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

Written statement* submitted by Maat for Peace, Development and Human Rights Association, 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.

[21 August 2019]

* Issued as received, in the language(s) of submission only.



The negative impact of Unilateral Coercive Measures on Human Rights in the Syrian Arab Republic

Introduction

Maat for Peace, Development and Human Rights presents this intervention to clarify its stance on the negative impact of unilateral coercive measures on the enjoyment of human rights in the Syrian Arab Republic. Coercive unilateral measures taken by a State through which it seeks to apply its unilateral domestic laws outside its territories affecting a third party, contrary to international law and violate the sovereignty of other States, the Charter of the United Nations and international norms and standards, including the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and the laws of the organization of free trade relations between sovereign States.

The United Nations considers unilateral economic measures as a means of political and economic coercion against developing countries, which are used by the major members of the Security Council as a political means, in a flagrant violation of the principles of international law and the Charter of the United Nations, according to the resolution of the General Assembly (No. 68/200 of 20 December 2013), against which only the United States and the Israeli occupying Power voted, while most European countries abstained from voting.¹

US and European Coercive Unilateral Measures

Since the outbreak of the revolution in March 2011, the parties to the conflict in Syria have continued to use violence and excessive force against Syrian civilians. The country has been witnessing systematic use of the most severe means of violence against the people because of the demand for freedoms and rights, including weapons prohibited to be used against civilians such as chemical, cluster weapons and lethal projectiles of great destruction power. Despite all the measures demanded or imposed by the United Nations to protect civilians, crimes against civilians are on the rise, without stopping or reducing them by any means.²

Accordingly, the international community has imposed harsh international sanctions on Syria to weaken President Bashar al-Assad's power. The US Congress unanimously passed the Caesar Syria Civilian Protection Act, which provides for 10 years of sanctions against the Government of Syria and its backing states such as Iran and Russia. On January 22, 2019, the US Congress voted to enact the Caesar Syria Civilian Protection Act, in order to impose new sanctions on Syria's allies in the fields of energy, business and air transport. Under that Law, the US president shall impose new sanctions on any person or entity that deals with or provides funding to the Syrian government, including the Syrian intelligence and security services or the Syrian Central Bank. The Law applies to those providing aircrafts or aircraft spare parts to Syrian airlines, or those involved in construction and engineering projects controlled by the Syrian government or supporting the energy industry in Syria. Under the law, US President Donald Trump can abolish sanctions on a case-by-case basis; and sanctions may be suspended if meaningful negotiations to stop violence against civilians are carried out.³

¹ - سمير العيطة، سوريا ومعضلة العقوبات الاقتصادية، بوابة الشروق، 24 فبراير 2019، الرابط، <https://www.shorouknews.com/columns/view.aspx?cdate=24022019&id=42cfac00-579a-4067-9abb-6a07a55aebd0>.

² - عبد الرحمن مطر، قيصر ومحاسبة النظام الاسدي، شبكة جبرون، 1 فبراير 2019، الرابط، <https://geiroon.net/archives/147687>.

³ عربي، 24 يناير 2019، الرابط، BBC - قانون سيزر الامريكي سيف مسلط على حلفاء الاسد لعشر سنوات، <http://www.bbc.com/arabic/world-46978371>.

Europe has adopted a similar approach to the U.S. one, but with some differences. Similar to the United States, the European Union imposed sanctions in early 2011, for Syria's "brutal repression and violation of human rights," and has updated the sanctions several times since. The E.U. sanctions are not as sweeping as those of the United States, but are still extensive and include trade restrictions, financial sanctions and an arms embargo. As of January 23, 2019, some 270 individuals and 72 entities were targeted by a travel ban and an asset freeze. Enforcement of E.U. sanctions is complicated by differences among the 28 member countries on how to interpret various rules and procedures.⁴

The impact of Unilateral Coercive sanctions on Human Rights in Syria

Coercive measures taken by both the United States and Europe have affected Syria's ability to purchase food, medicines, medical equipment, spare parts and software from the international markets and to pay for import costs due to financial constraints. As well as the negative effects of unilateral measures on vital economic and living areas, including the production of medicines and pharmaceutical products and on importing non-locally produced medicines, such as cancer drugs, as a result of measures targeting the banking sector. The measures imposed on the transportation sector make it difficult to transport certain vaccines and sensitive medicines in terms of timing and temperature required to maintain them.⁵

The embargo on the oil sector has negatively affected living conditions and led to a significant increase in the cost of heating fuel and fuel for the means of transportation and power generation, a gradual decline in government subsidies for the energy sector and thus a widespread humanitarian suffering, posing unjustified difficulties for Syrians in the enjoyment of their fundamental rights as a result of the accumulation of different and overlapping forms of unilateral coercive measures.

Like much of Syrian society, higher education suffers from shortages of all sorts, with supplies from textbooks to laboratory chemicals in short supply or completely missing. The sanctions and travel restrictions imposed by many countries on Syrians have often prevented Syrian faculty members from attending conferences and collaborating with international colleagues.⁶

Unilateral sanctions have the greatest impact on homeless and internally displaced persons in Syria. In some areas, especially in government-controlled areas, the impact of illegal unilateral sanctions has led to higher prices and a decrease in the size of the most important primary commodities available in local markets. As well as the ban on importing oil from Syria and exporting fuel and oil derivatives, imposing investment restrictions, freezing the assets of the Syrian Central Bank in the European Union, banning the trade of dual-use technologies, as well as banning the trade of tools and devices used to monitor telephone and Internet communications.⁷

Maat for Peace, Development and Human Rights adds its own voice to the voices which believe that imposition of sanctions exacerbate the problem of deprivation of human rights. The imposition of coercive unilateral measures, especially the European ones, shows the absence of logic in Europe; its citizens complain about the presence of Syrian migrants in their countries, while their governments impose sanctions that force Syrians to leave their

⁴ سوريا: العقوبات تزيد من مشكلات التعليم العالي، الفنار للإعلام، 7 فبراير 2019، الرابط، <https://www.al-fanarmedia.org/ar/سوريا-العقوبات-تزيد-من-مشكلات-التعليم/02/2019/>.

⁵ -التدابير القسرية الغربية الإنسانية والدوافع الحقيقية، موقع الميادين، 2 مايو 2018، الرابط، <http://www.almayadeen.net/articles/opinionالذرائع-الإنسانية-والدوافع-الحقيقية/950950/>.

⁶ سوريا: العقوبات تزيد من مشكلات التعليم العالي، الفنار للإعلام، 7 فبراير 2019، الرابط، <https://www.al-fanarmedia.org/ar/سوريا-العقوبات-تزيد-من-مشكلات-التعليم/02/2019/>.

⁷ عربية، الرابط، RT - اللجنة الدولية الخاصة بسوريا: العقوبات الأحادية على دمشق غير شرعية، https://arabic.rt.com/middle_east/899571/.

country. Western sanctions prevent Syria's middle class from reviving its projects in the country and pushing them to leave the country, leading to a migration crisis in Europe.⁸

Despite these measures, the conflicting parties have not abided by international standards on the neutralization of civilians during military operations. Their deliberate crimes have targeted civilian communities, in a punitive way, for daring to demand an end to systematic violations of public rights. International measures have fallen short of enforcing the conflicting parties to abide by and of being a collective action reflect a common international will to protect Syrians.⁹

Accordingly, Maat stresses that there is no justification for the continuation of unilateral coercive measures imposed on food, agricultural products, medicines and dual-use materials related to water and sanitation and public services related to electricity and transportation; they impede the reconstruction of schools, hospitals and other public buildings and the restoration of basic services to the population. As well as the alleged humanitarian exceptions are ineffective. The Foundation calls for lifting all measures that have a negative impact on the human rights of the Syrian people.

- The international community should find a solution other than sanctions because starvation cannot be a means of protecting Syrians.
- The necessity of joint action to accept political solutions to resolve the political crisis in Syria through collective international action expresses a common international will to protect Syrians.
- The need to work towards the reconstruction of Syria in order to return refugees and displaced people to their country of origin.

⁸ عربية، 27 مارس 2019، الرابط، RT - العقوبات الغربية توسع دائرة انتهاكات حقوق الانسان في سوريا، https://arabic.rt.com/middle_east/1009511/.

⁹ - عبد الرحمن مطر، قيصر ومحاسبة النظام الاسدي، شبكة جبرون، 1 فبراير 2019، الرابط، <https://geiroon.net/archives/147687>.