Permanent Mission of the Russian Federation
to the United Nations

CONCEPT NOTE

UN SECURITY COUNCIL ARRIA FORMULA MEETING

«THE HUMANITARIAN IMPACT OF UNILATERAL COERCIVE MEASURES»

Date: 25 November 2024
Time: 15.00 – 18.00
Venue: TBC
Participation: All Member States, Permanent Observers, UN entities, civil society organizations and press are invited

The meeting will be held in English and webcast on the UN WebTV.

Introduction:

As the world faces numerous global challenges, unilateral coercive measures (UCMs) remain a significant obstacle to humanitarian efforts, causing immense suffering for civilians and hindering social and economic development. UCMs, which are inherently illegal, impose financial restrictions, obstruct the movement of people and goods, and limit access to essential resources. They severely impede the provision of food, healthcare supplies, and medical support. While there is ample evidence demonstrating the negative impact of UCMs on humanitarian and socioeconomic conditions in various countries, those States that engage in this neocolonial practice often dismiss these findings as false.

In fact, many challenges posed by UCMs primarily impact the financial sector. They disrupt essential financial transactions for food assistance and medical rehabilitation, resulting in delayed or rejected payments. This not only halts humanitarian programs but also heightens risks for both aid workers and people in vulnerable situations.

Humanitarian organizations face numerous challenges with the delivery of goods, even if no payments are involved. Export/import authorizations are threatened, which delays or blocks the import of necessary humanitarian goods and medical equipment, and risk legal repercussions if perceived to violate or circumvent «sanctions».

The so-called "over-compliance effect" serves as another example of obstruction. It causes commercial entities to withdraw their support for humanitarian efforts out of fear and frustration of being prosecuted from a sanctioning State. In turn this effect restricts the operational capacity of humanitarian organizations and ultimately exacerbates the suffering of those in need.

There is a clear relationship between humanitarian assistance, rehabilitation and development. Humanitarian efforts encompass not only basic necessities, but also are expected to ensure a smooth transition from relief to vital development projects that are essential for rebuilding infrastructure and fostering economic growth. However, UCMs and their "over-compliance effect" significantly hinders these development activities by obstructing the transfer of technologies, spare parts, and access to financing mechanisms, etc.

Additionally, travel bans on humanitarian workers hinder their ability to gain humanitarian access and security guarantees, complicating their monitoring missions and aid operations. Moreover, humanitarian organizations and their personnel frequently face the risk of accountability or inclusion in sanctions personal lists. They may in such a case become subject to civil or even criminal prosecution if a country

imposing UCMs believes that an organization or its employees may have violated sanctions legislation.

Against this background sanctioning States proclaim that the so called “humanitarian exemptions” are in place and thus, human rights of those suffering are allegedly protected. However, as Alena Douhan, the UN Special Rapporteur for the Unilateral Coercive Measures has proven on numerous occasions, humanitarian exemptions fall short of their intended purpose. They just aim to demonstrate that UCMs do not target civilian populations or those in need and rarely translate into meaningful action. Additionally, the confusing and fragmented regulations surrounding UCMs frequently leave little room for genuine exemptions. Even legal experts struggle to navigate these ambiguities, so humanitarian organizations find it challenging to enforce them on the ground. As a result, humanitarian workers are compelled to operate in a "gray zone," where their actions can easily be misinterpreted.

Countries imposing UCMs must recognize their responsibility for the suffering of civilians. Likewise, international organizations involved in humanitarian efforts should openly and unequivocally address the negative impact of such measures on their operations. The 2030 Agenda for Sustainable Development has 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», so their imposition must be critically reassessed and halted to ensure the continuation of vital humanitarian efforts and to alleviate human suffering.

Key objectives of the meeting are:

– To provide an opportunity to listen to voices of experts in the humanitarian field and UCMs;

– To display the negative impact of unilateral coercive measures on humanitarian activities deteriorating sufferings of civilians and ineffectiveness of humanitarian exemptions;

– To outline ways to strengthening cooperation, minimizing risks in order to

provide humanitarian workers with safe and proper working conditions.

Guiding questions:

1. What are the legal and practical difficulties the humanitarian organizations and implementing partners face under the restrictions of UCMs?

2. To what extent do UCMs prevent humanitarian organizations and implementing partners from accomplishing their tasks to provide assistance to those in need?

3. How UCMs affect the full-fledged implementation of UNSC resolution 2664?

4. What additional measures the UN and the international community can undertake to eliminate the practice of applying UCMs?

Opening remarks:

– **Mr. Vassily Nebenzia,** Permanent Representative of the Russian Federation to the United Nations.

– **Briefers**

1) Ms. Alena Douhan, Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights.

2) Mr.

3) Mr.

4) Mr.

5) Ms.

Discussion:

– Statements by Members of the UN Security Council followed by interventions of other UN Member States, Q&A. Interventions are requested to be limited to 3 minutes.

Closing remarks:

– **Mr. Vassily Nebenzia,** Permanent Representative of the Russian Federation to the United Nations.

– **Briefers**

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