



THE TOLL OF SANCTIONS: AN INTERVIEW WITH ALENA DOUHAN

Posted on August 1, 2022 by Alena Douhan



Dr. Alena Douhan is the United Nations Special Rapporteur for the impact of sanctions on the lives of ordinary people. She holds a PhD and Dr. hab. in International and European law and is a professor of International Law at the Belarusian State University (Belarus), where is also serves as the Director of the Peace Research Center. She is and Associated member of the Institute for International Law of Peace and Armed Conflict at Ruhr University Bochum. Here is speaks with Thomas Kaiser of the Swiss journal [Zeitgeschehen im Fokus](#), through whose courtesy this interview is here translated. She is the author of numerous books and scholarly articles, including [Regional Mechanisms of Collective Security](#).

Thomas Kaiser (TK): In the media, we constantly hear about the sanctions against Russia. But we never talk about how the civilian population suffers as a result. How do you assess this current regimen of sanctions?

Alena Douhan (AD): As a professor of international law, I assess it from two sides. There must be a legal analysis, because countries, including the EU, never really even consider the legal basis. You cannot react to the behavior of other countries by illegal means.

TK: You visited Iran a few weeks ago. What kind of impression did you get during your visit?

AD: It was my fourth visit there. Before going to Iran, I visited Venezuela, Qatar, and Zimbabwe. I must say, each country has its own way of dealing with sanctions. Iran is a country that suffers from very serious sanctions. It is not only about the U.S. sanctions, but also about the sanctions of other countries. What is special about Iran's situation is that it was under UN Security Council sanctions for 10 years until August 2020. These sanctions no longer exist today. But there are states that are still following these Security Council sanctions.



Alena Douhan.

Then there are other sanctions that are not based on the Security Council. They are justified by human rights violations, for example, concerning women's rights or rights of the LGBTQ community. That makes it complicated for me to assess the impact of these different sanctions. When people ask me how I assess the impact of the European Union sanctions, I can't answer that on a case-by-case basis, but I look at the impact of sanctions imposed by different countries. At the same time, the humanitarian impact of the sanctions seems to be even greater—through over-implementation.

TK: How have you been able to get a picture of the situation in Iran?

AD: I spoke with all affected groups, governmental and non-governmental, and got the strong impression that the sanctions have a massive impact on people's lives. I met officials in hospitals, visited hospitals and universities, and business enterprises. I spoke with all 17 U.N. missions in Iran, as well as

with embassy officials from both countries that support the sanctions and those that oppose them. I was in various places in Iran such as Isfahan. There, I spoke directly with people affected by the sanctions.

TK: What was your main impression?

AD: What made a lasting impression on me was the impact of the sanctions on the health care system. I spoke with emergency patients, those suffering from genetic diseases, and some who were suffering from cancer. I also spoke with members of patient organizations that cared for people with serious diseases, such as various types of skin diseases, gynecological diseases, as well as blood diseases, severe forms of diabetes, etc. All of these people suffer from these diseases and even the appropriate medicines are not available.

TK: Is the lack of medication a result of the sanctions?

AD: The impact of the sanctions is not always clear. In some cases, it is unclear; in some it is obvious. In the cases where health is at stake, it is very clear. Let me give you an example to illustrate that. For a while, Iran tried to produce its own medicines for people with serious illnesses. It provided them to people who were particularly poor. Iran tried to buy all the components for it. When the sanctions were imposed, Iran largely lost access to the raw materials.

TK: Where do the medicines come from?

AD: The availability of medicines is another issue. After sanctions were imposed in 2010 and re-imposed in 2018, Iran made great efforts to continue production of much-needed medicines. As reports indicated, Iran was producing 90-95% of its own medicines. The problem was that although it would have been possible to produce the drugs in the country, this would require raw materials.

TK: Was it still possible to manufacture drugs?

AD: The procurement of individual components to manufacture the medicines is a special issue. This is because the countries that had previously supplied Iran with the relevant substances refused to do so

due to the renewed sanctions. This was the reason why Iran had to look for alternatives, running the risk of obtaining basic substances for the production of medicines that were of inferior quality. They were not certified, and even if Iran could produce drugs with the basic substances it received, they were of inferior quality.

TK: Could all the needed medicines be produced through this route?

AD: Despite all efforts, only 90-95% of the drugs could be produced domestically. The missing 5-10% had to be imported from abroad. But what is happening today is that drug companies are refusing to send medicines to Iran, despite the clarification that it is a humanitarian exception.

Humanitarian exemption doesn't work for a number of reasons—to activate humanitarian exemption, you have to get a license from OFAC (Office of Foreign Assets Control). This is very problematic, and costs an extreme amount of money. However, when you get a license, it is only valid for one month.

TK: What does that mean?

AD: I spoke with UN institutions like Unicef and UNFPA [United Nations Population Fund], and they confirmed that it is a big problem, even for individual UN institutions, to get a license from OFAC to guarantee the procurement of drugs.

Even if the license is there, the pharmaceutical companies usually say no. They are afraid that if they trade with Iran, they will then also fall under the sanctions.

TK: Can a company decide to supply the drugs? Is that possible in principle?

AD: If companies are willing to work with Iran, there is a problem—namely, the transfer of money. Even Unicef, which operates in Iran and works with a Swedish pharmaceutical company, cannot guarantee payment from Iran to Sweden. Thus, the payment had to be made in a roundabout way via Germany.

If everything has still worked up to this point, then there is only the problem of delivery. All transport companies in Iran are under sanctions. Anyone who delivers goods to Iran can be penalized by

secondary sanctions. Any transportation insurance company is under sanctions against Iran. I have spoken with all these organizations. We have seen the documents that clearly show that they do not want to sell the drugs to Iran.

I have spoken with the Swedish government and to the pharmaceutical companies, because we have clear indications that there is a connection with the sanctions. Because of the lack of medicine, we have an increasing deterioration in the health of the population in Iran. You can see the increasing death rate not only in intensive care patients like diabetics, cancer patients and many others, but also in less dangerous diseases. Deaths have tripled.

TK: Are there any specific examples here of how you see the problem?

AD: I'll give you an example. For the disease thalassemia, there was an average of 25-30 deaths per year. The average life expectancy for these people is 45 to 50 years, if the medicine they need is available. When sanctions were reinstated in 2018, deaths increased to 130-170 in the last three years, and the average life expectancy is now less than 20 years. There are several organizations that look at the problems and come up with the same numbers.

TK: Are all people affected by what is happening in the healthcare system?

AD: The so-called middle class in Iran is accustomed to using private medical care. They are able to pay more. But that has now changed; it can no longer pay for private services.

TK: What does it mean for Iran to be cut off from international payments?

AD: For example, it is not able to make any payments to international organizations. If it is unable to make the appropriate contributions, it loses its right to participate in international bodies. This excludes Iran from all talks, and the ability to participate in talks and develop solutions to problems. I have spoken with some U.N. agencies that are assisting Iran in developing solutions to the payment problems, but so far there is no avenue available. Iran also cannot pay its dues to the UN like it does to WHO or Unicef.

TK: What does that mean for interaction at the diplomatic level?

AD: It is very limited. In addition, Iranian embassies in each of the countries that have adopted the sanctions are not able to pay wages to their embassy staff because Iran cannot open accounts. Iran is excluded from Swift, and therefore you can't pay with a credit card in the country itself.

TK: What does this mean for trade?

AD: All countries that want to maintain international cooperation with Iran, not only on the diplomatic level, are completely restricted. There are also restrictions on freedom of action at the individual level. Because of the exclusion from Swift, no one is able to book a trip to Iran, a hotel, or a flight. They cannot do anything of the sort. Cooperation in the field of science, art and sports is also not possible. There is no possibility of membership in international bodies and therefore no cooperation between professional groups. Iranians cannot participate in any international discussion. Iranian athletes are limited in their ability to participate in international competitions because they cannot book a trip or stay in a hotel room.

TK: Are these sanctions compatible with human rights?

AD: There is clear evidence that some human rights are violated by the sanctions; for example, unrestricted trade or the possibility of scientific exchange in all fields. I have spoken with to many students, and for them it is incomprehensible why they are excluded from international cooperation. It is an absurdity to prohibit scientific cooperation, because that is a basic element for the economic and social development of a country. These are essential elements of economic and cultural rights. Iran is a clear example where these rights are being violated.

TK: What about the right to food?

AD: The situation in Iran is not so bad, because the country can produce a lot of things itself. The situation is much better in Iran than in Venezuela. Iran has an effective economy because it is a rich country.

TK: Have you also been able to talk to citizens?

AD: Yes, I was able to experience how ordinary people are directly affected by the sanctions. One Iranian told me that he and his wife decided to forgo having another child because, due to the inflation in the country, it would be too much of a financial burden. The country has hardly any income coming from outside, because nobody travels to the country. In addition to the limited supply of goods and low income, people suffer from extreme inflation. The state and companies cannot raise wages at the same rate and have to try to cut costs, so people are getting poorer and poorer.

TK: Besides the sanctions, doesn't Iran have a large number of refugees to take care of?

AD: Yes, Iran has 5.5 million refugees from Afghanistan and since August 2021, 5 to 10 thousand refugees are added daily. All other countries neighboring Afghanistan have closed their borders. You can look it up on the UNHCR web page. There you can find the statistics. An additional problem for Iran is the fact that most of the refugees (90 percent) do not have papers or a valid visa. Before my trip to Iran, the UN High Commissioner for Refugees, Filippo Grandi, was in Iran. He was very appreciative of Iran's efforts.

TK: How is Iran coping with this huge burden?

AD: For example, Iran gives refugees free access to primary health care and schooling, regardless of whether they have papers or not. This is all paid for by the state and is an extreme burden. If five to ten thousand people come into the country every day, that means a new school and a new hospital would have to be built every day. The Special Rapporteur for Afghanistan has confirmed—and this is also my impression—that more than half of the refugees are young people, because as a rule a family has five children. In addition to the shortage of medicines, the increase in patients who can no longer finance private care, and the large number of refugees, the health care system is under enormous strain.

TK: How can Iran finance this?

AD: This is a huge problem. Because of the shortfall in revenues, due to the sanctions, the state can hardly provide any support. Also, the number of social cases that rely on government support money is growing. Almost two months ago, just in when I visited Iran, there were big protests there against the

change of the state support system. Basic foodstuffs have very low prices. That has changed now. The state has raised prices. But the very poorest still get financial support so they can afford the goods. Other people who used to get that were left out. The consequences have been protests all over the country.

TK: When you talk to the states that imposed the sanctions and tell them what you saw with your own eyes, what kind of reactions do you get?

AD: One of the most common responses from the states that imposed sanctions is that they didn't think the situation in the country was that bad. They would not have heard from other sources that the impact was so severe. When I visited Venezuela, I saw how disastrous these sanctions are for the people, because Venezuela has no food production of its own.

I try to be very specific and look at every fact to be able to show specific impacts on health, nutrition, access to water, sanitation, electricity, education, and development. My intention is to remind all states that every human being around the world enjoys basic human rights and all actions can only be taken in accordance with international law.

TK: What sources do you rely on?

AD: To gather information, I talk to various stakeholders during country visits: governments, hospitals, university professors, non-governmental organizations, international and national humanitarian organizations, UN agencies, local associations, embassies, victims of human rights violations. One month before visiting the country, I publicly call for contributions. All information is collected and verified.

Unfortunately, some interlocutors have no intention of sharing information relevant to the work of the mandate, but instead launch smear campaigns and spread false news.

TK: Who is doing such smearing?

AD: UN Watch and other NGOs outside Iran called "Human Rights in Iran" called me a puppet of China

or Iran. When I came back from Iran, the slurs were so strong that Michelle Bachelet and the president of the Human Rights Council took up the cause. The fact that I come from Belarus became the reason to question my integrity. I am a professor of international law and have never belonged to any party. I do research in countries according to scientific criteria and have no political agenda. I have informed the Special Procedures Coordinating Committee and the Office of the High Commissioner for Human Rights about what is going on.

TK: Were the attacks related to your report?

AD: No, none of those who attacked me read the report. The goal was to shift the focus away from my findings and onto me and my person. This is something that is done all the time. People politicize the discussion instead of dealing with the specific content. I keep trying to point out that we should be dealing with the legal issues, not politics. It's about international law and humanitarian issues. If there are any problems, you have to take legal means. It is about using legal means, not about punishing one country for not complying with another.

TK: After all the things you have told, the question I have is whether these sanctions and their devastating consequences on the economy, on politics, and therefore on the civilian population are compatible with human rights.

AD: That is an important question, and I hope I can answer it in brief, as we would have to talk more about the unilateral coercive measures than the political problems. But this area is so highly politicized. This is reflected in the number of sanctions imposed on "bad guys"—but which mainly affect the population.

Toward the end of the 1990s, the Security Council was very active in issuing sanctions, for example, against Sierra Leone or Iraq. In this context, the Security Council decided to examine the sanctions for possible violations of human rights. Security Council sanctions are always legal. But the effects were so catastrophic that they stopped comprehensive sanctions. There were also few sanctions that threatened the public. That hasn't been seen recently with the sanctions on Iran or Russia. That is the reason why I think you should start to comply with the legal aspects.

TK: It is hardly known that sanctions have a devastating impact on the respective populations. What is

the reason for that?

AD: The media hardly reports on it. They suppress the information, but people don't want to hear it either. It is something very unpleasant. But it is a reality for those affected. Sanctions are the cause of people dying. That is the reason why I am very concerned about the concept of planned prevention of disinformation. The EU has decided to launch a law against "disinformation," which is a violation of the International Covenant on Civil, Political and Cultural Rights, as well as calling into question the right to freedom of expression. I see this as a great danger to freedom of expression and freedom of the press.

TK: Wouldn't it be more appropriate to pass a law prohibiting sanctions that drive people into poverty?

AD: Yes, there is no mechanism for evaluating unilateral coercive measures. In March of this year, I organized an expert consultation with nongovernmental organizations and another with academics, at which they argued that there should be a monitoring mechanism to control unilateral coercive measures. This would be urgently needed so that binding indicators can be created to verify the impact of sanctions.

Also, there are no avenues of redress against unilateral coercive measures. Iran has referred individual cases to the International Court of Justice, and Venezuela to the International Criminal Court. But it is nearly impossible to refer a case of unilateral coercive measures to a U.N. body. Iran could indeed turn to a national court, such as in the United States. But that is too far away and extremely expensive. I am working on how to set up a mechanism that would allow legal action against unilateral coercive measures within the framework of the UN and help the victims to get their rights.

TK: Professor Douhan, thank you very much for this interview.

Featured: "Khor Sikkeh Mooshhai" (Coin-Eating Mice), by Kazem Chalipa; painted in 1984.

