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**Human Rights Council**

**Forty-third session**

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Agenda items 2 and 3

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

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

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

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

 I. Introduction

1. In its resolution [40/3](https://undocs.org/en/A/HRC/RES/40/3), the Human Rights Council requested the United Nations High Commissioner for Human Rights to organize for the forty-second session of the Council a biennial panel discussion on the unilateral coercive measures and human rights, and requested the Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights (hereafter referred to as “the Special Rapporteur”) to act as rapporteur for the panel discussion, and to prepare a report for presentation to the Council at its forty-third session. Due to the illness and subsequent resignation of the Special Rapporteur, the Office of High Commissioner for Human Rights submits the present report to the Council pursuant to that request.
2. The biennial panel discussion “The way forward to a United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development”, pursuant to Council resolution [40/3](https://undocs.org/en/A/HRC/RES/40/3), was held on 12 September 2019. Its objectives were to facilitate an exchange of views and experiences among all stakeholders, including Member States, academic and civil society organizations, and United Nations human rights mechanisms, on the impact that unilateral coercive measures have on the enjoyment of human rights.
3. As mandated by the resolution the panel also discussed the way forward toward a United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development. It considered the updated set of elements prepared by the Special Rapporteur for that purpose ([A/HRC/42/46/Add.1](https://undocs.org/A/HRC/42/46/Add.1)). These draft elements were identified by the Special Rapporteur pursuant the Human Rights Council resolution [37/21](https://undocs.org/en/A/HRC/RES/37/21). The panel discussion also followed up on recommendations of the previous [panel discussions and workshops](http://www.ohchr.org/EN/NewsEvents/Seminars/Pages/WorkshopCoerciveMeasures.aspx) mandated by the Human Rights Council, held in 2017, 2015, 2014 and 2013, and the report of the Human Rights Council Advisory Committee ([A/HRC/28/74](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/28/74)).
4. The panel was chaired by the President of the Human Rights Council, Coly Seck, and moderated by the Ambassador and Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations Office and other international organizations in Geneva, Jorge Valero. The panellists were the Professor of International Law, Belarusian State University (Belarus), Alena Douhan; a member of the Human Rights Council Advisory Committee (Switzerland), Jean Ziegler; and Professor and Deputy Vice Chancellor (Industry, Community, Alumni and Entrepreneurship Network), Universiti Teknologi MARA (Malaysia), Rahmat Mohamad.

**II. Opening of the panel discussion**

1. In her opening remarks, Peggy Hicks, Director of the Thematic Engagement, Special Procedures and Right to Development Division, stressed the need, in the context of rise of populism and radical extremism and the increasing threat to multilateralism, to recall the common starting point to guide the discussion among Member States on the role of sanctions in addressing human rights violations. In this regard, she recalled the Vienna Declaration and Programme of Action, which urged States to refrain from any unilateral measure that is not in accordance with international law and the Charter of the United Nations. Despite this basic premise, for nearly three decades after the adoption of the Vienna Declaration, Member States have been divided as to the legality and effectiveness of unilateral coercive measures as a means to promote and protect human rights.
2. Ms. Hicks stated that many States had raised concerns about the possible adverse impact of those measures for the full realisation of the enjoyment of many fundamental rights and freedoms. In addition, States had also expressed concern regarding the impact of unilateral coercive measures on the ability of Member States to reach the Sustainable Development Goals by 2030.
3. On the other hand, Ms. Hicks pointed out that some Member States regarded sanctions as a critical element of their foreign policy toolbox to counter impunity for human rights violations. They argued that if used appropriately, they can be an effective measure to ensure greater respect for human rights and fundamental freedoms by State and Non-State actors.
4. Ms. Hicks reminded that OHCHR has repeatedly emphasised the need for multilateral approaches. While sanctions are not unlawful in nature, it has consistently been pointed out that in order for sanctions have the greatest positive impact in terms of human rights progress they need to be carefully targeted and tailored.
5. Ms. Hicks referred to the 2012 OHCHR thematic study ([A/HRC/19/33](https://undocs.org/A/HRC/19/33)), that continues to provide helpful guidance in this regard. In line with the Vienna Declaration, the study recommended that all Member States avoid the application of any coercive measures that have negative effects on human rights, particularly on the most vulnerable.
6. The study emphasized that even carefully targeted sanctions imposed to end gross human rights violations must be subject to stringent conditions. In particular, they must be imposed no longer than necessary; be proportional; and be subject to appropriate human rights safeguards, including human rights impact assessments and monitoring conducted by independent experts.
7. In his opening speech, Jorge Arreaza, Minister of People’s Power for Foreign Affairs of the Bolivarian Republic of Venezuela, in exercise of the Chairmanship of the Non-Aligned Movement (NAM) stressed that this panel discussion is part of the preparatory work for a future United Nations Declaration on the negative impact of unilateral coercive measures on the enjoyment of human rights, including the right to development.
8. Mr. Arreaza highlighted the importance for the NAM to fight against unilateral coercive measures which are imposed illegally on countries in the Global South that fight for their development, autonomy and independence. Such measures cause great suffering to nations and peoples, and within them, to the most vulnerable groups, by boycotting economies, suffocating their trade and promoting the destruction of productive systems.
9. In his speech, Mr. Arreaza stressed that unilateral coercive measures openly violate human rights embedded in the International Covenant on Economic, Social and Cultural Rights. They produce death, hunger, poverty, inequality and – hidden behind the masquerade of "sanctions" – the destabilization of entire political systems of the nations on which they are imposed.
10. Mr. Arreaza further recalled the Council’s request to identify and propose measures that guarantee the withdrawal of unilateral coercive measures. In line with this request, NAM called for preserving multilateralism and strengthening international cooperation. In this context, he called on NAM to work together to help developing countries to realize the objectives and principles of the Bandung declaration.
11. Mr. Arreaza affirmed that NAM promoted respect for the sovereignty and territorial integrity of all nations, condemned interventionism and interference in the internal affairs of States, and rejected acts of threat or aggression and the use of force against any country.
12. Mr. Arreaza stressed that multilateralism is a great platform to address the complex threats and challenges facing the world today. The NAM advocates for the establishment of a peaceful and prosperous, fair and equitable world. These objectives are hindered by those who seek to perpetuate inequalities and inequities in the world. He also spoke about a difficult historical moment for multilateralism, as nowadays we face a turbulent scenario marked by uncertainty and international peace and security, comprehensive economic development, social justice, human rights and the rule of law are threatened.
13. Mr. Arreaza referred to the latest NAM Declaration adopted at the Ministerial meeting in Caracas in July 2019, which *inter alia* envisaged refraining from recognizing, adopting or applying unilateral coercive measures or extraterritorial laws, including unilateral economic sanctions. It also reiterated NAM’s rejection of other arbitrary restrictions, such as those that threaten sovereignty, independence, freedom of trade and investment. The NAM remains committed to reversing the unilateral coercive measures currently in force against several countries. It urged other States to do the same, and raised this demand to the General Assembly and other organs of the United Nations. In accordance with international law, the NAM expressed solidarity with affected States, and demanded that they be compensated for the damages caused.
14. Mr. Arreaza reported that the NAM has decided to create a Working Group on Sanctions, coordinated by Venezuela, tasked with advancing principles for the Movement
15. In 2017, as part of the High Level segment of the 72nd session of the UN General Assembly, the NAM unanimously adopted its political Declaration entitled “The promulgation and implementation of unilateral coercive measures, in violation of international law and human rights of the people subject to them”. This Declaration remained a roadmap for the Movement.
16. Mr. Arreaza concluded by demanding the lifting of unilateral coercive measures against his country. He called for the return of companies, assets, and stolen money to Venezuela. He demanded further the cessation of the commercial and financial blockade of his people.
17. In his opening speech, Mr. Hamaneh stressed that UCMs abrogate an array of human rights, including the right to health, as they hinder access to medicine and medical treatment, to safe drinking water, to a clean environment, development, all of which were essential to guaranteeing the right to life and life in dignity. This abrogation affected tens of millions of people.
18. UCM encompassed very diverse policies and actions, principally premised on weaponizing currency and economic power, purported to pressure the target country into adopting a certain behaviour at the expense of basic human rights of whole populations. According to the most recent report of the Special Rapporteur on UCM sanctions have inflicted very serious harm on human life and health including by causing an estimated more than forty thousand deaths from 2017 to 2018. These sanctions would fit the definition of the collective punishment as described in both the Geneva and the Hague International Conventions.
19. The Ambassador and Permanent Representative of the Islamic Republic of Iran to the United Nations Office and other international organizations in Geneva, Esmaeil Baghaei Hamaneh, challenged the assertion of the legality of sanctions. Sanctions led to uprooting of millions of people and seriously affected the living conditions of many migrants and refugees, who happened to reside in sanctions countries. Sanctions even prevented international humanitarian agencies from delivering humanitarian assistance to people on the move and to people in need.
20. UCMs were contrary to the UN Charter, the Universal Declaration of Human Rights, International Law, International Humanitarian Law and its norms and principles. Their negative impact on basic human rights and humanitarian law is so massive as amounting to crimes against humanity.
21. The community of States had long deplored the use of UCMs as contrary to international law and their negative impact on enjoyment of human rights have been recognized. They are so serious that they pose threats to international peace and security as well.
22. The rejection of unilateral coercive measures had become so widespread that according to the recent report of the Special Rapporteur on unilateral coercive measures, the international community viewed those measures as unlawful, the extraterritorial effects of which affect the sovereignty of nations, the legitimate interests of entities or persons and the freedom of trade and navigation. This constituted a solid basis to urge States to resist the extraterritorial application of unilateral coercive measures. In this regard, the Special Rapporteur’s proposal to mandate the international law commission to consider the obligation not to recognize unlawful situations arising from the imposition of unilateral coercive measures was very pertinent.
23. Concrete actions and meaningful initiatives needed to be taken. An effective mechanism should be set up to help mitigate the impact of unilateral coercive measures, e.g. by appointing a Special Representative of the Secretary-General on this matter and establishing a special mechanism for victims of unilateral coercive measures. The measures necessary to implement the HRC’s resolution on an international normative framework on unilateral coercive measures and the rule of law should be accelerated.
24. States that keep imposing sanctions should be held to account, including at their Universal Periodic Review. All relevant human rights treaty bodies should mainstream issues of negative impact of unilateral coercive measures on enjoyment of human rights in their activities. Monitoring human rights violations associated with these measures and promoting accountability of those who are responsible for human rights violations resulting from unilateral coercive measures should become their standing agenda.
25. The office of the High Commissioner should be sufficiently equipped to provide affected countries with the technical assistance and advisory services to prevent, minimize and redress the adverse effects of unilateral coercive measures on human rights.

 III. Summary of the proceedings

1. In his initial remarks as moderator, Ambassador Jorge Valero invited the panellists to address a number of issues, including whether there is any difference between sanctions and unilateral coercive measures. Are all unilateral coercive measures prohibited under international law? He also asked whether the definition of unilateral coercive measures needs to be included in the future United Nations Declaration on this matter. Mr. Valero inquired further about challenges under international law that States face, while employing and targeting other States and ordinary people with sanctions. He asked the panellists to elaborate on whether the current international law allows unilateral coercive measures to be employed and on how illegalizing unilateral coercive measures through a proposed UN declaration and possible treaty on the same matter could contribute to the protection and promotion of human rights and fundamental freedoms. Mr. Valero also inquired whether the panellists consider unilateral coercive measures as one of the challenges for implementation of 2030 Sustainable Development Agenda and its Goals and whether the adoption of the Declaration on unilateral coercive measures is important for achieving the purposes and objectives of 2030 Agenda.

 A. Contributions of panellists

1. The three panellists agreed and affirmed that any unilateral coercive measures were illegal and contrary to the international law. States that use such measures must be held accountable not only for hindering the realization of a democratic and equitable international order, achieving the purposes and objectives of 2030 Agenda and enjoyment of array of human rights at individual and massive scales, but also for violating the Charter of the United Nations and international law, particularly the principles of non-intervention, self-determination and the independence of States subjected to such practices. The future UN declaration is a timely response of the majority of international community to stop massive atrocities and serious human rights violations as well as to create an international legal framework for enforcing accountability of perpetrators.
2. Ms. Douhan recalled that, since 2013, the United Nations had taken concrete steps to deal with the human rights violations caused by unilateral coercive measures, when the Human Rights Council through adoption of its resolution 27/21 decided to create the mandate of the Special Rapporteur, and organize the biannual panel discussion on this matter. Subsequently, the Council had repeatedly reaffirmed the illegal character of unilateral measures aimed to coerce another State in order to obtain from it the subordination in the exercise of its sovereign rights and to secure advantages of any kind.
3. In this context, Ms. Douhan argued that coercion in the international arena undermined the rule of law, worsened friendly relations between States, and prevented the achievement of the Goals of the Sustainable development Agenda to 2030. Due to the sensitivity of the matter, drafting a UN Declaration on negative UCMs is very timely, despite strong disagreement between source and target countries.
4. With regard to the elements and principles of the future Declaration, Ms. Douhan suggested elaborating a definition of unilateral coercive measures in order to use clear and consistent terminology. The absence of a universally agreed definition led to confusion. Ms. Douhan argued that States, as part of their sovereignty, may apply means of pressure, which are not prohibited by any international treaty or custom.
5. In this respect, Ms. Douhan proposed the following definition of unilateral coercive measures: “measures applied by States, groups of States or regional organizations without or beyond authorization of the UN Security Council against other States, individuals or entities in order to change a policy or behaviour of directly or indirectly targeted States, entities or individuals, if these measures cannot undoubtedly be qualified as not violating any international obligation of the applying State or organization, or its wrongfulness is not excluded under general international law”.
6. Ms. Douhan argued further that recent resolutions and reports refer to “source state” or “coercive unilateral coercive measures with extraterritorial effect”, “international differences”. Reference of the Special Rapporteur to the possibility of application of international humanitarian law in cases of strong economic measures (compatible with those of the military blockade) against States in the absence of any military conflict may further exacerbate the situation rather than settling existing discrepancies.
7. With regard to affected individuals and entities directly targeted by the unilateral coercive measures, Ms. Douhan suggested including in the future Declaration an effective human rights protection mechanism. She stressed that the future Declaration shall aim at the promotion and protection of all human rights, not only economic rights or the right to development. Both the right to development and the right to peace were directly conditioned by the observance of all categories of human rights. Special attention shall be paid to the right to due process as far as this right directly may guarantee the observance of all other categories of rights.
8. There is also a clear need to establish an effective system of short and long-term responses in cases of removal from sanction list and compensation to those, who have been targeted. For example, both the use of mechanisms of peaceful settlement of international disputes and national assessment of the existence of legal grounds for criminal charge may exclude a number of cases from the Unilateral Coercive Measures discussion.
9. Ms. Douhan recalled that the use of illegal coercive measures to obtain from targeted States the subordination of their sovereign rights and to secure from them advantages of any kind was prohibited by the principle of non-intervention into the domestic affairs of States as set forth in The Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States ([A/RES/36/103](https://undocs.org/en/A/RES/36/103)). This prohibition had a peremptory character and may not be violated by any subject of international law.
10. Ms. Douhan concluded by suggesting that the future UN Declaration on the negative impact of unilateral coercive measures over the enjoyment of all human rights shall be developed in view of all target subjects and all possible types of measures in full awareness of and respect to peremptory norms of international law, including the principle of non-intervention into the domestic affairs of States. Any progress in this matter could only be achieved if the rule of law were observed.
11. Mr. Mohamad pointed out that within the parameters of international law, it had by now become evident that unilateral coercive measures or unilateral sanctions were in violation of certain core principles of the Charter of the United Nations, as well as the core principles of the 1970 UN General Assembly [Resolution 2625(XXV)](https://www.undocs.org/A/RES/2625%28XXV%29) concerning [the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States](https://www.undocs.org/A/RES/2625%28XXV%29). These include the Principle of Sovereign Equality of States, the non-use of force, self-determination of the people, non-intervention into the internal and external affairs of States, the peaceful settlement of international disputes, cooperation among States, and fulfilling in good faith, obligations assumed under international law.
12. According to Mr. Mohamad, the adverse impact of unilateral sanctions on basic human rights in target countries was manifest. Furthermore, Mr. Mohamad asserted the unilateral coercive measures were clearly an impediment to the implementation of the Declaration on the Right to Development as manifest in the failure to fulfil obligations vis-à-vis economic and social development in developing and least developed countries.
13. Mr. Mohamad argued that insofar as human rights were concerned, unilateral coercive measures, as practiced by developed countries, had far-reaching repercussions. These measures disproportionately affected the poor and the most vulnerable populations in developing and least developed countries—with particular consequences for women, children, including adolescents, the elderly and persons with disabilities, which may in turn result in social problems and thus raise humanitarian concerns.
14. Mr. Mohamad suggested it should be a basic principle that States and groups of States should refrain from imposing unilateral coercive measures, as well as remove such measures, which are already in force. States should also commit themselves to using other means of peaceful settlement with respect to international disputes and differences.
15. According to Mr. Mohamad, the time had come for the international community to reaffirm the principle of fair treatment to all persons affected by the unilateral coercive measures, and that these people are entitled to an effective remedy, including appropriate and effective financial compensation. He stressed that a few States might advocate that economic sanctions are not prohibited by the UN Charter. Nevertheless, even if that were true they should not be immune from review and judicial scrutiny.
16. Mr. Mohamad concluded by suggesting that everyone had the right to an effective remedy for acts violating his or her fundamental rights. There was no reason that unilateral coercive measures should be exempted from this general principle, which was intended to benefit all victims of human rights violations, irrespective of particular facts or context of such violations. In this context, he reminded that, in the 2030 Agenda for Sustainable Development, States pledged to act in line with the promotion of the rule of law at national and international level, and to ensure equal access to justice for all (target 16.3 of the Sustainable Development Goals).
17. As a member of the Human Rights Council’s Advisory Committee, Mr. Ziegler pointed out that after publication in 2015 of its study on the issue of unilateral coercive measures, the Advisory Committee convened three public debates with representatives of civil society and Member States. The Committee fully endorsed the intention of drafting a United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development, while a treaty on the same matter would be preferable. Yet, such a declaration would be of a great practical importance for multilateral diplomacy.
18. With regard to whether the unilateral coercive measures is a challenge to the 2030 Sustainable Development Agenda, Mr. Ziegler argued that unilateral coercive measures kill. . In support of his argument, he spoke about violations of the right to food and the right to health. In particular, Mr. Ziegler described that the hunger has been appallingly increasing worldwide since 2017. Currently, there are about seventy two million people suffering from chronic under nutrition, which means that one out of eleven people live in constant hunger.
19. As an example, Mr. Ziegler explained that As a result of current sanctions, Venezuelan industry was unable to purchase spare parts for its agricultural work. Even in normal times, 65 percent of Venezuelan food was imported. As Venezuela was prevented from using the international payment system the money could not be transferred even if Venezuela had sufficient funds. The situation had a massive effect on enjoyment of their right to food by Venezuelan people.
20. Mr. Ziegler stressed that the right to development was now very difficult to exercise in certain countries. Many developing countries had overwhelming burden of external debts. However, the indebted countries that are subject to sanctions had no financial or economic independence and therefore they are unable to restructure their debts even if they wanted to.
21. Mr. Ziegler described examples of secondary coercive measures, including an appalling situation in Gaza. According to WHO, improperly treated water caused kidney deceases in Gaza, under blockade since 2006. Due to this blockade Gaza cannot repair or refurbish its water processing and cannot import technology for dialysis. As a result a large number of people fell sick and died unnecessarily from kidney deceases. This was a clear case of a collective punishment prohibited by international law.
22. To conclude, Mr. Ziegler underscored how forthcoming work of the Human Rights Council on the UN declaration could reflect the discussions of the Advisory committee on the following three issues to be included in the draft. Firstly, the Advisory committee considers unilateral coercive measures contrary to paragraph 4 of article 2 of the UN Charter, which refers to prohibition of the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations. Secondly, direct, secondary or extraterritorial unilateral coercive measures must be banned as they were effectively acts of collective punishment, which are prohibited under customary international law beyond the explicit prohibition in 1947 Geneva Convention in the context of war. Thirdly, while some lawyers and academics support and defend unilateral coercive measures arguing that they were “better than war”, the Advisory committee categorically rejected this argument because of current increase of use of unilateral coercive measures accompanied by increase of violence. As the Special Rapporteur said in his latest report, nowadays sanctions were generally a prelude to the full fledge war. The Committee supported the work on a draft declaration on unilateral coercive measures because it considered that there was an urgent need to have one.

 B. Interactive discussion

1. During the plenary discussion, representatives of the following States took the floor: Algeria, Angola on behalf of Group of African States (African Group), Bolivia (Plurinational State of), China, Cuba, the Democratic People’s Republic of Korea, Fiji, Malaysia, Iran (Islamic Republic of), Iraq, Qatar, the Russian Federation, State of Palestine, Sudan, Syrian Arab Republic, the United Arab Emirates, and Venezuela (Bolivarian Republic of) (statement on behalf of the Movement of Non-Aligned Countries and in their national capacity).
2. Representatives of the following national human rights institutions and non-governmental organizations spoke: Centre Europe - tiers monde, Charitable institute for protecting social victims, the International Association of Democratic Lawyers (IADL), International Human Rights Association of American Minorities (IHRAAM), Organization for defending victims of violence, Centro de Estudios Sobre la Juventud and Cuban United Nations Association.
3. Participants condemned unilateral coercive measures as illegal means of collective punishment violating array of human rights, in particular the right life, the right to freedom of movement, the right to privacy, presumption of innocence, the right to fair trial, the right to an adequate standard of living, the right to health, the right to food, the right to water and the right to development. In this context, the panellists, delegates and representatives of civil society expressed full support for drafting the UN declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development. The United Nations declaration on this matter would introduce systems to ensure the non-perpetuation and non-recurrence of such sanctions. They stated that the updated set of [elements for a draft General Assembly declaration on unilateral coercive measures and the rule of law](https://undocs.org/A/HRC/42/46/Add.1) prepared by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, could serve a good basis for drafters of the declaration. They also welcomed the Special Rapporteur’s recommendation that a Special Representative of the Secretary-General on unilateral coercive measures should be established.
4. Many speakers stated that the Security Council should be recognized as having the exclusive right to impose economic financial and other non-forcible measures on targeted States or individuals for the purpose of giving effect to its decisions. The delegates pointed out that unilateral coercive measures violated the UN Charter and the principles enshrined in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. Some delegates drew attention to the fact that even the sanctions applied pursuant to decisions by the Security Council were considered means of the last resort in extreme cases.
5. Many participants emphasized that unilateral coercive measures had disproportionate and discriminatory effects on vulnerable groups, which deserved more attention of States and of the Human Rights Council. Some groups especially affected by unilateral coercive measures cited were women, children, older persons, persons with disabilities, indigenous peoples, ethnic and religious minorities, peasants and the poor. Unilateral coercive measures requiring extraterritorial application to third parties of laws adopted by a source country against a target country, and which call for secondary sanctions on such third parties in case of non-compliance, are unlawful under international law. According to some speakers, even in those cases when the unilateral sanctions were intended to fill the protection gap or deter human rights violations by targeting perpetrators, they were also considered inefficient and counter-productive, as they often entrenched the alleged perpetrators, they were intended to affect.
6. According to a number of participants, unilateral coercive measures were tools in the hands of the powerful by which more developed countries could apply pressure to developing and least developed countries with economic and political regimes that did not enjoy their approval. This violated general international law, as it constituted interference in the self-determination of peoples and their right to decide on their own economic and political systems. Such coercive measures were not only unilateral but also unidirectional, as powerful States directed them against weaker ones. One delegation described them as “non-military measures to put pressure on countries”, and drew a parallel between the laws governing armed conflicts to protect civilians and the need to protect the human rights, including the right to development, of the persons and peoples affected by unilateral coercive measures.
7. Some of the delegates also regarded these measures as a hindrance to the achievement of the Sustainable Development Goals included in the 2030 Agenda for Sustainable Development. The delegates also cited pertinent Human Rights Council and General Assembly resolutions as concrete instruments adopted by the absolute majority of Member States condemning such measures. In line with those resolutions, the delegates urged all States to refrain from imposing unilateral coercive measures, also urged the removal of such measures, as they are contrary to the Charter and norms and principles governing peaceful relations among States at all levels, and it should be recalled that such measures prevent the full realization of economic and social development of nations while also affecting the full realization of human rights.
8. Participants urged States to refrain from adopting unilateral coercive measures in any case. Many also called for those in a position to do so to take measures to prevent third States from adopting unilateral coercive measures in violation of international human rights law. Such measures were not conducive to the effective implementation of the Vienna Declaration and Programme of Action and the Sustainable Development Goals.
9. Some participants proposed to make the topic and questions about unilateral coercive measures a necessary part of work of all mechanisms of the Human Rights Council, including treaty-based mechanisms, and Charter-based mechanisms. The universal periodic review mechanism should be used to address violations of human rights caused by unilateral coercive measures.

 IV. Conclusions

1. **In its concluding remarks, the panel stressed that unilateral coercive measures deployed against a country or sectors of its economy that cause disproportional adverse impact on its population constitute collective punishment and are contrary to international law and should be prohibited. According to the panel, Unilateral coercive measures often violate a large array of human rights, in particular the rights life, to freedom of movement, to privacy, to fair trial and due process, to presumption of innocence, as well as the rights to an adequate standard of living, to health, to food, to water and the right to development.**
2. **The panel further stressed that the Human Rights Council and Member States should support the development by the United Nations of a declaration on the negative impact of unilateral coercive measures on the enjoyment of all human rights, including the right to development. The** [**elements for a draft declaration on unilateral coercive measures and the rule of law**](https://undocs.org/A/HRC/42/46/Add.1) **prepared by the Special Rapporteur could serve a good basis for developing the declaration. Experts should be consulted in the preparation of the draft declaration, for example through organizing an expert meeting.**
3. **The panel underlined that a clearer definition of unilateral coercive measures should be developed and agreed upon in order to guide efforts to identify them, based on the existing definitions of international law, including its peremptory norms.**