



# General Assembly

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## Human Rights Council

Advisory Committee

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Item 3(b) (vii) of the provisional agenda

**Requests addressed to the Advisory Committee stemming from  
Human Rights Council resolutions: Enhancement of international  
Cooperation in the field of human rights**

### **Written statement\* submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status,**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 January 2013]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Enhancement of international cooperation in the field of Human Rights; Case of sanctions against the Islamic Republic of Iran**

The Human Rights Council, in resolution 13/23, on enhancement of international cooperation in the field of human rights, which was submitted by Egypt on behalf of the Non-Aligned Movement and adopted without a vote, “reaffirms that it is one of the purposes of the United Nations and also the primary responsibility of Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation”

The resolution requested: “the Human Rights Council Advisory Committee to explore ways and means to enhance cooperation in the field of human rights”, to facilitate exchanges of information and best practices in this regard, taking into account the “views” of “States and relevant stakeholders”.

As a non-governmental organization active in different fields of human rights of Iranian citizens the Organization for Defending Victims of Violence (ODVV), finds this opportunity to distinguish and clarify the negative and downsides effects of sanctions, particularly the ones which have been carried out unilaterally, on the notion of “Enhancement of international cooperation in the field of human rights”. We hope that the Advisory Committee considers this crucial matter in its consultations and recommendations to the Human Rights Council.

The concept of “International Cooperation”, is a deep rooted phenomenon in many substantial international instruments, and has been mentioned numerous in different declarations and resolutions. The Charter states that one of the purposes of the United Nations is to “achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion” (Article 1, paragraph 3). Also article 13 of charter states that:

The General Assembly shall initiate studies and make recommendations for the purpose of:

- (a) Promoting international cooperation in the political field and encouraging the progressive development of international law and its codification;
- (b) Promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

These provisions alongside recently adopted resolution (General Assembly/ 22 December 2011), affirming the 1970 Declaration on Friendly Relations, clearly show that the field of international cooperation is much broader than that of human rights. Indeed it’s a basic mean to enhance “International Peace and Security” and to promote culture of friendly relationships between states which relinquishes irrational referring to coercive measures.

The ODVV believes that, unfortunately, the sacred spirit of “cooperation and peaceful settlement of disputes” has not been implemented towards Iran and Iranians in recent years and the negative effects of “the unilateral sanction regime” which has been imposed on Iran, is deteriorating the basic human rights of ordinary Iranians, specially the enjoyment of their economic rights.

Since 2006, the UN Security Council has adopted six resolutions on the Iranian nuclear program, including four resolutions containing sanctions against Iran<sup>1</sup>. They appear as a reaction to the proliferation risks allegedly raised by that program.

But besides these SC resolutions, there are numerous draconian unilateral sanctions, imposed by the US and the EU and inter alia some other allies, which have targeted the daily lives of Iranians in the guise of prohibiting Iran from acquiring nuclear bombs (which has not been proven and detected by IAEA for the last 9 years).

On 23 January 2012, following intense negotiations between the EU Member States and their international partners, mainly the United States, the European Council adopted a set of additional restrictive measures against Iran. The conclusions adopted by the Council provide that:

*The Council has agreed additional restrictive measures in the energy sector, including a phased embargo of Iranian crude oil imports to the EU, in the financial sector, including against the Central Bank of Iran, in the transport sector as well as further export restrictions, notably on gold and on sensitive dual-use goods and technology, as well as additional designations of persons and entities, including several controlled by the Islamic Revolutionary Guards Corps (IRGC).<sup>2</sup>*

The concerns over cases of “improper” use of these unilateral measures, particularly directed at developing countries, are in fact regularly reflected in the debates before the Second Committee of the UN General Assembly, as well as by the Non-Aligned Movement<sup>3</sup> and the Group of 77.<sup>4</sup> For instance, as it is mentioned above, the General Assembly recently reaffirmed, in a resolution adopted on 22 December 2011, the 1970 Declaration on Friendly Relations, and urged the international community:

*to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries that are not authorized by relevant organs of the United Nations or are inconsistent with the principles of international law as set forth in the Charter of the United Nations and that contravene the basic principles of the multilateral trading system.*

Similarly, the “Doha Mandate” adopted at the recent UNCTAD Thirteenth session held in Doha (Qatar) in April 2012, strongly urged States:

*to refrain from promulgating and applying any unilateral economic, financial, or trade measures not in accordance with international law and the Charter of the United Nations that impedes the full achievement of economic and social development, particularly in developing countries, and that affects commercial interests. It might be argued with some credibility in the present instance that the measures considered are an example of „unilateral coercive economic measures.*

Ordinary Iranians are suffering from recently US and EU imposed sanctions, which are in contrast to even UNSC resolutions. In the latest to date, UNSC Resolution 1929 (2010), the Security Council merely noted:

*“the potential connection between Iran’s revenues derived from its energy sector and the funding of Iran’s proliferation-sensitive nuclear activities, and [...] that chemical process*

<sup>1</sup> These UN Security Council Resolutions are Res. 1696 (2006); 1737 (2006); 1747 (2007); 1803 (2008); 1835 (2008); and 1929 (2010).

<sup>2</sup> EU Council conclusions on Iran (3142th Foreign Affairs Council meeting, Brussels, 23 January 2012), para. 2.

<sup>3</sup> NAM2009/FD/Doc.

<sup>4</sup> UNCTAD Doc. TD/445.

*equipment and materials required for the petrochemical industry have much in common with those required for certain sensitive nuclear fuel cycle activities”.*

But the unilateral US – EU sanctions which have targeted a phased embargo of Iranian crude oil imports and specially the Central Bank of Iran, has seriously affected basic needs of Iranians, most importantly in the fields of medicine and food.

The ODVV firmly believes that these unilateral measures present various grounds for unlawfulness, and are inconsistent with the spirit of cooperation and friendly relationships among nations.

At its sixth session, the Advisory Committee considered a preliminary working paper (A/HRC/AC/6/CRP.4), which attempted to clarify the legal basis for international cooperation in the field of human rights and discuss the key issues that revolve around the dialectic between the two concepts. The Advisory Committee adopted recommendation 6/4 on 21 January 2011 and fortunately has started a valuable and precise methodology to clarify and enhance the notion of cooperation among nations.

We urge the Committee to consider the subject of “Sanctions and their effects on enjoyment of human rights” in its discussions under the sub title of “Enhancement of international cooperation in the field of human rights” and recommend the council to draw special attention to it, under agenda Item 3.

The ODVV also ask the UNHCR to consider the negative effects of sanctions on basic and fundamental human rights as a matter of urgency and priority. We hope for a day which politics keeps its safe distance from Human Rights.

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