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Human rights situations that require the Council's attention

Written statement* submitted by Jameh Ehyagaran Teb Sonnati Va Salamat Iranian, 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.

[10 February 2019]

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



The United States of America Sanctions against the Islamic Republic of Iran are Violating the Patients Right to Life and Right to Health

According to the International Covenant on Economic, Social and Cultural Rights all States are obliged to take steps, to the maximum of their available resources, towards realization of the right to health, prohibit retrogressive measures, and fulfil their minimum core obligations. According to the Committee on Economic, Social and Cultural Rights, access to medicines is a core obligation. Medicines must be affordable, acceptable, accessible, of good quality, and made available without discrimination.

But contrary to the rights guaranteed in International Law, the Iranian patients are facing limitation of access to medicine because of the sanctions imposed on the Islamic Republic of Iran (Iran) by the United States of America (US) following the US withdrawal from the Joint Comprehensive Plan of Action (JCPOA) despite Iran's full compliance with the agreement approved by the International Atomic Energy Agency (IAEA) for 12 times.

The US officials have always made public claims in the international media that humanitarian items including food and medicine are exempt from sanctions and the unilateral measures never limit the Iranian people's access to medicine.

However, on the ground, the bitter reality is that ALL humanitarian items are under sanctions because a sanction on the inter-bank transactions system or SWIFT, which should not be manipulated for political intentions, seriously limits all Iranian medicine companies' access to raw material and renders the import of all items including medicine and medical equipment impossible. Under the United States sanctions any financial transaction between the Islamic Republic of Iran (Iran) and any medicine or medical equipment provider is cut off and serious shortage of medicine, medical equipment and medical care can threaten thousands of lives.

Iranian NGOs who deal with patients such as patients with chronic diseases including the NGOs that deal with cancer, thalassemia, hemophilia and MS are warning against the deadly consequences of the new United States' sanctions on the Iranian's right to health. Many of the patients being treated in health care centers are children suffering from chronic disease whose access to medicine especially good quality medicine is seriously limited by sanctions.

According to food and medicine organizations of Iran not a single financial transaction or medicine import has been possible after 8th of May 2018.

What is even worst is that deprivation of Iranian people of access to medicine and their "collective punishment" is not the unintentional consequence of the economic sanctions against the Islamic Republic of Iran, on the contrary, according to Iranian medicine companies, the United States is deliberately and consistently blocking the Islamic Republic of Iran's access to medicine and medical equipment since Nov. 4th 2018. Intentional prevention of access to medicine and medical equipment that can violate the right to life can be considered as crimes against humanity.

In addition to preventing the import of medicine, raw material and medical equipment into Iran, Unilateral Coercive Measures reduce income for all civilians and sharply increase the cost of medicine and healthcare, therefore the patients who face a considerable decrease in their own financial assets experience multiple pressure while trying to pay for their medical care.

The adverse effects of economic sanctions on the human rights of people are discussed in about 30 reports prepared by the United Nations Human Rights Council.¹ The Advisory Committee which was mandated to study the negative impacts of Unilateral Coercive Measures on human rights included the discussion on Iranian people rights violated by UCMs in the report which was submitted to the Council².

The compilation of the Human Rights Council information on the negative impacts of the sanctions also include the valuable reports of Mr. Idriss Jazairy, the Special Rapporteur on

¹ the reports are available in : <https://www.ohchr.org/EN/Issues/UCM/Pages/Reports.aspx>

² A/HRC/28/74

the negative impact of the unilateral coercive measures on human rights, as well as his statements on August 22nd, 2018 and November, 8th, 2018. In both statements, the Special Rapporteur condemns the UCMs and their effects on human rights.

On August 22nd, 2018, Mr. Idriss Jazairy announced that UCMs are “unjust” and “harmful” “driving millions of people into poverty and making imported goods unaffordable.”³ They are “likely to lead to silent deaths in hospitals as medicines run out, while the international media fail to notice.”

On November, 8th, 2018, the Special Rapporteur reiterated that “Innocent civilians must not be exposed to collective punishment in disputes between two States”. He called for greater protection for “ordinary people affected by punitive sanctions imposed by one country on another.”⁴

Jameh Ehyagaran Teb Sonnati Va Salamat Iranian (Traditional Medicine and Health Developers Society of Iranians) would like to echo concerns expressed in the Special Rapporteurs statements as well as his reports on the violation of human rights by sanctions.

Jameh Ehyagaran Teb Sonnati Va Salamat Iranian (JETSVS) is drawing the attention of all member states to the violation of Iranians’ right to life and right to health as a result of the US economic sanctions.

Being seriously concerned about the Iranian’s life and health, Jameh Ehyagaran Teb Sonnati Va Salamat Iranian makes an urgent call on the Human Rights Council to mandate a fact finding mission to study the negative effects of sanctioning of SWIFT on the human rights of civilians in all target countries especially on the right of access to medicine and medical care, the right to life and the right to health.

Since the Unilateral Coercive Measures (UCMs) are shrinking all the resources available to People, Jameh Ehyagaran Teb Sonnati Va Salamat Iranian calls on the international community to unanimously condemn the imposition of UCMs that lead to violation of almost all human rights of vulnerable groups including the patients right to health, and right to access to medicine, medical equipment and medical care.

JETSVS echoes the recommendation offered by the United Nations’ Special Rapporteur on Unilateral Coercive Measures for a central register to be established at the level of the Security Council or of the United Nations Secretariat to include the list of all unilateral sanctions in force so that the decisions in the United Nations are made with full knowledge of the unilateral measures.

JETSVS urges the Special Rapporteur on the Islamic Republic of Iran to pay attention to the negative human rights and humanitarian consequences of the United States sanctions on Iranians’ access to medicine, medical equipment and medical care.

³ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23469&LangID=E>

⁴ <https://news.un.org/en/story/2018/11/1025201>