*Organization for Defending Victims of Violence (ODVV)*

**ODVV input for the**

**UCM-Study on the notion, characteristics, legal status and targets of unilateral sanctions**

**Dec. 2020**

1. From your Government’s perspective, in what circumstances are the application of unilateral sanctions/measures legal under international law? What types of activity could be qualified as illegal unilateral coercive measures? Please, specify. What definition can be proposed for the identification of unilateral coercive measures?

The Islamic Republic of Iran has been a target of United States’ unilateral sanctions for years and considers the sanctions illegal under international law.

1. What is the position of your Government on the legal status and legality (in international law) of unilateral sanctions without or beyond the authorization of the UN Security Council? What is its position on the legal status and legality of unilateral sanctions as countermeasures against another party’s unilateral sanctions? What is its position on the legal status and legality of physical means (*e.g*. blockades) or cyber means to enforce unilateral sanctions?

Iran considers unilateral sanctions beyond the authorization of the UN Security Council as unilateral and illegal measures.

Iran considers the United Sates’ comprehensive UCMs as “collective punishment”, “economic terrorism”, “economic war”[[1]](#footnote-1) (in line with the remarks made by the former Special Rapporteur on UCMs[[2]](#footnote-2)), crimes against humanity[[3]](#footnote-3) and genocide[[4]](#footnote-4) because they disrupt access to banking and financial systems, foreign reserves, and even food and medicine.

1. What is the position of your Government on the legal status and legality of (a) unilateral sectoral sanctions and (b) unilateral sanctions against legal persons (individuals and entities)? Can the latter be qualified as criminal punishment / civil penalty / administrative penalty / collective punishment / any other qualification?

Iran considers unilateral sectoral sanctions and unilateral sanctions against legal and individual persons as illegal.

1. What measures are taken by your Government to implement sanctions of the UN Security Council? Does your government take supplemental measures beyond the Security Council’s sanctions? Please, specify.
2. What is the opinion of your Government on the extraterritorial application of unilateral sanctions (its existence, cases, forms, admissibility and legality)? Please, specify.

The Islamic Republic considers the extraterritorial application of unilateral sanctions as inhuman, illegal and inadmissible, because the extraterritorial reach of sanctions negatively affects the friendly relations among States, international trade (through sanctions that are placed on all financial exchanges), international peace, security, international order and the international rule of law.

1. Is there any legal ground from the perspective of your Government for individuals or entities that violate the rules of a unilateral sanctions regime to be targeted by sanctions (secondary sanctions)? What is the position of your Government on the legal status and legality of secondary sanctions in international law (a) when the targets are domestic citizens or entities, and (b) when the targets are extraterritorial? What rules are applied to nationals of third states as concerns the application of secondary sanctions?

My country considers secondary sanctions as illegal because they prevent the people’s access to all essential items including humanitarian goods. In addition, the sanctions disrupt all banking transactions, contributing to violation of a wide array of human rights.

1. What is the position of your Government towards over-compliance with sanctions resulting from extraterritorial enforcement? Please, specify. How does your Government address such “over-compliance”?

Fear of sanctions leads to over-compliance of all banks and trade partners of Iran, deterring them from conducting any business with the Islamic Republic. Consequently, they disrupt all Iran import and exports limiting people’s access to goods, services and income.

Iran considers the sanctioning country, (the United Sates) as the source of the problem because secondary sanctions are exploited as intimidation tools to discourage banks, companies and individuals from having business with Iran.

1. Who, from the perspective of your Government, can be viewed as targets of unilateral sanctions? Please, specify. What rights of targets of unilateral sanctions are affected?

The people, particularly the most vulnerable groups are the most direct target of unilateral sanctions, as explained by the designer of sanctions, Richard Nephew, in his book, “The Art of Sanctions”, unilateral sanctions are designed to inflict pain and sufferings in the target populations to encourage uprisings and political dissent.

All economic, social and cultural rights are violated by unilateral sanctions, including the right to life and health, the right to food, the right to an adequate standard of living, the right to education, the right to development and the right to a healthy environment.

In addition, the civil-political rights are violated too. Naturally, when the government is under security pressures of uprisings and there is a threat of social chaos, the political system feels the obligation to control the social stability, therefore, the rights to freedom of expression and the right to freedom of association and assembly are also negatively affected by UCMs.

1. . https://www.aa.com.tr/en/americas/zarif-to-trump-sanctions-dont-avoid-war-they-are-war/1518206 [↑](#footnote-ref-1)
2. . A/HRC/39/54, A/HRC/42/46 [↑](#footnote-ref-2)
3. . https://en.irna.ir/news/84125445/Iran-UN-envoy-says-US-unilateral-sanctions-on-Iran-are-crime [↑](#footnote-ref-3)
4. . http://iranpress.com/search--unilateral+sanctions?page=9 [↑](#footnote-ref-4)