

**Mandates of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights; the Special Rapporteur in the field of cultural rights and the Independent Expert on human rights and international solidarity**

Ref.: AL USA 11/2024  
(Please use this reference in your reply)

23 May 2024

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights; Special Rapporteur in the field of cultural rights and Independent Expert on human rights and international solidarity, pursuant to Human Rights Council resolutions 52/13, 55/5 and 53/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received from various sources concerning serious challenges faced by different actors located in a number of countries and regions due to the imposed restrictions under U.S. sanctions and regulations and their interpretation by the United States Office of Foreign Assets Control on their access to websites of international organizations as well as to software used by these organizations to organize online meetings, side events and conferences.

According to the information received:

A number of U.S. registered IT companies are reported to deny access to their products and services from the territory of several states and regions under sanctions of your Excellency's Government. In particular, such restrictions involve the denial of access or limited access to:

- software for online communications that provide free of charge and paid plans (Cisco's products, including Webex; Zoom; Slack);
- paid software necessary to get full access to web resources including those for reading files in PDF format;
- webpages of international organizations from the territory of countries and regions under sanctions, including webpages of UN organs, organizations and agencies.

These restrictions affect the respective national entities' ability to participate in the work of the UN or its specialized agencies. Webex used for online meetings is not available for residents of Cuba, Iran, the Democratic People's Republic of Korea (DPRK), Sudan, Syria, mainland China, Russia, Belarus as well as

Crimea<sup>1</sup>. Users from Cuba, Iran, DPRK as well as Crimea, Luhansk, Donetsk are unable to access Zoom even for United Nations communications<sup>2</sup>.

Moreover, such restrictions limit the ability of the affected states and regions and individuals living therein to use web resources or services of international organizations. More specifically, Adobe products are not available for purchase in Cuba, Iran, Iraq, Libya, North Korea, Sudan, Syria, Belarus, Venezuela and partially Russia. Microsoft is not available for purchase in Belarus, Cuba, Iran, North Korea, Russia, Sudan, Syria<sup>3</sup>. Subscriptions to online services are also reported to be not possible, as many of unilateral sanctions regimes and relevant over-compliance by banks prevent online payments.<sup>4</sup> Mailchimp, a platform for newsletter and email marketing services, blocked all customer accounts in Russia without providing them with an opportunity to retrieve their subscriber data.

IP address-based bans prevent access to webpages of international organizations. In particular, the UNESCO official website is not available in Syria. Access to the webpage of UNICEF USA is blocked in Belarus. Moreover, such bans impede ability of the most vulnerable groups to seek protection of their human rights in the UN. The victims of conflict-related sexual violence in military conflicts from Syria are reported not to be able to access the webpage to submit complaints on the UN Against Sexual Violence in Conflict platform which may lead to serious underreporting and significantly undermine any efforts towards accountability and effective remedies.

The sanctions' programs implemented by the USA greatly vary in scope and include export bans adopted against the DPRK (Executive Order 13722), Iran (Executive Order 13846, 1 C.F.R. part 560), Syria (Executive Order 13582), Russia (Executive Order 14071), Cuba (31 C.F.R 515, 84 FR 56117), Crimea (Executive Order 13685<sup>5</sup>), and the self-proclaimed Donetsk people's republic (DNR) and Luhansk people's republic (LNR) (Executive Order 14065<sup>6</sup>), and Belarus (87 FR 13048, 89 FR 4804). In order to engage in a transaction that otherwise would be prohibited the companies or persons have to apply for OFAC's licenses<sup>7</sup>.

While certain telecommunication-related services or transactions are exempted from the export control restrictions, the IT companies still do not provide any access to their products and services due to the practice of over-compliance.

Although U.S. persons are in general not prohibited from engaging in transactions with respect to Sudan or the Government of Sudan because of the

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<sup>1</sup> [https://help.webex.com/en-us/article/n6fwepj/Where-is-Webex-available?#section\\_FD54A6D0DB4F4BC78C330A9371397CFE](https://help.webex.com/en-us/article/n6fwepj/Where-is-Webex-available?#section_FD54A6D0DB4F4BC78C330A9371397CFE)

<sup>2</sup> [https://support.zoom.com/hc/en/article?id=zm\\_kb&sysparm\\_article=KB0065066](https://support.zoom.com/hc/en/article?id=zm_kb&sysparm_article=KB0065066); A/77/296 at <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/77/296&Lang=E>

<sup>3</sup> <https://www.microsoft.com/en-us/microsoft-365/business/microsoft-office-license-restrictions>

<sup>4</sup> A/77/296 at <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/77/296&Lang=E>, para 33

<sup>5</sup> <https://www.govinfo.gov/content/pkg/CFR-2015-title3-vol1/pdf/CFR-2015-title3-vol1-eo13685.pdf>

<sup>6</sup> <https://ofac.treasury.gov/media/918791/download?inline>

<sup>7</sup> <https://ofac.treasury.gov/faqs/topic/1506>

revocation of sanctions since 12 October 2017<sup>8</sup>, some IT companies still continue to limit access to their products and services to Sudan.

While there is no general ban on the export of technologies to China, it is reported that the IT companies mentioned above which are under the U.S. jurisdiction do not provide access to their services or products.

Without prejudging the accuracy of the information received, we wish to express our serious concerns about U.S. sanctions and over-compliance with them in view of their effect on the right to effective remedies, freedom from discrimination, freedom of expression and access to information, right to education, cultural rights, rights to development and international solidarity.

We note with concern that all the restrictions to access IT products and services are applied indiscriminately to all individuals located in the territory of the sanctioned countries and regions and have direct extraterritorial effect, which significantly aggravates the negative impact of sanctions by applying additional pressure and inducing devastating impact on the enjoyment of human rights of the most vulnerable, including victims of conflict-related sexual violence, as mentioned above.

We would like to draw the attention of your Excellency's Government that such additional barriers, such as IP address-based bans of access to the UN Against Sexual Violence in Conflict platform developed to ensure establishing the facts of such crimes, does not contribute to the prevention and response to conflict-related sexual violence, and instead obstruct these efforts taken by the UN, and constitute a breach of international human rights and humanitarian law obligation to protect any person, in particular women and girls, from all forms of sexual violence during military conflicts. Furthermore, we wish to point out that preventing people in targeted countries and regions from having access to these services violates a number of human rights, including the right to freedom of expression which includes the freedom to seek, receive and impart information, the right to education, cultural rights, right to development and to international solidarity and results in *de facto* discrimination against all those living in targeted by sanctions societies, which currently amount to 20 per cent of the world population<sup>9</sup>.

Total export bans, including of services incident to the exchange of personal communications over the Internet seriously affect fundamental rights of North Korean and Syrian people, affecting in particular the enjoyment of freedom of expression, their right to development as well as the rights to take part in cultural life and to enjoy the benefits of scientific progress and its applications.

Zero-risk policies and overcompliance could constitute discriminatory practices against nationals and residents of countries and regions under sanctions on the grounds of their nationality, descent, origin or residence, and constitute manifest violation of the basic human rights principle of non-discrimination.

Huge civil penalties for alleged violations of U.S. export controls and sanctions laws alongside with technical difficulties in implementation of general licenses

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<sup>8</sup> <https://ofac.treasury.gov/sanctions-programs-and-country-information/sudan-and-darfur-sanctions>

<sup>9</sup> A/77/296, para 66, at <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/77/296&Lang=E>

exceptions from the sanction regimes make IT companies suspend or completely terminate their operation in the sanctioned states and not to provide services, software, hardware, or technology incident to the exchange of communications over the Internet even when such activities are not prohibited by the U.S. law, thus, causing overcompliance.

In accordance with 50 U.S. Code § 1705(c) criminal penalties for violation of sanctions include fine not more than \$1,000,000, or if a natural person, imprisonment for not more than 20 years, or both<sup>10</sup>. In many cases, civil penalties can exceed several million dollars<sup>11</sup>. In 2023 the Department of Commerce’s Bureau of Industry and Security (“BIS”) and the Department of the Treasury’s Office of Foreign Assets Control (“OFAC”) imposed a combined \$3.3 million in civil penalties against Microsoft Corporation (“Microsoft”) for alleged and apparent violations of U.S. export controls and sanctions laws<sup>12</sup>. Moreover, the U.S. companies are requested to demonstrate the absence of any nexus with a sanctioned country or location, including users’ Internet protocol (IP) addresses, mailing addresses and other types of user data. Non-compliance with these requirements is qualified as an aggravating factor, resulting in additional penalties<sup>13</sup>.

Such harsh penalties for violation of sanction regimes, too complex and unclear requirements of due diligence and compliance with sanctions<sup>14</sup> alongside pressures exerted on companies by listing those who left and those who remained in the sanctioned states and regions<sup>15</sup> lead to the complete withdrawal of companies from the concerned markets, to refuse services to designated countries, individuals and entities<sup>16</sup>. We would like to bring to the attention of your Excellency’s Government that “the compounding effects of secondary sanctions, civil and criminal penalties for alleged circumvention of unilateral sanctions regimes and consequent overcompliance, which have a comprehensive worldwide negative humanitarian impact, affect a broad range of the human rights of peoples living in countries and regions under any types of sanctions (including targeted ones), in particular those in vulnerable situations, while also disrupting commercial relations and cooperation with those countries, with broader regional implication<sup>17</sup>”.

Existing sanctions regimes as well as zero-risk policies and overcompliance exercised by IT companies not only violate human rights, but also infringe the duty to cooperate for the promotion of international economic stability and progress, the general welfare of nations and international co-operation free from discrimination based on such differences in accordance with the UN Charter. The violation of the principle of cooperation provokes international disputes, which also concerns the principle of peaceful resolution of disputes. Moreover, such practices are contrary to the right to international solidarity to participate meaningfully in, contribute to and

<sup>10</sup> <https://www.govinfo.gov/content/pkg/USCODE-2021-title50/pdf/USCODE-2021-title50-chap35-sec1705.pdf>

<sup>11</sup> <https://ofac.treasury.gov/faqs/12>; <https://www.ecfr.gov/current/title-31/subtitle-B/chapter-V/part-501?toc=1>

<sup>12</sup> <https://home.treasury.gov/news/press-releases/jy1394>

<sup>13</sup> A/78/196, para 25, at <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/78/196&Lang=E>

<sup>14</sup> *Ibid.*

<sup>15</sup> <https://som.yale.edu/story/2022/over-1000-companies-have-curtailed-operations-russia-some-remain>

<sup>16</sup> A/78/196, para 23, at <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/78/196&Lang=E>

<sup>17</sup> A/78/196, para 73.

enjoy a social and international order in which all human rights and fundamental freedoms can be fully realized<sup>18</sup>.

We stress that IP-related denial of access as well as restrictions on telecommunications-related software and services obstruct connectivity and free flow of information, negatively impacting the right to freedom of expression, including the right of all individuals to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.<sup>19</sup> The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression stressed the importance to “ensure full access to online content that is free of censorship and access to Internet connection, particularly for marginalized and disadvantaged groups<sup>20</sup>”. The UN Human Rights Council condemned any measures in violation of international human rights law that prevent or disrupt an individual’s ability to seek, receive or impart information online as well as calls for further measures to bridge digital divides, to meet the Sustainable Development Goal and to ensure the full enjoyment of human rights<sup>21</sup>.

We note that while restrictions to IT products and services themselves seriously violate a number of human rights in the sanctioned states, the access to the Internet and information has already been prevented there indirectly. Shortages of fuel in the Bolivarian Republic of Venezuela result in electricity shutdowns that quite often make access to the Internet impossible, while reduced income makes Internet access unfeasible for the majority of the population in the Syrian Arab Republic, Venezuela, Zimbabwe and many other countries<sup>22</sup>. Any direct refusal to access software for online communications, software necessary to get full access to web resources as well as for reading files in PDF format and IP address-based bans to access webpages of international organizations significantly aggravates the situation in the sanctioned countries, deepening digital divide and impairing the right to Internet access, which is a necessary condition for the enjoyment of most human rights online.

We share our assessment that the indiscriminate character of sanctions and the ongoing practice of overcompliance do not comply with the U.S. obligations under international human rights law, in particular the right to freedom of expression and access to information. The Guiding Principles on Business and Human rights stipulate that the responsibility to respect human rights requires that business enterprises “avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur<sup>23</sup>”. However, it is for the states to “protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises<sup>24</sup>”. The mandate of the UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights is currently developing a comprehensive set of Guiding Principles to be used by states, regional organizations, businesses, and other actors with regards to sanctions and

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<sup>18</sup> Draft Declaration on the Right to International Solidarity, article 4, at <https://www.ohchr.org/sites/default/files/DraftDeclarationRightInternationalSolidarity.pdf>

<sup>19</sup> <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/66/290&Lang=E>, summary

<sup>20</sup> *Ibid.*

<sup>21</sup> A/HRC/RES/47/16, paras 11, 14, at [https://digitallibrary.un.org/record/3937534/files/A\\_HRC\\_RES\\_47\\_16-EN.pdf?ln=ru](https://digitallibrary.un.org/record/3937534/files/A_HRC_RES_47_16-EN.pdf?ln=ru);

<sup>22</sup> A/78/196, para 38, at <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/78/196&Lang=E>

<sup>23</sup> Guiding Principles on Business and Human Rights, para 13(a), at [https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf)

<sup>24</sup> Guiding Principles on Business and Human Rights, para 1

compliance, and, by that, to minimize negative impact of all types of sanctions, compliance and over-compliance with sanctions on human rights<sup>25</sup>.

The UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights has previously expressed to your Excellency's Government her concerns about the legality of the extraterritorial assertion of U.S. jurisdiction applied in the context of alleged breaches of international law and human rights violations<sup>26</sup>. The restrictions on the exportation or re-exportation, sale, or supply of services, software, hardware, or technology incident to the exchange of communications over the Internet, as well as barriers to access to information, negatively affect the enjoyment of the right to freedom of expression, including the right to information, the right to development, cultural rights, and the right to education.

Moreover, considering that such restrictions create impediments to the access to web resources of international organizations as well as prevent participation in their work, including the work of the UN itself, they violate core principles set forth by the UN Charter, which are also international customs, such as sovereign equality of states and non-interference in internal and external affairs, and they negatively impact the right to development.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would 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 the measures undertaken by your Excellency's Government to prevent overcompliance, including via providing all necessary information to IT companies, as well as the necessary assistance and guidance in order to guarantee that companies residing in the U.S. comply with international human rights law.
3. Please explain how such regulations are in line with international human rights norms and standards, including the freedom from discrimination, freedom of expression and access to information, right to development, to international solidarity, to education, cultural rights, including the right to access to and participate in science.
4. Please provide information on the measures undertaken by your Excellency's Government to ensure access to the websites and resources

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<sup>25</sup> <https://www.ohchr.org/en/calls-for-input/2024/call-input-guiding-principles-sanctions-compliance-over-compliance-and-human>

<sup>26</sup> AL USA 30/2020 at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25785>; AL USA 22/2020 at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25507>

of the UN specialized agencies in the light of the respect of the UN Charter and obligations deriving from it.

5. Please provide information on the measures undertaken to ensure transparency of requirements of due diligence and compliance with sanctions to avoid discriminatory zero-risk policies and overcompliance.
6. Please indicate any measures undertaken to effectively address pressures exerted on those companies maintaining their business in the sanctioned countries and regions, including by means of their designation under existing sanctions regimes, as well as criminal and civil penalties.

We would appreciate receiving a response within 60 days. Past 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, we 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.

We may publicly express our concerns about this situation in the near future as it is an issue that involves also the rights of persons in vulnerable situations, including victims of conflict-related sexual violence, in particular women and girls – a situation which we believe deserves special attention. We also believe that this is a matter of public interest, and that the public should be made aware of it should this situation is perpetuated without corrective action. Any public expression of our concerns in this regard will indicate that we have been in contact with your Excellency's Government to clarify the issue/s in question.

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

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

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## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation above.

We would like to refer your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), ratified by the United States of America on 8 June 1992, and in particular articles 2, 19 and 26, which provide for the principle of non-discrimination and the right to freedom of expression. As it derives from article 2 of the ICCPR states must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises<sup>27</sup>.

We would like to recall that article 19 of the ICCPR guarantees the right to opinion and expression. In the general comment 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of opinion and expression, including inter alia 'political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism', subject only to admissible restrictions as well as the prohibition of propaganda for hatred and incitement to hatred, violence and discrimination.

Restrictions on the right to freedom of expression must be compatible with the requirements set out in article 19 (3), that is, they must be provided by law, pursue a legitimate aim, and be necessary and proportionate. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant. An attack on a person because of the exercise of his or her freedom of opinion or expression, including arbitrary arrest, torture, threats to life and killing, cannot be compatible with article 19 (GC34 paragraph 23).

The impossibility to access websites of international organizations not only seriously hinders the right to freedom of expression and access to information, but also to protect human rights via human rights platforms, to seek remedies for international crimes created by these organizations. As it was highlighted by the Human Rights Committee "is very important that individuals should know what their rights under the Covenant are" (CCPR general comment 3, para 2). Direct refusal to access, and through the practice overcompliance, software for online communications, software necessary to get full access to components of web services as well as for accessing files in PDF format and IP address-based bans of access to webpages of international organizations constitute violation of articles 9 and 21 of the Convention on the Rights of Persons with Disabilities, which, inter alia, call upon States parties to take appropriate measures to promote access for persons with disabilities to new information and communications technology and systems, including the Internet. It also prohibits the rights of the child in relation to the digital environment. As the Committee on the Right of the Child asserts "opportunities provided by the digital environment play an increasingly crucial role in children's development and may be vital for children's life and survival, especially in

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<sup>27</sup> [https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf)

situations of crisis (general comment No. 25, para 14).” Such acts are also contrary to the right to Internet access which is practically proclaimed in a number of the UN Human Rights Council resolutions.<sup>28</sup>

We also refer to the resolution of the UN Human Rights Council 20/8 where it affirmed that the same rights that people have offline must also be protected online<sup>29</sup>.

We would like to refer to article 50 of Articles on Responsibility of States for Internationally Wrongful Acts adopted by the UN International Law Commission (2001) that obligations for the protection of fundamental human right and under peremptory norms of general international law shall not be affected by countermeasures<sup>30</sup>. Highly indiscriminate character of IP-based bans violates this customary norm of international law.

Furthermore, we wish to refer to the Universal Declaration of Human Rights, which in articles 26 and 27 recognize the right of everyone to education, to freely participate in the cultural life of the community, and to share in scientific advancement and its benefits. We also wish to refer to the International Covenant on Economic, Social and Cultural Rights (ICESCR), signed by the United States of America on 5 October 1977. We refer in particular to article 15, which provides for the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications, and through which States have undertaken to protect the freedom indispensable for scientific research and creative activity. Furthermore, article 13 of ICESCR protects the right of everyone to education, declaring that “education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms”. The Committee on the Elimination of Discrimination against Women stressed the need to ensure technological accessibility while ensuring the right of women to education (general comment No. 36, paras 34 and 35)<sup>31</sup>.

We would like to refer to article 27 of the Geneva Convention relative to the Protection of Civilian Persons ratified by the United States of America on 2 August 1955, and in particular to article 27 stipulating that “women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault” as well as articles 146 and 147 prescribing state parties to the convention to take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches as well as undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention. The same obligation derives from article 3 of the Geneva Conventions on the protection of Victims of War with respect to non-international armed conflicts. Article 3 prohibits “violence to life and person” including cruel

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<sup>28</sup> A/HRC/RES/20/8, at <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F20%2F8&Language=E&DeviceType=Desktop&LangRequested=False> ; A/HRC/RES/32/13, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F32%2F13&Language=E&DeviceType=Desktop&LangRequested=False> ; A/HRC/RES/47/16, [https://digitallibrary.un.org/record/3937534/files/A\\_HRC\\_RES\\_47\\_16-EN.pdf?ln=ru](https://digitallibrary.un.org/record/3937534/files/A_HRC_RES_47_16-EN.pdf?ln=ru) etc.

<sup>29</sup> A/HRC/20/8, preamble

<sup>30</sup> [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf)

<sup>31</sup> <https://www.undocs.org/en/CEDAW/C/GC/36>

treatment and torture and “outrages upon personal dignity”. It’s worth noting that prohibition of war crimes is considered as a peremptory norm of international law, which was confirmed by the UN International Law Commission in Draft conclusions on identification and legal consequences of peremptory norms of general international law (*jus cogens*), 2022<sup>32</sup>. Thus, any restriction of the rights of victims to report on conflict-related sexual violence through the UN Peacekeeping website not only considerably affects their rights to seek effective remedies, but also is contrary to the U.S. obligations under international humanitarian law.

We also would like to refer to article 1 of the Declaration on the Right to Development states that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized. The Declaration on the right to development stipulates that the realization of the right to development requires full respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations (art. 8). Any impediments to participation of other states in the activity of international organizations created by other states undermine the principles of international law (principle of sovereign equality and principle of non-intervention in internal and external affairs). In addition, at the international level, the Declaration places a duty on States to cooperate with each other, both to promote more rapid development of developing countries and to remove obstacles to comprehensive development (arts. 3(3) and 4(2)).

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<sup>32</sup> [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/1\\_14\\_2022.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/1_14_2022.pdf)