



**BROKEN
CHALK**

Submission to the United Nations Special Rapporteur on
unilateral coercive measures

CALL FOR INPUT | Special Rapporteur on unilateral coercive measures

Sanctions Research Platform.

Submitting Organization: BROKEN CHALK

January 2024

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Submission to the United Nations OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Broken Chalk is an Amsterdam-based non-governmental organisation (NGO) committed to **addressing human rights violations in the education sector**. It was established in October 2020. A multinational team of dedicated human rights advocates collaborates extensively on researching violations in every corner of the world.

The organisation's primary activities include removing obstacles to education, promoting peace and tranquillity in society through intercultural tolerance, preventing radicalism and polarisation, and eliminating educational opportunity gaps across different demographics.

Broken Chalk works hard in advocacy and lobbying on behalf of these educational victims, engaging with international organisations to prompt action. Additionally, the volunteers and interns working remotely worldwide at Broken Chalk prepare comprehensive reports for international organisations, stakeholders, and governments, highlighting human rights violations in education. These reports aim to draw attention to the often-overlooked aspects of human rights violations, providing stakeholders with a complete understanding and calling for the international community to act in cases where conflict halts access to education and endangers civilians' lives. This approach ensures that awareness is raised and necessary actions are taken to address these violations. Broken Chalk is genuinely international, achieving a local and global perspective in its work.

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Examining the Expansive Consequences of US Economic Sanctions in the Middle East

For several decades, the United States has wielded economic sanctions as a tool against hostile state actors, seeking to influence global regimes deemed in opposition to US values and interests. Despite the intention of these measures to curb governmental injustices and foster peace, sanctions in the Middle East have become a significant and controversial feature of US foreign policy.¹ As of 2023, the United States actively enforces sanctions on countries such as Iran and Syria, with far-reaching repercussions extending to Iraq, Lebanon, and Yemen.² While these measures often receive international support, concerns persist regarding their impact on the general population, the hindrance to accessing basic services, and the undermining of educational and academic development.

Economic sanctions, when applied, raise serious concerns about their effectiveness and influence on behavioural change among high authorities. Instead, these measures inadvertently impact entire populations, creating significant hurdles in accessing basic services and goods, including essential items such as food and medicine.³ Humanitarian aid, crucial in emergencies and conflict zones, faces bans due to sanctions, jeopardising the fundamental rights to life, health, and an adequate standard of living for vulnerable and marginalised individuals.

The international community's endorsement of US sanctions is often granted under the pretext of counterterrorism, reflecting a positive perception of these measures.⁴ However, the collateral impact on entire populations, including women and children not involved in violent activities, is frequently overlooked. Countries in the Middle East facing economic isolation from both the US and the European Union encounter severe developmental consequences.

Case Studies:

- Syria: The Caesar Syria Civilian Protection Act, enacted in 2019, aimed to address human rights abuses. This bill establishes additional sanctions and financial restrictions on institutions and individuals that have fostered the conflict in Syria. However, Syrian citizens argue that sanctions exacerbated poverty rates. Recent earthquakes in northwest Syria highlighted the obstruction of humanitarian aid, with officials claiming sanctions caused avoidable deaths and barred essential supplies.⁵
- Iran: Decades of US sanctions against Iran, initiated in 1979, have evolved, impacting the energy, financial, and transportation sectors. The imposition of "secondary" sanctions complicates trade for non-U.S. entities. Recent sanctions, prompted by human rights concerns, target business leaders and government officials, with notable repercussions on a political prison.⁶

¹ Niblock, T. (2001). *Pariah states & sanctions in the Middle East: Iraq, Libya, Sudan*. Lynne Rienner Publishers.

² Ibid.

³ Human Rights Watch, (2019) "Maximum Pressure" *US Economic Sanctions Harms Iranians Right to Health*.

⁴ Early, B. R., & Jadoon, A. (2016). Do sanctions always stigmatise? The effects of economic sanctions on foreign aid. *International Interactions*, 42(2), 217-243.

⁵ Moret, E. S. (2015). Humanitarian impacts of economic sanctions on Iran and Syria. *European security*, 24(1), 120-140.

⁶ Ibid.

- Iraq: Sanctions on Iraq from 1990 to 2003, in response to the invasion of Kuwait, indirectly affected citizens as the impacts spill over from neighbouring Iran.⁷
- Lebanon: The US sanctions Hezbollah in Lebanon, a designated terrorist organisation, affecting Lebanese citizens and intertwining with the consequences of sanctions on Syria.⁸
- Yemen: Current U.S. sanctions in Yemen target Houthi rebels, impacting the broader population.⁹

The use of economic sanctions by the United States in the Middle East, though intended to address geopolitical concerns, raises ethical and humanitarian questions. The broad impact on populations, the international endorsement that overlooks civilian suffering, and the far-reaching consequences on education and academic development call for reconsidering the efficacy and morality of such measures.

As the global community navigates complex geopolitical dynamics, finding a balance between addressing concerns and safeguarding the well-being of innocent civilians becomes paramount. Reevaluation of the long-term effects of economic sanctions, coupled with a focus on humanitarian considerations, is essential to ensure that US foreign policy aligns with principles of justice, peace, and the protection of human rights.¹⁰ This is a crucial situation since these sanction regimes have served as an example for other countries that end up applying sanctions or avoiding relations with sanctioned actors so as not to risk their friendly relations with the US. Following this, the international community must engage in constructive dialogue to develop alternative strategies that address geopolitical concerns without compromising the well-being of populations caught in the crossfire.

⁷ Nakhaei, N. (2021). Iraq: Understanding the 'Sanctions Warfare Regime'. In *Sanctions as War* (pp. 231-243). Brill.

⁸ Kirikakha, A., Felbermayr, G. J., Syropoulos, C., Yalcin, E., & Yotov, Y. V. (2021). The Global Sanctions Data Base (GSDB): an update that includes the years of the Trump presidency. *Research handbook on economic sanctions*, 62-106.

⁹ Reynoso, V. (2018). The US-Saudi Coalition Against Yemen: A Primer. *Geopolitics*

¹⁰ Bezuidenhout, L., Karrar, O., Lezaun, J., & Nobes, A. (2019). Economic sanctions and academia: Overlooked impact and long-term consequences. *Plos one*, 14(10), e0222669.

The impacts of economic sanctions on education

One of the often underexplored consequences of economic sanctions is their profound impact on education and academic development in targeted countries. Sanctions act as 'invisible barriers' for research, limiting access to necessary resources and hindering their practical use.¹¹ The inability to rebuild schools in conflict-affected areas and the lack of quality educational materials create significant obstacles. Moreover, reducing government investment in education due to sanctions poses long-term challenges, as early human capital investment becomes irreplaceable.¹²

An in-depth study conducted by the World Bank¹³ has shed light on the intricate relationship between economic sanctions and their effects on family income and education investment. The findings reveal a cascade of short- and long-term consequences, significantly impacting the educational landscape for children. The study focuses on Iran and the sanctions imposed since 2006; it underscores the nuanced and profound effects of economic sanctions on children's education.

The World Bank study unearthed compelling evidence of the negative repercussions of economic sanctions on both the quantity and quality of education.¹⁴ Firstly, these sanctions were found to diminish the likelihood of children attending college substantially. Secondly, households are grappling with reduced incomes due to sanctions curtailing spending on children's education, especially in school tuition.¹⁵ This stark reality suggests that families, in response to the economic shock, are compelled to shift from higher-quality private schools to lower-quality public schools, compromising the overall quality of education for their children.

The link between family income and investment in education is integral to understanding the consequences of economic sanctions. As family incomes decline under the weight of sanctions, households are compelled to make difficult choices, often resulting in reduced educational investments.¹⁶ This reduction in educational investment has far-reaching implications, impacting not only the short-term educational attainment of children but also their long-term earning potential. Examining the long-term consequences of reduced educational investment, the study suggests that children experiencing a decline in educational opportunities due to sanctions are likely to have substantially reduced future earnings compared to their parents.¹⁷

The study focuses on specific age groups and duration of exposure to sanctions, revealing that the negative effects on children's education intensify for those exposed for longer periods and during crucial developmental stages. Children who experienced prolonged exposure to sanctions during their schooling years demonstrated fewer years of enrollment in education

¹¹Hwami, M. (2022). A comparative scoping review of the impact of international economic sanctions on education. *Compare: A Journal of Comparative and International Education*, 52(6), 949-965.

¹² Santisteban, A. V. D. (2005). Sanctions, war, occupation and the de-development of education in Iraq. *International review of education*, 51, 59-71.

¹³Moeeni, S. (2022). The intergenerational effects of economic sanctions. *The World Bank Economic Review*, 36(2), 269-304.

¹⁴ Ibid. 269.

¹⁵ Ibid. 270.

¹⁶ Ibid. 287.

¹⁷ Ibid. 289.

and a decreased likelihood of pursuing higher education. Notably, the study found that affected children did not return to school even after the sanctions were lifted:

“The enrollment rates for children at critical junctures, such as high school dropout age and university matriculation age, decreased by 4.3 percentage points and 15.4 percentage points, respectively. Furthermore, the severity of these effects heightened when children reached the ages of 16 and 18 during later stages of the sanctions period.”¹⁸

In conclusion, the foregoing provides compelling information on economic sanctions' profound and lasting impact on children's education. The findings underscore the need for immediate actions that modify sanctions regimes that affect human rights. The restraints created on children and their educational development that, in the long term, affect the country's development should serve as an incentive to deter the implementation of sanctions that harm the full enjoyment of the right to education.

¹⁸ Ibid. 304.

Impact of the sanctions by the UN Security Council: targeted sanctions on the Democratic People's Republic of Korea (DPRK).

Since the first nuclear test conducted by the Democratic People's Republic of Korea (DPRK) in 2006, the UN Security Council has heavily imposed sanctions on the country. These sanctions were seen as a peaceful alternative to the military action taking place within the country. However, it continued to worsen the condition of the North Korean people. These sanctions imposed by the UN Security Council affected a list of industries, particularly the mineral trade, seafood, textiles, agricultural products, machinery and electrical equipment. The sanctions also blocked foreign investment, forbade joint ventures, and prohibited the import of heavy machinery, industrial equipment, and vehicles.

As a result of the UN-imposed sanctions, it led to a severe humanitarian crisis and, in some cases, death. This was mainly due to organisations withdrawing their aid or choosing not to intervene due to administrative hurdles encountered due to the sanctions imposed by the UN.

Case Study¹⁹: Pyongyang Spine Rehabilitation Center (PYSRC): Pyongyang, DPRK

Developmental disability was previously untreatable or treated with a lack of expertise in the DPRK. However, with the introduction of PYSRC, doctors can treat children with disabilities through physical and occupational therapy. Ignis Community is a humanitarian organisation in the DPRK. Due to UN Resolution 2397, Ignis Community needs to apply for and receive the UN Sanctions Exemption. It is only if this exemption is provided that necessary medical equipment is provided to treat children with developmental disabilities. Delay in providing essential treatment may lead to the death of more children.

Bank account closures due to UN sanctions have caused further crises. For instance, Ignis' bank had requested the closure of its accounts due to the limitations put forth by the UN sanctions.²⁰ Ignis is one of the many not-for-profit organisations impacted by the UN sanctions. The unwillingness of vendors, coupled with the complicated customs process in place due to the sanctions, leads to delays in the delivery of aid, thereby endangering the lives of the vulnerable groups of people in DPRK at greater risk. While UN exemptions are available, UN sanctions discourage all entities from any relationship with the DPRK.

Despite the strict sanctions imposed by the UN Security Council, state authorities continue to find loopholes to neutralise the impact of the sanctions. The establishment of an emergency trade system by the central government-affiliated trade enterprises allows for a safety net for foreign currency conversions and payments for countries engaged in trade with the DPRK. Additionally, the expansion of food imports from China and Russia has been ordered by the DPRK's Ministry of External Economic Relations. These steps were taken to combat the failure of agricultural output in the DPRK. The presence of sanctions against North Korea has effectively cut off the country from the international banking system. This safety net by the trade ministry offers a platform to circumvent international sanctions, allows for secure methods for foreign trade, and counters the chronic food shortage issues within the country.

¹⁹ Korea Peace Now. (2019). *The Human Costs and Gendered Impact of Sanctions on North Korea*. koreapeacenow.org <https://koreapeacenow.org/wp-content/uploads/2019/10/human-costs-and-gendered-impact-of-sanctions-on-north-korea.pdf>

²⁰ Ibid.

Children are heavily dependent on their parents for sustenance. Parents rely on their livelihoods as a source of income to support their families. Initially, the UN sanctions allowed for livelihood exemptions, but this caveat was removed in 2017, leading to adverse humanitarian consequences. Children are severely impacted, and rights to food, water, shelter and education remain absent as parents are unable to provide for them.

It is estimated that at least 3,968 deaths, wherein 3,193 of those being children under age 5, have occurred due to funding shortfalls and delays. It has led to acute malnutrition, lack of healthcare, and no access to clean drinking water and sanitation.²¹

²¹ Korea Peace Now. (2019). *The Human Costs and Gendered Impact of Sanctions on North Korea*. koreapeacenow.org <https://koreapeacenow.org/wp-content/uploads/2019/10/human-costs-and-gendered-impact-of-sanctions-on-north-korea.pdf>

Recommendations

Humanitarian exemptions to the sanctions must be provided to the concerned parties. This is crucial since the civilian population falls victim to the negative consequences of the targeted sanctions by the UN. Exemptions are necessary to protect ordinary people from the potential negative impacts of the imposed sanctions.

Coercive measures lead to negative impacts on the enjoyment of human rights. Sanctions should not restrict rights to food, water, shelter, health and education. Implementing proactive measures is essential to prevent punitive measures from causing irreversible indiscriminate harm.

Secondary implications of the sanctions must be curbed. It should not go beyond the focus of the intended purpose of the action. Due diligence and risk management must be carried out, and the delivery of humanitarian assistance must be protected from the consequences of the sanctions.

Transparent and credible working measures to reduce the unintended effects of the sanctions are imperative. While having carve-outs is rewarding for the civilian population, it may lead to misuse by the targeted parties to the sanctions. Subsidiary bodies of the UN Security Council must create working procedures to ensure targeted and well-designed sanctions systematically.

Fostering dialogue between those impacted by the sanctions is an important step, as this allows for their voices to be heard. It will enable the relevant actors to consider the underlying problems occurring in the concerned area. It would allow for a better evaluation of the situation, conduct a detailed assessment, and design sanctions that have minimal impact on the rights of the civilian population.

The Charter of the United Nations is clear about the intended use of sanctions. It must be used proportionally since over-compliance causes detrimental effects. Decisions must be made in good faith, and humanitarian access must be unhindered.



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