Silent Suffering: How Sanctions Impact Human Rights During COVID-19

Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights

Alena F. Douhan



Types of unilateral sanctions and their impacts:

- **Broad Trade Embargoes and Targeted Sanctions:** The U.S. has expanded its use and threats of sanctions since the pandemic began, including considering new types of sanctions related to COVID-19, preventing access to emergency funds.
- **Extraterritorial Enforcement:** The U.S. enforces sanctions beyond its borders, penalizing foreign entities and individuals dealing with sanctioned countries if transactions involve U.S. jurisdiction elements, like the use of U.S. dollars.
- **Online Service Restrictions:** Actors from countries targeted by unilateral sanctions are prevented from using online services medical online platform PubMed, medical training and telemedicine, getting access to necessary software.
- **Sectoral and targeted sanctions** affecting banking, transportation, oil, electricity, and telecommunications. These restrictions hinder the targeted countries' ability to manage the pandemic effectively.
- Despite repeated calls for solidarity and requests “to leave no one behind”, unilateral sanctions have neither been lifted or minimized during the pandemic.

Effects of sanctions on the enjoyment of human rights:

- **Right to Health:** Sanctions have severely disrupted the supply of medical essentials, including medications, protective gear, and equipment needed to treat COVID-19 and other diseases. Targeted countries face shortages of critical healthcare supplies, exacerbating their struggle against the pandemic. For example, Cuba has been unable to purchase pulmonary ventilators after the manufacturer was acquired by a U.S. company, which immediately stopped all commercial relations with Cuba.
- **Efficacy of Humanitarian Exemptions:** It has been reported that authorization can be a costly and lengthy process that is conducted on a case-by-case basis and is generally not aligned with the emergency nature of a crisis such as the COVID-19 pandemic.
- **Economic and Social Impact:** Sanctions have exacerbated economic crises, leading to severe humanitarian impacts such as a lack of medical supplies, increased poverty, and food insecurity. The hindrance to economic recovery efforts is expected to have long-lasting effects on the targeted countries' development.
- **Most Vulnerable Hit Hardest:** Women, children, the elderly, people with disabilities, migrants, and refugees are the most affected by the compounded effects of sanctions and the pandemic.

Recommendations:

- **Assess the Legality of Unilateral Sanctions:** Unilateral sanctions taken without or beyond authorization of the UN Security Council, shall be lifted if they violate international obligations of sanctioning states or in their illegality cannot be excluded in the course of countermeasures.
- **Humanitarian precaution:** States are obliged to assess humanitarian impact before they take measures unilaterally and to monitor their impact on human rights, especially during emergencies like the COVID-19 pandemic.
- **Harmonize and Simplify Humanitarian Exemptions:** Humanitarian exemptions should be standardized among States and made clear, transparent, and straightforward for rapid implementation during emergencies.
- **Ensure Unrestricted Trade in Essential Humanitarian Goods:** Trade in essential humanitarian goods, such as medicine, medical equipment, and food, shall not be subject to any form of unilateral sanctions. Impediments to such trade, including restrictions on contracts, financial transactions, currency transfers, and transportation, that hinder the ability of States to combat the COVID-19 pandemic, should be lifted or suspended until the threat is eliminated.
- **Remove Restrictions on Humanitarian Aid:** Humanitarian aid, including human resources, materials, equipment, and cash to combat the pandemic, should not face any direct or indirect restrictions. This includes eliminating additional licensing requirements or civil, administrative, and criminal charges against those delivering medical goods and food to sanctioned States. Humanitarian aid aimed at combating the COVID-19 pandemic should not be seen as an unfriendly or profit-driven act.
- **Allow Access to External Aid:** States shall not take measures preventing other States from obtaining external aid of any kind, including international loans to combat the pandemic both from other States and from international organizations.



READ FULL REPORT

Negative impact of unilateral coercive measures on the enjoyment of human rights in the coronavirus disease pandemic