



INTERNATIONAL PEOPLE'S TRIBUNAL ON U.S. IMPERIALISM: SANCTIONS, BLOCKADES, AND ECONOMIC COERCIVE MEASURES

INITIAL VERDICT

BACKGROUND

Since the end of the Cold War, the world has witnessed an unprecedented proliferation of sanctions regimes, particularly by the United Nations Security Council, the European Union, and the United States. This is due in part to the collapse of the Soviet Union, which ended the deadlock between superpowers at the Security Council and ushered in an era of U.S. military, political and economic hegemony, one that is now facing substantial challenges. Over the past few decades, sanctions were slowly reconfigured from war time weapons into purported peacetime policy instruments. The law has played a pivotal role in this process. By constructing a seemingly natural binary between wartime and peacetime, the law enabled the instrumentalization of peacetime to protect U.S. and European-sponsored economic violence. In order for this effort to materialize, policymakers, legal scholars, and government officials campaigned to legitimate sanctions as a lawful weapon to punish nations who refuse to submit to the United States and Europe.

The International People's Tribunal on U.S. Imperialism: Sanctions, Blockades, and Economic Coercive Measures approaches economic coercive measures as inherently violent, designed to maintain economic inequality, continue the theft of wealth from the Global South, and preserve racial hierarchy in the international system. Such measures are structurally incapable of reform and cannot incorporate humanitarian concerns. While the unequal structure of the Security Council has facilitated the juridical legitimization of the sanctions regime, we find that such regimes remain fundamentally illegitimate and violate the principle of sovereignty under international law.

We held a People's Tribunal because international institutions, such as the United Nations, have proven ineffective in addressing the humanitarian crisis caused by sanctions and U.S. global power more broadly. In short, they refuse to hold the U.S. accountable for its actions against the Global South. *They are instruments of imperialism, rather than defenders of humanity.* The Tribunal is a collective effort to build systems of accountability—rooted in global cross-movement solidarity—both within and outside of the law, to challenge the violence of imperialism through sanctions. We examine sanctions not from the perspective of those who enforce them, but from the perspective of those most impacted by them, namely the peoples of Asia, Africa, South America and the Caribbean. The Tribunal also recognizes the deep connections between coercive economic measures in these areas and U.S. ongoing settler colonialism and military occupation in Puerto Rico, Hawai'i, the Virgin Islands and Guam, as



well as the confinement, subjugation and mass repression of Black people and Indigenous peoples on this continent.

Since January 2022, the People's Tribunal has held 15 country hearings examining the impact of economic coercive measures on the lives of people in the Global South.[1] On the basis of these hearings, which included 96 witnesses, an examination of international law, and assessment of available statistical data, we, the Jurors of the Sanctions Tribunal, find the following:

HELD

At the conclusion of the International People's Tribunal on U.S. Imperialism: Sanctions, Blockades, and Economic Coercive Measures, we hold the following. All of these holdings apply to the United States and those who partner with the United States in carrying out economic coercive measures as specified above:

- 1. Economic coercive measures are an illegal use of force that violates the rule of non-intervention in the United Nations Charter.**
- 2. Economic coercive measures constitute war crimes and crimes against humanity.**
- 3. Economic coercive measures are designed to destroy the economies of formerly colonized, Global South nations, and make them subservient to the U.S. and its partners.**
- 4. The perpetrators of economic coercive measures are guilty of fraud, piracy, conversion and colonial theft.**
- 5. The perpetrators of economic coercive measures are guilty of the crime of apartheid under the International Convention on the Suppression and Punishment of the Crime of Apartheid.** We note here specifically the case of Palestine, including the blockade of Gaza, as well as the broader context of the use of economic coercive measures in service of racial hierarchy. The Rome Statute lists the Crime of Apartheid as a Crime Against Humanity.
- 6. The perpetrators of economic coercive measures are guilty of the crimes of genocide, conspiracy to commit genocide, and attempt to commit genocide under the Convention on the Prevention and Punishment of the Crime of Genocide.**
- 7. Economic coercive measures are illegal under international human rights law. Therefore,**



WE DEMAND THE FOLLOWING:

- 1. That all those complicit in the imposition of economic sanctions, which destroy human life and development and deny impacted countries the right to grow and flourish without interference, be held accountable under the Rome Statute.** Article 26(c) of the Rome Statute provides that anyone who “aids, abets or otherwise assists in [the] commission [of a crime] or its attempted commission, including providing the means for its commission” can be prosecuted by the International Criminal Court. This demand is specifically directed toward U.S. Corporate actors, including, but not limited to the following: Citi Bank, Wal-Mart, Bank of America, Walgreens, CVS Pharmacy, Wells Fargo, Coca Cola. We also cite the New York Stock Exchange for the role it continues to play in the commodification of global exploitation.
- 2. The United States and its co-conspirators, including Canada, the European Union, the United Kingdom, Switzerland and Australia, must immediately end their regimes of sanctions, blockades and coercive economic measures; face accountability for the crimes committed through these regimes; and pay full reparations to the injured parties, peoples and nations.**
- 3. The abolition of the United Nations Security Council and a complete restructuring of the United Nations into a truly democratic institution that empowers the formerly colonized nations of the Global South. This effort should be consistent with, but not limited to, the proposals put forth by Father Miguel d’Escoto, former foreign minister of Nicaragua and president of the U.N. General Assembly, and Evo Morales, former president of Bolivia.** We recognize that the United States and its allies are unwilling to relinquish the weapon of economic coercive measures as a tool of imperial control, infliction of suffering, theft of resources and forced compliance with their dictates. To that end, we are committed to working via litigation and the law, as well as through political and popular action, together with those who have been most directly impacted by these coercive economic measures, to implement this call and make it a material reality.

ANALYSIS

1. Sanctions are an illegal use of force that violates the rule of non-intervention in the United Nations Charter.

A. **Article 2(4) of the UN Charter** prohibits ‘the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations’, which, under Article 1, include the respect for fundamental



human rights. The prohibition is also a principle of jus cogens, from which no derogation is permitted. Article 3(c) of The Definition of Aggression, adopted by the UNGA in 1974, moreover, includes 'the blockade of the ports or coasts of a State by the armed forces of another State.'

Economic coercive measures have become so pervasive that public opinion has to an extent become inured to the disastrous effects that these sanctions have on the lives of people. The fact that their impact gradually unfolds over time or that the direct casualties they inflict occur in hospitals among people independently suffering from all kinds of ailments because of the lack of essential medicines, or at home because of the paucity of food that makes a person vulnerable to diseases, makes people's suffering seem not only less horrendous than the effects of civilian bombing, but also unrelated to the sanctions in any direct causal manner.

Yet, over the course of the 15 country hearings, we have learned that the effects are no less devastating than the effects of civilian bombings during wars. UCMs are forceful coercive measures with effects that, in our contemporary age of global capitalism and reliance on the market for the provision of key means of subsistence, differ little from the deployment of armed force. In fact, their effects can be even more widespread, long-lasting, and agonizing. It follows that sanctions are not only an implicit form of warfare, but a form that is even more pernicious than open military force because of its apparent benignity.

B. The **principle of non-intervention** in the affairs of another state is a basic principle of customary international law, a norm of jus cogens, and a pillar of the principle of sovereign equality on which the UN Charter is based. This principle is codified in several international law treaties and recalled in several UNGA resolutions. Article 32 of the **Charter of Economic Rights and Duties of States**, for example, forbids any State from using or encouraging the use of economic, political, or any other types of measures to coerce another State to obtain the subordination of its sovereign rights in order to secure any advantages from it. Article 19 of the **OAS Charter (Organisation of American States)** similarly forbids direct or indirect economic intervention by a State in the external or internal affairs of another State. Formally, the U.S. and Europe claim to protect human rights, the rule of law, or democracy when deploying sanctions. But their true intention and purposes are political and include regime change, political destabilization, and the thwarting of Third World solidarity, including Pan-Africanism and Pan-Arabism, and the emergence of alternative forms of non-Western state-building following formal decolonization. The deliberate undermining of political sovereignty has been particularly prevalent in the sanctions adopted against countries which (a) implemented a far-reaching programs of land redistribution, nationalization, development and industrialization, such as Zimbabwe, (b) supported national liberation movements, such as Libya, (c) threatened the US's geopolitical dominance in West Asia, such as the oil-producing countries of Iraq, Iran, and Syria, and (d) socialist nations that have refused to submit to global capitalism, such as Cuba, Nicaragua, and Venezuela. All of these nations have been subject to sanctions for decades.



This principle was expressed by the International Court of Justice in the historic 1986 ruling, ***Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)***. The ICJ defined intervention as the use of coercion, including the use of force, to interfere in matters in which each State is permitted, by the principle of State sovereignty, to decide freely, including its “choice of a political, economic, social and cultural system, and the formulation of foreign policy.” (I.C.J. Reports 1986, p. 14)

As we document further below, the UN General Assembly and the UN Rapporteur on UCMs have criticized sanctions as instruments of international policy. On the basis of the two findings, we further call upon them to adopt a resolution recognizing the status of UCMs as illegal uses of force within the meaning of Article 2(4) of the UN Charter and the principle of non-intervention.

2. Sanctions constitute war crimes and crimes against humanity.

Under Article 7 of the **Rome Statute of the International Criminal Court**, the following are considered crimes against humanity when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: collective persecution of a person or persons by reason of the identity of a group or collectivity or targeting the group or collectivity . . . based on political, racial, national, ethnic, cultural, religious, gender grounds and other inhumane acts of a similar character intentionally causing great suffering, or serious injury to bodily or to mental or physical health.

Article 8 of the **Rome Statute** also addresses grave breaches of the Geneva Convention, including Article 33, which designates collective punishment, intentional attacks against the civilian population as such, attacks against individual civilians not taking direct part in hostilities, and attacks against civilian objects with no military objectives, as war crimes.

UCMs are **indiscriminate** instruments. Even when they are formally targeted, they impact the economy as a whole and hence the entire people of a country; one cannot escape them by changing one’s location within the country. In fact, because of their extra-territorial and chilling effects, civilians are affected even when/if they leave their countries, with many testimonies reporting difficulties such as opening bank accounts abroad or transferring money back to their families.

Further, the harm they inflict on civilians is **intentional**: civilian suffering is not merely an unintended collateral damage; it is the means through which UCMs hope to achieve their objectives, by, for example, contributing to conditions that can force regime change, as the witnesses in many of our hearings indicated (Venezuela, Zimbabwe, Libya, Iran, etc).



The degree of suffering they inflict is enormous: every sanctioned country we examined had experienced food and medicine shortages with devastating impacts particularly among the most vulnerable civilians, including elderly people, people with disabilities, children and expectant mothers, persons who are in greater need of medicines and who by general consent are supposed to be spared, as much as possible, the horrors of war.

The attack on civilians is also systematic and widespread, as UCMs can be deployed **indefinitely** with almost no justification and scrutiny. Haiti has been subject to some form of sanctions and blockades for over two centuries, since its 1804 Revolution, which presented an example to the world of a successful revolution throwing off French colonialism and enslavement. The sanctions against Cuba and Korea for example have been in force for decades, as have the sanctions on Iran. Those attacks are directed at civilians for their national, ethnic or political association.

3. Sanctions are designed to destroy the economies of formerly colonized, Global South nations, and make them subservient to the U.S. and its partners.

The effects of sanctions on the local economy is devastating, setting the economic development clock back, sometimes irreversibly. Even when the targeted country can arrange for a certain amount of supplies of food and medicine to be delivered via an intrepid trading partner, a partner not intimidated into acquiescing to sanctions, all targeted countries suffer from extraordinarily high rates of inflation which put the basic requirements of life beyond the reach of most people. Such an acceleration in inflation occurs for two reasons.

First, when the country can manage to get supplies of some basic commodities from some friendly countries, there is usually some residual shortage nonetheless which causes acute inflation. Second, the inevitable impact of sanctions is to cause a depreciation of the exchange rate of the targeted country, which occurs for a number of reasons: its exports get drastically reduced; the inflow of remittances and of financial investments into the country that would normally have occurred, dry up; and the country's foreign exchange reserves which are held partly at least in banks of the sanctioning countries are deliberately placed beyond its reach. With the depreciation of the exchange rate, even when supplies of basic goods are somehow arranged, their domestic prices shoot up because of the fixity of their international prices, making it impossible for people to access them. Sanctions, in short, hurt the targeted country even when that country can get the help of some friendly countries willing to break the sanctions against it.

It is the sanctioning countries therefore that deserve condemnation in accordance with the **Resolution 49-6 of the Human Rights Council** which decries the use of Unilateral Coercive Measures as tools of political and economic pressure “particularly against least developed and developing countries, with a view to preventing these countries from exercising their right to decide, of their own free will, their own political, economic and social systems.”



The recent pandemic demonstrated the complex nature of the international supply chain. Critical supplies and equipment often involve multiple corporate entities and several states for the origin of parts or transshipment. The US sanction regime has been designed so that if even one corporate or financial entity is subject to a sanction, it can disrupt the entire supply chain. The nature of the current international financial order has increased the power of sanctions as a mechanism of economic war and increases the vulnerability of developing nations who have no alternative means for economic development. The result has been the emergence of a new system of financial imperialism as destructive and destabilizing as earlier forms of imperialism.

4. The perpetrators of sanctions are guilty of fraud, piracy, conversion, and colonial theft.

Economic coercive measures are not only “war crimes” in our judgment for reasons we have mentioned, but they are also based on an essential element of fraud. The U.S. and its allies have been most persistent in demanding that countries of the Global South use their land area for producing crops that are in demand in the Global North. They also demand that sanctioned nations import foodgrains from the Global North, where countries are generally burdened with surplus grains. Adhering to “food self-sufficiency” at the expense of “comparative advantage,” they argue, is violative of efficiency; this argument is echoed by several multilateral institutions like the World Bank. But if the same countries at a later date impose sanctions whose overall effect is to reduce the sanctioned country’s ability to access food imports, then they are in effect perpetrating a dangerous fraud not just on the sanctioned countries but on the whole of the Global South.

The sanctioning countries present themselves as the champions of a “rules-based” international economic order, including the current order. No matter what one may think about the current order, the U.S. and its allies are its defenders and they uphold the principle that business contracts across countries and across citizens of countries are sacrosanct and inviolable. It is on the basis of this principle that countries deposit large sums of money in metropolitan banks, the obvious and inviolable presumption being that they can take this money out at any time of their choice subject to standard business rules. But if sanctions prevent them from doing so, because the bank has been asked by the U.S. or its allies to block withdrawals of their own money, then it represents a gross violation of the principles of the very order that the sanctioning countries profess to uphold. In fact, impounding in this manner the money belonging to any country in such an arbitrary manner, is nothing short of an act of international brigandage.

In this context, we further note that grand theft, colonial plunder, conversion and piracy at sea and air are part and parcel of economic coercive measures. In addition to the confiscation and freezing of sovereign assets of Global South countries in metropolitan banks, the policy of economic coercive measures has included imposing sanctions on vessels and oil tankers, the boarding and confiscation at sea of cargoes of oil and other valuable goods and their auction for



the benefit of the sanctioning regimes, and even the imprisonment and torture of diplomats and officials carrying out sanctions-busting trades on the international scene, as in the case of Alex Saab, a Venezuelan diplomat, currently facing trial in the United States. We further note that economic coercive measures and the confiscation or freezing of sovereign funds have been instituted upon several countries in retaliation for the nationalization or expropriation of economic assets and national resources, and/or the rejection of continued concessions to U.S. and other multinational corporations, and that international economic bodies such as the World Bank's International Centre for Settlement of Investment Disputes have served as a justification for the confiscation of national wealth. Thus, the perpetrators of such sanctions seek to compel nations to accept the continued imperial extraction of their wealth and resources.

Within the context of the global economy, we note that sanctioned nations with significant oil and gas resources have, by and large, fared better (with exceptions) than those without such resources, as the value of access to such resources compels third party nations to break the sanctions in order to engage in trade. However, nations with such significant resources have been particularly heavily targeted for coercive economic measures as a means of political and economic control.

5. The perpetrators of economic coercive measures are guilty of the crime of apartheid under the International Convention on the Suppression and Punishment of the Crime of Apartheid. The Rome Statute lists the Crime of Apartheid as a Crime Against Humanity.

The **International Convention on the Suppression and Punishment of the Crime of Apartheid** defines apartheid as “crime against humanity and that inhuman acts resulting from the policies and practices of apartheid and similar policies and practices of racial segregation and discrimination...are crimes violating the principles of international law, in particular the purposes and principles of the Charter of the United Nations, and constituting a serious threat to international peace and security.”

The crime of apartheid under the Convention consists of certain “inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them.” Similarly, the **Rome Statute of the International Criminal Court** defines the crime of apartheid as ‘committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime.’ The crime of apartheid is a crime against humanity under the Rome Statute when committed ‘as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.’



On a broad level, economic coercive measures carried out by the United States and its co-conspirators against peoples and nations of the Global South are designed to preserve and cement racial hierarchy and white supremacy on a global economic level. We note here in particular Article II, Section (b) of the Convention, 'Deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part.'

We draw attention to the case of Palestine, including the siege on Gaza. In addition to numerous other crimes against humanity and war crimes carried out by the Israeli regime in occupied Palestine. Many studies and analyses have carefully examined the clear responsibility of the Israeli regime for the crime of apartheid throughout occupied Palestine, from the river to the sea, on the entire land of historic Palestine, and against Palestinian refugees denied their right to return to their homes for the past 75 years. Palestinians are thus subjected to various forms of coercive economic measures by the United States and its co-conspirators, particularly Israel, as part and parcel of its conduct of apartheid throughout Palestine.

The blockade of Gaza is a particularly intensified form of coercive economic measures imposed upon this 365-square-kilometer area, home to over 2 million Palestinians, and the crime of apartheid is one of the crimes against humanity involved in this blockade, involving the full panoply of crimes laid out in Article II of the Convention. We note in particular the salience of Article II, Section(f), "Persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid."

Since 2007, Gaza has been particularly subjected to heavy economic coercive measures and blockade, including the denial of travel, closing of crossings, closing of trade, subjection of trade to agreements by the occupation forces, naval blockade, banning of exports, prohibition of necessary items for home-building and electricity production, and international prohibitions and criminalization of dealing with the government of Palestinians in Gaza, all of which has escalated on more than five occasions in the past 15 years into aerial bombings targeting civilian neighborhoods and media institutions. We note that this particularly heavy form of coercive measures in perpetuation of the crime of apartheid was imposed upon Gaza in retaliation for the election of government representatives, specifically a Hamas majority government, that work with the Palestinian resistance to oppose apartheid, and have been continued in order to carry out "regime change." These measures have been carried out by the United States, European Union, Canada and other parties, and the United Nations has been complicit, allowing the Israeli occupation to oversee and approve or disapprove imports and exports to Gaza, at a great cost to the civilian population in terms of health, nutrition, and access to the basic essentials of life.

These coercive economic measures, which stretch beyond Gaza to the entire Palestinian population, further includes the listing of Palestinian political parties and resistance organizations by the United States and its partners as "Foreign Terrorist Organizations" for



their efforts to oppose apartheid and colonialism, as well as the listing of many more as “Specially Designated Global Terrorists.” These designations not only allow the criminalization of third parties for engaging with those who are actively opposing apartheid and other war crimes and crimes against humanity, including the crime of genocide, in Palestine, but also provide for the freezing of assets of such designated parties. The use of such “terrorism” designations against Palestinians and those working to end apartheid and colonialism in Palestine is part and parcel of the crime of apartheid as defined within the Convention. The above notes do not limit our analysis of the crimes in Palestine to those encompassed by the Apartheid Convention.

6. The perpetrators of economic coercive measures are guilty of the crimes of genocide, conspiracy to commit genocide, and attempt to commit genocide under the Convention on the Prevention and Punishment of the Crime of Genocide and the Rome Statute.

The crime of genocide under international law requires a showing of “intent to destroy, in whole or in part, a national, ethnical, racial or religious group,” both under the Genocide Convention and the Rome Statute of the International Criminal Court. Therefore, it is often a challenge to hold the perpetrators of genocide and attempted genocide accountable for their crimes, particularly given the dominance enjoyed by the United States and its partners in the project of coercive economic measures. In many cases, the public statements of U.S. officials claim that such measures are being carried out in order to protect civilians and the population of a country against its government and leadership. However, it is clear from the record that economic coercive measures are used to cause significant harm at a mass level to entire populations and nations, as acknowledged by U.S. officials, such as then-Secretary of State Madeleine Albright’s infamous 1996 interview in which she declared that “the price is worth it” in relation to the deaths of 500,000 Iraqi children caused by the U.S. sanctions regime on that nation. (Footnote pointing out that under the “oil for food program” Iraq requested to import chlorine, the principal chemical used in water treatment facilities. The US blocked their request, claiming that the chemical could also be used for weapons production. The water borne diseases that afflicted mostly infants and the elderly continued unabated. The estimates of 500,000 casualties was published in the British Medical Journal, The Lancet.) Therefore, we may assess the intent by the ongoing continuation and expansion of these policies when their effects are quite clear.

Genocide is a process. Sanctioned nations have developed significant mechanisms of resistance and self-reliance in order to defend their sovereignty and very existence against such coercive economic measures. However, the fact that nations and populations have developed tools of self-defense does not relieve the perpetrators of such coercive economic measures of the intent nor impact of their actions. We note in particular that conspiracy to commit genocide and attempted genocide are both crimes under the Convention that are in many cases applicable to the perpetrators of economic coercive measures. Sanctions are part of a genocidal process with



stages that include demonization and isolation, alongside the material realities of hunger, starvation, lack of access to basic healthcare and significant excess death as a result of economic coercive measures.

As noted above, sanctions and their effects have disparate effects in different countries. In particular, nations with significant oil and gas resources have in some ways been able to make use of their national resources to prevent the most severe impacts of economic coercive measures on the civilian population. Oil is also traded in dollars which provides those countries with the principal currency denominated for international trade on other goods and services. In those countries without such resources, for example in Cuba or the Democratic People's Republic of Korea (DPRK), it is much more difficult to dispel some of these impacts through strategic use of oil and gas resources. Sanctions against North Korea contributed to more than 4,000 civilian deaths in 2018 due to a lack of access to humanitarian assistance, according to a new report commissioned by Korea Peace Now, an international group dedicated to permanently ending the Korean War.

In fact, Fidel Castro of Cuba identified the blockade on Cuba as a form of “economic genocide.” “It’s not only a blockade, it’s an act of genocide,” Dr Antonio Gonzalez Fernandez, director of the Cuban health ministry’s international relations division, also told Al Jazeera. We concur with this assessment. The impact on civilian lives has been significant and is often cited by the proponents of coercive economic measures, yet they seek to shift the blame to the governments of sanctioned countries rather than those responsible for imposing the sanctions. Within this context, we also note that countries with oil and gas resources are not exempt from this; for example, in Venezuela, access to necessary surgeries and childhood vaccinations plummeted, particularly at the highest point of sanctions or the “economic war” and immediately prior to the global Covid-19 pandemic in 2017-2019, before the development of Venezuela’s current anti-blockade mechanisms.

Article 26 (c) of the **Rome Statute** provides that anyone who “aids, abets or otherwise assists in [the] commission [of a crime] or its attempted commission, including providing the means for its commission” can be prosecuted by the International Criminal Court. This means that not only the sanctioning officials themselves can be held responsible, but also the corporations and corporate executives responsible for carrying out the program of economic destruction, amounting to genocide and/or attempted genocide, in addition to the previously enumerated war crimes and crimes against humanity.

7. Unilateral coercive measures are illegal under international human rights law.

As noted above, sanctions and coercive economic measures violate the norms of non-intervention and non-interference in the internal affairs of States. In addition, unilateral coercive measures (UCMs) violate the fundamental principle of equality, as well as several human rights.



A. Under **Articles 1(1) and 1(3) of the United Nations Charter** 'respect for the principle of equal rights' and for 'human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion' are key purposes of the UN, to which all States are bound to give effect. UCM directly affects the most vulnerable within society, including women, children, the elderly, the poor, the sick, or the disabled, to mention but a few.

B. Article 1(1) of the **International Convention on the Elimination of All Forms of Racial Discrimination**, defines the term "racial discrimination" as 'any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.' Further, under Article 4(1) States Parties condemn all propaganda...which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form'. We list CEDAW because sanctions regimes overwhelmingly impact the non-white peoples of the world in Asia, Africa, and Latin America, the "Global Majority."

Sanctions contribute to the material and ideological structures that sustain a global racial hierarchy. Materially, they condemn people from the Global South to chronic under-development and dependence, deepening material inequalities. Ideologically, the legal and humanitarian justifications behind the sanctions rely on racialized tropes about African and Third World states and their people, including notions of corruption, mismanagement, misgovernment, tyranny, political violence, sponsorship of terrorism and the overall collapse of law and order.

C. Article 1(1) common to the **International Covenant on Civil and Political Rights (ICCPR)**, and the **International Covenant on Economic, Social and Cultural Rights (ICESCR)** provides that "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." Article 1(2) common to both covenants add that, "All peoples may, for their own ends, freely dispose of their natural wealth and resources" and in no case may they be deprived of their own means of subsistence. Self-determination is also enshrined in several other international human rights treaties.

D. Article 20 of the **African Charter on Human and Peoples' Rights** guarantees the inalienable right of all peoples to self-determination, to freely choose their political and economic status, and to mount liberation struggles against economic and political foreign domination. Article 21 guarantees the right of all peoples to freely dispose of their wealth and natural resources..' Further, the **UNGA Declaration on the Granting of Independence**



to Colonial Countries and Peoples (1960) provides that ‘the subjugation of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights.

As forms of forceful illegal interventions, the UCMs we examined build on the longer-history of European colonization and imperial intervention in the Global South and constitute a new form of neo-colonial or imperial domination. This fundamentally distinguishes those UCMs from measures designed to support anti-imperial movements, such as was the case in South Africa or called for by liberation movements, such as the sanctions against Israel, which aim to uphold or exercise the people’s right to self-determination. In fact UCMs are based on biased double-standards given that they have never been applied to Western allies, such as Israel, despite international condemnation of its actions.

E. The **International Covenant on Civil and Political Rights** guarantees the right to life and the **International Covenant on Economic, Social and Cultural Rights** guarantees the rights to work, health, adequate standard of living, housing, education, and to be free from hunger. UCMs produce and exacerbate major health, economic, migration, and humanitarian crises impacting all of these rights. UCMs impede the import and acquisition of specialized medicines and technologies to be used for medical purposes, i.e., CT, MRI scans, echo machines, antivirals, as well as access to crucial vaccines. They have caused the closure of key infrastructures, particularly in the agricultural sector, as well as severe shortages in energy, food and clean water supplies, educational material, equipment and resources and skilled labour who has been forced, and often encouraged by the US and its allies for whom they constitute cheap labour, to flee their country. Our data shows rising rates of unemployment, malnutrition, disease, including outbreak of cholera and other highly infectious diseases, infant and maternal mortality and disease, and displacement. In the case of Syria, the UN Special Rapporteur for UCMs recently stated that the impact of the more recent round of US sanctions, the far-reaching Caesar Act, on human rights could constitute inhumane and degrading treatment within the meaning of the prohibition of torture.

F. Several recent UNGA Resolutions have similarly concluded that UCMs violate international law, including international human rights law.

UN General Assembly Resolution 77-214, Human rights and unilateral coercive measures, adopted on 15 December 2022, stresses that “unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States.” The Resolution recognizes that UCMs disproportionately affect the most vulnerable, including women, children, adolescents, the elderly and the disabled. In addition, the Resolution states, UCMs “impede the full achievement of economic and social development, particularly in developing countries,” contrary to the 2030 Agenda for Sustainable Development. UCMs pose a major obstacle to the implementation of the Declaration on the Right to Development.



Resolution 77-214 “Urges all States to cease adopting or implementing any unilateral measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature” which create obstacles to trade between States and impede the full enjoyment of internationally-guaranteed human rights. They include the right to an adequate standard of living and the rights to food, medical care, education and necessary social services. States must ensure that food and medicine are not used as tools for economic or political pressure.

Resolution 77-214 condemns UCMs adopted with a view to preventing countries from exercising their right to decide, of their own free will, their own political, economic and social systems. The Resolution affirms that UCMs must not be used as tools for political coercion, particularly in the context of the COVID-19 pandemic. And the Resolution reaffirms “the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development.”

G. Sanctions have also been condemned by the Human Rights Council. **Human Rights Council Resolution 49-6 on *The negative impact of unilateral coercive measures on the enjoyment of human rights***, adopted 31 March 2022, states that the Council is “[d]eeply disturbed by the negative impact of unilateral coercive measures on the right to life, the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and medical care, the right to freedom from hunger and the right to an adequate standard of living, food, education, work and housing, as well as the right to development and the right to a clean, health and sustainable environment.” The resolution also further condemns the use of UCMs as tools of political and economic pressure “particularly against least developed and developing countries, with a view to preventing these countries from exercising their right to decide, of their own free will, their own political, economic and social systems.”

This verdict reflects the consensus of the majority of jurors who participated and contributed in the writing and comes without prejudice to further final documents and legal analysis.

The list of jurors that follows is the list of all jurors that participated in the Tribunal and its sessions.



JURORS

1. **Suzanne Adely**, President of the National Lawyers Guild
2. **Max Boqwana**, CEO of the Thabo Mbeki Foundation
3. **Charisse Burden-Stelly**, Associate Professor of African American Studies, Wayne State University
4. **Marjorie Cohn**, Professor Emerita, Thomas Jefferson School of Law and Past President, National Lawyers Guild
5. **Michael Deutsch**, Retired Lawyer, People's Law Office
6. **Mireille Fanon Mendès-France**, founder and co-chair, Frantz Fanon Foundation
7. **Victor Goode**, former National Director, National Conference of Black Lawyers and Professor Emeritus, CUNY School of Law
8. **Jaribu Hill**, Founder and Executive Director, Mississippi Workers' Center for Human Rights
9. **Charlotte Kates**, International Coordinator, Samidoun Palestinian Prisoner Solidarity Network
10. **Maria LaHood**, Deputy Legal Director, Center for Constitutional Rights
11. **Jeanne Mirer**, President, International Association of Democratic Lawyers
12. **Willy Mutunga**, 14th Chief Justice, Supreme Court of Kenya
13. **Eva Nanopoulos**, Senior Lecturer in Law, Queen Mary, University of London
14. **Bruce Nestor**, Criminal Defense, Immigration and Civil Rights Attorney, Past President, National Lawyers Guild
15. **Osamu Niikura**, Professor Emeritus, Aoyama Gakuin University, Japan
16. **Edre Olalia**, Transitional President, International Association of Democratic Lawyers
17. **Prabhat Patnaik**, Professor Emeritus, Centre for Economic Studies and Planning, Jawaharlal Nehru University
18. **Vijay Prashad**, Founder and Executive Director, Tricontinental: Institute for Social Research
19. **Mohammed Tay**, Chair, Qana Observatory of Human Rights, Beirut, Lebanon.



STEERING COMMITTEE

Co-Chairs:

Nina Farnia, Assistant Professor, Albany Law School

Helyeh Doutaghi, Adjunct Professor and Doctoral Candidate in Law and Legal Studies, Carleton University

Steering Committee:

Suzanne Adely, President of the National Lawyers Guild

Max Ajl, Senior Fellow, Department of Conflict and Development Studies, Ghent University

Matthew Almonte, Co-Coordinator, Black Alliance for Peace Solidarity Network

Navid Farnia, Assistant Professor, African American Studies, Wayne State University

Bikrum Gill, Assistant Professor, Department of Political Science, Virginia Tech

Anisa Hosseinnezhad, Iranian Artist and Filmmaker

Manu Karuka, Associate Professor, American Studies, Barnard College

Charlotte Kates, International Coordinator, Samidoun Palestinian Prisoner Solidarity Network

Corinna Mullin, Professor in Global Politics and Political Economy, City University of New York

Matteo Capasso, Marie Curie Global Fellow, between Columbia University and University of Venice

Jeremy Miller, Organizer, Black Alliance for Peace



LIST OF WITNESSES HEARD

Zimbabwe

Rutendo Matinyarare
Milton Allimadi
Grasian Mkodzongi
Sheperd Robert Mafa

North Korea

Jun Sasamoto
Niloufer Bhagwat
Ju-Hyun Park
Betsy Yoon
Mr. Ri

Libya

Matteo Capasso
Essam El Korghli
Mustafa Fetouri
Murad Elsadawi
Mustafa Zaidi
Hamza Toumi

Lebanon

Zaher al-Khatib
Ahlam Beydoun
Jamal Wakim

Syria

Dr. Hala al-As'ad
Adnan Azzouz
Johnny Achi
Louis Allday
Patrick Higgins
Dr. Bashir Mohamed

Iran

Alireza Mirghaffari
Leila Enayati
Mohammad Parvizi
David Lashgari
Younes Arab
Mohammad Marandi

Gaza, Palestine

Riyad Ishkuntana
Malak Nidal
Wafa al-Udaini
Yasser al-Dirawi

Eritrea

Elias Amare
Dr. Saleh Mahmoud Idris
Naberi
Simon Tesfamariam
Gregoire Lalieu
Mohammed Hassan
Dr. Senai
Jan Fermon
Rahel Sabhatu
Martin Zimmermann
Dirk Vogelsang

Nicaragua

Amada Pineda
Montenegro
Brenda Rocha
Alma Nubia Baltodano
Orlando Tardencilla
Wilfredo Navarro
Dr. Alba Luz Ramos
Ivan Acosta
Dr. Sonia Castro
Camilo Mejia

Haiti

Jean-Eddy Saint Paul
Peter Hudson
Sabine Lamour
Mamyrah Prosper
Jemima Pierre
William Balan-Gaubert

Iraq

Dena al-Adeeb
Suheir Ibrahim Hachim
Raed Hassan

Virgin Islands

Lawanda Cummings
Cardinal Mills
Genevieve Whitaker

Puerto Rico

Wilma Esther Reveron
Collazo
Lourdes Garcia Gonzalez
Jeannette Graulau

Cuba

Yuri A. Gala López
Cheryl LaBash
Ajamu Baraka
Dr. Rosemari Mealy
Guillermo Ferriol
Lorenzo Anasagasti
Angulo
Leima Martínez
Mariuska Forteza Sáez
Yarina Amoroso
Victor Gaute
Alexis Ginarte
Yuri Perez Martinez
Isdalis Rodriguez



Venezuela

Felix Placencia
William Castillo
Maria Lucrecia
Hernandez
Flavia Marquez
Ruya Lopez

Ana Salazar
Ricardo Miranda
Laura Lorenzo
Alexis Bolivar
Laura Franco
Yhosmary Franco
Anahi Arismendi

Dr. Isabel Iturria
Robert Longo
Ricardo Vaz
Carlos Ron

[1] Zimbabwe, Democratic People's Republic of Korea, Libya, Lebanon, Syria, Iran, Eritrea, Gaza/Palestine, Haiti, Nicaragua, Cuba, Iraq, Venezuela, US Virgin Islands, and Puerto Rico