



# EU Economic & Financial Sanctions against Iran and their Human Rights Implications

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## Abstract

Since the advent of the Islamic Revolution in Iran, the country has been continuously subject to severe sanctions by the Western countries, especially the United States. In all these years, the U.S. sanctions did not affect Iran's economy much, due to the fact that the two countries have no formal relations and as a result, their economies are not, by any means, interdependent. However, Iran's economy has been reliant on extensive interactions with the European countries; the EU sanctions against Iran since 2011, therefore, have harshly affected Iran's economy and caused adverse social impacts on Iranian lives. In the shadow of Iran's dark image in the eyes of the world, one issue that has remained overshadowed by the discussions on the impact and effectiveness of the sanctions, is the severe human rights crises left by the EU sanctions. The key question is what have been the human rights and humanitarian consequences of the EU sanctions for Iran, and how serious have these consequences been for the country? As the author argues in this paper, EU economic sanctions against Iran are considered violations of the three main generations of human rights and are therefore unwarranted. Given this, the resumption of sanctions since 2018 would lead to a human rights disaster in Iran. The effect of these sanctions will not affect the Iranian government, but the Iranian civilians, especially the vulnerable, which will undermine their human dignity.

**Keywords:** EU, Human Rights, Iran, Sanctions, Violation

## 1. Introduction

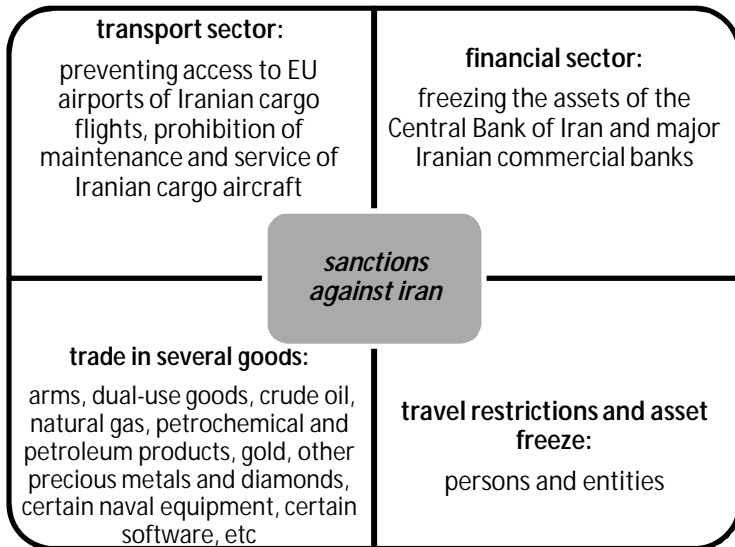
The imposition of international sanctions on any country, especially a developing one, can affect that country economically, politically and socially. After the Islamic Revolution, Iran has been continuously under various international sanctions, which are in conflict with the United Nations human rights mechanism. International law does not violate the implementation of human rights norms, and international resolutions and treaties must not violate the rules of the international law. With an increase in international public awareness about the catastrophic consequences of sanctions, especially in countries such as Haiti and Iraq, international non-governmental organizations, including Western research institutes, UN agencies and human rights organizations, sought to clearly link sanctions with human rights and henceforth expressed their views on the negative effects of sanctions on human rights. It is widely recognized that there is insufficient scientific work on the effects of economic sanctions on international relations. Certain studies have focused on human rights and the political effects of economic crime policies. However, these studies were mainly state centric and not attentive to sanctions' consequences on the country's citizens.

Many countries in the world are experiencing increasing poverty, income inequality and reduced economic growth. Proponents of sanctioning have argued that negative economic shocks lead to citizens' cohesion and their rebellion against the ruling elites. It does not matter whether sanctions imposed on a country are enforced unilaterally or solely by the United Nations Security Council. In any case, there is a conflict, and EU sanctions against Iran are no exception to this rule. The Treaty of Lisbon emphasizes the conformity of the Union's decisions with human rights principles, which calls into question the legitimacy of the EU sanctions on Iran.

Since July 2010, the EU began to impose severe sanctions on Iran. These sanctions included a ban on foreign trade, a ban on financial transactions, a boycott of the energy sector, etc. By 2012, the second wave of the EU sanctions were initiated. Following these new sanctions, the Swift banking network discontinued its relations with all Iranian banks, and the European Council sanctioned the Central Bank of Iran. These sanctions disabled the government from fulfilling its duties and functions, which left its most important imprint on the people's quality of life as well as various development processes in the country.

The key question discussed in this paper is what have been the human rights and humanitarian consequences of the EU sanctions for Iran and how serious they have been for the country. The EU imposed a wide range of autonomous economic and financial sanctions on Iran. To clarify the Independent variable of the study, the following table is prepared:

Nature of EU Sanctions against Iran



(Prepared by the author)

Economic sanctions are defined as the withdrawal of customary trade and financial relations for foreign and security-policy purposes. Sanctions may be comprehensive, prohibiting commercial activity with regard to an entire country. Governments and multinational bodies impose economic sanctions to attempt to alter the strategic decisions of state and non-state actors that threaten their interests or violate international norms of behavior.

In this paper, the impact of the implementation of EU sanctions on the human rights situation in Iran has been studied against the backdrop of the three human rights generations. In all these three generations, Iranian people's human rights are violated, each in a distinct way: In the first generation of human rights, the right to life of the Iranian citizens is questioned. In the second generation of human rights, sanctions have endangered the Iranians' right to access food, health services and housing, and their social security is therefore undermined. Finally, within the third generation of human rights, sanctions have hit the Iranians right to development, peace and the right to self-determination. Sanctions on Iran have been renewed several times. Iran is now in the second round of sanctions, which have left catastrophic consequences on Iran's human rights record.

### **1. 1. Literature Review**

Economic sanctions are usually ineffective because they cannot satisfy the objectives they are designed for. Sanctions are malicious because on the one hand, they undermine human rights and democracy, and on the other hand, they foster corruption and inequality. The weakening of a civil society and the decline of the level of health and well-being in a country are among the other effects of economic sanctions. Western countries tend to see and

analyze sanctions from their own perspectives and interpret the effectiveness of sanctions only in terms of the political benefits they entail for the imposing side, to the detriment of the target nation.

Much research has been conducted about the relationship between economic sanctions and human rights. However, many are not balanced in their analysis because they are written by the authors living in the sanctions-applier countries, who read the story of the imposed sanctions from a different perspective than those who actually tolerate their impacts. This makes these authors unable to pay the necessary attention to the humanitarian implications of the imposed sanctions on the target country. For example, Peksen & Drury (2009, p. 395) addressed the impact of economic coercion on the level of political repression within a targeted state. In this study, political repression refers to the level of restrictions imposed to political freedom and governments' disrespect for human rights. They argue that the imposition of economic sanctions curtail the political and civil rights of the citizens. Sanctions are malicious because on the one hand, they harm human rights and democracy, and on the other hand, they foster corruption and inequality. The weakening of civil society and the decline of the quality and availability of health services are among the other effects of economic sanctions. In their view, sanctions have a negative impact on democracy and political liberty. The authors examine 102 countries from 1972 to 2000 and conclude that economic constraints serve to increase the state power.

In another study, Malloy (2013, p. 81) examines situations in which, in varying combinations, economic sanctions have been invoked in the service of human rights law and policy. Malloy

examines four case studies involving sanctions in response to pervasion human rights violations: Zimbabwe, South Africa, Myanmar, and Belarus.

Lopez & Cortright (1997), in their study, examine the way in which sanctions might be an effective policy for protecting or enhancing human rights in selected nations. Moreover, in her study, Lori Fiscal Damrosch (1993) argues that sanctions inevitably impose hardships on the people of target nations, which is ethically justifiable if sanctions are carried out for a higher political and moral purpose such as halting aggression or preventing repression. To retain legitimacy, however, Damrosch argues that a sanction regime must not drive the living standards below the subsistence level.

In other mainstream works, scholars focus on the effect of economic sanctions on special cases. For example Parker, Foltz and Elsea (2016) discuss the United States human rights policy in the Democratic Republic of the Congo. The authors estimate the policy impact on the mortality rates of children born prior to 2013 and find that the US human rights policy increased the probability of infant death in villages near the regulated conflict mineral deposit by at least 143 percent.

According to some research, sanctions normally worsen the human rights situation in the target country. However, this worsened human rights situation is attributable to the governments of the sanctioned countries and their weak structures and infrastructures, rather than the sanctions. For instance, Wood (2008) argues that the imposition of sanctions increases state sponsored repression and suggests that these sanctions contribute to the worsening humanitarian conditions of the civilian population. According to Wood, sanctions involve several actions such as

tariffs, export, reduction or removal of foreign aid, and serving of diplomatic relationships. From this perspective, Marinov (2005) examines the relation between sanctions and human rights from a political standpoint. He argues that sanctions increase the base line risk of the leaders losing power by 28%. However, the author does not justify whether or not the 28% increase outweighs the local costs. Marinov (2005) demonstrates that economic pressure destabilizes the leaders that it targets. He presents a theoretical argument that explains the reason for which destabilization is a necessary condition for successful coercion. Peter Andreas (2005) Suggests that economic sanctions increase crime in the government, the economic system and society. The sanctioned government has to defend the wrongdoers to protect its revenues and resources. The government also has to resort to transnational organized crimes to transfer money. Underground economic activities and economic rent spread at the community level, and corruption increases day by day. Sanctions create a new class of *nouveau riche* who earn from illegal economic activities.

There are a few works conducted with clear emphasis on the informal economy that is created to circumvent the sanctions. In a report, Gibson & Garfield (1999) examine the impact of economic sanctions from 1991 to 1994 on public health, well-being and human rights in Haiti. They conclude that economic sanctions in Haiti resulted in an extensive violation of human rights. The impacts were greater on the most disadvantaged Haitians. In a more recent article, Heine-Ellison (2010) argues that because of the lack of a monitoring system, even targeted sanctions can have unintended humanitarian consequences and should therefore be applied with extreme caution. She examines her hypothesis on four cases: Iraq, former Yugoslavia, Angola and Sierra Leon. From her point of view, most of the reports on economic sanctions indicate a

strong relationship between economic sanctions and the impact on the civilian population.

In a more detailed study, Neuenkirch and Neumeir (2016) analyze the effect of the United States economic sanctions on targeted countries' poverty gap during the period 1982-2011 (Neuenkirch & Neumeir, 2016). As illustrated in the above-mentioned research, most of the literature in this area is biased, ignoring the cruel nature of sanctions and its adverse human rights record. In most of the works, researchers have been studying US sanctions and not paying attention to European sanctions. Ultimately, few studies have focused on sanctions against Iran.

## **1. 2. Theoretical Considerations and Hypothesis**

According to the UN Charter (1945), the Universal Declaration of Human Rights (1948), and the Convention on the Rights of the Child (1989), if economic sanctions result in human suffering, they are not justified in terms of international law. Indeed, the heaviest impact of the economic sanctions is usually on the poor and the middle classes. By contrast, sanctioning the entry of goods and creating a black market can increase the wealth of the upper class and shape a kind of dark economy.

Because of their special nature, human rights contain numerous non-binding documents. The most important of these documents are the resolutions of the General Assembly of the United Nations, and in particular, the Universal Declaration of Human Rights, and the acts referred to in article 1 of the Charter on the need to respect and promote human rights (Goudarzi, 1396 [2017 A.D.], p. 134). The Islamic Republic of Iran has suffered from severe sanctions by the United Nations, the United States and the European Union since the 1979 revolution.



The purpose of sanctions imposed on a country, is to punish the country by depriving it from certain benefits, and to make it comply with certain norms that the imposers deem important (Galtung, 1967, p. 379). In another way, sanctions have varied shapes: negative or positive, individual or collective, internal or universal, general or selective and finally total or partial (Galtung, 1967, p. 382).

Sanctions against Iran, including the EU sanctions, were unilateral. Unilateral sanctions refer to sanctions that are extraterritorial. Any sanction imposed outside the framework of the Security Council would be called a unilateral sanction.

Numerous United Nations studies have also been carried out on unilateral coercive measures and human rights including the issue of legality of such measures. Some examples are: the working paper “The Adverse Consequences of Economic Sanctions on the Enjoyment of Human Rights” (E/CN.4/Sub.2/2000/33); The background paper “Human Rights Impacts of Sanctions on Iraq” prepared by OHCHR for the meeting of the Executive Committee on Humanitarian Affairs of 5 September 2000 (A/HRC/19/33); OHCHR thematic study on the impact of unilateral coercive measures on the enjoyment of human rights, including recommendations on actions aimed at ending such measures, 11 January 2012; and Committee on Economic, Social and Cultural Rights, general comment No. 8 of 1997 on the relationship between economic sanctions and respect for economic, social and cultural rights (E/C.12/1997/8). All these studies have analyzed the legitimacy of unilateral coercive measures from a human rights perspective and the complex and divergent views around this topic. They have also stressed the need to further examine the linkages between unilateral coercive measures and human rights (OHCHR, 2019).

From July 2010 to October 2016, the EU applied a series of unilateral economic sanctions against Iran, which included 33 different sanction regimes (Zamani & Gharib Abadi, 1394 [2016 A.D.], p. 103). According to EUR-Lex (2008):

Where a decision, adopted in accordance with Chapter 2 of Title V of the Treaty on European Union, provides for the interruption or reduction, in part or completely, of economic and financial relations with one or more third countries, the Council, acting by a qualified majority on a joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the Commission, shall adopt the necessary measures. It shall inform the European Parliament thereof. Where a decision adopted in accordance with Chapter 2 of Title V of the Treaty on European Union so provides, the Council may adopt restrictive measures under the procedure referred to in paragraph 1 against natural or legal persons and groups or non-State entities.

These provisions should be interpreted in accordance with Article 53 of the Charter of the United Nations. If the EU takes a restrictive stance against a country that is not under the authority of the Security Council, there has been a violation of the United Nations Charter. Therefore, The assumptions of this research are: EU sanctions against Iran in all areas of energy, finance, trade, commerce, etc., were beyond the sanctions of the Security Council. As a result, EU sanctions against Iran are in the first place a violation of international law. While none of the Security Council resolutions targeted oil purchases from Iran, the EU imposed its most extensive sanctions on the Iranian oil exports. There is no mention of sanctioning Iranian oil in the introduction of the resolution 1929. In addition, the legal effects of the introduction of the Security Council resolutions are different from the text of the resolutions and lack any binding power. As a result, resolution

1929 does not provide a legal basis for other parties, including the European Union, to initiate their own economic sanctions against Iran. Therefore, according to the above description, this hypothesis is exhaustive that the EU's economic sanctions against Iran have led to widespread human rights abuses. To test this hypothesis, a new theory of human rights developed from John Lock's ideas is used.

Karl Vasak & KebaM'bay introduced the third generation of human rights. They sought to justify human rights using the principles of the French Revolution of 1789 (Fraternity, Equality, and Liberty). They believed that the first generation, the political and civil rights is based on the principle of fraternity, the second generation of economic, social and cultural rights is based on the principle of equality, and the third generation, the right to solidarity is based on the principle of brotherhood (Solhchi, 2014, p. 144). They called the first generation negative rights, the second generation, positive rights, and the third generation, solidarity rights. In this article, we use this theory.

The principles of these three generations include:

- Civil and political right: the right to life, equality before the law, freedom of speech, right to a fair trial, freedom of religion, and voting right (Izadi, 2014, p. 100). In Iran's sanctions violation of the first and second cases are observed.
- Economic, social, and cultural rights are twofold: first, the right to food, housing and health care, and second, and the right to social security. Both rights have been violated in Iran's sanctions.
- Solidarity right includes right to self-determination, right to peace, right to development, right to humanitarian assistance, and finally right

to environmental law. It can be seen again that all these rights have been violated in Iran's sanctions.

The main characteristic of the third-generation rights is that they are realized only by the efforts of all social agents, namely individuals, governments, public and private associations, and the international community.

## **2. Iran Economic Sanctions and the First Generation of Human Rights**

The most important human right is the right to life. The right to life does not only mean survival, but requires all the necessary means to have a decent life. In fact, the first generation of human rights is the civil and political rights that have been rooted in the values of the school of liberalism. These rights include fundamental rights such as the right to life, freedom of opinion, freedom of expression, community, security and judicial safeguards. The sanctions against Iran prevented the government from fulfilling its obligations in this area.

The right to life is that a person has a fundamental right to live, because human rights are subject to human viability, the right to live is a priority over other rights, because without life, other rights are not worthy of use (Kondoch, 2001, p. 288). According to article 13 of the United Nations 1948 Universal Declaration of Human Rights, "Everyone has the right to freedom of movement and residence within the borders of each state" (UN Declaration of Human Rights, 1948, Article 13).

By the imposition of the unilateral sanctions alongside the sanctions of the Security Council, the foundations of Iran's economy were targeted, which resulted in recession and the rise in

inflation. The increasing stagnation and inflation gave rise to a reduction in people's purchasing power, increase of general poverty and government's failure to meet people's needs (Mousavi, Jokar & Mohammadi, 1393[2014 A.D.], p. 155).

There are two major interpretations of the right to life: the narrow and the broad ones. The narrow interpretation merely observes citizens' deprivation of their lives. Therefore, countries cannot torture citizens or endanger their lives arbitrarily. In the broad interpretation of the right to life, it is no longer limited to protecting the lives of individuals, but also the right to food, housing, health, medicine, etc. The UN Human Rights Committee rejects the narrow interpretation of the right to life (Kondoch, 2001, p. 288). To support this claim, one may refer to article 11 of the Covenant on Economic, Social and Cultural Rights (1976, p 4), which states:

The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programs, which are needed: ... b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

Article 25 of the Universal Declaration of Human Rights (1948, p7) also refers to the right to life: "1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.2. Motherhood and childhood are entitled to special care and

assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection".

The catastrophic effects of sanctions on the right to life are inevitable, because widespread poverty and reduced social services and food and drug deficits can spread diseases and increase mortality rates. Economic sanctions and the right to life are not compatible. Sanctions endanger the lives of the ordinary citizens who are collectively punished by the scale and severity of sanctions. By collective punishment, we refer to a punishment applied against some people for the crime that others have committed. The punished group may have no connection or control over the actions of individuals or groups whose actions have led to their punishment.

Sanctions are in most cases ineffective tools, yet they are cruel and indiscriminate in the damage they do to the people in the targeted country. Perhaps worst of all, they are unjust in that they punish the innocent for the deeds of the guilty, while enabling the people responsible for regime policies to grow wealthier and more powerful than they already were (Larison, 2018).

The EU's sanctions against Iran reduced the welfare of Iranian citizens and increased the spread of poverty. The biggest blow to the Iranian economy was delivered by the unilateral EU sanctions on the energy sector. Iran has a petroleum-based economy and sanctions reduced Iran's oil exports and declined the national revenue, which directly affected the Iranian citizens.

Unilateral sanctions against Iran's airlines and the shortage of spare parts and engineering skills has hit the airline industry in Iran. According to Iranian news reports, there have been 17 air crashes in Iran over the past 25 years, in which 1,500 people were killed. The reports add that the rising price of raw materials and spare

parts has led to the insecurity of flights (Izadi, 2014, p. 102). It should be noted that in the EU sanctions, there were three exceptions to the right to life. These humanitarian exemptions of EU were as follow: visa ban, release funds for basic needs, and financial sanctions not concerning trade for food, agricultural, medical or other humanitarian purposes (Gump, 2014, p. 16). These exemptions did not work at all because the EU banks were hesitant to be involved in financial transactions with Iran regardless of the products (Gump, 2014, p. 20).

In general, Iran's sanctions have had a negative impact on production, employment and national income, lower economic returns, unfair distribution of goods and services, and ultimately the expansion of the class divide. They deprived some of people of the lowest levels of living standards.

### **3. Iran Economic Sanctions and the Second Generation of Human Rights**

The second generation of human rights is economic, social and cultural rights. The emergence of these rights dates back to World War II and the famous speech of the president of the United States, Franklin Roosevelt. He stressed on "freedom on want". Under the influence of socialist countries, these rights have been included in the Universal Declaration of Human Rights since the Second World War. Some of these rights include the right to work, social security, the right to acceptable standards of living and prosperity, and the right to participate in the cultural life.

Any use of coercion due to the unavoidable social relationships that exists between the target population and the innocent parties causes the collective or double effects damage. Sanctions not only

have a damaging impact on the lives of people in the target country, but also have a detrimental effect on their enjoyment of their rights, such as the right to health or the right to food.

The inhumane impact of European sanctions has resulted in a rise in food prices. Since 2012, food prices have risen sharply in Iran. Iranian households' main foodstuff, such as chicken became rather expensive, in a way that many could no longer afford to buy it on a regular basis. Iran lost \$80 billion in its foreign exchange reserves in 2012 (Reuters, 2012). Furthermore, the most significant blow to Iran's food distribution network was a banking boycott. On average, Iran consumed 15.5 million tons of wheat and 6.2 million tons of sugar per year. The government imported 60,000 tons of food a month. The devaluation of Iran's money, the Iranian Rial, increased the price of food in Iran (Saul, 2012).

High inflation caused a change in consumption patterns and people began to use foodstuff below the normal health standards, such as the Pakistani red meat (Alekaibaf & Ansarian, 2014, p. 40). The mounting price of essential commodities such as meat and poultry results in the shortage of food needed for human metabolism, with serious health consequences like mental and physical disability of the present and future generations.

If the EU wants to boycott a country, it must have legal justification to legitimize such an action. It seems that sanctioning Iran was a political decision without any legal rationale. In fact, the EU's actions affected Iran's import and export of foreign currency, which created difficulties in supplying essential goods. The sanction of financial exchange channels with Iran has led to a severe problem concerning access to medicine and other much-needed medical equipment. Europeans have stated that if currency allocation and exit methods are strictly limited to medicines and



medical supplies (clean route), there will be no restriction in these areas. However, this remained a claim and was never realized (Fashandi & Ghaderi, 1396 [2017 A.D.], p. 157).

The right to health and healthcare facilities and medical and therapeutic services is a specifically recognized right supported by the human rights. The economic, social and cultural covenant has recognized the right of all human beings to enjoy the best physical and mental health services; in order to fully enforce this right, it asks countries to reduce abortion and child mortality and take the necessary measures to improve healthy conditions for children.

According to experts from the American Cancer Society, Iran was confronted with a tsunami of cancer in 2015. The health sector in Iran is governmental and the government pays heavy subsidies to solve this problem. Sanctions created many problems for the import of medicine and medical equipment. Together, the increase in inflation and the reduction of the monetary resources of the state worsen the situation day by day. At the same time, many imported items from non-European countries were not only unusable for their technical defects, but their usage could also be life-threatening to patients. According to the statistics, all costs related to cancer patients were provided by the hospitals before sanctions. However, after the sanctions began, the level of government and hospitals' support to the patients diminished considerably (Mousavi et al., 1393[2014 A.D.], p. 155).

Before the sanctions, the Iranian pharmaceutical industry played an important role in providing the medicines needed by patients and was even able to produce much of the country's vital medicines. However, with the onset of the crisis, the Iranian pharmaceutical industry faced extensive difficulties in importing raw materials and some medicines. As a result of sanctions and

lower international revenues of the country, the Iranian Rial lost its value to a large extent against other currencies and therefore the price of medicines and raw materials increased significantly, leaving Iran's pharmaceutical industry struggling to survive. Due to the disturbances in financial transactions, many countries sopped their export of medicine to Iran (Cheraghali, 2013, p. 64).

In fact, Iran's lack of access to the international financial system and its inability to issue letters of credit (LCs) constituted the main reasons for medicine shortages in Iran. Banks and pharmaceutical companies in Europe did not accept cash. Even the transfer of money by patients or charitable organizations in Azerbaijan and Armenia was blocked. Since 2012, with EU sanctions on Iran's banking system, there has even been a problem with the successful supply of plasma inside the country. Failure to import PDM<sup>1</sup> to Iran took the lives of many hemophilic patients and patients with immune deficiency. Even after Europe's plasma was replaced by the non-European ones, including the Asian and Latin American plasma, the problem persisted, since these countries' plasma was not appropriately dispersed (Cheraghali, 2013, p. 2). Sanctions also indirectly spread diseases, for example, cancer has since become the third cause of death in Iran after heart disease and accidents because of a shortage of the necessary medications required to treat cancer.

One of the reasons for the tsunami of cancer in Iran was the introduction of EU sanctions in 2012. Some materials and radiotherapy devices were subjected to sanctions because of their dual use in military devices. Due to these deficiencies, cancer patients were placed on long waiting lists to receive medical services and some lost their lives. The government was forced to

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1. Plasma Derived Medicines

import non-quality Chinese medicine to treat cancer patients. It was later proved that they were harmful to patients due to voltage fluctuations and therefore their consumption was stopped (IIPP, 2013, p. 3). Patients with asthma and lung problems were victims of European sanctions and Iran was therefore compelled to import low quality Indian medicines, which were offered to few patients. As a result, the rate of death of pulmonary patients in Iran increased and this turned into a humanitarian crisis.

Due to unfavorable economic conditions caused by European sanctions, the natural life of the Iranian people was affected and everyone was under stress and anxiety. This led to an increase in the incidence of MS in Iran; the disease has progressed fast in the country since 2012, when Iran was ranked among the top 10 in the world with high MS occurrence. The standard medicine used to treat MS is provided by a single company, and with the discontinuation of its export, Iran had no choice but to import its equivalent from Turkey, which was much less effective. The price of "Rebif," which has no Iranian equivalent ranged from 450,000 to 600,000 Iranian Rials, which is an incredible amount of money for one household, for only one month (Butler, 2013). The Iranian government faced two major problems in this respect: first, rapid growth in the cases of disease occurrence and second, lack of financial resources needed to support patients. In fact, not only did the sanctions create a problem, but they also aggravated it. This can be considered a significant violation of human rights. However, this is not the end of the story. Sanctions have, in this way, harmed the social security of the Iranian people.

In a study conducted by the European University Institute, two economists studied 68 countries from 1968 to 2008 and illustrated that income inequalities significantly increase during sanctions.

The heavier a country is sanctioned, the less it is absorbed in the international trading system. Sanctions increase the rise in inequality (Mahadevan, 2016). The less a country is interdependent in the international economic system, the higher the level of inequality in that country would be (Mahadevan, 2016).

Even when the sanctions are lifted, the sanctioned country does not return to the desirable economic growth and must deal with the problem of increasing inequality for years and sometimes decades. In Iran, the imposition of European sanctions delivered irreparable shocks to the economic and, consequently, social security of the Iranians, and the damages persisted even after the lifting of sanctions. Today, with the withdrawal of the United States from the nuclear deal with Iran and the imposition of new sanctions on Iran, the state of social security has suffered even more. Today, Iranian's social security is plagued by the re-instigation of sanctions. Sanctions are shrinking the size of the middle class in the Iranian society and are pushing the private sector to the margins of the national economy. In addition, sanctions have pushed businesses away from the formal banking system to underground networks. As a result of the sanctions, Iran's economy is distanced more from the principles of the free market (Fashandi & Ghaderi, 1396 [2017 A.D.], p. 165).

On the other hand, sanctions have sparked gender-based discrimination against women. Under conditions of sanctions, women have less job security and face more job discriminations than men (Drury & Dursun, 2014, p. 467). The situation is worse for women who are breadwinners of their family and the country is facing a wave of addicted women and growing prostitution (Karamouzian, Foroozanfar & Ahmadi, 2015, p. 68).

Poverty, unemployment and despair during sanctions have

caused an increase in people's level of dissatisfaction with life. The feeling of frustration creates anger and psychological problems among the lower classes of society. Researchers, such as Weis and Gibson argue that sanctions lead to more social violence. As the sanctions continue, future perspectives turn bleaker for the general population, resulting in mental health decline and a rise in suicide rate, reaching 7.6% (Drury & Dursun, 2014, p. 469). Sexual violence is also a consequence of this situation. In 2014, it was announced that 11% of Iranians live below the poverty line, and 30% are in relative poverty. Because of the rising prices, most Iranians have cut their food quality and quantity. According to the Statistics Center of Iran, the percentage of child marriage in these years has increased by 20% (Kokabisaghi, 2018, p. 385). Therefore, as illustrated, the European Union's sanctions against Iran are considered to be a significant violation of the second generation of human rights in the country.

#### **4. Iran Economic Sanctions and the Third Generation of Human Rights**

In recent decades, a third generation of human rights, called Collective Rights, has been raised by many scholars. These rights, recognized in some of the United Nations resolutions include the early planning of a number of treaties and the African Charter of Human Rights". Among the rights that are effective in this generation, the right to development, the right to a healthy environment and the right to peace are mentioned. The Charter of the United Nations (1945), Article 1, paragraph 2, states that "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace".

The right to self-determination is recognized as a primary right in the third generation of human rights. The European Union sanctions indirectly affected Iran's right to self determination. The right to self determination has a complex relationship with the fundamental principles of sovereignty and statecraft. This right and the obligation to respect and protect it are recognized as "jus cogens" (Zamani & Gharib Abadi, 1394 [2016 A.D.], p. 113), which are unfortunately violated when imposing unilateral and secondary sanctions. Given the European Union's objectives of imposing sanctions, which ultimately put pressure on a large number of people as well as branches of the armed forces of Iran, it can be concluded that unilateral European sanctions against Iran indirectly hurt the right to self-determination and the autonomy of the Iranian nation, which is recognized by various resolutions and declarations.

The international community sanctions are also a kind of disruption to the right to peace. The international community has consistently condemned the imposition of economic measures in various international conferences. On the other hand, the international community has only authorized the United Nations to take coercive economic actions in specific situations that involve the threatening or violation of peace. Unilateral measures by governments to enforce economic measures against other states have no basis in international law (Zarif & Mirzaei, 1376 [1996 A.D.], p. 96). The various resolutions adopted by the United Nations organs also emphasize this point. Article 1 of the Declaration on the Right to Peace (2016) states that "everyone has the right to enjoy peace such that all human rights are promoted and protected and development is fully realized" (Declaration on the Right to Peace, 2016: p. 5).

The rights to peace and health are interrelated with other rights that promote a life of dignity for all. In this way, Article 2 of the Declaration on the Right to Peace proclaims the obligation of States to “respect, implement and promote” key principles grounded in the notion of human dignity, including equality, non-discrimination, freedom from fear and want, as well as justice and the rule of law (Perry, Fernández & Puyana, 2017). It is therefore clear that, given the conditions created in Iran after the imposition of EU sanctions (refer to the above-mentioned issues), the right to peace of the Iranian people has been violated by the European Union sanctions.

The most important indicator in the third generation of human rights is the right to development. The right to development is in fact increasingly gaining acceptance as a human right. Economic sanctions directly and indirectly affect the enjoyment of this right. In the Vienna Declaration and Program of June 25, 1993, the right to development is defined as follows:

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 (Declaration on the Right to Development, 1986, p. 2).

The right to development ensures the freedom, development, and the enjoyment of the right of every human being to the spiritual resources of the international community. The imposition of economic sanctions is in contradiction with that and, with the weakening of the economic system of countries, stops their development in various cultural, economic and social spheres (Goudarzi, 1396 [2017 A.D.], p. 138). Article 28 of the Universal

Declaration of Human Rights approves this. Unilateral EU sanctions against Iran, blocking Iran's assets and boycotting Iran's key industries, were serious obstacles to Iran's development and the incompleteness of the conventions in question.

Article 2 of the Declaration of the Right to Development recognizes this right as an individual right; all states are primarily responsible for providing the grounds for the manifestation and exercise of this right. The declaration recognizes the right to development as a collective, and at the same time an individual right. The right to development includes the right to a clean environment. In the human right of development, the task of the state is limited to the extent that the tools and conditions allow it. Against all these, the EU's economic sanctions restrict the ability of the government to enforce this right (Mousavi et al., 1393[2014 A.D.], p. 161). It can therefore be concluded that all sanctions have an anti-development nature.

In 2011, Iran produced about 4 million barrels of oil daily, while its domestic oil consumption was estimated at 1.8 million barrel a day. Its GDP in terms of purchasing power parity was estimated at 990 billion or 476 billion according to official exchange rate (Ogbonna, 2016, p. 338). Iran's GDP dropped by about 35% between 2012 and 2014 and the consumer price index increased from 100 to 178. Inflation increased from 20% to 38% and minimum wages dropped from \$ 275 to \$ 155 (Kokabisaghi, 2018, p. 375).

In the area of the environment, imposing sanctions increased the pollutants in conventional fuels to a level much more than acceptable according to the global standards. Due to the import ban, Iran had to produce low-quality fuel, which played a major role in environmental pollution. As a result, the number of cancer patients increased, and in 2014, about 45,000 people died of cancer



(Kokabisaghi, 2018, p. 386). The average concentration of fuel in the fuel stations reached 438 times more than the standard (Alekbaf & Ansarian, 2014, p. 42).

The scientific, technical and economic sanctioning of countries has accelerated the process of environmental degradation and increased all types of pollution. Furthermore, the country's inability to use optimal international capacity has slowed the process of responding to environmental problems. When the financial burden of sanctions has pushed citizens to poverty, it is far from realistic to believe that sanction-imposing countries would care about environmental issues. This leads to a decline in the quality of life and health of the people in the sanctioned countries.

The impact of Iran's sanctions on the right to a healthy environment can be seen in the increase in the air pollution in Tehran, resulting from the use of inappropriate gasoline, which returns to economic and infrastructure problems caused by sanctions. Another example of the impact of sanctions on the environment is the ban on Iran's shipping industry, which obstructs cooperation with international maritime organizations. This reduces the safety of ships and oil tankers and increases the likelihood of marine accidents and, consequently, would contribute to the pollution of the environment.

On the other hand, sanctions have led to an increase in unemployment rates in Iran. When the manufacturer does not have the capacity to pay the costs, the labor force would be the first to be affected. If reducing the number of workers does not solve the problem of high production costs, the producer would have to decrease the production. Reduced production will result in the loss of production capacities and, at the same time, an increase in the cost of manufactured goods. A problem that ultimately leads to the

closure of the manufacturing unit and the loss of job opportunities and national production. This clearly means reproducing the cycle of poverty in the country.

Iran's economy suffered a deep recession during 2012-2013, with a negative GDP growth of 6.8 percent in 2012 and a negative growth of 1.9 percent in 2013 (Rahmati, Karimi & Madanizadeh, 1395 [2016 A.D.]). High inflation, high unemployment, fluctuations in trade balance and a sharp decline in investment over the two years have been indicative of an alarming situation in all macroeconomic variables. The implementation of the "Iranian subsidies reform plan", the imposition of sanctions, the change in interest rates, and the expansionary fiscal policies of the government in previous years, in addition to certain national monetary policies, gave rise to an economic stagnation in Iran. Although economists do not agree on the severity of the effect of these variables, sanctions have been named by many experts as the main reason for the poor economic conditions of the country during the years 2010 to 2012. All in all, it can be said that sanctions have affected the Iranian economy in three major ways: "sharp increase of exchange rate", "trade sanction" and "oil sanction".

## 5. Conclusion

In June 2010, the European Union began to impose severe sanctions to Iran, similar to the US Congressional sanctions on Iran's trade and energy sector. In 2012, the sanction of the import of oil from Iran significantly reduced Iran's oil exports. The EU also sanctioned a list of European individuals, banks, companies and organizations that traded with Iran.

It should be noted that the most important reason for the effectiveness of the US sanctions against Iran in the years after

2010 was that the EU would comply with them. The goals of the European sanctions were: to force Iran to halt its nuclear program, to restrict its ability to access the equipment needed to develop nuclear programs, to force Iran to abide by human rights, to restrict Iran's influence in the region, and in other words to make a fundamental change in Iranian policies. However, in practice, the most obvious result of the sanctions was damaging the human rights conditions in Iran.

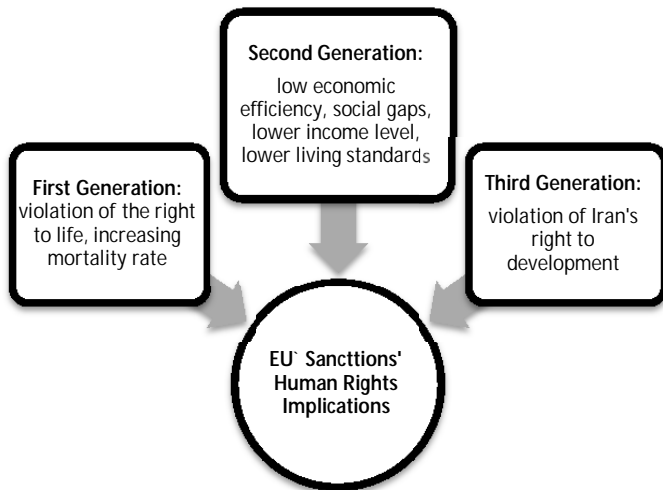
In this paper, it became clear that against the backdrop of the three generations of human rights in Iran, the illegitimate sanctions only violated various human rights. Under the first generation of human rights, the negative effects of EU sanctions on the right to life of Iranian citizens are undeniable. Because of the increase in poverty, interruptions in the delivery of social services, and medicine shortages as a result of sanctions, there has been an increase in mortality rates in Iran. The impact of sanctions on inflation has affected the lives of the Iranian people. The sanctions have reduced the supply of foreign currency in the country, which has led to an increase in the exchange rates, and consequently imported goods have become more expensive for Iranians.

Under the second generation of human rights, many Iranian citizens were partially or completely deprived of the rights to have proper access to health, food and medicine, as well as the right to social security. According to the Universal Declaration of Human Rights, everyone has the right to enjoy the health and well-being of himself and his family in terms of food, housing, medical care and social services. The EU sanctions against Iran, with a negative impact on production, employment and national income, have resulted in low economic efficiency, lower income levels and social gaps, and in general have lowered the living standards of Iranian

citizens. Sanctions increased mortality by disturbing the infrastructure needed to provide health services and stopping the import of medicines needed by patients with severe illnesses. In addition, increasing food prices caused by the difficult conditions created by sanctions reduced the per capita consumption of meat and dairy products and other foodstuffs in the country, which has caused malnutrition for many families/citizens.

The last violation of human rights by the European Union took place in the third generation of human rights. The most important indicators of this generation are the right to peace, the right to development and the right to self-determination. Unilateral European sanctions against Iran violated Iran's right to development as an integral part of fundamental human rights. These rights do not only belong to the current generations, but also to the future generations of Iranians. Based on the indicators and assumptions set in the theoretical framework section, this graphical conclusion has been prepared:

Graphical Conclusion



Prepared by Author

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