

Mandate of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights

REFERENCE:
AL USA 17/2017

11 August 2017

Dear Minister Counsellor,

I have the honour to address you in my capacity as Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, pursuant to Human Rights Council resolution 27/21.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning allegations that the United States is intending to issue economic sanctions on Venezuela, which are likely to result in human rights violations of its citizens.

According to the information received:

On 8 March, 2015 Executive Order 13692 was issued, for the purpose of Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela; and the decision of the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC).

On 17 July, 2017 President Donald J. Trump announced that he would impose economic sanctions on Venezuela should the government elect a Constituent Assembly. This Assembly was elected on 30 July, and sworn in on 4 August, 2017.

While I do not wish to prejudge the accuracy of these allegations, I express grave concern over the deteriorating human rights conditions in Venezuela. Very serious concern is expressed on the impact that any proposed measures, which could be considered as unilateral coercive measures, may have on a number of fundamental human rights, including the right to housing, health, education, food, water, as well as the right to development.

I would like to underline that the threatened economic sanctions, mentioned above, irrespective of their formal qualification or legal status, may qualify as unilateral coercive measures in the meaning of Human Rights Council resolution 27/21. This resolution defines unilateral coercive measures as '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'.

Additionally, the Committee on Economic, Social, and Cultural Rights in its General Comment No. 8 (E/C.12/1997/18) stated that States imposing economic

sanctions on another State, by virtue of their commitment in the Charter of the United Nations to promote respect for all human rights (see para. 8) and of their obligations under the Covenant (ibid.), must do everything possible to protect the core content of the economic, social and cultural rights of the affected peoples of the targeted State (see para. 7).

It is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention. I would therefore be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate what measures are being taken to ensure that any potential economic unilateral coercive measures do not negatively impact the human rights of the citizens of Venezuela.

I would appreciate receiving a response within 60 days.

I intend to publicly express my concerns in the near future as, in my view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. I also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations.

Your Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Minister Counsellor, the assurances of my highest consideration.

Idriss Jazairy
Special Rapporteur on the negative impact of unilateral coercive measures on the
enjoyment of human rights