

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

REFERENCE:
AL USA 24/2020

4 September 2020

Excellency,

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 36/10.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning the situation of Mr. Alireza Rahnavard, a national of the Islamic Republic of Iran and captain of the tanker FORTUNE, who was subjected to sanctions and listed as a Specially Designated National by the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) on 24 June 2020, as well as identical sanctions that were simultaneously imposed against the captains of four other tankers for the same reasons and under the same circumstances – the FOREST, the FAXON, the PETUNIA and the CLAVEL, in violation of their rights to life, liberty and security, fair trial and due process, including, be tried in his presence by the court, be presumed innocent until proven guilty, be informed promptly in an official and direct manner about the nature and cause of the accusation giving rise to the sanctions, defend oneself and have adequate time to prepare one's defense, effective remedy, property, freedom of movement and privacy and family life, work and free choice of employment and freedom from forced labour.

According to the information received:

On 6 August 2018, U.S. President Donald J. Trump issued Executive Order 13846 (E.O. 13846), "Reimposing Certain Sanctions With Respect to Iran," following his decision on 8 May 2018 to end the United States' participation in the Joint Comprehensive Plan of Action (JCPOA) of 14 July 2015 and to reinstate all sanctions lifted or waived in connection with the JCPOA.

On 5 November 2018, the implementation of E.O. 13846 was completed with the re-imposition of unilateral coercive measures to cover, inter alia, trade in oil, petroleum and petrochemical products, which represent more than half of Iran's national revenue.¹

E.O. 13846 was issued in accordance with the national emergency declared by President William J. Clinton in Executive Order 12957 (E.O. 12957) of 15 March 1995, "Prohibiting Certain Transactions With Respect to the Development of

¹ In this regard, I refer to my predecessor's letter of 5 November 2018 to your Excellency's Government concerning E.O. 13846 (USA 22/2018).

Iranian Petroleum Resources.” The emergency declaration addressed a finding “that the actions and policies of the Government of Iran constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.”

The state-owned National Iranian Tanker Company (NITC) was among the entities against which sanctions were re-imposed on 5 November 2018 on the grounds that it met the definition of “Government of Iran” elaborated in Executive Order 13599 (E.O. 13599), issued by President Barack Obama on 5 February 2012, “Blocking Property of the Government of Iran and Iranian Financial Institutions,” and on the grounds that it constitutes part of Iran’s shipping sector. According to E.O. 13599, sec. 7(d), “the term ‘Government of Iran’ means the Government of Iran, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Iran, and any person owned or controlled by, or acting for or on behalf of, the Government of Iran.”

Mr. Alireza Rahnavard has been employed since 2003 by the NITC as a merchant seafarer, assigned to various tankers and working his way up through the seafaring ranks under temporary contracts that have been renewed annually. He has been a merchant ship master (captain) since 2015.

On 22 April 2020, Mr. Rahnavard was assigned to the tanker FORTUNE at Bandar Abbas, Iran, and was subsequently informed that the vessel was to sail to El Palito, Venezuela facing the severe shortage of gasoline in the course of pandemic, with a cargo of gasoline. A refusal by Mr. Rahnavard to accept this assignment or to carry it out would have endangered his job and career. The NITC is the only company in Iran to operate tankers, and Mr. Rahnavard does not have the option to work for another shipping company. On 23 April 2020, the tanker left Bandar Abbas for El Palito.

On 22 May 2020, while the tanker was *en route* to its destination, Mr. Rahnavard received an e-mail in which the sender, in the message text, identified itself as the U.S. Department of State. The message stated that the FORTUNE was transporting petroleum products “connected to the IRGC² of Iran” and warned that, by carrying out the shipment, Mr. Rahnavard was supporting a U.S. designated foreign terrorism organization. The message stated that he may be subject to criminal charges under U.S. law or denied a visa to enter the United States, but that he could avoid being subject to such sanctions if he were willing to help the U.S. Government stop the shipment. Moreover, the message offered payments of \$5 million to Mr. Rahnavard and \$1 million to each member of the FORTUNE’s crew for their cooperation under the U.S. Department of State’s Rewards for Justice program, as well as safe harbor for the ship and protection for Mr. Rahnavard by the U.S. Government and its international partners.

² Islamic Revolutionary Guard Corps.

On 24 May 2020, two days after receipt of the above message, the FORTUNE arrived in El Palito, Venezuela, where it subsequently discharged its cargo. In the course of his assignment as Captain of the FORTUNE, Mr. Rahnavard performed his work strictly in accordance with international maritime regulations and was not in violation of any such regulations.

On 24 June 2020, OFAC added Mr. Rahnavard to its list of Specially Designated Nationals, and the U.S. Department of the Treasury issued a public announcement to that effect, accompanied by a press release.³ The action by OFAC blocked all property and interests in property of Mr. Rahnavard in the United States or in the possession or control of U.S. persons, caused individuals and entities that engage in certain transactions with Mr. Rahnavard to be exposed to possible U.S. sanctions or enforcement action, and caused any foreign financial institution that knowingly facilitates significant transactions⁴ for Mr. Rahnavard to be subject to U.S. sanctions.

Also on 24 June 2020, Mr. Rahnavard learned from the public announcement by the U.S. Department of the Treasury that he was placed on the Specially Designated Nationals list and about the sanctions imposed on him.

While I do not wish to prejudge the accuracy of the information received, I express grave concerns about the negative impact of sanctions on the enjoyment of a number of human rights by Mr. Rahnavard, as well as by persons who would be subject to secondary sanctions as a result of his placement on the OFAC Specially Designated Nationals list. The rights violated include those that constitute rights to life, liberty and security, fair trial and due process, including, be tried in his presence by the court, be presumed innocent until proven guilty, be informed promptly in an official and direct manner about the nature and cause of the accusation giving rise to the sanctions, defend oneself and have adequate time to prepare one's defense, effective remedy, property, freedom of movement and privacy and family life, work and free choice of employment and freedom from forced labour. Many aforementioned rights are enshrined in the International Covenant on Civil and Political Rights (ICCPR), which the United States ratified on 8 June 1992, others are provided by the Universal Declaration of Human Rights and other norms of international customary law (please see the Annex on Reference to human rights law attached to this letter for details of the relevant international standards).

I would like to express my concern that Mr. Rahnavard was not informed directly about the fact of his listing as well as the scope of limitations by Your Excellency's Government. The decision on his listing was taken by the executive body without consideration of the case by any judicial body. Mr. Rahnavard also received no

³ U.S. Department of the Treasury, "Iran Related Designations," 24 June 2020, <https://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20200624.aspx>; U.S. Department of the Treasury, "Treasury Sanctions Five Iranian Captains Who Delivered Gasoline to the Maduro Regime in Venezuela," press release, 24 June 2020, <https://home.treasury.gov/news/press-releases/sm1043>.

⁴ As interpreted in 31 C.F.R. 561.404.

information about the possibility to appeal to any authorized court for consideration of his case.

I would like to bring to the attention of your Excellency's Government that sanctions cannot be extended to non-U.S. persons and businesses without a reasonable and sufficiently justified basis, as well as an evaluation of their efficacy and impact. In accordance with international treaty and customary law universal jurisdiction is not expanded to the acts that your Excellency's Government has attributed to Mr. Rahnavard. The extraterritorial reach of secondary sanctions targeting non-U.S. persons and businesses raises serious issues regarding their legality, as it is widely considered that extraterritorial application of sanctions violates international law.

By seeking to prevent any person or company in the world from engaging in significant transactions with Mr. Rahnavard, the sanctions appear to cause material harm to them without cause or justification. In this context, I would like to remind your Excellency's Government that the legality of unilateral sanctions taken without or beyond authorization of the UN Security Council is rather dubious from the perspective of international law. Furthermore, no sanctions of the UN Security Council either against Iran, or against IRGC, NIT or Mr. Rahnavard are currently in force.

Because the imposition of sanctions against Mr. Rahnavard was contingent on the absence of his acceptance of the terms dictated in the e-mail message that he received on 22 May 2020, I also wish to emphasize to your Excellency's Government that this email cannot be viewed as the direct and official informing him about listing or official warning on the possibility of listing. Multiple reasons existed to seriously doubt that the message actually came from the U.S. Department of State; and that any or all of these reasons could prompt Mr. Rahnavard to ignore the message as part of his duty to carry out his work in a professional manner as well as on grounds of personal prudence, and to do so without fear of consequences of any sort.

Reasons to doubt the e-mail's provenance included the U.S. Department of State's warning that the sender's address "should be considered suspect" as it did not end in ".gov"⁵ and the existence of parties other than the U.S. Government that could have an interest in blocking Iranian and/or Venezuelan trade or in preventing the FORTUNE's cargo from reaching Venezuela. In addition, the U.S. law which created the Rewards for Justice program (P.L. 98-533) authorized payments for information that may be used in fighting terrorism but did not mention payments for actions such as the one requested in the message.⁶ The law also appears to disqualify Mr. Rahnavard from receiving any payment as the U.S. Government's designation of the NITC as the "Government of Iran" would make him ineligible as an "employee (...) of a foreign government."⁷

⁵ U.S. Department of State, "Fraud Warning," <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/fraud.html>. A number of other U.S. Government entities (Internal Revenue Service, Federal Trade Commission, etc.) have issued similar public warnings. The Rewards for Justice website address also ends in ".net" (<https://rewardsforjustice.net/english/>).

⁶ Codified as 22 U.S.C. 2708.

⁷ 22 U.S.C. 2708 (f).

Additionally, the offer of \$5 million to a person that the U.S. Government believes to be “supporting a U.S. designated foreign terrorism organization” appears inconsistent with the numerous and vigorous engagements that the U.S. Government has publicly made with respect to fighting international terrorism and international corruption. It is also noted with respect to the offer and to the designation of the NITC as the “Government of Iran” that the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, signed by the United States on 17 December 1997, defines a public official as including “any person exercising a public function for a foreign country, including for a public agency or public enterprise.”⁸

Although Mr. Rahnavard was carrying out his work in accordance with his contract and with international maritime regulations, the e-mail message requires him to engage in criminal behaviour from the perspective of one or more relevant jurisdictions simply in order to avoid punishment by your Excellency’s Government for different criminal behaviour, despite the obligation for the U.S. Government to presume his innocence with respect to such behavior in the absence of due process and a conviction. Notwithstanding the fact that he was neither presumed innocent nor convicted, the threat in the e-mail of 22 May 2020 that Mr. Rahnavard may face criminal charges under U.S. law appears to remain in force as an additional sanction against him.

Your Excellency’s Government thus imposed upon Mr. Rahnavard a choice as to the nature of the crime(s) of which he might be accused and of the corresponding jurisdiction(s), with his reaction to the e-mail being taken as his response. As either acceptance or rejection (explicitly or through ignoring the e-mail) of the U.S. offer could entail crimes for which capital punishment is legal as the maximum penalty in the case of a conviction (such as corruption under Iranian law,⁹ or terrorism-related crimes under U.S. law¹⁰), his right to life has been clearly violated by the OFAC sanctions and by the additional sanction in the form of the e-mail message’s ongoing threat of criminal prosecution.

Furthermore, causing an Iranian citizen to violate his country’s criminal law by committing a crime against property under threat of a penalty for failing to do so complies with the definition of forced labour in the ILO Forced Labour Convention, 1930 (No. 29); this definition was accepted by the United States through its ratification of the ILO Abolition of Forced Labour Convention, 1957 (No. 105) on 25 September 1991. The

⁸ Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, article 1(4). The Interpretive Commentaries on the Convention adopted by the negotiating conference considered “public enterprise” to include “any enterprise, regardless of form, over which a government, or governments, may, directly or indirectly, exercise a dominant influence. This is deemed to be the case, inter alia, when the government or governments hold the majority of the enterprise’s subscribed capital, control the majority of the votes attaching to shares issued by the enterprise or can appoint a majority of the members of the enterprise’s administrative or managerial body or supervisory board” (paragraph 14).

⁹ U.S. Department of State, “2019 Country Reports on Human Rights Practices: Iran,” p. 4, <https://www.state.gov/wp-content/uploads/2020/03/IRAN-2019-HUMAN-RIGHTS-REPORT.pdf>.

¹⁰ Antiterrorism and Effective Death Penalty Act of 1996, P.L. 104-132, 110 Stat. 1214.

result of sanctions against Mr. Rahnavard by your Excellency's Government also meets the definition of forced labour in U.S. law.¹¹

I wish to emphasize, moreover, that although the IRGC has been designated by the U.S. Department of State as a Foreign Terrorist Organization,¹² the U.S. Department of the Treasury has been unable to conclude that Mr. Rahnavard's employer, the NITC, is an agent or affiliate of the IRGC.¹³ Moreover, while the NITC is defined by the U.S. Government as part of the "Government of Iran," and while the Government of Iran has been designated a State Sponsor of Terrorism,¹⁴ the NITC is a subsidiary of the National Iranian Oil Company,¹⁵ which in turn is controlled by the Ministry of Petroleum;¹⁶ it is thus separated by several levels from Iran's governing authority through a relationship of ownership. On this basis, it is unreasonable to assume that a person employed by the NITC under a series of temporary labor contracts has any authority beyond that of ensuring the proper and safe operation of the tanker to which he is assigned, nor can he be a justifiable target of sanctions that deny him the enjoyment of his human rights.

Being an employee carrying out duties assigned by an employer that is designated a State Sponsor of Terrorism by the US in the absence of authorization of the UN Security Council, does not make Mr. Rahnavard a terrorist or a supporter of terrorism personally, and there is no inherent link between the work he was employed to perform and terrorism or the support of terrorism, especially in a view that delivery was aimed to provide some humanitarian relieve to Venezuela population, suffering from the shortage of fuel and electricity. Nonetheless, the sanctions imposed against him constitute a penalty at the personal level. The fact that no sanctions were imposed against any other crew member of the FORTUNE despite the fact that they have the same employer indicates a recognition that no inherent link with alleged terrorism exists.

In addition to any penalty for criminal acts, an acceptance of the offer from the U.S. Department of State by Mr. Rahnavard would have made him personally liable under Iran's Maritime Law of 1964, if the value of the cargo is included in the expenses arising from the failure of the cargo to arrive in Venezuela¹⁷.

¹¹ 18 U.S.C. 1589 (a)(3) and (a)(4).

¹² U.S. Department of State, "Designation of the Islamic Revolutionary Guard Corps," fact sheet, 8 April 2019, <https://www.state.gov/designation-of-the-islamic-revolutionary-guard-corps/>.

¹³ Letter from Adam J. Szubin, Director of OFAC, to the U.S. Congress, 24 September 2012, https://www.treasury.gov/resource-center/sanctions/Programs/Documents/report_to_congress_09242012.pdf.

¹⁴ U.S. Department of State, "Designation of the Islamic Revolutionary Guard Corps," *op. cit.*

¹⁵ National Iranian Oil Company, "NITC eyes world's second tanker company," <https://en.nioc.ir/portal/home/showpage.aspx?object=news&id=68dbfb8c-e175-4e26-a2c6-f9f26c8adefc&layoutid=ba9beea1-5bfb-4b05-8edf-39b84db5a4ec&categoryid=a034ee3f-1acf-4bad-a4af-1bbb5c1e716>.

¹⁶ Islamic Republic of Iran, Ministry of Petroleum, "National Iranian Oil Company (NIOC)," [https://en.mop.ir/portal/home/?generaltext/4012/4187/165282/national-iranian-oil-company-\(nioc\)nioc](https://en.mop.ir/portal/home/?generaltext/4012/4187/165282/national-iranian-oil-company-(nioc)nioc).

¹⁷ "If goods carried aboard the ship are unloaded prior to the ship's arrival at its final destination as a result of the master's act or fault, the master is liable for the relevant expenses incurred." (John A.C. Cartner, Richard P. Fiske and Tara L. Leiter, *The international Law of the Shipmaster* (London: Informa, 2009), p. 431)

In view of the concerns I have expressed in the present communication, I urge your Excellency's Government to withdraw the sanctions imposed against Mr. Rahnavard as well as identical sanctions that were simultaneously imposed against the captains of four other tankers for the same reasons and under the same circumstances – the FOREST, the FAXON, the PETUNIA and the CLAVEL – **in** compliance with its obligations arising from international human rights law and other international obligations.

In connection with these rights, please refer to the **Annex on Reference to international human rights law** attached to this letter, which cites the articles of the ICCPR and other relevant aspects of law that are relevant to these allegations.

As 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 be grateful for your observations on the following matters:

1. Please, provide any additional information and/or comment(s) you may have on whether your Excellency's Government has charged, or intends to charge, Mr. Rahnavard with a crime and seek his presence for trial; what the legal grounds are, or would be, for such charges as well as for Mr. Rahnavard's listing from the standpoint of international law; and whether it has information about any other jurisdiction in which he has been charged with a crime and, if so, whether he has been tried, as well as the results of such proceedings.
2. Please, provide information about whether your Excellency's Government directly advised Mr. Rahnavard of plans to include him on the OFAC list of Specially Designated Nationals if he did not accept the offer contained in the e-mail message of 22 May 2020, as well as the consequences of such a listing, either in advance of his listing or at the time it occurred. What were the legal grounds for such advice? And how this advice comlies with the obligations of the United States under Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.
3. Please, provide detailed information on any procedures that exist by which Mr. Rahnavard may contest his listing. This includes whether there is any possibility for Mr. Rahnavard to contest his listing in a U.S. court, the nature of his rights in such proceedings, and whether and how his rights would be protected.
4. Please, indicate what measures have been taken by your Excellency's Government to ensure that the sanctions against Mr. Rahnavard are compliant with the United States' obligations under the UN Charter, international human rights law and other international obligations to guarantee that the rule of law is observed.

I would appreciate receiving a response within 60 days. Passed this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, I urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of my highest consideration.

Alena Douhan

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

Annex
Reference to international human rights law

In connection with the above concerns, I would like to refer your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described.

I refer to article 14 of the International Covenant on Civil and Political Rights (ICCPR) with respect to the due process standards. Article 14(2) establishes that all persons charged with crimes are to be presumed innocent until their guilt is established through legal procedures. As a criminal charge can be essential for establishing one's innocence as well as guilt, the presumption of innocence can only be strengthened if no criminal charges are levied. As for determining whether a crime has been committed, article 14(1) holds that everyone charged with a crime "shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law," during which the accused person has the right to defend himself (article 14(3)(d)). This allows the presumption that if no charge is brought, the act in question does not rise to the level of a crime for which a fair hearing shall be held.

The guarantees of fair trial may never be made subject to measures of derogation that would circumvent the protection of non-derogable rights (HRC General Comment No. 32, para. 6). The Human Rights Committee finds no justification for derogation from these guarantees during emergency situations as well as in the time of war (HRC General Comment No. 29, para. 16). In the same way, the prohibition to hold anyone "guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed" (article 15 of the ICCPR) cannot be derogated from even in a time of emergency (article 4 of the ICCPR). As for the national emergency declared in E.O., 12957, it is highly questionable whether it meets the standard required to form a basis for derogations under that article (HRC General Comment No. 29).

I wish to recall that the due process procedure also is addressed by article 9(2) of the ICCPR, which requires that an accused person be promptly informed of the charges against him, and by article 2, which states that "any person whose rights or freedoms as herein recognized are violated shall have an effective remedy" (article 2(3)(a)), and that "any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy" (article 2(3)(b)). Furthermore, article 15(1) states that "No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed."

I additionally refer also to article 17 of the ICCPR, which is relevant insofar as it prohibits "arbitrary or unlawful interference with [a person's] privacy, family, home or correspondence" as well as "unlawful attacks on his honour and reputation."

As for the right to life, I refer to article 6 of the ICCPR, which states that this right is inherent to every human being and shall be protected by law, and that no one shall be arbitrarily deprived of it. The UN Human Rights Committee, in General Comment No. 36 (2018), notes that “(t)he obligation of States parties to respect and ensure the right to life extends to reasonably foreseeable threats and life-threatening situations that can result in loss of life. States parties may be in violation of article 6 even if such threats and situations do not result in loss of life.”

I wish to emphasize that Mr. Rahnavard’s most fundamental human right, the right to life, which is also enshrined in the ICCPR, is being violated insofar as he is being sanctioned on the presumption of involvement in crimes that can entail the death penalty (Antiterrorism and Effective Death Penalty Act of 1996, P.L. 104-132, 110 Stat. 1214).

While the norms above are all contained in the ICCPR, which the United States has ratified, I would like to stress that, as internationally recognized human rights, most are also contained in varying combinations in other instruments such as the Universal Declaration of Human Rights as well as regional human rights conventions.

I wish to recall that as a party to the ICCPR, the United States is authorized under article 4 to derogate from the obligations it imposes on States Parties “in time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed.” The ICCPR allows derogations from its obligations only “to the extent strictly required by the exigencies of the situation.” Thus, a derogation may only occur in the case of a threat to “the life of the nation,” which the UN Human Rights Committee, in General Comment No. 29 (2001), deems to be an actual and direct existential threat to the state rather than a threat of disruption to daily life within the state; and it must be limited only to those obligations in the ICCPR that are absolutely necessary for addressing such a threat.

Article 4 of the ICCPR also requires a State Party derogating from its provisions as the result of a public emergency to “immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated.” General Comment No. 29 notes that such notification is essential for allowing the Human Rights Committee to assess whether derogations are justified by the circumstances for which an emergency is declared.

With respect to causing a person to engage in conduct that can constitute a crime in a jurisdiction other than the United States, I refer to the ILO Abolition of Forced Labour Convention, 1957 (No. 105), which the United States has ratified and which builds on the ILO Forced Labour Convention, 1930 (No. 29) insofar as the latter, in article 2 (1), establishes the definition of forced labour as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

Finally, with regard to Mr. Rahnavard's right to work, including the right to gain one's living by work that is freely chosen, is enshrined in article 23 of the Universal Declaration of Human Rights (UDHR) and in article 6 of the International Convention on Economic, Social and Cultural Rights (ICESCR), which the United States signed on 5 October 1977. Although the United States is not bound by either of these instruments to ensure this right, it does have the obligation to do so as the result of the right being widely acknowledged as customary international law and also by the United States' membership in the United Nations. While I am cognizant that the UDHR is non-binding and that the U.S. Supreme Court has judged that the UDHR does not "of its own force" create international legal obligations for the United States, and also that United States has not ratified the ICESCR, I wish to recall that the United States is obliged to ensure these rights on broader grounds, as they may be deemed to constitute customary international law, and as the United States' membership in the United Nations entails the obligation to promote universal respect for and observance of human rights for all.

Article 55 of the UN Charter calls on the United Nations to promote, *inter alia*, "universal respect for, and observance of, human rights and fundamental freedoms for all," and article 56 creates an obligation for member states to cooperate with the United Nations in achieving that objective. As noted by the UN Committee on Economic, Social and Cultural Rights in its General Comment No. 18 (2005), this objective reflects the fundamental purposes and principles of the United Nations as defined in article 1(3) of the UN Charter, notably "encouraging respect for human rights." Moreover, in view of Mr. Rahnavard's employment as a tanker captain, any violation of his labor rights arising from his inability to enter ports around the world are inseparable from his ICCPR-guaranteed right to freedom of movement.