



# General Assembly

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## Human Rights Council

### Twenty-seventh session

Agenda item 3

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

#### Resolution adopted by the Human Rights Council

**27/21**

#### **Human rights and unilateral coercive measures**

*The Human Rights Council,*

*Recalling* the purposes and principles of the Charter of the United Nations,

*Recalling also* all previous resolutions on human rights and unilateral coercive measures adopted by the Commission on Human Rights, the Human Rights Council and the General Assembly,

*Reaffirming* Human Rights Council resolution 24/14 of 27 September 2013 and General Assembly resolution 68/162 of 18 December 2013,

*Stressing* that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter and the norms and principles governing peaceful relations among States,

*Recognizing* the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as a universal and inalienable right and an integral part of all human rights,

*Expressing its concern* at the negative impact of unilateral coercive measures on human rights, development, international relations, trade, investment and cooperation,

*Reaffirming* that no State may use or encourage the use of any type of measure, including but not limited to economic or political measures, to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind,

*Recognizing* that unilateral coercive measures in the form of economic sanctions can have far-reaching implications for the human rights of the general population of targeted States, disproportionately affecting the poor and the most vulnerable classes,

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*Underlining* that under no circumstances should people be deprived of their basic means of survival,

*Recognizing* that long-term unilateral coercive measures may result in social problems and raise humanitarian concerns in the States targeted,

*Highlighting* the deep-rooted problems and grievances within the international system and the importance for the United Nations to give a voice to all members of the international community in order to ensure multilateralism, mutual respect and the peaceful settlement of disputes,

*Recalling* the final document of the sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012,<sup>1</sup> and the final document of the seventeenth Ministerial Conference of the Non-Aligned Movement, held in Algiers on 28 and 29 May 2014, and those adopted at previous summits and conferences, in which States members of the Movement decided to refrain from recognizing, adopting or implementing extraterritorial or unilateral coercive measures or laws, including unilateral economic sanctions, other intimidating measures and arbitrary travel restrictions, that seek to exert pressure on non-aligned countries – threatening their sovereignty and independence, and their freedom of trade and investment – and to prevent them from exercising their right to decide, by their own free will, their own political, economic and social systems, where such measures or laws constitute flagrant violations of the Charter, international law, the multilateral trading system as well as the norms and principles governing friendly relations among States, and in this regard oppose and condemn these measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise, as called for by the General Assembly and other United Nations organs, and request States applying these measures or laws to revoke them fully and immediately,

*Recalling also* that the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral measure not in accordance with international law and the Charter and that created obstacles to trade relations among States and impeded the full realization of all human rights, and that also severely threatened the freedom of trade,

*Deeply concerned* that, despite the resolutions adopted on this issue by the General Assembly, the Human Rights Council, the Commission on Human Rights and at United Nations conferences held in the 1990s and at their five-year reviews, and contrary to norms of international law and the Charter, unilateral coercive measures continue to be promulgated, implemented and enforced by, inter alia, resorting to war and militarism, with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

*Deeply disturbed* by the negative impact of unilateral coercive measures on the right to life, the rights to health and medical care, the right to freedom from hunger and the right to an adequate standard of living, food, education, work and housing,

*Alarmed* by the disproportionate and indiscriminate human costs of unilateral sanctions and their negative effects on the civilian population, in particular women and children, of targeted States,

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<sup>1</sup> See A/67/506-S/2012/752, annex I.

*Reaffirming* that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,

*Concerned* that unilateral coercive measures have, in some instances, prevented humanitarian organizations from making financial transfers to States where they work,

*Underlining* the necessity of examining the wide range of impacts of unilateral coercive measures on international humanitarian and human rights law, as well as on the economy, peace, security and social fabric of States,

*Highlighting* the need to monitor human rights violations associated with unilateral coercive measures and to promote accountability,

*Emphasizing* the necessity of establishing a special procedure, within the context of the Human Rights Council, on the impact of the application of unilateral coercive measures on the enjoyment of all human rights,

*Recalling* Human Rights Council resolutions 5/1, on the institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

*Recalling also* article 1, paragraph 2, common to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which provides that, inter alia, in no case may a people be deprived of its own means of subsistence,

1. *Calls upon* all States to stop adopting, maintaining or implementing unilateral coercive measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature with extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize these measures nor to apply them, and to take effective administrative or legislative measures, as appropriate, to counteract the extraterritorial application or effects of unilateral coercive measures;

3. *Condemns* the continued unilateral application and enforcement by certain powers of such measures as tools of political or economic pressure against any country, particularly against developing countries, with a view to preventing these countries from exercising their right to decide, of their own free will, their own political, economic and social systems;

4. *Expresses grave concern* that, in some countries, the situation of children and women is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities;

5. *Reiterates* its call upon Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions, and to commit themselves to their obligations and responsibilities arising from relevant provisions of the international law and

human rights instruments to which they are parties by putting an immediate end to such measures;

6. *Reaffirms* in this context the right of all peoples to self-determination by virtue of which they freely determine their political status and freely pursue their own economic, social and cultural development;

7. *Also reaffirms* its opposition to any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State, which is incompatible with the Charter;

8. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and to the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States, proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measure to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

9. *Reaffirms* that essential goods, such as food and medicines, should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

10. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development, and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of domestic laws that run counter to the principles of free trade and hamper the development of developing countries;

11. *Rejects* all attempts to introduce unilateral coercive measures, as well as the increasing trend in this direction, including through the enactment of laws with extraterritorial application, which are not in conformity with international law;

12. *Recognizes* that the Declaration of Principles, adopted at the first phase of the World Summit on the Information Society, held in Geneva in December 2003, strongly urges States to avoid and refrain from any unilateral measure in building the information society;

13. *Urges* all special rapporteurs and existing thematic mechanisms of the Human Rights Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

14. *Recognizes* the importance of the quantitative and qualitative documentation of the negative impact associated with the application of unilateral coercive measures in the context of ensuring the accountability of those responsible for the human rights violations resulting from the application of unilateral coercive measures against any State;

15. *Decides* to give due consideration to the negative impact of unilateral coercive measures on the human rights issues in its task concerning the implementation of the right to development;

16. *Requests* the United Nations High Commissioner for Human Rights, in discharging his functions in relation to the promotion and protection of human rights, to pay due attention and give urgent consideration to the present resolution;

17. *Notes with appreciation* the holding of the workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the

affected populations, in particular their socioeconomic impact on women and children in the States targeted, organized by the Office of the High Commissioner on 23 May 2014, in Geneva;

18. *Takes note with appreciation* of the report of the Office of the High Commissioner on the proceedings of the above-mentioned workshop,<sup>2</sup> and takes positive note of the report of the Secretary-General submitted to the General Assembly on human rights and unilateral coercive measures;<sup>3</sup>

19. *Decides* to organize a biannual panel discussion on the issue of unilateral coercive measures and human rights, starting at its twenty-ninth session, with the participation of Member States, relevant United Nations bodies, agencies and other relevant stakeholders, and also requests the Office of High Commissioner to prepare and submit a report on the panel discussion to the Human Right Council;

20. *Reiterates* its request to the Human Rights Council Advisory Committee to prepare a research-based report containing recommendations on mechanism to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability, and to present a progress report on the requested research-based report to the Council at its twenty-eighth session for its consideration;

21. *Requests* the Advisory Committee to seek the views and inputs of Member States and relevant special procedures, as well as national human rights institutions and non-governmental organizations, in the preparation of the above-mentioned research-based report;

22. *Decides* to appoint, for a period of three years, a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, with the following mandate:

(a) To gather all relevant information, wherever it may occur, including from Governments, non-governmental organizations and any other parties, relating to the negative impact of unilateral coercive measures on the enjoyment of human rights;

(b) To study trends, developments and challenges in relation to the negative impact of unilateral coercive measures on the enjoyment of human rights, and to make guidelines and recommendations on ways and means to prevent, minimize and redress the adverse impact of unilateral coercive measures on human rights;

(c) To make an overall review of independent mechanisms to assess unilateral coercive measures to promote accountability;

(d) To contribute to strengthening the capacity of the Office of the High Commissioner to provide affected countries with technical assistances and advisory services to prevent, minimize and redress the adverse impact of unilateral coercive measures on human rights;

23. *Requests* the Special Rapporteur, within the framework of his or her mandate:

(a) To draw the attention of the Human Rights Council and the High Commissioner to those situations and cases regarding the negative impact of unilateral coercive measures on the full enjoyment of human rights;

(b) To cooperate with other relevant United Nations bodies, including the High Commissioner, the human rights treaty bodies, the special procedures and mechanisms,

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<sup>2</sup> A/HRC/27/32.

<sup>3</sup> A/68/211.

specialized agencies, funds and programmes, regional intergovernmental organizations and their mechanisms, with the aim to prevent, minimize and redress the adverse impact of unilateral coercive measures on human rights;

24. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his or her tasks, and to provide all necessary information requested by him or her;

25. *Invites* the High Commissioner, relevant special procedures of the Human Rights Council and the treaty bodies to pay attention, within the framework of their mandates, to the situation of persons whose right has been violated as the result of unilateral coercive measures;

26. *Requests* the Secretary-General to provide the assistance necessary to the Special Rapporteur to fulfil his or her mandate effectively, in particular by placing adequate human and material resources at his or her disposal;

27. *Requests* the Special Rapporteur to submit each year to the Human Rights Council and the General Assembly a report on the activities relating to his or her mandate;

28. *Decides* to continue its consideration of the issue of negative impact of unilateral coercive measures on human rights in accordance with its programme of work.

*40th meeting  
26 September 2014*

[Adopted by a recorded vote of 31 to 14, with 2 abstentions. The voting was as follows:

*In favour:*

Algeria, Argentina, Benin, Botswana, Brazil, Burkina Faso, Chile, China, Congo, Côte d'Ivoire, Cuba, Ethiopia, Gabon, India, Indonesia, Kenya, Kuwait, Maldives, Mexico, Morocco, Namibia, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam

*Against:*

Austria, Czech Republic, Estonia, France, Germany, Ireland, Italy, Japan, Montenegro, Republic of Korea, Romania, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Costa Rica, Kazakhstan]

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