

Negative Impact of Unilateral Coercive Measures: Priorities and Road Map

Report of the Special Rapporteur on the negative impact of unilateral coercive measures
on the enjoyment of human rights
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Current Developments in the Implementation of Unilateral Sanctions:

- **Significant Shift in Use:** Unilateral sanctions in various forms have increasingly become regular practices among many states.
- **Proliferation of New Types of Sanctions:** International practice has now expanded the application of economic, trade and financial sanctions against states, sectoral sanctions against specific sectors of economy, and so-called “targeted” sanctions against different categories of individuals and entities. All together, acerbated by over-compliance, they have an effect of comprehensive sanctions.
- **Changing Grounds and Purposes:** Announced grounds for introduction of unilateral sanctions may vary. They usually refer to the need to achieve some “high common goods” values or qualify as an exercise of the foreign policy.
- **Expansion in Means and Mechanisms:** Besides traditional sanctions, states and regional organizations are currently freezing assets of state, banks, companies and individuals, impose sanctions against transportation and delivery companies, use political influence in international institutions, impose sanctions in response to the malicious cyber activity, or provide for limitation to access online platforms or instruments.

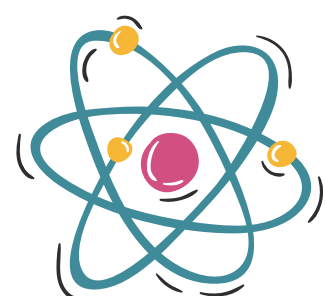
Challenges

- **Legal Ambiguity and Inconsistency:** There are significant discrepancies in the terminology and notions used to describe sanctions introduced without Security Council authorization. This confusion undermines the legal and operational clarity necessary for international cooperation and compliance.
- **Humanitarian Impact:** The broad application of sanctions, especially those with extraterritorial reach, has severe implications for the enjoyment of human rights in the targeted regions, hinders access to essential goods and medical resources, crucially needed in times of global crises such as the COVID-19 pandemic.
- **Lack of International Consensus:** The absence of a consensus among States regarding the assessment and response to unilateral sanctions exacerbates international divisions and complicates the formulation of a coordinated response to global challenges.

A Comprehensive Road Map for the Special Rapporteur

Monitor and assess the Impact on Human Rights

Identify and assess the impact of various types of unilateral sanctions, means of their enforcement and over-compliance on all categories of human rights, including collective rights and the responsibility to protect.



Networking cooperation

- **Engage with the UN Sanctions Architecture:** Interact with the various subsidiary organs of the United Nations that are involved in sanctions.
- **Dialogue with UN Specialized Agencies:** Establish dialogues with relevant UN specialized agencies and other international organizations dealing with international trade.
- **Dialogue with Regional Actors:** Establish and maintain dialogues with regional actors such as the European Court of Justice, the Council of Europe, the League of Arab States, the African Union, and the Organization of American States.

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Clarify Terms and Actors

Identify new and diverse forms, types, and terms used to describe unilateral means of pressure, and determine the actors involved.

Analyse Legal and Extraterritorial Effects

Analyse the legal qualification of extraterritorial activities, their impact on third states, their nationals, and legal entities, and explore various aspects of overcompliance.

Establish Mechanisms for Protection, Responsibility and Redress

Analyse the potential for using existing universal and regional mechanisms to protect the rights of those negatively affected by unilateral sanctions and work towards establishing an effective mechanism for this purpose.



Other projected activities

- **Engagement with Affected Communities:** Communicate with direct and indirect victims of UCMs and civil society actors concerning individual cases, general patterns of human rights violations, and issues with legislation or policies that may not align with international human rights standards.
- **Collaboration with Civil Society:** Work with NGOs and academic institutions to monitor, research, and enhance legal understanding of UCMs and their effects on human rights.
- **Development of a Sanctions Reference Tool:** Create a comprehensive sanctions reference system. Now the Sanctions Research Platform can be accessed through: <https://sanctionsplatform.ohchr.org/>
- **Country Visits and Expert Cooperation:** Conduct country visits and collaborate with various stakeholders, including governments, UN bodies, specialized agencies, NGOs, regional institutions, and victims of unilateral coercive measures, offering expertise in relevant areas.
- **Engagement with UN Bodies:** Cooperate with relevant UN bodies and mechanisms, drawing their attention to specific situations and cases, and request detailed responses on the implementation of Human Rights Council and General Assembly resolutions pertinent to the mandate.