

**Human Rights Council****Fifty-seventh session**

9 September–9 October 2024

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Monitoring and assessment of the impact of unilateral
sanctions and overcompliance on human rights****Report of the Special Rapporteur on the negative impact of unilateral
coercive measures on the enjoyment of human rights, Alena F. Douhan****Summary*

In the present report, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Alena F. Douhan, provides an overview of the options and mechanisms for the monitoring and assessment of the impact of unilateral sanctions, the means of their enforcement and overcompliance on human rights. The report is focused on the development of a methodology for the monitoring and assessment of the impact of unilateral sanctions and overcompliance on human rights on the basis of several human rights indicators, the causality of humanitarian impacts, measures taken by States to mitigate the consequences of the use of unilateral sanctions and other factors that should be considered. It introduces the preliminary results of the monitoring and assessment undertaken using the tool that has been developed and highlights the efforts already taken by United Nations entities and specialized agencies, international non-governmental organizations and States to assess the impact of unilateral sanctions and overcompliance on human rights.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolutions 27/21 and 54/15, in which the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights was requested, *inter alia*, to gather all relevant information relating to the negative impact of unilateral coercive measures on the enjoyment of human rights; to study relevant trends, developments and challenges; to make guidelines and recommendations on ways and means to prevent, minimize and redress the adverse impact of unilateral coercive measures on human rights; and to draw the attention of the Council to relevant situations and cases.

2. The Human Rights Council noted the Special Rapporteur's initiative for the development of an impact assessment methodology, called upon her to study the possibility of establishing an effective, impartial and responsive mechanism to assess, document, report on and follow up on the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability¹ and welcomed her initiative to develop and launch a uniform and universal tool for monitoring and assessing the impact of unilateral coercive measures and overcompliance on human rights.²

3. In her thematic work, the Special Rapporteur has repeatedly highlighted the importance of systematically monitoring and assessing the humanitarian impact of unilateral sanctions and overcompliance.³ Due to the absence of monitoring and assessment instruments, she undertook several steps to develop a universal system of indicators,⁴ set out a plan and outline of the draft monitoring and impact assessment tool,⁵ identify existing challenges and proceed with the primary monitoring.⁶ Calls for contributions were sent to States, United Nations entities, all United Nations country teams, regional and international organizations, national human rights institutions, civil society, academics and research institutions. Since early 2022, she has held expert consultations with academia and humanitarian actors on the development of a simplified and unified methodology for the monitoring and assessment of the humanitarian impact of unilateral sanctions.⁷

4. Responses were received from the Governments of Belarus, Bosnia and Herzegovina, Cuba, Ecuador, Guyana, Myanmar, the Russian Federation and the Syrian Arab Republic. Responses were also received from some United Nations entities, civil society organizations and associations, lawyers and academics. The Special Rapporteur expresses her gratitude to all respondents.

II. Activities of the Special Rapporteur

5. To raise awareness about the mandate, the negative impact of unilateral sanctions on human rights, situations in countries under sanctions, findings from country visits and problems in the application of humanitarian exemptions, the Special Rapporteur gave many interviews to news and other media from around the world.

6. She participated in thematic conferences, webinars and online meetings and met with representatives of permanent missions in Geneva and New York, representatives of the Movement of Non-Aligned Countries, the Like-Minded Group of Countries Supporters of Middle-Income Countries and the Group of Friends in Defence of the Charter of the United Nations and officials of the European Union to raise awareness about overcompliance, extraterritoriality and access to humanitarian aid. She also held meetings

¹ Human Rights Council resolution 55/7, para. 26.

² Human Rights Council resolution 54/15, para. 5.

³ A/78/196, para. 83; A/HRC/48/59, para. 110; and A/HRC/54/23, paras. 99 and 101.

⁴ See <https://www.ohchr.org/en/calls-for-input/2022/call-contributions-toward-universal-system-monitoring-assess-human-rights>.

⁵ See <https://www.ohchr.org/en/calls-for-input/2023/call-input-draft-monitoring-impact-assessment-tool>.

⁶ See <https://www.ohchr.org/en/calls-for-input/2024/call-input-2024-thematic-report-57th-session-un-human-rights-council>.

⁷ See <https://www.ohchr.org/en/special-procedures/sr-unilateral-coercive-measures/activities>.

with representatives of different United Nations entities, both at United Nations headquarters locations and in the field.

7. Furthermore, she held expert consultations in Geneva with academics, non-governmental organizations (NGOs) and lawyers on the development of guiding principles on sanctions, business, overcompliance and human rights and on unilateral sanctions and access to justice. The Special Rapporteur organized side events on the impact of unilateral sanctions on health-related Sustainable Development Goals⁸ and on the impact of unilateral coercive measures on the delivery of humanitarian assistance and the work of humanitarian actors⁹ on the margins of the fifty-fourth and fifty-fifth sessions of the Human Rights Council.

8. In May 2024, she conducted an official country visit to China to assess the impact of unilateral sanctions, secondary sanctions and sanctions overcompliance on various sectors and on the human rights of the Chinese people. During the visit she met with government officials, representatives of the legislative and judicial branches, international organizations, the diplomatic community, NGOs and associations and businesses, as well as academics and other non-governmental stakeholders.

9. On 1 August 2023, she officially launched the Sanctions Research Platform, an online repository compiling research work on sanctions and sanctions-related issues, including their humanitarian and human rights impact. The platform is accessible to all stakeholders and can receive submissions relevant to sanctions issues in all six official languages of the United Nations.¹⁰

10. Over the past year, she has sent numerous communications to States, international organizations and businesses, raising concerns about the extraterritorial application of unilateral sanctions, the compounded effects of overcompliance, the criminalization of the circumvention or violation of unilateral sanctions and challenges in the delivery of humanitarian assistance and essential goods, including food and medicine, and commenting on the inefficacy and inefficiency of humanitarian carveouts and ad hoc humanitarian licences.¹¹

11. A complete list of the activities of the Special Rapporteur may be found on the mandate website.

III. Existing practice of monitoring unilateral sanctions

12. The Special Rapporteur notes that existing efforts to assess the humanitarian impact of coercive measures are fragmented and nearly non-existent. Even the monitoring and reporting on the impact of Security Council sanctions on human rights are not systematic;¹² attempts to assess the impact of such sanctions refer to the impact on humanitarian action only and are undertaken for the purpose of deciding on the modalities of sanctions regimes.¹³

13. Assessment of the negative impact of unilateral sanctions in relation to specific States is carried out on a regular basis by the General Assembly with respect to Cuba only. It mostly addresses the economic impact, but also reflects the effect of unilateral coercive measures on critical areas, including access to medicines, medical equipment, food and agricultural equipment and negative effects on education, sports and culture,¹⁴ and shows the cumulative

⁸ See <https://www.ohchr.org/en/events/events/2023/impact-unilateral-sanctions-health-related-sdgs>.

⁹ See <https://www.ohchr.org/en/events/events/2024/impact-ucms-delivery-humanitarian-assistance-and-work-humanitarian-actors>.

¹⁰ See <https://sanctionsplatform.ohchr.org/>.

¹¹ See <https://spcommreports.ohchr.org/TmSearch/Mandates?m=263>.

¹² See https://www.ipinst.org/wp-content/uploads/2019/06/1906_Sanctions-and-Humanitarian-Action.pdf.

¹³ See https://rohingyareponse.org/wp-content/uploads/2024/02/OCHA_Access_Monitoring_and_Reporting_Framework_OCHA_revised_May2012.pdf.

¹⁴ See General Assembly resolution 75/289; and <https://cubaminrex.cu/es/node/3587>.

humanitarian costs of the blockade.¹⁵ The issue was included in the agenda of the General Assembly in 1991, at the request of Cuba.¹⁶ In accordance with the annual resolutions on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba, the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, prepares a report on the implementation of the resolutions.

14. United Nations entities, the special procedures of the Human Rights Council and specialized agencies of the United Nations may also address the humanitarian impact of unilateral coercive measures within their respective mandates. At present, unilateral sanctions are in one way or another directly addressed by the General Assembly, the Secretary-General, the Economic and Social Commission for Western Asia (ESCWA), the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), the Inter-Agency Standing Committee, the Human Rights Council, the World Health Organization (WHO), the International Labour Organization (ILO), the World Food Programme (WFP) and the Food and Agriculture Organization of the United Nations (FAO). Their efforts are outlined in the present report.

15. Relevant initiatives undertaken by non-governmental organizations include the Norwegian Refugee Council Toolkit for Principled Humanitarian Action,¹⁷ which contains an assessment of the humanitarian effect of unilateral sanctions and other coercive measures in the context of combating terrorism.

16. At the national level, attempts to develop monitoring mechanisms include the Venezuelan Anti-Blockade Observatory,¹⁸ covering the adverse effects of unilateral sanctions on the Bolivarian Republic of Venezuela and providing a general overview of unilateral sanctions taken against other States. A significant number of companies (e.g. Cisco,¹⁹ Adobe²⁰ and Microsoft)²¹ maintain sanctions lists or lists of prohibited, sanctioned and high-risk countries.²²

IV. Methodology of the monitoring and impact assessment

17. The Special Rapporteur emphasizes the importance of measuring the impact of unilateral sanctions on human rights for alleviating the adverse humanitarian impact on all affected individuals. She underlines that sanctioning States are currently using different means of enforcement of unilateral sanctions, including secondary sanctions and civil, criminal and administrative penalties for circumvention of sanctions regimes. The multiplicity and uncertainty of sanctions regimes, the high risk of penalties for their circumvention, reputational risks and uncertain and contradictory interpretation result in growing de-risking policies and overcompliance by States, businesses, individuals and even United Nations entities.²³ The Special Rapporteur emphasizes the impossibility of assessing separately the impact of different types of unilateral sanctions, the sanctions imposed on a specific country and unilateral sanctions only. It is only possible to monitor and assess the comprehensive impact of all types of unilateral sanctions, their means of enforcement and overcompliance.

18. The Special Rapporteur admits that unilateral sanctions often coexist with other causes of human rights problems, such as endemic poverty, military conflicts, pandemics, natural disasters and domestic policies. Moreover, States often undertake measures to

¹⁵ See <https://misiones.cubaminrex.cu/es/articulo/informe-de-cuba-en-virtud-de-la-resolucion-777-de-la-asamblea-general-de-las-naciones-2>.

¹⁶ See A/46/193.

¹⁷ See <https://www.nrc.no/toolkit/principled-humanitarian-action-managing-counterterrorism-risks/>.

¹⁸ See <https://observatorio.gob.ve/> (in Spanish).

¹⁹ See <https://www.cisco.com/c/en/us/about/legal/global-trade-legal-compliance/general-export-compliance.html>.

²⁰ See <https://www.adobe.com/content/dam/cc/en/corporate-responsibility/pdfs/code-of-conduct-ext.pdf>.

²¹ See <https://www.microsoft.com/en-us/microsoft-365/business/microsoft-office-license-restrictions>.

²² See <https://www.mandg.com/dam/pru/shared/documents/en/invs11280.pdf>.

²³ See A/78/196.

mitigate the negative impact of unilateral sanctions. Therefore, any assessment of the humanitarian impact of unilateral sanctions has a certain degree of proximity and other factors need to be taken into account.

19. For consistency and transparency, the assessment was built on the methodology developed by the Office for the Coordination of Humanitarian Affairs of the Secretariat in collaboration with member agencies of the Inter-Agency Standing Committee and reflected in the 2004 *Handbook for Assessing the Humanitarian Implications of Sanctions*. The handbook was aimed at addressing two key challenges associated with humanitarian assessments under sanctions: (a) accurate evaluation of the current status of humanitarian conditions; and (b) separation of the effects of sanctions on the health and well-being from those resulting from other causes. The assessment methodology itself was based on a human security conceptual framework, and used models of cause and effect, combined with humanitarian indicators of process and outcome.²⁴

20. The methodology of the Office for the Coordination of Humanitarian Affairs as contained in the handbook includes five steps: (a) clearly identify the sanction measures (types of sanctions proposed or in place) and outcome (humanitarian conditions) of interest; (b) undertake a baseline assessment of conditions prior to sanctions; (c) for each of the “4 + 4” human security subject areas, construct causal models to identify possible linkages between sanctions measures and humanitarian conditions; (d) identify potential sources of information for each of the process and outcome indicators identified in the causal models, and gather the necessary information to complete the models; and (e) in each human security subject area, identify and extract the contribution of sanctions to the observed effects, separate from effects due to other causes.

21. The Special Rapporteur believes that the second, fourth and fifth steps may be partially applicable to evaluating the humanitarian consequences of unilateral coercive measures. However, the first and third steps cannot be used for the development of the methodology to assess the negative impact of unilateral coercive measures on the enjoyment of human rights, due to certain objective criteria. In particular, the first step requires the identification of the sanction measures and outcome of interest. The types of unilateral coercive measures currently imposed by States and some international intergovernmental organizations go far beyond arms embargoes, financial sanctions, travel-related sanctions and targeted trade sanctions and include economic, trade, financial and sectoral sanctions, travel bans and cyber and targeted sanctions.²⁵ Most of these measures have an extraterritorial effect that extends the scale and effects of possible adverse impact on the enjoyment of human rights and complicates the assessment thereof.²⁶ Unilateral sanctions are often imposed simultaneously by several States: which produces cumulative effects and wider implications for the targeted countries and their nationals. Such complex and non-obvious negative effects of unilateral coercive measures make it necessary not only to identify their outcome, but also to indicate their extraterritorial impact, the adverse effect on the sanctioning State itself and the outcome of the cumulative effects of unilateral coercive measures for targeted States, affected third countries and sanctioning States.

22. The assessment shall start with the delineation of certain basic conditions or baselines that existed before the imposition of unilateral coercive measures, to identify the changes that occurred afterwards.²⁷ As the negative effect of unilateral coercive measures may be intensified after the strengthening of sanctions regimes or the introduction of unilateral sanctions by other actors or may be alleviated if the unilateral sanctions are partially or temporarily lifted, the Special Rapporteur underlines the need to identify several additional baselines for the measurement of the humanitarian effects. Such baselines could be defined as conditions prior to the imposition of unilateral coercive measures, conditions prior to the

²⁴ See <https://interagencystandingcommittee.org/sites/default/files/migrated/2021-03/Field%20Guidelines%20for%20Assessing%20the%20Humanitarian%20Implications%20of%20Sanctions.pdf>.

²⁵ See [A/HRC/48/59](#).

²⁶ *Ibid.*; and submission of the Russian Federation.

²⁷ Submission of the Syrian Arab Republic.

strengthening or partial or temporal lifting of the sanctions and the contemporary humanitarian situation in the country.

23. The Special Rapporteur underlines the importance of structural indicators and indicators of process and outcome.²⁸ The assessment shall thus be based on comparative analysis as a methodology, whether comparing a situation before and after the imposition of unilateral coercive measures or through the continuous monitoring of and a baseline assessment prior to and after the expansion of unilateral coercive measures or the imposition of additional ones.²⁹ The monitoring should be systematic, since the adverse effect of unilateral coercive measures may not be immediate and may worsen over time.³⁰ It is recommended that such an assessment be conducted annually.³¹

24. The Special Rapporteur acknowledges that an accurate determination of the baselines is affected by the multiplicity of sanctioning States. Unilateral sanctions and overcompliance affect individuals and companies not only of the targeted States but also of others, including sanctioning States,³² due to the spillover effect on neighbouring States, the region³³ and other parts of the globe. It has been reported that the unilateral sanctions imposed by the United States against the Russian Federation have had an extreme extraterritorial effect on developing countries, in particular in the global South.³⁴ In 2014, unilateral coercive measures imposed on the Islamic Republic of Iran reportedly affected Pakistan by blocking a gas pipeline project critical for Pakistan to overcome its grave energy crisis.³⁵ Unilateral coercive measures have adverse effects on the sanctioning States themselves. The harsh energy crisis in the United Kingdom of Great Britain and Northern Ireland may have been affected by the unilateral coercive measures imposed on the Russian Federation and the Russian response to those economic restrictions, limiting oil and gas supplies and exerting upward pressure on the wholesale price of natural gas,³⁶ with a reported 6.5 million households in the United Kingdom living in fuel poverty in January 2024.³⁷

25. Moreover, unilateral coercive measures affect different humanitarian areas and human rights, which should be duly taken into consideration when assessing the humanitarian costs of such measures. Therefore, the second step of the Office for the Coordination of Humanitarian Affairs methodology is not fully applicable with respect to the evaluation of the impact of unilateral coercive measures on human rights. There is a need to identify baselines for each group of countries (direct targets, those affected by spillover effects and secondary sanctions, and sanctioning States) separately.

26. The Special Rapporteur believes that the tool should measure both the immediate impact of sanctions and their long-term effects,³⁸ in general and for specific vulnerable groups,³⁹ on the basis of both qualitative and quantitative analysis.⁴⁰ It should also assess the efficacy of humanitarian exemptions, the effect of sanctions enforcement and

²⁸ Submissions of Ecuador, the Syrian Arab Republic and the Association of Reintegration of Crimea.

²⁹ Submission of the Syrian Arab Republic.

³⁰ Submission of Guyana.

³¹ Submission of Ecuador.

³² See <https://www.piie.com/commentary/testimonies/evidence-costs-and-benefits-economic-sanctions>; <https://valdaicclub.com/a/highlights/losses-due-to-sanctions-grow-in-the-west/>; and <https://www.politico.eu/sponsored-content/rethinking-eu-restrictive-measures/>.

³³ See <https://www.avekon.org/papers/2047.pdf>; and <https://www.cries.org/wp-content/uploads/2018/09/010-Andrei.pdf>.

³⁴ See https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=3189&context=faculty_publications.

³⁵ [A/HRC/28/74](#), para. 40.

³⁶ See https://www.nea.org.uk/wp-content/uploads/2023/01/3830_NEA_Fuel-Poverty-Monitor-Report-2022_V2-1.pdf.

³⁷ See <https://www.nea.org.uk/wp-content/uploads/2024/01/NEA-Fuel-Poverty-Monitor-FULL-REPORT-FINAL.pdf>.

³⁸ Submission of the Syrian Arab Republic.

³⁹ Submission of Maat for Peace, Development and Human Rights.

⁴⁰ Submissions of Ecuador, the Syrian Arab Republic, Maat for Peace, Development and Human Rights and the Russian Council on International Affairs.

overcompliance by individuals, organizations or States⁴¹ and measures taken by States to mitigate the negative impact of unilateral sanctions.

27. The Special Rapporteur notes that the causality between unilateral coercive measures and a negative humanitarian impact is important for the assessment. Some States indicated in their submissions that the direct and evident causality chain demonstrated the intent of some sanctioning States to cause humanitarian suffering; for instance when an increase in child mortality is directly caused by the lack of basic vaccines.⁴² The Special Rapporteur believes that all types of causes (proximal and distal, direct and indirect, and immediate, underlying and basic) and necessary and sufficient conditions should be used to build the chain of causality to explore the adverse impact of unilateral coercive measures on the enjoyment of human rights.

28. The Special Rapporteur supports the fourth step of the Office for the Coordination of Humanitarian Affairs methodology, regarding the need to identify reliable sources of information. Due to the highly politicized nature of unilateral sanctions, the means of their enforcement and the high risk of overcompliance, the monitoring tool should be based on the OHCHR and special procedures principles of comprehensiveness, impartiality, verification and collection of information from various sources. Measurements should be carried out by or with the help of United Nations agencies to minimize the risk of bias.⁴³

29. Therefore, the Special Rapporteur's calls for contributions with respect to the development of the monitoring tool were addressed to all stakeholders, in both sanctioned and sanctioning States, including Governments, United Nations agencies and United Nations country teams, regional and international organizations, national human rights institutions, civil society, academics, research institutions and businesses. Responses were received, however, only from States in respect of which unilateral sanctions exist (Belarus, Bosnia and Herzegovina, Ecuador, Guyana, Myanmar, Russian Federation and Syrian Arab Republic). No sanctioning State shared any data on the impact of their sanctions; no evidence was presented of any assessment undertaken by any of them.

30. The Special Rapporteur is concerned that only a few responses were received from United Nations agencies, organs or country teams. This demonstrates the absence of systematic relevant work, even within the scope of their respective mandates, notwithstanding references to unilateral coercive measures as among the causes of adverse socioeconomic and humanitarian situations.⁴⁴

31. The responses differed in scope; some covered only a few aspects of the questions and were not sufficient to address the humanitarian impact of unilateral coercive measures in a specific country in comprehensive manner (in terms of areas and groups affected, parameters invoked and the absence of specific statistical data presented to substantiate the effects). This may be explained by: (a) the absence of national monitoring of the adverse effect of unilateral coercive measures on the humanitarian situation, or the existence of only fragmented data; (b) a reluctance to reply in the face of reputational risks or even the risk of punishment by sanctioning States or international organizations if the identity of the respondent was revealed; or (c) the lack of understanding of the need for and aims, principles, structure and results of the monitoring and assessment of the negative impact of unilateral coercive measures on the enjoyment of human rights.

32. It is worth noting that no large, international NGOs submitted a response to contribute to the development of the methodology, indicators and the system for the monitoring and assessment of the negative impact of unilateral coercive measures on the enjoyment of human rights. Although several publicly available reports of international NGOs⁴⁵ indicate the

⁴¹ Submission of Ecuador.

⁴² Submission of the Syrian Arab Republic.

⁴³ Submission of Ecuador.

⁴⁴ Confidential submission.

⁴⁵ See <https://www.hrw.org/news/2023/06/22/questions-and-answers-how-sanctions-affect-humanitarian-response-syria>; <https://www.hrw.org/news/2019/10/29/iran-sanctions-threatening-health>; <https://www.amnesty.org/en/wp-content/uploads/2024/04/POL1072002024ENGLISH.pdf>; and <https://www.amnesty.org/en/wp-content/uploads/2021/08/amr250072009en.pdf>.

detrimental effects of unilateral coercive measures on the humanitarian situation in the targeted States, most of them⁴⁶ seek to demonstrate human rights abuses in the countries under sanctions by ignoring the impact of unilateral coercive measures. Moreover, some public statements made on behalf of certain NGOs even glorify the imposition of unilateral sanctions.⁴⁷ This may be perceived as a violation of the standards of impartiality and objectivity by important actors of human rights promotion and protection, as they may appear to highlight only certain human rights violations. The reports submitted by national NGOs in countries under sanctions are sometimes ignored; they are reportedly not invited to testify and they face challenges in accessing and participating in discussions about their country situation,⁴⁸ all of which reduce opportunities for them to collect and verify information.

33. While de-risking policies and overcompliance constitute serious impediments to the enjoyment of basic human rights and are basically connected with the fear of being subjected to penalties for circumventing sanctions,⁴⁹ no responses were received from the business community, although some businesses shared information individually and confidentially.

34. The Special Rapporteur notes that data for the assessment could be found in primary and secondary sources of information. Primary sources of information include submissions received from all relevant stakeholders (States, United Nations agencies and United Nations country teams, regional and international organizations, national human rights institutions, civil society, academics and research institutions), including through the draft tool on the monitoring and assessment of the impact of unilateral sanctions and overcompliance on human rights.⁵⁰ Secondary sources of information could be official (reports and documents of international organizations, relevant national institutions and human rights organizations) and non-official (academic publications).

35. The Special Rapporteur is in agreement with the position reflected in the Office for the Coordination of Humanitarian Affairs guidelines that the indicators across several sectors could be found in the form of the common country assessment indicator framework, or in compilations of indicators from individual United Nations agencies and international organizations⁵¹ and annual reports issued by the five regional groups of the Economic and Social Council. United Nations organizations and international financial institutions undertake large-scale surveys of economic and social conditions in many countries, making available statistical data on the main humanitarian indicators used for the tool (including mortality rate, child mortality rate, prevalence of undernourishment, percentage of population using at least basic drinking water services and sanitation, out-of-school rate and access to electricity) in their specific country reports, annual reports and open web-based databases, in the context of the evaluation of the progress in achieving the Sustainable Development Goals.⁵² Such organizations and institutions include the World Bank, UNICEF, WHO, the Pan American Health Organization, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, UNHCR, the Office of the United Nations High Commissioner for Human Rights (OHCHR), WFP, the United Nations Environment Programme, the United Nations Population Fund (UNFPA) and FAO.

36. Databases and tools related to sanctions have been developed by numerous actors. They differ substantially in terms of their type, availability, scope of data and the purpose

⁴⁶ See <https://www.amnesty.org/en/location/americas/central-america-and-the-caribbean/cuba/report-cuba/>; <https://www.amnesty.org/en/location/europe-and-central-asia/eastern-europe-and-central-asia/belarus/report-belarus/>; <https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/syria/report-syria/>; <https://www.hrw.org/world-report/2024/country-chapters/north-korea/>; <https://www.hrw.org/world-report/2021/country-chapters/china/>; and https://resourcecentre.savethechildren.net/pdf/education_recovery_syria_2022.pdf.

⁴⁷ See <https://www.savethechildren.org.uk/news/media-centre/press-releases/new-sanctions-declaration-support-human-rights>.

⁴⁸ See [A/HRC/54/23/Add.1](#).

⁴⁹ See [A/HRC/54/23](#).

⁵⁰ See <https://www.ohchr.org/sites/default/files/english/issues/ucm/monitoring-tool-CFI-UCM-HRC57-report-07122023.pdf>.

⁵¹ See, for example, <https://hdr.undp.org>.

⁵² See <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session57/A-HRC-57-55-AnnexII.pdf>.

they were designed to serve. The Sanctions Research Platform is a comprehensive online reference tool developed within the mandate of the Special Rapporteur and dedicated to collecting articles, reports, videos and other research materials on sanctions and human rights impact. Other databases are mostly maintained by sanctioning actors for the purpose of compliance with adopted unilateral coercive measures,⁵³ including through anonymous reporting of non-compliance,⁵⁴ and are not intended to demonstrate the negative effects of unilateral sanctions on human rights.

37. Non-State actors develop databases and information documents with the purpose of avoiding secondary sanctions, other penalties and reputational risks in the context of the enforcement of unilateral coercive measures and are available on a free,⁵⁵ paid⁵⁶ or partially paid basis.⁵⁷ Others provide information to guide compliance with the United States unilateral sanctions⁵⁸ or are aimed at applying additional pressure to enforce sanctions regimes.⁵⁹ Online initiatives developed by private companies include solutions, such as free searches, to check for sanctioned individuals on major sanctions lists.⁶⁰ They do not provide any assessments with respect to the adverse impact of unilateral coercive measures on humanitarian situations or human rights. Instead, they may contribute to the perpetuation of the enforcement of unilateral coercive measures.

38. Several academic projects have been developed, mostly for scientific purposes. One example is the Global Sanctions Data Base, aiming at classifying economic sanctions adopted from 1950 to 2022 in terms of type, political objective and extent of success. It is available in two versions, case-specific and dyadic, which are available upon request.⁶¹

39. The fifth step of the Office for the Coordination of Humanitarian Affairs mechanism is only partly applicable for assessment as the complexity of the sanctions' regimes, their overlaying multiple effects on different actors and extraterritorial implications, supplemented by the devastating consequences of overcompliance and de-risking policies, do not allow for a clear identification of the impact of unilateral sanctions that is distinct from the effect of overcompliance or de-risking policies, and do not allow for a distinction to be made between the effects produced by certain types of sanctions. Therefore, it is only possible to assess the comprehensive impact of unilateral coercive measures, the means of their enforcement and overcompliance.

V. Trigger parameters

40. The monitoring and impact assessment of the adverse effects of unilateral coercive measures on the enjoyment of human rights are based on trigger parameters that bring about a change in the humanitarian indicators of such measures. Such a change may include the emergence, intensification or weakening of adverse effects.

41. The approach developed by the Office for the Coordination of Humanitarian Affairs and clearly expressed in the third step of its methodology operationalizes human security by defining two clusters of humanitarian and socioeconomic conditions, each of which contains four subject areas. These are referred to as the "4 + 4" human security subject areas. At the

⁵³ See <https://www.sanctionsmap.eu/#/main>; <https://sanctions-tool.ec.europa.eu>; <https://ofac.treasury.gov/sanctions-list-search-tool>; <https://sanctionssearch.ofac.treas.gov>; and <https://sanctionssearchapp.ofsi.hm-treasury.gov.uk>.

⁵⁴ See <https://eusanctions.integrityline.com/frontpage>.

⁵⁵ See <https://www.swift.com/our-solutions/compliance-and-shared-services/financial-crime-compliance/sanctions-list-monitor/sanctions-list-monitor>; and <https://globalsanctions.co.uk/about/>.

⁵⁶ See <https://authbridge.com/checks/global-sanctions-database/>; <https://complyadvantage.com/sanctions-watchlists-screening/>; and <https://aws.amazon.com/marketplace/pp/prodview-3nb46stn6taok#offers>.

⁵⁷ See <https://globalsanctions.co.uk>.

⁵⁸ See <https://research.uga.edu/docs/units/export-control/Sanctions-and-Online-Courses.pdf>.

⁵⁹ See <https://som.yale.edu/story/2022/over-1000-companies-have-curtailed-operations-russia-some-remain>.

⁶⁰ See <https://www.opensanctions.org> and <https://namescan.io/freesanctionscheck>.

⁶¹ See <https://globalsanctionsdatabase.com>.

same time, due to the expansion of unilateral coercive measures and overcompliance, it is necessary to take into account a larger range of indicators.⁶² On the basis of data received at the expert consultations and from preliminary submissions, the Special Rapporteur introduced a draft tool for the monitoring and assessment of the humanitarian impact of unilateral sanctions,⁶³ which includes a number of indicators under the following blocks: (a) right to health; (b) right to food, water and sanitation; (c) education; (d) cultural rights; (e) employment and social protection; (f) services and infrastructure; and (g) humanitarian assistance.

42. In addition to those humanitarian areas, submissions received by the Special Rapporteur contained references to the need to assess labour and economic rights, social guarantees, development,⁶⁴ freedom of movement, the right to benefit from scientific progress, standard of living,⁶⁵ protection and security, the environment, the functioning of humanitarian actors and delivery of humanitarian aid, the protection of vulnerable groups, cultural rights, international trade, production and productivity, and entrepreneurship and competitiveness.⁶⁶

43. NGOs have indicated the negative impact of the United States embargo on the economic and social rights of the Cuban population, in particular on the most vulnerable sectors of society,⁶⁷ the adverse effects of unilateral sanctions on the delivery of humanitarian assistance in the Syrian Arab Republic⁶⁸ and the negative impact of such sanctions on specific population groups and the achievement of the Sustainable Development Goals.⁶⁹ United Nations agencies have reported on electricity shortages, hindrances to the import of essential goods, an increase in the extreme poverty rate and challenges for climate resilience⁷⁰ and a negative impact on standards of living, water, sanitation and hygiene,⁷¹ the delivery of humanitarian aid, the provision of essential services, including domestic gas, fuel and electricity supply,⁷² and investments in basic services and social programmes.⁷³

44. In some submissions, proposals were made to include indicators of the impact on a just transition, from an unsustainable or polluting economy to one that is more sustainable, inclusive, and environmentally friendly, and the rights of vulnerable and marginalized groups,⁷⁴ minorities and Indigenous Peoples, the right to life and freedom from torture and discrimination,⁷⁵ mental health,⁷⁶ sexual and reproductive health and rights⁷⁷ and the maintenance and development of critical infrastructure.⁷⁸ Others suggested monitoring the adverse effect of unilateral coercive measures on all human rights and fundamental freedoms

⁶² A/78/196, para. 80 (e); A/HRC/54/23, para. 93; and A/HRC/54/23/Add.1, paras. 79, 86 and 88 (b).

⁶³ See <https://www.ohchr.org/sites/default/files/documents/issues/ucm/cfis/assessment-tool/SR-Draft-assessment-tool.pdf>.

⁶⁴ Submission of the Syrian Arab Republic.

⁶⁵ Submission of Guyana.

⁶⁶ Submission of Ecuador.

⁶⁷ See <https://www.amnesty.org/en/wp-content/uploads/2021/08/amr250072009en.pdf>.

⁶⁸ See <https://www.hrw.org/news/2023/06/22/questions-and-answers-how-sanctions-affect-humanitarian-response-syria>.

⁶⁹ Submission of Maat for Peace, Development and Human Rights.

⁷⁰ See <https://reliefweb.int/attachments/fef26439-d206-4aa9-86c4-6d0e0ec1315d/BURKINA%20FASO%202023%20E2%80%9320ECONOMIC%20UPDATE.pdf>.

⁷¹ See <https://www.unicef.org/innocenti/media/866/file/%20UNICEF-Global-Insight-Sanctions-and-Children-2022.pdf>.

⁷² See https://reliefweb.int/attachments/acf154bc-cdf1-37f6-85b0-58f339b228e9/GHO-2020_v9.1.pdf; and <https://reliefweb.int/attachments/ce99f198-b768-38b5-9669-8a7eb3ec5fbc/Global%20Humanitarian%20Overview%202022.pdf>.

⁷³ See https://www.unocha.org/attachments/54c06781-48bb-4132-9d42-fc098192378c/GHO-2024-EN_full_contribute.pdf.

⁷⁴ Submission of the Facts and Norms Institute.

⁷⁵ Submissions of the Association of Reintegration of Crimea.

⁷⁶ Submissions of the Organization for Defending Victims of Violence and the Facts and Norms Institute.

⁷⁷ Submission of Fòs Feminista.

⁷⁸ Submission of Elsie Rosales and Yosmer Arellán.

enshrined in the International Bill of Human Rights,⁷⁹ the rights of communities⁸⁰ and macroeconomic indicators.⁸¹ The Special Rapporteur notes that macroeconomic parameters are not the subject of the assessment in the context of measuring the devastating impact of unilateral coercive measures on humanitarian conditions in the present report. She acknowledges, however, that they might play an important role in undermining the socioeconomic conditions and intermediately affecting human rights in targeted and other States, when the necessary causality chain is established.

45. The Special Rapporteur acknowledges the need for a careful assessment of trigger parameters, as the impact of unilateral sanctions might differ depending on the basic economic and humanitarian conditions in a particular targeted State, self-sustainability in various areas, the stability of cooperation schemes, the complexity and duration of the unilateral coercive measures and the mitigating steps taken by the targeted State, among others. Furthermore, she notes that trigger parameters may also cause indirect and even unpredictable consequences, including, for example, an adverse impact on the environment.⁸²

46. The Special Rapporteur believes that the parameter of intention shall not be considered in the process of monitoring. She has repeatedly stressed that statements by sanctioning States on the unintentional nature of humanitarian damage⁸³ do not release them from the responsibility, accountability and redress for the damage caused by their unilateral sanctions: under the principle of due diligence, all States are responsible for ensuring that their activities and activities under their jurisdiction or control do not affect human rights.⁸⁴

47. The humanitarian situation in the targeted countries can also be affected by other factors, including natural disasters (earthquakes, floods),⁸⁵ other *force majeure* events, military conflicts, terrorist attacks and epidemics and pandemics.⁸⁶ For example, the average per capita share of drinking water in the Syrian Arab Republic was about 106 litres per person per day until 2011. That indicator declined significantly during the war period to 70 litres per person per day.⁸⁷ Due to the restrictions under unilateral coercive measures on infrastructure reconstruction in the country, the water system is currently functioning at 50 per cent of its capacity,⁸⁸ also as a result of reported overcompliance by foreign businesses and financial institutions.⁸⁹ Humanitarian exemptions and exceptions provided under most sanctions regimes are reported to be ineffective and inefficient.⁹⁰

48. The Special Rapporteur notes the need to take due account of the initial conditions and effectiveness of measures taken by States to mitigate the negative impact of unilateral coercive measures. Some countries might be able to mitigate the negative humanitarian impact substantially because of their size, economic strength and cooperation networks.⁹¹ In many other cases, despite the implementation of mitigating measures, the humanitarian impact is considerable. In particular, the inflation rate in the Islamic Republic of Iran reached 44.6 per cent in 2023 and, in Zimbabwe, it reached 104.7 per cent in 2022;⁹² it soared to 122 per cent in 2024 in the Syrian Arab Republic.⁹³ In Myanmar, rice prices have increased by approximately 100–120 per cent, pulses by 30–80 per cent, oil crops by 50–120 per cent,

⁷⁹ Submission of Maat for Peace, Development and Human Rights.

⁸⁰ Submission of Ecuador.

⁸¹ Submission of the Organization for Defending Victims of Violence.

⁸² See <https://www.sciencedirect.com/science/article/pii/S2590051X23000813>.

⁸³ A/HRC/54/23, para. 19.

⁸⁴ A/76/174/Rev.1, para. 90; A/78/196, paras. 51 and 78; and A/HRC/54/23, paras. 84 and 89.

⁸⁵ See https://www.sipri.org/sites/default/files/2021-09/2109_iran_sanctions.pdf.

⁸⁶ See A/HRC/54/23.

⁸⁷ Submission of the Syrian Arab Republic.

⁸⁸ A/HRC/54/23/Add.1, para. 31.

⁸⁹ *Ibid.*, para. 27.

⁹⁰ See communications USA 21/2022 and OTH 108/2023, available at <https://spcommreports.ohchr.org>.

⁹¹ Submission of Belarus.

⁹² See

<https://data.worldbank.org/indicator/FP.CPI.TOTL.ZG?end=2023&skipRedirection=true&start=2023&view=bar>.

⁹³ See <https://syrianobserver.com/society/central-bank-of-syria-annual-inflation-reached-122-in-april.html>.

cooking oil by 30–50 per cent, onions by 35–45 per cent, garlic by 100 per cent, chilli by 70–80 per cent, tomatoes by 40–50 per cent and potatoes by about 10 per cent.⁹⁴

VI. Monitoring and impact assessment tool

49. The legal framework for monitoring and assessing the adverse effect of unilateral coercive measures on the enjoyment of human rights includes Human Rights Council resolutions 27/21 and 54/15 and General Assembly resolution 78/202. Other United Nations entities and agencies monitor the negative humanitarian impact of unilateral coercive measures either following specific authorization⁹⁵ or in the context of their substantive competence.⁹⁶

50. The monitoring and impact assessment tool is to be a universal, inclusive, comprehensive, systematic and evidence-based mechanism, aimed at the monitoring and assessment of the adverse humanitarian impact of unilateral sanctions by means of the collection, systematization and classification of information from States, international organizations, NGOs, national human rights institutions, organizations and individuals, as well as information obtained from publicly available reports, and based on the principles of inclusion, comprehensiveness, evidence-based analysis, confidentiality and verification. The results of the assessment will be presented in a visualized form online.

51. Due to the complexity of the issue, monitoring should be based on various types of factual information from a variety of stakeholders (descriptive, quantitative, qualitative, concise factual narratives explaining correlation or causality). Anecdotal observations and evidence and even partial observations may be considered valuable for shedding light on mechanisms and phenomena triggered by the imposition of sanctions-induced restrictions. The tool is aimed, therefore, at offering the opportunity to any stakeholder to freely engage in the work of monitoring and reporting on the observed adverse effects of unilateral sanctions and to share specific input, either once or on a regular basis, by filling in the blocks in an online form on a confidential basis.

52. The monitoring and impact assessment tool will have several unique features: (a) collecting and processing data to effectively, fully and systematically assess, in a timely manner, the negative effect of unilateral sanctions on the enjoyment of human rights; (b) making such data visible to the international community by means of a web interface; (c) allowing for the downloading of reports and the observance of major trends in the negative impact of unilateral sanctions on the enjoyment of human rights in text and graphic formats (including by means of an interactive map, charts and diagrams); and (d) ensuring an adequate level of security and confidentiality for the data and information received from States, NGOs and other relevant stakeholders. The structure of the proposed application will ensure that no confidential data appear publicly online. The tool will allow for the collection, storage and processing of confidential information through a database without external online access.

53. The key outcomes of the monitoring and impact assessment tool are: (a) collecting information about and raising awareness of unilateral sanctions, their impact on the enjoyment of human rights, and other sanctions-related issues; (b) providing systematic monitoring of the human rights violations associated with unilateral sanctions; (c) assessing the negative impact of unilateral sanctions and overcompliance on specific human rights both in specific States and worldwide; (d) assessing the long-term effects of unilateral sanctions on the enjoyment of human rights in specific countries; (e) building know-how and capacity among all relevant stakeholders regarding the issues relevant to unilateral sanctions and their adverse effects on the enjoyment of human rights; (f) fostering research and gathering

⁹⁴ Submission of Myanmar.

⁹⁵ General Assembly resolutions 77/7, para. 4, and 78/135, para. 7.

⁹⁶ Commission on Human Rights resolution 2000/10. See also <https://www.unicef.org/media/85596/file/UN-resolutions-UNICEF-1940s.pdf>; <https://apps.who.int/gb/bd/PDF/bd47/EN/constitution-en.pdf?ua=1>; and https://www.fao.org/fileadmin/templates/righttofood/documents/project_m/grtfn/GRTFNNetwork-Charter.pdf.

information through an integrated system dedicated to the topic; and (g) informing any efforts aimed at minimizing the humanitarian impact of unilateral sanctions and overcompliance and providing all relevant stakeholders with a reference tool for information-sharing and data collection.

54. The architecture of the monitoring and impact assessment tool will consist of two independent parts. The first part is a web application, including a database, allowing personnel with assigned permissions to enter, store and summarize data and to download reports. The application will collect information from documents and reports received from: (a) United Nations entities and specialized agencies; (b) international human rights mechanisms; (c) other international organizations and institutions; (d) non-governmental organizations; (e) Governments, (f) national human rights institutions; (g) the Special Rapporteur; and (h) submissions received through the monitoring tool questionnaire. The second part is an independent web interface allowing any interested stakeholder access to country-specific statistics on the negative impact of unilateral sanctions and overcompliance on the enjoyment of human rights and to download relevant reports, in XML, XLSX, XLS, CSV and PDF formats.

55. Both applications will be maintained permanently and updated on a regular basis. The tool will be managed under the mandate of the Special Rapporteur. It should not be seen in any way as an acceptance of the legality of unilateral coercive measures, but rather as a means of reducing the politicization of the issue, encouraging the impact assessment work of all relevant actors, establishing factual humanitarian impact for all possible purposes, including periodic and systematic monitoring, fostering advocacy in favour of lifting unilateral coercive measures, facilitating the delivery of humanitarian assistance and providing for accountability, responsibility and redress to the affected actors.

VII. Preliminary monitoring and assessment through the draft tool

56. The preliminary monitoring and assessment results are based on the submissions received from States, United Nations agencies, NGOs, academic institutions and private individuals, as well as reports, publications and communications of United Nations entities and agencies, special procedures, international non-governmental organizations and academia.

57. The submissions received from all interested stakeholders were sent in response to the calls for contributions announced by the Special Rapporteur, which contained a questionnaire with the main proposed blocks and indicators of the tool. Some of the respondents provided statistical data with general descriptions of unilateral coercive measures that had resulted in an adverse humanitarian impact. For instance, the reduction in the construction of social housing caused by unilateral coercive measures in the Bolivarian Republic of Venezuela during the period 2018–2020 reached 172,961 units, affecting 652,637 people.⁹⁷ The lack of capacity to provide vaccines for children aged under 5 in the Syrian Arab Republic due to unilateral coercive measures and overcompliance in the banking sector resulted in epidemics such as polio (between 2013 and 2017) and measles (between 2017 and 2022), with severe consequent health implications, including permanent disability in some cases.⁹⁸ Some submissions contained statistics on the specific parameters identified in the questionnaire. Most respondents used the additional blocks (non-quantitative) to specify other areas, human rights or vulnerable groups affected by the adoption of unilateral coercive measures.

58. Most respondents reflected on the impact of banking restrictions and other challenges on the procurement of critical supplies,⁹⁹ unemployment rates, social protection coverage, poverty rates¹⁰⁰ and businesses and foreign investments.¹⁰¹ Others highlighted the

⁹⁷ Submission of the Venezuelan Foundation for the Right to Housing (Fundavivienda).

⁹⁸ Submission of the Syrian Arab Republic.

⁹⁹ Confidential submission.

¹⁰⁰ Submission of Bosnia and Herzegovina.

¹⁰¹ Submission of Myanmar

catastrophic impact of unilateral coercive measures on access to justice, cultural rights, humanitarian assistance, the achievement of the Sustainable Development Goals,¹⁰² services and infrastructure,¹⁰³ including water and sanitation,¹⁰⁴ banking and financial services, access to information and technologies,¹⁰⁵ education,¹⁰⁶ health, food¹⁰⁷ and property.¹⁰⁸ Some submissions were dedicated to one area, such as the impact on vulnerable groups (children and youth, women, persons with disabilities, migrants, asylum-seekers, internally displaced persons, persons living in extreme poverty).¹⁰⁹

59. The responses to the questionnaire varied in their structure. Some of them were given in the fields of the tool's form, while others mostly used the proposed blocks and indicators or as a stand-alone report. The blocks completed by the States and NGOs differed greatly. In general, all blocks and questions of the survey were addressed at least by one stakeholder. However, the absence of fields that could be filled with numerical data may have create some confusion among submitters with respect to the format of data that was to be provided. Only a few submissions contained data on major statistical indicators; rather, they provided a general description of the humanitarian situation. At the same time, the fact that the survey included open-ended questions contributed positively to the preliminary results of the monitoring. In particular, States and other stakeholders sought to: (a) explain the causality link between a change in basic humanitarian indicators and the unilateral coercive measures imposed; (b) indicate the indirect effects of unilateral sanctions; (c) show the measures taken at the national level to mitigate the impact of unilateral coercive measures and their role in stabilizing the socioeconomic situation; (d) introduce additional criteria and indicators, as well as vulnerable groups, affected by unilateral coercive measures; and (e) explain a lack of statistical data.

60. The results obtained from official reports and other documents of United Nations entities, agencies and human rights mechanisms that have been collected by the Special Rapporteur are factual and constitute a valuable basis for the assessment of the adverse impact of unilateral coercive measures on the enjoyment of human rights. Some of them contain a general overview and humanitarian evaluation of sanctions' regimes. The Special Rapporteur focused in particular on reports of FAO, WFP, ILO, WHO, UNICEF, ESCWA, UNHCR, the International Fund for Agricultural Development, IOM, UNESCO, UNFPA, the Office of the Regional Coordinator in Cuba, the Department of Economic and Social Affairs of the Secretariat and the Special Rapporteur on the right to food. The statistical data obtained from the reports and databases of the United Nations entities were not, however, always up to date: some were limited to information collected in 2019 or even 2011.

61. As concerns reports developed by international non-governmental organizations, the Special Rapporteur referred to those describing the serious adverse effects of unilateral coercive measures on the humanitarian situation in Cuba¹¹⁰ and Iran (Islamic Republic of),¹¹¹ and others outlining the impact of unilateral coercive measures on humanitarian work.¹¹²

62. The Special Rapporteur notes that international organizations produce reports on humanitarian situations in specific countries, or regions, or among specific vulnerable groups, mostly within general reports developed within their mandates. For example, in one of its reports, WFP indicated the dramatic effect of unilateral coercive measures and border closures on the humanitarian situation in the Niger as regards the increase in food prices, higher inflation, negative per capita GDP growth and the increase in the extreme poverty rate

¹⁰² Submissions of Belarus, the Russian Federation and the Syrian Arab Republic.

¹⁰³ Submissions of Myanmar and the Syrian Arab Republic.

¹⁰⁴ Submissions of Myanmar, the Syrian Arab Republic and Maat for Peace, Development and Human Rights.

¹⁰⁵ Submission of the Syrian Arab Republic.

¹⁰⁶ Submissions of Belarus and Maat for Peace, Development and Human Rights.

¹⁰⁷ Ibid.

¹⁰⁸ Submission of the Russian Federation.

¹⁰⁹ Submission of Belarus.

¹¹⁰ See <https://www.hrw.org/world-report/2023/country-chapters/cuba>.

¹¹¹ See <https://www.hrw.org/world-report/2022/country-chapters/iran>.

¹¹² https://un.worldidea.org/wp-content/uploads/2023/03/Final_Report_ARP_Sanctions_GL_WCC_CI_WEA_2022-12.pdf.

to 44.1 per cent, meaning that more than 700,000 persons fell into extreme poverty in 2023. It reflected on the possibility of some growth in 2024, under the assumption of a hypothetical return to “normality” with sanctions lifted, development financing resuming and oil production and exports ramping up; however, that hardly looks possible in the absence of a political resolution and given the climate-related shocks to the agricultural sector.¹¹³

63. Other reports contain references to the consequences of specific sanctions regimes. For instance, UNICEF, in one of its reports, described the current context of sanctions (in terms of their types, scope, scale and effects, and other criteria) and reflected on the adverse impact of sanctions on the basic human rights of children in several countries. It also referred to the adverse amplifying effects of targeted measures against certain important institutions and sectors such as central banks and the global effect of unilateral coercive measures and overcompliance and de-risking policies. The report also contained detailed statistics on the access of children to food: about 90 per cent of children in the Syrian Arab Republic need humanitarian aid to survive, with more than half a million children stunted due to malnutrition; 117,000 children were reportedly at risk of acute malnutrition in 2022 in the Bolivarian Republic of Venezuela; and over 10 million people are considered food insecure, with an estimated 140,000 children under 5 suffering from acute malnutrition, in the Democratic People’s Republic of Korea.¹¹⁴ All this information constitutes a comprehensive basis for the monitoring and assessment of the adverse effect of unilateral coercive measures on children in different parts of the world.

64. Several United Nations agencies have mentioned the adverse effects of unilateral coercive measures on the humanitarian situation and human rights in their reports; others collect data valuable for the monitoring and impact assessment of unilateral sanctions and overcompliance for other purposes within their mandate.¹¹⁵ In particular, an annual assessment is carried out by the Secretary-General with respect to Cuba only. Other United Nations entities, such as the Office for the Coordination of Humanitarian Affairs, the Committee for Development Policy and the World Food Programme, mention the impact of unilateral coercive measures in their regular or country-specific reports or situation-specific studies. Reports directly related to the adverse influence of unilateral coercive measures on the targeted countries are prepared occasionally by United Nations entities.¹¹⁶

65. The Special Rapporteur notes that certain United Nations agencies (for example, the International Telecommunication Union and UNDP) do not provide any data with regard to the adverse humanitarian impact of unilateral coercive measures within their mandates. Moreover, a preliminary monitoring of the most common humanitarian indicators collected by United Nations agencies demonstrates the insufficiency of country-specific data for a defined period of time. Since the adverse effects of unilateral coercive measures can be measured only when the baseline conditions are established, whether prior to the imposition of unilateral sanctions or prior to their tightening or partial lifting, the lack of statistical data prevents the assessment of the possible negative impact of unilateral coercive measures on a range of parameters. For instance, data on the total per capita expenditure on the preservation, protection and conservation of cultural and natural heritage were available only with respect to Belarus and Bosnia and Herzegovina from the list of the targeted countries.¹¹⁷ In countries where unilateral coercive measures were imposed relatively recently (Haiti, Niger), evaluation was not possible, due to the absence of up-to-date data on the necessary parameters.

66. The Special Rapporteur collected materials on the humanitarian impact of unilateral coercive measures in the course of her thematic work and country visits. She revealed the

¹¹³ See <https://www.wfp.org/publications/socio-economic-impacts-political-crisis-ecowas-and-waemu-sanctions-and-disruptions>.

¹¹⁴ See <https://www.unicef.org/innocenti/media/866/file/%20UNICEF-Global-Insight-Sanctions-and-Children-2022.pdf>.

¹¹⁵ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session57/A-HRC-57-55-AnnexII.pdf>.

¹¹⁶ See, for example, <https://www.unescwa.org/publications/dynamics-effects-measures-syrian-arab-republic>.

¹¹⁷ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session57/A-HRC-57-55-AnnexI.pdf>.

devastating effects of unilateral sanctions on the enjoyment on the right to health, the right to food and the provision of basic services, including water and sanitation, in Iran (Islamic Republic of),¹¹⁸ the Syrian Arab Republic,¹¹⁹ Venezuela (Bolivarian Republic of)¹²⁰ and Zimbabwe.¹²¹ Other special rapporteurs do not usually specifically address the impact of unilateral sanctions in their reports, although some country visit reports indicate the humanitarian consequences thereof. In particular, the Special Rapporteur on the right to food, in his end-of-visit statement following his visit to the Bolivarian Republic of Venezuela, indicated that unilateral coercive measures had constrained the Government's fiscal ability to implement social protection programmes and deliver basic public services, increased the cost of delivering humanitarian assistance and prevented international financial institutions from providing any financing, which disproportionately affected persons living in extreme poverty or vulnerable circumstances.¹²²

67. The Special Rapporteur notes the absence of any unified system for the assessment of the adverse effects of unilateral coercive measures at the national level. Existing models are dichotomised and fragmentary. Cuba, Qatar and Venezuela (Bolivarian Republic of), in particular, take measures to calculate the negative impact of unilateral coercive measures consistently to establish a factual basis to protect their rights and the rights of their citizens and private entities in the context of international adjudication and within international organizations.¹²³ Such calculations are done by the relevant ministries¹²⁴ or entities such as the International Center for Productive Investment, which is responsible for investigating, recording and monitoring the economic and social processes linked to the application of unilateral coercive measures and other restrictive and punitive measures imposed on the Bolivarian Republic of Venezuela by foreign States, groups of States or international organizations.¹²⁵

68. The Special Rapporteur is concerned that the unilateral sanctions themselves may affect the generation and availability of relevant data because of their impact on the capabilities and performance of national institutions that are supposed to conduct monitoring, analysis, assessment, reporting and visualization.¹²⁶ Even in the countries that monitor the adverse impact of unilateral coercive measures systematically, the results of monitoring are usually not easily accessible to the public, including through online platforms. In this context, a project implemented by the International Center for Productive Investment constitutes an exception.

69. In the light of the above, a precise assessment of the adverse impact of unilateral sanctions and overcompliance is a complex endeavour that needs further analysis and additional efforts. At the same time, the preliminary results of the monitoring demonstrate, in particular, fluctuations in inflation in food consumer prices in the vast majority of sanctioned countries.¹²⁷ Other humanitarian indicators affected by the adoption of unilateral coercive measures against targeted States are food price anomalies (Afghanistan, Belarus, Bosnia and Herzegovina, China, Croatia, Iran (Islamic Republic of), Mali, Montenegro, Nicaragua and Zimbabwe), the working poverty rate (Libya, Sudan, Syrian Arab Republic, Venezuela (Bolivarian Republic of), Yemen and Zimbabwe) and the prevalence of undernourishment (Afghanistan, Democratic Republic of the Congo, Libya, Mali, Syrian Arab Republic, Ukraine, Venezuela (Bolivarian Republic of), Yemen and Zimbabwe). The adoption of unilateral coercive measures may have resulted in a decrease in vaccination

¹¹⁸ See [A/HRC/51/33/Add.1](#).

¹¹⁹ See [A/HRC/54/23/Add.1](#).

¹²⁰ See [A/HRC/48/59/Add.2](#); and submission of the Bolivarian Republic of Venezuela.

¹²¹ See [A/HRC/51/33/Add.2](#).

¹²² See <https://www.ohchr.org/sites/default/files/documents/issues/food/statements/20240214-eom-statement-venezuela-sr-food-en.pdf>.

¹²³ See <https://www.icj-cij.org/case/164>; <https://www.icj-cij.org/case/172>; and <https://mofa.gov.qa/en/statements/qatar-prevails-over-the-uae-in-trade-dispute-at-the-wto>.

¹²⁴ Submission of the Syrian Arab Republic.

¹²⁵ See <https://observatorio.gob.ve/quienes-somos/> (in Spanish).

¹²⁶ Submission of the Syrian Arab Republic.

¹²⁷ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session57/A-HRC-57-55-AnnexI.pdf>.

coverage (Bosnia and Herzegovina, Central African Republic, Democratic People's Republic of Korea, Lebanon, Libya Montenegro, Nicaragua, Sudan, Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Zimbabwe). It may have hampered development in the Central African Republic (the proportion of the population using safely managed drinking water services reached only 6 per cent in 2022;¹²⁸ the working poverty rate was 65.6 per cent in 2023¹²⁹ and the proportion of the population with access to electricity was only 15.7 per cent in 2022)¹³⁰ and the Democratic Republic of the Congo (in 2022, the proportion of the population using safely managed drinking water services was 12 per cent¹³¹ and the proportion of the population with access to electricity reached only 21.5 per cent).¹³²

VIII. Conclusions and recommendations

A. Conclusions

70. **To date, there is no valid methodology for monitoring and assessing the negative impact of unilateral coercive measures and overcompliance on the enjoyment of human rights, despite the importance of precise statistics to identify the specific impact, to reduce politicization of the issue and to address human rights violations arising from unilateral sanctions and overcompliance by means of mechanisms of mitigation, accountability, responsibility and redress.**

71. **Efforts to monitor the negative impact of unilateral coercive measures on the enjoyment of human rights are not systematic. Although information relevant to proposed unilateral coercive measure blocks and areas is often collected by United Nations country teams at the local and national levels, this information is rarely integrated into broader assessments by United Nations entities of the humanitarian and human rights situations in the countries and regions concerned and it is not included in their broader programmatic agendas. Even though a number of United Nations entities mention the adverse effects of unilateral sanctions and overcompliance on human rights, such qualifications are made on an ad hoc basis and often address only certain areas of impact. At the same time, statistical data collected by United Nations entities on a regular basis correspond to the majority of the humanitarian indicators necessary for an effective assessment of the influence of unilateral coercive measures on the humanitarian situation and human rights. Much of the data inform specific Sustainable Development Goal indicators and are regularly monitored.**

72. **Reports submitted by national NGOs in countries under sanctions are sometimes not duly considered; they are reportedly not invited to participate in discussions regarding the human rights situation in their countries or the identification of reasons for humanitarian challenges, even though they have the capacity to collect and verify first-hand information on the ground. The monitoring tool could be used by such stakeholders to share their observations and data.**

73. **Despite the existence of a significant number of sanctions-related databases, such databases are mostly limited in scope, developed with the limited participation of interested stakeholders and aimed at ensuring compliance with the unilateral sanctions of a specific country and putting pressure on specific companies, with access provided on a paid-for basis.**

74. **National efforts to monitor and assess the negative impact of unilateral sanctions are mostly limited to the collection of statistical data by relevant ministries, primarily**

¹²⁸ See <https://data.worldbank.org/indicator/SH.H2O.SMDW.ZS>.

¹²⁹ See

https://rplumber.ilo.org/data/indicator/?id=SDG_0111_SEX_AGE_RT_A&lang=en&type=label&format=.xlsx&channel=ilostat&title=sdg-indicator-111-working-poverty-rate-percentage-of-employed-living-below-us215-ppp-annual.

¹³⁰ See <https://data.worldbank.org/indicator/EG.ELC.ACCS.ZS>.

¹³¹ See <https://data.worldbank.org/indicator/SH.H2O.SMDW.ZS>.

¹³² See <https://data.worldbank.org/indicator/EG.ELC.ACCS.ZS>.

for an economic rather than a humanitarian assessment. In addition to their direct impact, unilateral coercive measures and overcompliance affect the capacity of States to collect and systematize relevant data since the imposition of such measures seriously impede the functioning of the State itself.

75. To ensure adequate monitoring and assessment of the impact of unilateral sanctions and overcompliance, it shall take place at the United Nations level by means of the establishment of the universal, inclusive, comprehensive, systematic, transparent and evidence-based monitoring and impact assessment tool, which is aimed at understanding the adverse effects through collecting information based on specific criteria and indicators from all relevant stakeholders and assessing, reporting on and visualizing it.

76. The methodology developed by the Office for the Coordination of Humanitarian Affairs constitutes a valuable starting point in this context, but it is not fully applicable for the assessment of the adverse impact of unilateral sanctions due to the multiplicity of sanctions regimes and their uncertain nature, scope, application and interpretation, as well as the expanding use of de-risking policies by States, international organizations, businesses, individuals and humanitarian actors. As a result, it is not possible to identify the impact of the specific types of unilateral sanctions of a specific country; it is only possible to monitor and assess the negative humanitarian impact of all types of unilateral sanctions imposed by all States, the means of their enforcement and overcompliance. Moreover, due to the extraterritorial effect of unilateral sanctions, there is a need to assess such an impact not only on the directly targeted States, but also on States affected by secondary sanctions, and to take into account spillover effects in the neighbouring, regional and global contexts.

77. While the second, fourth and fifth steps of the Office for the Coordination of Humanitarian Affairs methodology may be partially applicable, the first and third are not suitable for the development of the methodology to assess the negative impact of unilateral coercive measures on the enjoyment of human rights. To ensure transparency and the adequacy of the assessment, information needs to be collected from all available sources, including United Nations organs and agencies, other international and regional organizations, States, national human rights institutions, international and national humanitarian actors, research institutions, academics and others, based on the OHCHR and special procedures principles of comprehensiveness, impartiality, independence and verification.

78. Most statistical indicators are already possible to track in the reports or databases of United Nations entities,¹³³ but others, developed to assess the impact of unilateral coercive measures, need to be provided by all the relevant stakeholders mentioned above.

79. The statistical indicators required include the availability of medicines (percentage of the amount planned), medical equipment coverage (percentage of the amount necessary to satisfy the needs of the population), the availability of raw materials for the domestic production of medicines (percentage of the amount necessary to satisfy the needs of population), the availability of spare parts, software, high-tech and consumables for medical equipment or treatment (percentage of the amount necessary to satisfy the needs of the population), the price of a basic food basket compared with the average monthly salary, import volumes of basic food basket products (percentage, compared with total annual consumption), production volumes of basic food basket products (percentage, compared with total annual consumption), the availability of agricultural input (percentage of the amount needed), the availability of spare parts and infrastructure materials (percentage of the amount needed), the availability of agricultural equipment (percentage of the amount needed), the availability of water for irrigation purposes (coverage), adequate sewage disposal (coverage), access to educational material and equipment (coverage, percentage), access

¹³³ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session57/A-HRC-57-55-AnnexII.pdf>.

to online education, material and training (coverage, percentage), the number of exchange programmes available for educational mobility, the impact on sports and international cooperation in this area (number of Olympiads, championships and other international sport competitions attended), the impact on international academic and scientific cooperation (number of ongoing international academic projects), the impact on arts and international cooperation in this area, the number of international art projects, the total number of applications for humanitarian licences and the number of successful applications, the number of refusals by banks to make payments for the supply of humanitarian goods by humanitarian organizations, the number of refusals to let humanitarian aid pass to a State under unilateral sanctions and the number of penalties imposed on humanitarian organizations in connection with sanctions and overcompliance.

80. The lack of up-to-date statistical information that has been observed with respect to specific States or humanitarian indicators contained in the databases and reports of United Nations entities¹³⁴ is evidence of the need for the active engagement of States with an impact assessment process such as the proposed monitoring and impact assessment tool. Some blocks or humanitarian areas introduced in the tool are not measured (in particular, humanitarian assistance) or are partially measured statistically (cultural rights) by United Nations entities, and indicators for their assessment are therefore proposed by the Special Rapporteur.

81. Despite three calls for contributions sent by the Special Rapporteur (for the development of the methodology, the establishment of the monitoring tool and the collection of information), no evidence has been received of any initiatives by sanctioning State to monitor and assess the humanitarian impact of their unilateral measures, despite their obligation under the principle of due diligence to take all measures necessary, including by applying humanitarian precaution to ensure that their activities and activities under their jurisdiction or control do not affect human rights.

82. United Nations entities and United Nations country teams have not been very responsive to these calls for contributions, although they collect and assess data relevant to many relevant indicators. Such information could be extremely valuable for a more comprehensive understanding of humanitarian and human rights developments, in particular in sanctions-related contexts.

83. The preliminary results of the monitoring demonstrate the tremendous impact of unilateral coercive measures on all humanitarian areas (blocks) indicated in the questionnaire and reflect their destructive effects on the most vulnerable groups (children, women, persons with disabilities, migrants, refugees, asylum-seekers, internally displaced persons, persons in extreme poverty).¹³⁵

B. Recommendations

84. In view of the illegality of unilateral coercive measures and their detrimental humanitarian impacts, sanctioning States should:

(a) Lift, suspend or minimize all unilateral measures not in conformity with their international obligations or the illegality of which cannot be excluded within the mechanism of counter-measures in accordance with the standards of the law of international responsibility;

(b) Take all measures necessary to ensure that any actors acting under their jurisdiction and or control do not violate human rights extraterritorially;

¹³⁴ See <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session57/A-HRC-57-55-AnnexI.pdf>.

¹³⁵ Ibid.

(c) Ensure that the delivery of humanitarian assistance by humanitarian actors to countries under sanctions is not considered and treated as a punishable action within their national jurisdiction;

(d) Monitor and assess the possible humanitarian impact of any unilateral measures before and during the process of such measures being applied, in accordance with the obligation of humanitarian precaution.

85. States affected by unilateral sanctions should:

(a) Take all measures necessary to establish national mechanisms for the comprehensive and consistent monitoring and assessment of the negative impact of unilateral coercive measures on the humanitarian situation and enjoyment of human rights under their jurisdiction;

(b) Provide information for the monitoring tool, in accordance with the methodology developed by the Special Rapporteur to ensure the accuracy, reliability and trustworthiness of the results;

(c) Inform non-governmental organizations and research institutions about the possibility to submit information to the monitoring tool, to encourage diverse engagement and provide for the verification of such information.

86. All States are invited to use information from their annual and long-term monitoring of the adverse impact of sanctions and the information from the monitoring and assessment tool to engage in international adjudication and the use of competent international quasi-judicial and human rights bodies as a means of dispute settlement, human rights protection, responsibility and redress in sanctions cases.

87. States should include the issue of the humanitarian impact of unilateral sanctions, the means of their enforcement and overcompliance in the agendas of relevant United Nations organs, agencies and entities.

88. United Nations organs, agencies and entities should:

(a) Monitor the humanitarian impact of unilateral sanctions, the means of their enforcement and overcompliance within the scope of their mandates and include it in their reports;

(b) Monitor the impact of unilateral coercive measures on the ability of States under sanctions and affected third States to fulfil their international obligations under the conventions concluded within these organs or agencies, their respective recommendations and other relevant acts;

(c) Include the issue of the adverse effect of unilateral coercive measures in their regular procedure of assessment of the humanitarian situation in specific countries or regions or globally, within the scope of their mandates;

(d) Provide their responses to the monitoring and impact assessment tool directly and through country teams on an annual basis;

(e) Undertake effective measures to put an end to unlawful unilateral sanctions adopted by member States, within the obligations arising from their membership in the respective specialized agencies of the United Nations;

(f) Take due account of the humanitarian impact of unilateral sanctions, the means of their enforcement and overcompliance within their mandates.

89. United Nations country teams should monitor the impact of unilateral sanctions on human rights in their respective countries, alongside other criteria and indicators within their mandates, and provide information for the monitoring tool on the annual basis.

90. International and national NGOs, States, academics and research institutions are invited to contribute annually to the monitoring tool to ensure that the humanitarian impact of unilateral sanctions is duly taken into account.

-
91. **An impact assessment should be included in all reports on humanitarian situations, country specific reports, Sustainable Development Goal achievement reports and the universal periodical review.**
92. **International NGOs should abstain from the practice of glorifying the imposition of unilateral coercive measures contrary to international human rights obligations, in accordance with the principles and norms of international law and relevant resolutions of the General Assembly and the Human Rights Council and should include an issue on the humanitarian impact of unilateral coercive measures in their agendas.**
93. **Civil society organizations, including those in sanctioned countries, should be supported, without discrimination, in their information-gathering and monitoring work on sanctions-related matters.**
94. **OHCHR is invited to further assist the Special Rapporteur:**
- (a) **To finalize the development of the methodology for the monitoring and assessment of the humanitarian impact of unilateral sanctions, the means of their enforcement and overcompliance;**
 - (b) **To finalize and further develop the online monitoring tool application for the purposes of monitoring, assessment, reporting and visualization;**
 - (c) **To establish stable cooperation with United Nations entities and country teams to receive detailed information on the indicators set forth in the monitoring tool on an annual basis;**
 - (d) **To develop algorithms for the assessment of the impact of macroeconomic indicators affected by unilateral sanctions on the promotion and protection of human rights;**
 - (e) **To undertake monitoring, assessment and reporting on the impact of unilateral coercive measures within the established monitoring tool.**
-