For example, a special representative of the Secretary-General could be appointed to address the matter and a special mechanism for the victims of unilateral coercive measures could be established. The measures necessary to implement the resolutions of the Human Rights Council on an international normative framework on unilateral coercive measures and the rule of law should be accelerated.

28. States that kept imposing sanctions should be held to account, including during the universal periodic review. All relevant human rights treaty bodies should mainstream, in their activities, issues related to the negative impact of unilateral coercive measures on the enjoyment of human rights. Moreover, they should include monitoring human rights violations associated with such measures and promoting accountability for those responsible for human rights violations resulting from unilateral coercive measures as standing items on their agendas.

29. OHCHR should be sufficiently well equipped to provide affected countries with the technical assistance and advisory services needed to prevent, minimize and provide redress for the adverse effects of unilateral coercive measures on human rights.

III. Summary of the proceedings

30. In his opening remarks, Mr. Valero invited the panellists to address a number of issues, including the issue of whether there was any difference between sanctions and unilateral coercive measures. He also asked whether all unilateral coercive measures were prohibited under international law, whether a definition of unilateral coercive measures needed to be included in a future United Nations declaration on the matter and what challenges States imposing sanctions on other States and ordinary people faced under international law. He then asked the panellists to elaborate on whether international law currently allowed for the employment of unilateral coercive measures and how making unilateral coercive measures illegal through a proposed United Nations declaration and possible treaty on the same matter could contribute to the protection and promotion of human rights and fundamental freedoms. Mr. Valero also asked whether the panellists considered unilateral coercive measures to represent a challenge for the implementation of 2030 Agenda for Sustainable Development and the Sustainable Development Goals and whether the adoption of a United Nations declaration on unilateral coercive measures was important for achieving the purposes and objectives of the 2030 Agenda.

A. Contributions of panellists

31. The three panellists agreed and affirmed that all unilateral coercive measures were illegal and contrary to international law. States that used such measures must be held accountable, not only for hindering the realization of a democratic and equitable international order, the achievement of the purposes and objectives of 2030 Agenda and the enjoyment of an array of human rights, but also for violating the Charter of the United Nations and international law, in particular the principles of non-intervention, self-determination and the independence of States. A future United Nations declaration would constitute a timely response by the majority of the international community to stopping mass atrocities and serious human rights violations, as well as to creating an international legal framework for enforcing the accountability of perpetrators.

32. Ms. Douhan recalled that, since 2013, the United Nations had taken concrete steps to deal with the human rights violations caused by unilateral coercive measures. For example, the Human Rights Council had decided, in its resolution 27/21, to appoint the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights and to organize a biannual panel discussion on the matter. Subsequently, the Council had repeatedly reaffirmed the illegal character of unilateral measures taken by

States with the aim of coercing other States to subordinate their sovereignty and of securing advantages.

33. Ms. Douhan argued that coercion in the international arena undermined the rule of law, worsened friendly relations between States and prevented the achievement of the Sustainable Development Goals. Due to the sensitivity of the matter, drafting a United Nations declaration on the negative impact of unilateral coercive measures on human rights was very timely, despite strong disagreement between source and target countries.

34. With regard to the elements and principles of the future declaration, Ms. Douhan suggested elaborating a definition of “unilateral coercive measures” for clarity and consistency in terminology. The absence of a universally agreed definition had led to confusion. States could, in exercising their sovereignty, apply means of pressure that were not prohibited by any international treaty or custom.

35. Ms. Douhan proposed the following definition of unilateral coercive measures: “Measures applied by States, groups of States or regional organizations, without or beyond the authorization of the Security Council, against other States, individuals or entities in order to change a policy or the behaviour of a directly or indirectly targeted State, entity or individual, if these measures cannot undoubtedly be qualified as not violating any international obligation of the applying State or organization, or its wrongfulness is not excluded under general international law.”

36. Ms. Douhan added that, in recent resolutions and reports, reference had been made to “source State”, “unilateral coercive measures with extraterritorial effect” and “international differences”. The possibility of applying international humanitarian law in cases involving the use of strong economic measures (comparable with those of a military blockade) against States in the absence of military conflict may further exacerbate the situation rather than narrow existing discrepancies.

37. With regard to affected individuals and entities directly targeted by unilateral coercive measures, Ms. Douhan suggested including in the future declaration an effective human rights protection mechanism. She stressed that the future declaration should aim at to promote and protect all human rights, not only economic rights or the right to development. Both the right to development and the right to peace rested on the observance of all categories of human rights. Special attention should be paid to the right to due process, insofar as that right was essential for guaranteeing the observance of all other categories of rights.

38. There was also a clear need to establish an effective system for providing short- and long-term responses to those removed from sanctions lists and compensation to those targeted by sanctions. For example, both the use of mechanisms for the peaceful settlement of international disputes and national assessments of the existence of legal grounds for bringing forward criminal charges may exclude a number of cases from the discussion on unilateral coercive measures.

39. The use of illegal coercive measures to obtain from targeted States the subordination of their sovereign rights and to secure from them advantages of any kind was prohibited by the principle of non-intervention into domestic affairs as set forth in the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States (General Assembly resolution 36/103). That prohibition had a peremptory character and may not be violated by any subject of international law.

40. Ms. Douhan concluded by suggesting that the future United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights should be developed while taking into consideration all potential subjects of sanctions and all possible types of measures, with full awareness of and respect for peremptory norms of international law, including the principle of non-intervention into the domestic affairs of States. Any progress on the matter could only be achieved if the rule of law was observed.

41. Mr. Mohamad pointed out that within the parameters of international law it had become evident that unilateral coercive measures or unilateral sanctions were in violation of certain core principles of the Charter of the United Nations, as well as the core principles of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV)). Those principles were: the principle of the sovereign

equality of States, the principle that States should refrain from the threat or use of force, the principle of equal rights and self-determination of peoples, the duty not to intervene in matters within the domestic jurisdiction of States, the principle that States should settle their international disputes by peaceful means, the duty of States to cooperate with one another and the principle that States should fulfil in good faith the obligations assumed by them in accordance with the Charter.

42. According to Mr. Mohamad, the adverse impact of unilateral sanctions on basic human rights in target countries was manifest. Furthermore, unilateral coercive measures were clearly an impediment to the implementation of the Declaration on the Right to Development, as they hampered the fulfilment of obligations on economic and social development in developing and least developed countries.

43. Mr. Mohamad argued that the unilateral coercive measures used by developed countries had far-reaching repercussions on human rights. The measures disproportionately affected the poor and the most vulnerable segments of the population in developing and least developed countries and had particular consequences for women, children, including adolescents, the elderly and persons with disabilities, and may in turn result in social problems and thus raise humanitarian concerns.

44. Mr. Mohamad said that individual States and groups of States should refrain from imposing unilateral coercive measures and remove any such measures already in force. Moreover, States should commit themselves to using other means for the peaceful settlement of international disputes and differences.

45. According to Mr. Mohamad, the time had come for the international community to reaffirm the principle of fair treatment of all persons affected by unilateral coercive measures and to recognize that such persons were entitled to an effective remedy, including appropriate and effective financial compensation. While a few States might argue that economic sanctions were not prohibited by the Charter of the United Nations, even if that were true, sanctions should not be immune from review and judicial scrutiny.

46. Mr. Mohamad concluded by suggesting that everyone had the right to an effective remedy for acts violating his or her fundamental rights. There was no reason to exempt unilateral coercive measures from that general principle, which was intended to benefit all victims of human rights violations, irrespective of particular facts or the context of the violations. In that context, he recalled that States had pledged to promote the rule of law at the national and international levels and ensure equal access to justice for all (target 16.3 of the Sustainable Development Goals).

47. Mr. Ziegler noted that, after the Human Rights Council Advisory Committee had published, in 2015, its study on the issue of unilateral coercive measures (A/HRC/28/74), the Advisory Committee had convened three public debates with representatives of civil society and Member States. The Advisory Committee fully endorsed the intention of drafting a United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development, although a treaty on the same matter would be preferable. Nonetheless, such a declaration would be of great practical importance for multilateral diplomacy.

48. On the matter of whether unilateral coercive measures posed a challenge to the implementation of the 2030 Agenda for Sustainable Development, Mr. Ziegler argued that unilateral coercive measures killed. In support of his argument, he spoke about violations of the right to food and the right to health. In particular, hunger had been increasing to appalling rates worldwide since 2017 and about 72 million people were suffering from chronic undernutrition, which meant that 1 in 11 people lived in constant hunger.

49. As a result of sanctions, Venezuelan industry had been unable to purchase spare parts for its agricultural work. Even in normal times, 65 per cent of Venezuelan food was imported. As it had been prevented from using the international payment system, the Bolivarian Republic of Venezuela could not transfer money, even if it had sufficient funds. The situation had had a massive effect on Venezuelans' enjoyment of the right to food.

50. Mr. Ziegler stressed that the right to development was very difficult to exercise in certain countries. Many developing countries had an overwhelming burden of external debt. Moreover, indebted countries subject to sanctions had no financial or economic

independence and therefore were unable to restructure their debts, even if they had wanted to.

51. Mr. Ziegler described examples of secondary coercive measures, including an appalling situation in Gaza. According to the World Health Organization, improperly treated water had caused kidney disease in Gaza, which had been under blockade since 2006. Due to the blockade, Gaza could not repair or refurbish its water processing system, nor could it import technology for dialysis. As a result, a large number of people had fallen sick and had died unnecessarily from kidney disease. That was a clear case of the collective punishment of civilians, which was prohibited by international law.

52. In conclusion, Mr. Ziegler underscored how the forthcoming work of the Human Rights Council on a United Nations declaration could reflect the discussions of the Advisory Committee on the following three issues, to be included in the draft. Firstly, the Advisory Committee considered unilateral coercive measures to be contrary to Article 2 (4) of the Charter of the United Nations, which prohibits the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. Secondly, direct, secondary or extraterritorial unilateral coercive measures must be banned, as they were effectively acts of collective punishment that were prohibited under customary international law and explicitly prohibited by the Geneva Conventions and the Additional Protocols thereto. Thirdly, while some lawyers and academics supported and defended the use of unilateral coercive measures by arguing that they were “better than war”, the Advisory Committee categorically rejected such an argument because increases in the use of unilateral coercive measures were accompanied by increases in violence. As the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights had noted, sanctions could be implemented as a prelude to the use of force. The Advisory Committee considered that there was an urgent need to have a declaration on unilateral coercive measures and supported the work being done to draft one.

B. Interactive discussion

53. During the subsequent interactive discussion, representatives of the following States made statements: Algeria, Angola (on behalf of the Group of African States), Bolivia (Plurinational State of), China, Cuba, Democratic People’s Republic of Korea, Fiji, Malaysia, Iran (Islamic Republic of), Iraq, Qatar, Russian Federation, Sudan, Syrian Arab Republic, United Arab Emirates and Venezuela (Bolivarian Republic of) (on behalf of the Movement of Non-Aligned Countries and in its national capacity), as well as State of Palestine.

54. Representatives of the following national human rights institutions and non-governmental organizations made statements: Centre Europe – tiers monde, Charitable Institute for Protecting Social Victims, International Association of Democratic Lawyers, International Human Rights Association of American Minorities, Organization for Defending Victims of Violence, Centro de Estudios Sobre la Juventud and Asociación Cubana de las Naciones Unidas.

55. Participants condemned unilateral coercive measures for being illegal, for being a form of collective punishment and for violating an array of human rights, in particular the right life, the right to freedom of movement, the right to privacy, the right to be presumed innocent until proven guilty, the right to a fair trial, the right to an adequate standard of living, the right to health, the right to food, the right to water and the right to development. In that context, the panellists, the delegates and the representatives of civil society expressed full support for the drafting of a United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development. Such a declaration would introduce systems to ensure the non-perpetuation and non-recurrence of such sanctions. The updated set of elements prepared by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights could serve as a good basis for drafters of the declaration. The Special Rapporteur’s recommendation that a special representative of the Secretary-General on unilateral coercive measures be appointed was also welcomed.

56. Many participants stated that only the Security Council should have the right to impose economic, financial and other non-forcible measures on States or individuals for the purpose of giving effect to its decisions. Delegates pointed out that unilateral coercive measures violated the Charter of the United Nations and the principles enshrined in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. Some delegates drew attention to the fact that even the sanctions applied pursuant to decisions of the Security Council were considered means of last resort, to be used in extreme cases.

57. Many participants emphasized that unilateral coercive measures had disproportionate and discriminatory effects on vulnerable groups, which deserved more attention from States and the Human Rights Council. Among those especially affected by unilateral coercive measures were women, children, the elderly, persons with disabilities, indigenous peoples, members of ethnic and religious minorities, peasants and the poor. Unilateral coercive measures that required the extraterritorial application of the laws of the source country and that imposed secondary sanctions for non-compliance were unlawful under international law. Moreover, unilateral sanctions that were intended to fill the protection gap or deter human rights violations by targeting perpetrators were inefficient and counterproductive, as the alleged perpetrators they were intended to affect often became more entrenched in their ways.

58. Some participants said that unilateral coercive measures were tools in the hands of the powerful. They allowed more developed countries to apply pressure on developing and least developed countries with economic and political regimes that did not enjoy their approval. They violated general international law, as they constituted interference in the self-determination of peoples and in their right to decide their own economic and political systems. Such coercive measures were not only unilateral but also unidirectional, as they were used by powerful States against weaker States. The representative of one delegation described them as “non-military measures to put pressure on countries”, and drew a parallel between the laws governing armed conflicts to protect civilians and the need to protect the human rights, including the right to development, of the persons and peoples affected by unilateral coercive measures.

59. Other participants regarded unilateral coercive measures as a hindrance to the achievement of the Sustainable Development Goals. The Human Rights Council and the General Assembly had adopted resolutions, reflecting the absolute majority of Member States, condemning such measures. In line with those resolutions, the participants urged all States to refrain from imposing unilateral coercive measures and remove any such measures currently in force as they were contrary to the Charter and to the norms and principles governing peaceful relations among States at all levels. It was recalled that such measures prevented the full realization of the economic and social development of nations while also affecting the full realization of human rights.

60. Participants urged States to refrain from adopting unilateral coercive measures in every case. Many also called for those in a position to do so to take measures to prevent third States from taking unilateral coercive measures, in violation of international human rights law. Such measures were not conducive to the effective implementation of the Vienna Declaration and Programme of Action or the Sustainable Development Goals.

61. Some participants proposed making the topic of unilateral coercive measures and related issues an intrinsic part of the work of all the mechanisms of the Human Rights Council, both the treaty-based mechanisms and the Charter-based mechanisms. The universal periodic review process should be used to address violations of human rights caused by unilateral coercive measures.

IV. Conclusions

62. **In their concluding remarks, the panellists stressed that unilateral coercive measures taken against a State or against certain sectors of its economy, thereby causing a disproportional adverse impact on the population, constituted collective punishment, were contrary to international law and should be prohibited. Unilateral coercive measures often violated a wide array of human rights, in particular the rights to life, to freedom of movement, to privacy, to a fair trial and due process, to the**

presumption of innocence, to an adequate standard of living, to health, to food, to water and to development.

63. The panellists also stressed that the Human Rights Council and Member States should support the drafting of a United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development. The elements for a draft declaration on unilateral coercive measures and the rule of law prepared by the Special Rapporteur could serve as a good basis. Experts should be consulted in the preparation of the draft declaration, for example through the organization of an expert meeting.

64. The panellists underscored that a clearer definition of unilateral coercive measures should be developed and agreed that such a definition should be based on existing definitions in international law, including its peremptory norms.
