

Sanctions and their Impact on Children

DISCUSSION PAPER



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About



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Introduction

In recent years, sanctions have become an increasingly popular instrument for reprimanding and exerting pressure on states and non-state actors. Member States applying sanctions often count on broad public support compared to alternative, riskier and costly options, such as military interventions.

Notwithstanding a significant overhaul in the design and application of sanctions over the past two decades to strengthen their precision, the collateral effects of sanctions on civilians, especially children and vulnerable populations, are inescapable. We assess the harm to which children are subjected in targeted territories as a result of the economy-wide damage caused by sanctions and disruption to humanitarian operations.

This paper focuses especially on the impact of ‘targeted sanctions’ which are being increasingly used. We draw particular attention to the regimes instituted by the United States (US) government as the most frequent imposer of sanctions. We also explore in more detail the effects of sanctions in countries subject to multiple sanctions imposed by different entities and on which substantive evidence exists, namely, Iran, Syria, Venezuela, and the Democratic People’s Republic of Korea (DPRK).

Since March 2020, there have been repeated calls for lifting or easing those sanctions that risk impeding the flow of humanitarian assistance, including essential medical supplies used in battling COVID-19. Calls have also been made to lift or ease those sanctions that risk exacerbating the already worrisome rise in global hunger and poverty resulting from the pandemic’s economic fallout. As a result, some sanctioning powers have broadened licenses and introduced flexibilities since the pandemic hit. In addition, the US government has recently concluded a review of its sanctions programmes.¹ The European Union (EU) has similarly reviewed sanctions policy and practice.² These review processes are welcome and we hope the recommendations in this paper, aimed at main sanctioning entities, will contribute to urgently needed reform of sanctions regimes.





01.
Current
context of
sanctions

01. Current context of sanctions

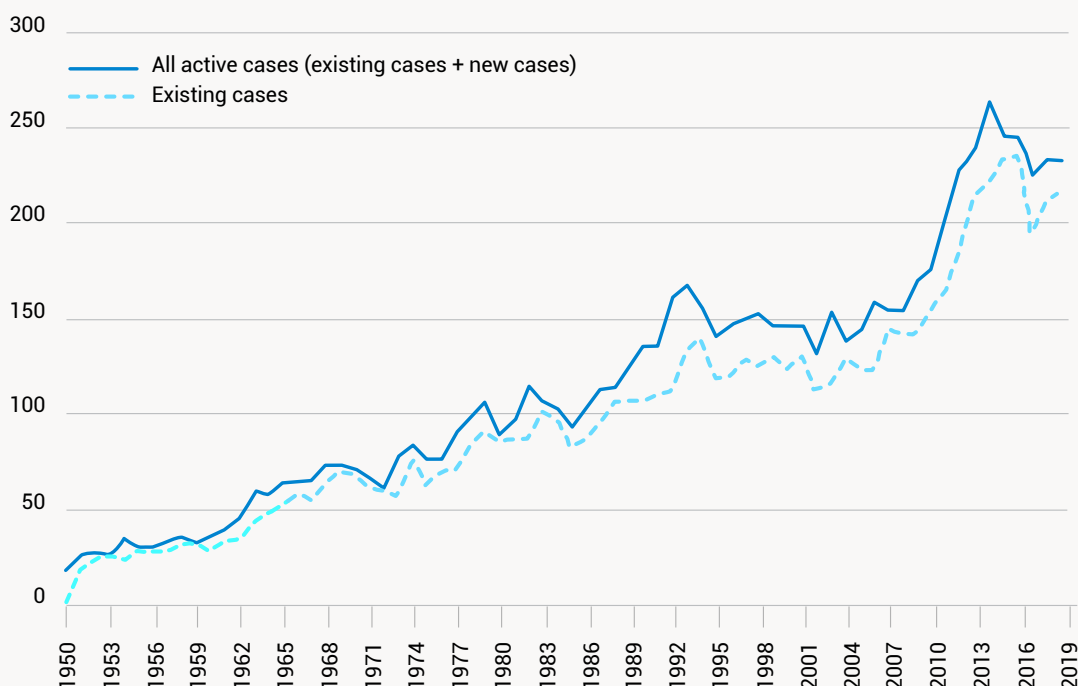
Although sanctions were originally exceptions in international relations, they have become a more common and unilateral practice by states.

Sanctions are political or economic coercive measures imposed by countries, and multilateral or regional organizations. These decisions are adopted against states or non-state actors to prompt a desired change in behaviour, to protect national security interests, or to defend against alleged breaches in international law. Although sanctions were originally exceptions in international relations, they have become a more common and unilateral practice by states, often led by political calculations which spark debate about whether or not they comply with international law.³

Below we explore three parallel trends in the evolution of sanctions over time. These are: the incremental rise in the number of sanctions since 1950; changes in sanctions' intended objectives; and the shift in the scope of measures applied to sanctioned territories after the 2000s with the introduction of 'targeted sanctions' (see definition below).

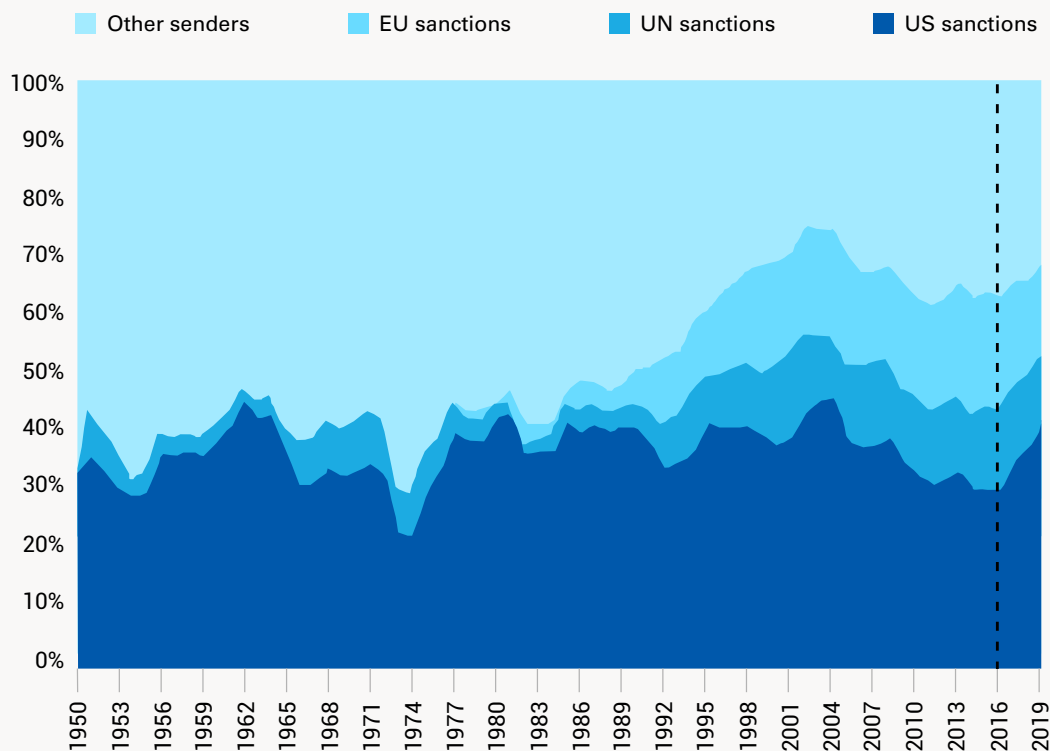
The number of sanctions deployed simultaneously around the world has increased continuously since 1950.⁴ While the effectiveness of sanctions in achieving their intended goals is debated, the emergence of sanctions as a preferred tool in coercive diplomacy follows a specific logic: Sanctions are relatively easy to impose, do not involve the use of armed force, and the costs to designators is much lower than more punitive measures such as a military intervention.

FIGURE 1: NUMBER OF EXISTING AND ACTIVE SANCTIONS
Publicly traceable, multilateral, plurilateral, and unilateral sanction from 1950 to 2019



The US and the EU have been the most active users of sanctions.⁶ The US has imposed sanctions regimes more frequently and for longer periods than any other country. Since 2016, the US has significantly increased its use of sanctions. On average, the US imposed sanctions on more than 1,000 entities or individuals each year from 2016 to 2020,⁷ nearly 80 per cent more than the annual number of designations imposed in the preceding eight years (see [Figure 3](#)). Most Americans are supportive of sanctions,⁸ including in retaliation to China, Russia or DPRK. According to some polls, most Americans are, however, against the trade embargo on Cuba.⁹

FIGURE 2: SHARE OF SANCTIONS BY SANCTIONING POWER (1950–2019)

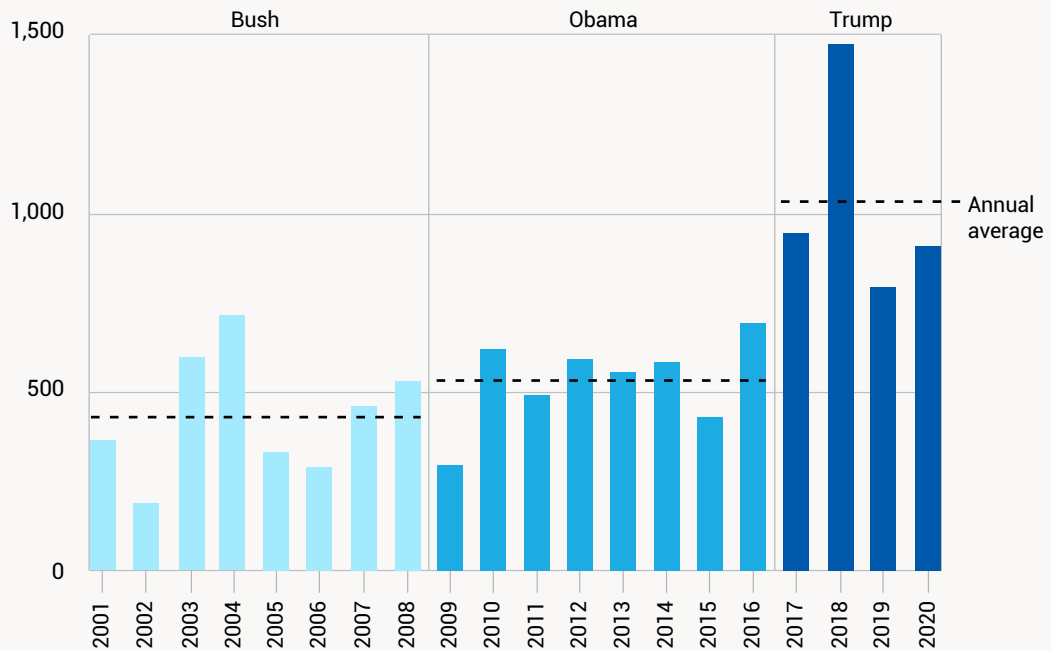


Source: Global Sanctions Database 2021¹⁰

Note: This figure depicts the yearly % of the sanctions imposed by the US vs. the % of sanctions imposed by the UN, the EU, and the rest of the world. The US has been the most frequent imposer of unilateral sanctions throughout 1950-2019. The percentage of the US sanctions significantly increases during the Trump administration.

Sanctions address a wide range of foreign policy goals. Today, the most commonly stated objectives by sanctioning entities are improvements in human rights and restoration of democracy.¹² Since 2016, there has been an increase in the share of sanctions with the declared aim of combatting terrorism and imposing policy change.¹³ These are at odds with what some experts consider to be the most legitimate objectives, such as tackling a threat to the peace, breach of the peace, or act of aggression, or responding to obligations owed to the international community as a whole.¹⁴

FIGURE 3: NUMBER OF ADDITIONS TO US SANCTIONS LIST AND ANNUAL AVERAGES



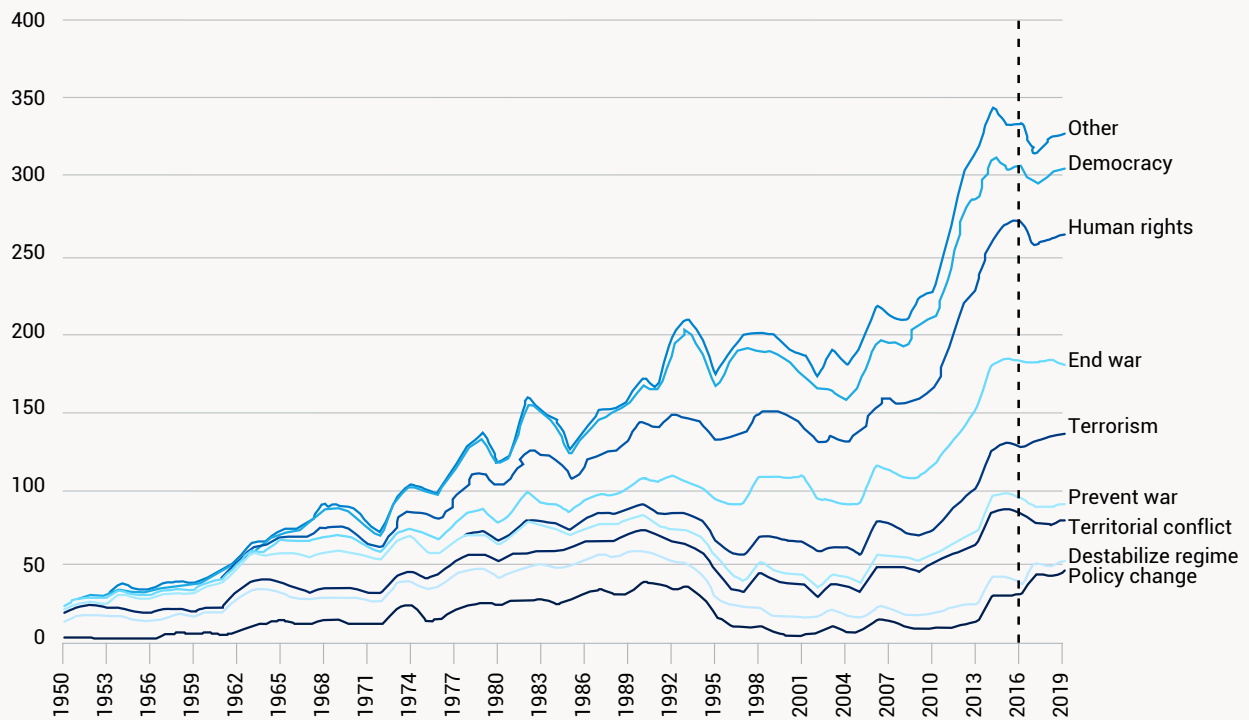
Source: The Economist 2021¹¹

The line between past comprehensive sanctions and contemporary targeted sanctions has become blurred.

Prior to the 2000s, sanctions typically took the form of comprehensive trade embargoes with the purpose of crippling a target state’s economy. The severe and indiscriminate effects of these broad-based policies on civilians led to a critical reappraisal of sanctions policy in the late 1990s.¹⁶ Since then major sanctioning powers – the US, EU, and the UN – have used more targeted measures designed to cause minimal harm to civilians.

Targeted sanctions, contrary to trade embargoes, focus on individual actors or activities. In principle, they should impose costs only on key individuals or entities – such as companies, individual members of armed groups or designated terrorist organizations – directly linked to the actions that sanctioning powers deem unacceptable.¹⁷ Targeted sanctions can also be sector-specific, applying to an individual or entity only in the context of transactions in the assigned sector instead of imposing blanket prohibitions. Targeted sanctions include trade restrictions on particular services or goods (arms, oil, timber, gems); travel restrictions (visa and travel bans); diplomatic, cultural and sports restrictions; air traffic constraints; and financial sanctions (bans on financial transactions, asset freezes, restrictions on investments).¹⁸ In practice, however, the line between past comprehensive sanctions and contemporary targeted sanctions has become blurred. There are four main reasons for this.

FIGURE 4: NUMBER OF SANCTIONS BY OBJECTIVE (1950–2019)



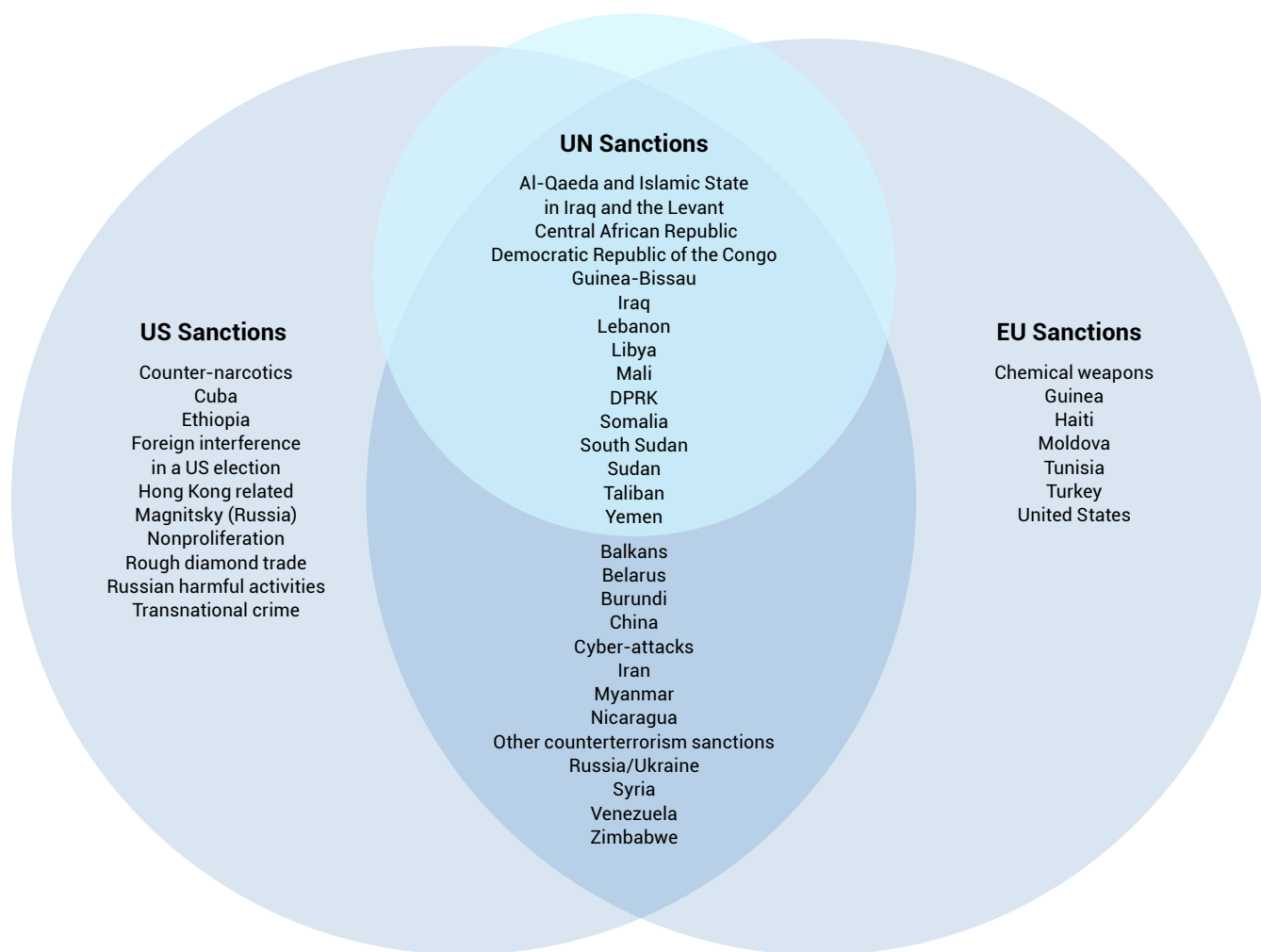
Source: Global Sanctions Database 2021¹⁵

Note: This figure depicts the yearly number of observed policy objectives declared in all sanctions listed in the GSDB (1950–2019). For each sanction considered, up to three objectives are documented (but not ranked in terms of importance/significance). A visible spike occurs post 2016 in sanctions that aim to restore human rights, fight terrorism, and change policy objectives.

The proliferation of sanctions, in many cases overlapping and imposed by different sources, creates an aggregate effect that is less targeted.

Firstly, as already noted, in recent years there has been an extension in the number and scope of sanctions. The proliferation of sanctions, in many cases overlapping and imposed by different sources, creates an aggregate effect that is less targeted. US sanctions policy has been marked by a rapid broadening and proliferation of sanctions imposed outside of the UN framework, such as those against Venezuela¹⁹, Russia²⁰ and Syria. This pattern has been an important feature in the US’s “maximum pressure” campaign against countries such as Iran and DPRK. By April 2019, the “maximum pressure” approach in Iran saw the designation of more Iranian entities and individuals in more rounds of sanctions than at any other time in US history. Some of the EU’s sanctions have followed the same pattern. In the cases of Iran and Syria, for example, the EU’s restrictive measures have been expanded to an unprecedented degree since 2012 and have included the countries’ energy and finance sectors.²¹ Broader autonomous sectoral sanctions have been imposed also by the EU on DPRK²² (supplementary to UN measures) and Libya, among others.²³ Figure 5 below demonstrates the overlap and interface of regimes imposed by major sanctioning powers.

FIGURE 5: MAIN SANCTIONS REGIMES



Sources: EU Sanctions Map, UN Security Council, US Department of the Treasury as of September 2021; design by Council on Foreign Relations.²⁴ Note: This diagram offers a simplification of sanctions regimes to demonstrate how they overlap. Official names of regimes imposed by each sanctioning entity, for instance, may differ.

The institutions and sectors on which sanctions are imposed may have strategic roles in the economies of sanctioned territories, amplifying the effects of even targeted measures.

Secondly, the institutions and sectors on which sanctions are imposed may have strategic roles in the economies of sanctioned territories, amplifying the effects of even targeted measures. Sanctions on a central bank, for example, as in the case of Iran, Syria and Venezuela, impact negatively on all trade to and from the country, given the primacy of such institutions in foreign currency transactions. Similarly, targeted sectoral sanctions on oil and gas exporters have significant effects in oil dependent economies such as Venezuela, in which oil sales accounted for 98 per cent of export earnings and almost 50 per cent of Gross Domestic Product (GDP) in 2017.²⁵ Some of these sectoral sanctions and trade bans are so broad that they can be considered *de facto* comprehensive measures, associated in the past with negative humanitarian consequences, especially when they led to a sharp economic decline and capital flight.²⁶

Thirdly, the introduction of extraterritorial sanctions has meant that US sanctions effectively have global reach. Through 'secondary' sanctions, organizations, irrespective of their jurisdiction, are required to comply with the US's restrictive measures through their interactions with the sanctioned country. For example, in the case of Iran, secondary sanctions allow the US government to cut third-party entities (such as European businesses) out of the US financial system if they do business with prohibited Iranian institutions. This effectively compels businesses to choose between doing business with Iran or accessing the US market. Many governments have questioned the legality of these types of sanctions and instituted official mechanisms to circumvent them.²⁷

Finally, the combination of the above three factors, among others, lead many firms to treat targeted sanctions as if they are comprehensive. As sanction regimes grow ever more complex, businesses may voluntarily refuse to do business with sanctioned states, to avoid fines, to reduce bureaucracy or to counter reputational risks. This is known as overcompliance and de-risking. A recent spate of fines from the US Government, amounting to billions of US dollars, have made banks and other financial institutions reluctant to support payments to countries they deem to be high-risk jurisdictions. This is compounded by increasingly burdensome banking requirements to comply with government anti-money laundering and counter-terrorism financing regulations.

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Syria

Successive waves of sanctions in Syria have expanded the reach of these measures over time,²⁸ initially targeting individuals at the beginning of the conflict in 2011, then focusing on the Syrian government's financial resources, economic foundations and external actors dealing with the Syrian government.²⁹ Sanctions in Syria directly or indirectly affect most sectors of the economy, and apply to trade in critical sectors (such as the export and transport of oil) and transactions with financial institutions.³⁰ The government has responded to the conflict and its economic disruption by raising taxes and reducing public expenditure.³¹ This included reducing subsidies on several essential goods, such as food and fuel, and drastically cutting spending on basic services such as health, education and electricity. With the public sector also being targeted by sanctions, the quality of services has decreased, and poverty levels have increased. The economic collapse, brought upon by a decade of conflict and sanctions, has been exacerbated by the COVID-19 pandemic and a financial crisis in neighbouring Lebanon, its banking lifeline.³²

A study tracing the causality of deteriorating socioeconomic indicators back to sanctions in Syria from 2011 to 2016 found that lower life expectancy, reduced routine immunization coverage, higher food inflation, and lower GDP were, at least partly, due to sanctions.³³ Sanctions have affected Syria's response to the COVID-19 pandemic and delayed the procurement of ultra-cold chain equipment and protective equipment for health care workers.³⁴ Reports indicate that 50 per cent of public hospitals in Syria are no longer operating also due to the ongoing conflict;

those that are operating experience shortages of supplies, resulting in increased prices for medicine, leaving many Syrians unable to tend to their medical needs.³⁵ Humanitarian organizations are unable to carry out structural maintenance to hospitals or primary health care centres due to guidelines set by donors that restrict support to infrastructure repair.

Since 2019, abrupt exchange rate fluctuation aggravated by sanctions have fuelled inflation. By the end of 2021, the price for the average food basket had almost doubled compared to December 2020 and reached its highest ever recorded level since monitoring started in 2013.³⁶ A record 12.4 million Syrians – nearly 60 per cent of the population – are food insecure, according to the World Food Programme (WFP).³⁷ Reports of severe bread and fuel crises indicate these shortages are in part caused by sanctions.³⁸ Around 90 per cent of children need humanitarian aid to survive, with more than half a million stunted because of malnutrition.³⁹ Around 2.5 million children, mostly boys, are out of school.⁴⁰ According to OCHA, community members in the majority of sub-districts in Syria have adopted, on average, more than five types of negative coping mechanisms to access food, including early marriage, begging, borrowing, child labour, and child recruitment into conflict.⁴¹

Sanctions negatively impact UNICEF operations mainly in two ways: increasing the costs of our interventions and delaying live-saving work for children. Additional costs occur through the expenditures that UNICEF implementing partners must cover navigating sanctions, managing delays and blockages in their financial

transactions or in paying for dedicated staff working solely on compliance.⁴² Sanctions hinder the import of critical inputs, from digital supplies (such as laptops and radio equipment for staff) to software needed for digital learning in the context of the pandemic. These restrictive measures contribute to higher costs in procurement processes, delays in project implementation and lower quality of UNICEF's service to affected populations. Donor conditionalities, often imposed by funders either to comply with sanctions or out of fear of running afoul of them, result in micro-scrutiny and micro-management of projects at a level unknown to UNICEF in other countries. These restrictions also contribute to further delays. For instance, UNICEF rejected requirements by a major donor to vet beneficiaries for a cash transfer project targeting children with disabilities as vetting beneficiaries is inconsistent with data privacy and confidentiality principles. It took over two years of negotiations for the donor to agree that the project would go ahead without that requirement.

Iran

The breadth and intensity of sanctions on Iran have waxed and waned over time. However, they have increased again since the US withdrew from the Iran nuclear agreement, in 2018, with significant implications for Iranian oil exports and financial transactions.⁴³ Secondary sanctions on Iran's banking sector also have strongly discouraged international banks from working with the country, resulting in challenges to complete transactions. In addition, sanctions on the Central Bank of Iran (CBI) complicate all trade given its primacy in the country's foreign currency transactions, lending the current targeted sanctions the feel of a traditional trade embargo. The World Bank cites the causes of a major economic slowdown in Iran between 2019 and 2020 to several factors. These include: "plummeting" oil and gas exports following the expiration of relevant sanctions waivers, and the "tightening of banking sector restrictions in addition to new sanctions being imposed on the national petrochemicals, metals, mining and maritime sectors".⁴⁴

There are no up-to-date government figures available on poverty.⁴⁵ Yet recent estimates suggest that more than 60 per cent of the population live below the poverty line, half of them probably in extreme poverty.⁴⁶ The official annual inflation rate for the period ending in November 2021 was 44.4 per cent compared with less than 10 per cent at the time when the US pulled out of the nuclear agreement.⁴⁷ Though Iran is mostly self-sufficient in agricultural production, inflation has made basic food items less affordable for the population,⁴⁸ and food inflation is among the highest in the world.⁴⁹ A study found that, after the re-imposition of US sanctions against Iran in 2018, food insecurity more than

doubled, affecting the most vulnerable populations, including children.⁵⁰ Sharp currency devaluation has further reduced household's purchasing power.

Due to sanctions, Iranian medical importers struggle to secure foreign currency from the sanctioned CBI and face the cost of increased delays.⁵¹ Many global suppliers also avoid business with Iran. Though the country has a sizable domestic pharmaceutical manufacturing industry, production relies on the import of raw materials, and these supply chains have been disrupted by sanctions and associated de-risking, resulting in scarcity of certain medicines (for instance of insulin) and a decline in the quality of medicines produced locally.⁵² Although UNICEF continuously explores procurement opportunities from the local market, many suppliers are not in a position to apply for the bidding process nor to maintain quotations due to the instability in prices and sanctions on importing raw materials. For UNICEF to continue to deliver inactivated polio vaccines (IPV) and other medical supplies for children amidst sanctions on Iran's shipping sector, alternate routes through Turkey have been used since 2019, at approximately 2.5 times the cost of shipping to Bandar Abbas port, and with significant delays.⁵³

This combination of financial and supply challenges means that sanctions against Iran have caused a deterioration of national health standards, affecting children the most.⁵⁴ All health commodities have seen an increase in costs, leading to extremely high out-of-pocket expenditures for already distressed households. Reduced fiscal space has disrupted health benefit packages as existing services are cut and

new therapies and procedures are no longer introduced.⁵⁵ This is expected to have a negative impact on mortality and morbidity, particularly among the most vulnerable and those with chronic conditions.⁵⁶ Progress towards good health and well-being for all (Sustainable Development Goal 3), such as reduction in under-5 mortality, is under threat.⁵⁷

The recent influx of additional Afghan refugees and the pandemic have exacerbated the restraints imposed by sanctions. Humanitarian aid organizations operating with a US license to import humanitarian goods to Iran reported a delayed response in the first weeks of the COVID-19 outbreak due to the need to clarify legal issues related to sanctions.⁵⁸ In May 2020, the delivery of 5.8 metric tons of wound dressings, purchased by UNICEF to treat a rare skin disease in children, took two months longer than usual. The US has taken several steps to address these issues, including through the release of a humanitarian fact sheet outlining relevant exemptions for humanitarian assistance related to COVID-19.⁵⁹ Yet these exemptions are not always applied in practice and access to essential goods during the pandemic remains a challenge.⁶⁰ Financial transfers between Gavi, the Vaccine Alliance, and UNICEF for the purchase of COVID vaccines on behalf of the government, were almost systematically blocked by banks because Iran was the recipient country. The delay in completing these transactions, sometimes lasting weeks, complicated the shipment of vaccines with a relatively short shelf-life. Estimates indicate that, had sanctions in Iran been eased early on in 2020, the effects of a second wave of infections in late May 2020 could have been reduced and 13,000 lives saved.⁶¹

A young boy with a backpack is walking on a dirt path in a mountainous landscape. He is wearing a blue and green jacket and dark pants. The background shows a valley with green trees and a winding road. The text "02. Humanitarian exceptions and exemptions" is overlaid on the image.

02. Humanitarian exceptions and exemptions

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In order to minimize the impact of sanctions on the civilian population, sanctioning powers typically integrate measures to enable principled humanitarian action in the sanctioned territory. In practice, however, blanket exceptions for humanitarian operations (known as ‘general licenses’ in the US or ‘exemptions’ in the EU) are rare.⁶² Instead, they are available only under very specific conditions and follow a narrow interpretation of ‘humanitarian assistance’, often excluding operations otherwise permitted under international law.⁶³ Ad-hoc exemptions (known as ‘specific licenses’ in the US and ‘derogations’ in the EU), granted through licenses issued by the relevant sanctioning authority, can authorize the conduct of activities or the import of goods under restriction only after approval by a relevant authority. For US sanctions, licenses are granted on a case-by-case basis, but are distinct for specific programmes (i.e., a specific license for one programme is not applicable to others within the same sanctioned country). In the EU, humanitarian actors are often confused as to whether they need multiple licenses from different member states, or whether one should suffice across the EU.⁶⁴ The case is further complicated when humanitarian projects have multiple funding sources.

US and EU sanctions’ restrictions on reconstruction work have led donors to engage in micro-scrutiny and micro-level approval for projects.⁶⁵ For example, donors have not allowed humanitarian organizations in Syria to repair damaged sewer systems, and have been reluctant to authorize the repair of critical health and education infrastructure.⁶⁶ Projects that require cement are not feasible because there are prohibitions on the import of cement, and Syria’s cement companies are sanctioned.⁶⁷ Essential construction equipment and basic water supplies, such as pipes and pumps are also sanctioned under the broad definitions of ‘dual-use’ items.⁶⁸

An increase in the number, scope and reach of sanctions has rendered humanitarian exemptions and exceptions ever more confusing and complex.⁶⁹ Humanitarian actors need to keep abreast of evolving regulations and overlapping regimes and follow complicated and, at times, contradictory procedures. Meeting requirements takes up time and resources, which are already scarce in a humanitarian setting. In addition, although international humanitarian law safeguards unimpeded humanitarian assistance,⁷⁰ approval by sanctioning authorities to relief operations creates a layer of consent,⁷¹ and places on humanitarian operators the additional burden to demonstrate that deliveries of essential goods will be purely for humanitarian purposes.

An increase in the number, scope and reach of sanctions has rendered humanitarian exemptions and exceptions ever more confusing and complex.



Significant compliance costs and regulatory risks lead many firms to err on the side of caution and voluntarily refuse to do business with sanctioned countries.

Overcompliance and de-risking add to these challenges. Even in situations where humanitarian exemptions and exceptions are applicable, private and not-for-profit actors are often reluctant to be involved in transactions in sanctioned territories. The complexity of existing sanctions and convoluted procedures to obtain the necessary licenses for exempted trade has decreased the incentives for food and medical supply companies, banks, insurers, and shipping companies to engage in humanitarian operations.⁷² Significant compliance costs and regulatory risks lead many firms to err on the side of caution and voluntarily refuse to do business with sanctioned countries.

Overcompliance with sanctions issued by other entities has led logistics providers to request UNICEF to sign letters of indemnification for shipments to and from countries such as Iran and Syria in case of any breach of sanctions. While the organization has refused to sign such letters and has managed to continue to supply sanctioned territories, this has come at a cost in terms of delayed negotiations with logistics providers, increased transport rates linked to limited and riskier access options and necessary onboarding of new service providers. In some cases, the presence of sanctions has dissuaded donors from ensuring a cost-effective perspective in programme delivery or even providing aid at all.⁷³

Humanitarian exemptions to sanctions can effectively become moot in these cases.⁷⁴ In Syria, research led by a group of Damascus-based international NGOs found that, as of October 2021, more than 70% of those NGOs faced severe delays or outright rejections of their financial transfers into Syria.⁷⁵ Of those transactions that were processed, 48% faced severe delays of three months or more.⁷⁶ Sending banks justified rejections or delays based on the simple fact that transfers were going to Syria.⁷⁷ In 2013, and more recently in 2018, the Society for Worldwide Interbank Financial Telecommunication (SWIFT), an inter-bank messaging platform, ended all interactions with Iranian banks targeted by financial sanctions.⁷⁸ The International Monetary Fund (IMF),⁷⁹ World Bank,⁸⁰ Financial Stability Board⁸¹ and the Financial Action Task Force (FATF)⁸² have called for urgent new measures to tackle the problem, including in relation to the ever-decreasing availability of correspondent banking channels⁸³ in countries like the DPRK and Syria.

The High Commissioner for Human Rights recently highlighted over-compliance with sanctions as a constraint to the global COVID response.⁸⁴

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Venezuela

For over 15 years, sanctions have been imposed on the Government of Venezuela by a range of actors. The use of these measures reached its peak in 2017, after the US imposed both targeted and broader sectoral sanctions. These included asset freezes, visa restrictions, financial sanctions and transactions related to the purchase of Venezuelan debt, also sanctions on the state energy company, *Petróleos de Venezuela S.A (PdVSA)*, the gold sector, and restrictions on the government's use of cryptocurrencies.

It is difficult to quantify the effects of international sanctions on Venezuela's crisis, not least because of poor access to reliable official data.⁸⁵ Even before the imposition of the current autonomous sanctions, Venezuela's economy and healthcare system were on the brink of collapse, and socioeconomic indicators, including access to food and medicine, already showed a sharp decline.⁸⁶

However, Venezuela's extreme economic dependence on oil exports means that sanctions undermine the foundation of its economy and severely limit government access to foreign exchange.⁸⁷ An assessment by the US Government Accountability Office (GAO) concluded that sanctions have exacerbated the situation in Venezuela by accelerating economic decline and reducing revenue from oil production.⁸⁸ Venezuela's economy has contracted by 75 per cent between 2014 and 2020, despite a recent rebound driven by improvement in oil output; inflation reached 686.4 per cent in 2021, still one of the highest in the world though lower than the 2,959.8

per cent the previous year.⁸⁹ Decreasing government revenue and tightening sanctions have triggered a loss of income and unemployment.⁹⁰ Recent estimates indicate that 94.5 per cent of the population in Venezuela lives in poverty, and 76.6 per cent under extreme poverty.⁹¹ The effects of sanctions have been felt by the whole population, particularly those most vulnerable, and, according to some experts, this could potentially amount to collective punishment, thus a violation of international law.⁹²

The health system has deteriorated significantly and Venezuelans cover 63 per cent of their health expenditures, the highest out-of-pocket health-care burden in Latin America.⁹³ Experts have reported a rise in maternal and infant mortality, a reduction in immunization coverage and a renewed spread of infectious diseases.⁹⁴ Many medical practitioners, teachers and other professionals have fled the country.⁹⁵

Nationwide electricity blackouts have regularly compromised access to food, water, medicines and adequate hospital care.⁹⁶ Since 2020, interruptions in the electrical system also impacted internet connectivity and affected distance learning. The Education Cluster estimates that 1,300,000 children and adolescents enrolled in pre-school, primary and secondary education are unable to have continuous access to learning due to these challenges and COVID-19-related disruptions. In 2021, gasoline and diesel shortages directly impacted public transportation and transportation of goods and services. Fuel scarcity, partly linked to sanctions, led to a sharp increase in prices in the second half of 2021.⁹⁷

According to the Venezuela Humanitarian Response Plan 2020, 3.2 million Venezuelan children required humanitarian assistance in 2021.⁹⁸ Close to 6 million Venezuelans have fled the country as migrants or refugees, representing one of the largest migrant crises worldwide.⁹⁹ However, the UN finds that the, "extent and severity of the crises in food, health care and basic services have not been fully acknowledged by the authorities, thus the measures they have adopted have been insufficient".¹⁰⁰

Restrictions on food imports, which account for more than 50 per cent of food consumption, have resulted in the steady growth of malnourishment in the past six years, with more than 2.5 million people being severely food insecure and close to 117,000 children at risk of global acute malnutrition in 2022.¹⁰¹ Salaries are unable to keep pace with hyperinflation and estimates suggest that Venezuelans would require 136 times the minimum wage of US\$1.71 per month to access a basic food basket.¹⁰² Food insecurity has contributed to negative coping strategies by families, such as unhealthy diets, child labour and reduced household expenditure on health or education. Government support to schools has significantly decreased since 2016 and school feeding programmes have been severely impacted.¹⁰³

While broad-based US sectoral sanctions allow for trade in food, clothing and medicines, humanitarian efforts are hindered by increased bureaucracy, such as delayed aid deliveries and problems with shipping, payments and insurance. For example, in 2019, following new

economic restrictions on the Government, NGOs operating in Venezuela reported US bank account closures and transaction freezes as US financial institutions took steps to comply with the new sanctions,¹⁰⁴ despite allowances for personal remittances and humanitarian assistance that are in place.¹⁰⁵ All nine implementing partners for the U.S. Agency for International Development in Venezuela had bank transactions rejected or delayed, or had accounts closed due to concerns over running afoul of US sanctions.¹⁰⁶ The US Treasury Department sought to address this by issuing Office of Foreign Assets Control (OFAC) guidance on general licenses available to NGOs and companies operating in Venezuela for humanitarian assistance.¹⁰⁷ However, the UN High Commissioner for Human Rights has expressed concern that, “businesses and financial institutions are likely to err on the side of caution and completely halt transactions” with Venezuela.¹⁰⁸

The collapse of Venezuela’s healthcare system and supply problems linked to sanctions have been exacerbated by the pandemic. After six consecutive years of economic contraction aggravated by sanctions, the pandemic has deepened the pre-existing crisis.¹⁰⁹ The UN and EU have reported delivery of hundreds of tons of humanitarian supplies to respond to the country’s medical resourcing needs, including personal protective equipment (PPE), supplies for hospitals and community clinics, medicines, water purification tablets and nutritional support packages.¹¹⁰ As of February 2022, Venezuela had fully vaccinated close to 50 per cent of adults.¹¹¹ Early in 2020, the Government requested to use funds frozen in the UK, the US and Portugal for buying medicine, vaccines, PPE, and medical equipment; it took several months until these funds were effectively released.¹¹²

UNICEF faces significant delays in processing payments as suppliers are unfamiliar with the procedures and applicability of sanctions. Since local vendors cannot receive US dollars from external sources and most do not hold dollar-denominated accounts abroad, payments can only be made in the local currency and it takes UNICEF, on average, five working days to replenish its bank account with the Venezuelan Bolivar. Price fluctuation in the local currency, in turn, requires the UNICEF office to make more transactions to compensate vendors and implementing partners, resulting in more bank charges. Besides, while attempting to open US\$ accounts abroad, local NGOs face significant delays related to meeting regulations imposed by sanctions. UNICEF has also faced problems in importing goods as suppliers and banks consider Venezuela a high-risk country. In addition, UNICEF currently accesses frozen assets from Venezuelan companies deposited in the US to pay for humanitarian programming, but the process has been cumbersome and unclear, effectively impeding our operations. This has also been the case with the import of COVID-19 vaccines through COVAX,¹¹³ which faced delays linked to challenges in accessing Venezuelan funds abroad that were required for the payment of doses.¹¹⁴

After a visit to Venezuela in early 2021, the UN special rapporteur on unilateral coercive measures called on all states to review or lift sanctions against Venezuela, particularly US secondary sanctions and sanctions on diesel imports due to their widespread human impact.¹¹⁵



03.
Impact on
children

03. Impact on children

Given the variation in the design and implementation of sanctions, it is challenging to draw generalized conclusions about their impact on children. Furthermore, sanctioned territories often face concurrent challenges that negatively impact children, such as civil unrest, armed conflict, poor governance, corruption and human rights abuses, which make it difficult to isolate the effects of sanctions alone. These same factors may impede independent data collection or result in the manipulation of data, making performance measurement still more challenging.¹¹⁶

Those challenges notwithstanding, there are three main channels through which sanctions affect children via their disruptive effects on the economy. These effects can apply even to targeted sanctions given their potential to generate economy-wide impact.

There are three main channels through which sanctions affect children via their disruptive effects on the economy. These effects can apply even to targeted sanctions.

- **Consumption:** Countries targeted by broad-based sanctions typically see an increase in the price of goods,¹¹⁷ driven by import constraints and currency depreciation, resulting in reduced consumption power by households. These effects can be especially acute for the purchase of food and medicines, for which many countries depend on imports.¹¹⁸
- **Labour markets and household income:** Countries targeted by sanctions experience heightened economic uncertainty, reduced demand for exports and foreign capital flight, culminating in reduced business activity, lower wages and higher unemployment; historical evidence suggests women are disproportionately bearing the brunt in some cases.¹¹⁹ This places further pressure on household consumption of goods and services for children and encourages negative coping strategies, such as inadequate diets, selling assets, child labour or school dropout.



- **Provision of government services:** Sanctions frequently reduce government revenue, whether by restricting the export of state-owned natural resources, or by hindering other taxable economic activity. This can lead to cuts in public expenditure on child services, including for health, education and social protection, and to the collapse of crucial systems for social services.¹²⁰ Marginalized groups that lack the political power to influence government policy are often disproportionately hurt by cuts in government spending.

The net result of economy-wide disruption and the limitations on humanitarian action is that sanctions have been found to contribute to a deterioration in children's rights.

As economies struggle, humanitarian action becomes critical in facilitating access to life-saving goods and services. But, while such operations undoubtedly help save children's lives, their ability to provide adequately for children is severely restricted by the constraints of humanitarian exemptions.¹²¹

The net result of economy-wide disruption and the limitations on humanitarian action is that sanctions have been found to contribute to a deterioration in children's rights across multiple dimensions, especially in territories facing concurrent crises and affected by several sanctions' regimes. Here we summarize some of the main findings from earlier research:

HEALTH, WATER AND SANITATION

By reducing resources available for public investment, sanctions can have an effect comparable to conflict on the ability of individuals to lead healthy lives, including children.¹²² Essential life-saving drugs often become unavailable, despite humanitarian exemptions for medicines.¹²³ Production of drugs manufactured domestically can decrease, or even stop, because of a shortage in raw materials.¹²⁴ The price of drugs increases and black markets thrive, exerting the highest level of harm on those that are the most vulnerable. Access to spare parts of medical equipment becomes challenging.¹²⁵

The impact of sanctions is felt on key health indicators. A cross-country analysis of the impact of economic sanctions on babies in utero in 33 countries found that infants exposed for the duration of pregnancy to sanctions imposed from 1914 to 2006 were likely to be born at below average weight.¹²⁶ A recent analysis of UN and US sanctions found a significant reduction in the life expectancy in countries affected by sanctions, with every additional year under sanctions increasing adverse effects by 0.3 and 0.2 years respectively.¹²⁷ Women, children and those most vulnerable in society were found to be more negatively affected by poor health services, which contributed to lower life expectancy in sanctioned countries.¹²⁸



Sanctions may limit agricultural products and inputs thereby causing food shortages, food price spikes and ultimately inadequate diets.

Of all sectors impacting children’s rights, few are as reliant on the quality of physical infrastructure as water, sanitation and hygiene (WASH). Sanctions often impede access to capital equipment required for WASH facilities and hinder humanitarian response in this sector.¹²⁹ Inadequate WASH services, in turn, pose high public health risks and lead to other harmful effects such as malnutrition and poor learning outcomes.

ADEQUATE AND NUTRITIOUS FOOD

Sanctions may limit agricultural products and inputs thereby causing food shortages, food price spikes and ultimately inadequate diets.¹³⁰ Economic hardship may also undermine the capacity of the state to implement social protection programmes (e.g., food stamps and cash transfers) that are critical for food security.¹³¹ An assessment from 1990 to 2014 in 66 countries found that the imposition of sanctions exacerbated the incidence of hunger and malnutrition in children under five years.¹³² In March 2021, the UN human rights expert on the right to food stated that the continued imposition of economic sanctions on Syria, Venezuela, Iran, Cuba, and, to a lesser degree, Zimbabwe, had severely undermined citizens’ right to sufficient and adequate food.¹³³



A study focusing on US sanctions from 1982–2011 concluded that sanctions increased the poverty gap by 3.8 percentage points, and that these effects were sustained over the long-term when sanction regimes remain in place.

Difficulties accessing essential goods can also mean that family members, particularly mothers, are often forced to spend extended time away from their homes procuring food and other items. This can impact negatively on the time they are able to spend in childrearing and breastfeeding, as documented in Haiti under comprehensive UN sanctions.¹³⁴

ADEQUATE STANDARD OF LIVING

Sanctions can increase poverty and inequality in heavily sanctioned territories. A study of UN and US sanctions in 68 countries from 1976–2012 showed that these regimes decreased income per capita by 2.3–3.5 percentage points.¹³⁵ Another study focusing on US sanctions from 1982–2011 concluded that sanctions increased the poverty gap by 3.8 percentage points, and that these effects were sustained over the long-term when sanction regimes remain in place.¹³⁶ The effect on poverty is compounded in the case of more severe sanctions, such as trade embargoes or sanctions on productive sectors of the economy.¹³⁷ Another study assessed the impact of 116 cases of economic sanctions imposed on 68 countries from 1960 to 2008. It found that, on average, sanctions are associated with higher levels of income inequality, with the lowest three income quintiles seeing their share of income fall at the expense of the richest quintile.¹³⁸

Sanctions also contribute to a deterioration of the environment. A recent study found, for instance, that economic sanctions accelerate environmental degradation even more than economic recessions as fiscal space is reduced and expenditure on environmental protection is deprioritized. This leads to long-term and potentially irreversible environmental implications, extending the impact across generations.¹³⁹



In Iraq, sanctions imposed over 13 years reversed previous educational achievements and contributed to the collapse of the Iraqi education system.

EDUCATION

There are few systematic assessments of the impact of sanctions on education but several examples show how children suffer from less learning and more restricted access to school supplies and other materials. In Haiti, in the midst of a military coup and the subsequent multilateral trade embargo, school enrolment fell from 83 per cent in 1990 to 57 per cent in 1994.¹⁴⁰

In Iraq, sanctions imposed over 13 years reversed previous educational achievements and contributed to the collapse of the Iraqi education system.¹⁴¹ In Cuba, UNICEF noted in 2018 that the embargo had hindered the repair of school infrastructure and the acquisition of school supplies, computers and software for education at all levels.¹⁴²

By introducing barriers to many aspects of academic activity – participation in international networks of collaborators, sharing online information, accessing equipment and reagent suppliers, and engaging in international travel – sanctions also negatively affect tertiary education and research institutions.¹⁴³ As many of the countries under long-term sanctions have relatively small academic communities and low rates of investment in science, technology, engineering, and math (STEM), the impact of sanctions can be devastating and difficult to reverse even after sanctions are lifted.¹⁴⁴

COVID-19 RESPONSE

Despite several calls for the easing of sanctions in the context of the COVID-19 response,¹⁴⁵ shortages of medicines, vaccines, medical supplies, fuel, electricity and water, which already affected targeted territories, have been reported during the public health emergency. The US and the EU issued guidelines on combatting COVID-19 in sanctioned countries, reiterating that these frameworks include humanitarian exemptions that should allow for continued trade in essential goods alongside humanitarian operations. Yet little changed in terms of easing access to essential medical supplies during the first year of the pandemic.¹⁴⁶ Sanctions have affected the response to the COVID-19 pandemic in Syria and Iran and further eroded their healthcare systems.¹⁴⁷ Due to asset freezes in place, banks in the US, the UK and Portugal refused to release Venezuelan assets for procuring medicine, vaccines and protective kits, impeding the government's response to the pandemic early on.¹⁴⁸

Sanctioned territories also face severe limitations online and, unlike other countries, were unable to swiftly move to telemedicine or online education. In Venezuela, internet penetration has declined significantly over time given an eight-fold increase of internet access costs, rendering online education unavailable in several areas.¹⁴⁹

Sanctions have affected the response to the COVID-19 pandemic in Syria and Iran and further eroded their healthcare systems.



Democratic People's Republic of Korea

National statistics on the social and economic situation in the DPRK are limited and not always reliable. With strict border closures due to the pandemic, sanctions and damage from flooding and typhoons, analysts suggest that the DPRK is facing its worst economic downturn since the 1990s, during which famine killed millions of people.¹⁵⁰ After shrinking 4.1 per cent in 2018, recovering only slightly in 2019, the isolated economy contracted 4.5 per cent in 2020, also due to the drop in trade with China, which accounts for 90 per cent of trade in the DPRK.¹⁵¹

More than 10 million people are considered food insecure, and an estimated 140,000 children under 5 suffer from acute malnutrition.¹⁵² Higher malnutrition caseloads and mortality rates are anticipated in 2021 as stocks of therapeutic nutrition are also dwindling. The combination of crises has also impacted the quality and availability of public services.¹⁵³ Shortages of diagnostics and essential medicines have also been reported.¹⁵⁴

Although exemptions are in place for food and medical goods as well as humanitarian assistance to be delivered to the DPRK, UN Agencies and NGOs operating in the country report several constraints on their programmes. These include delays in receiving exemptions, prolonged periods of quarantine and disinfection of imports, a decrease in willing foreign suppliers, an increased cost of humanitarian-related items and operations, and diminished funding.¹⁵⁵ For several years no corresponding bank channel to facilitate UN transactions was in place.

Agencies have reported difficulties finding alternative channels, as banks are unwilling to risk secondary sanctions and reputational damage.¹⁵⁶ This has led to UN staff carrying large amounts of cash when travelling to the DPRK as the only viable means of accessing foreign exchange.¹⁵⁷ Some 90 per cent of humanitarian expenditure in the DPRK takes place outside of the country, and the relatively small amount of funding used in-country covers mostly operational costs. The combination of these challenges with the reluctance of suppliers to deliver goods into the DPRK has led to a reduction of humanitarian supply and operational difficulties for humanitarian organizations.¹⁵⁸ Maintaining an uninterrupted and timely humanitarian response has been even more challenging in the last two years due to the lack of banking channels, which prevents local procurement for goods such as fuel used in field monitoring, and delays in clearing items at entry ports, among other factors.¹⁵⁹

Concerns were voiced by humanitarian organizations about the lack of clarity on how to obtain UN humanitarian exemptions. As a result, the Security Council Committee on sanctions imposed against the DPRK has encouraged states, "to explain, where appropriate, their domestic laws and other relevant authorities for implementing exemptions from the measures imposed by the resolutions".¹⁶⁰ It also posted updated exemptions information in April and August 2018.¹⁶¹ In March 2020, in response to the COVID-19 pandemic, the same Committee stated that it had granted, "all

COVID-19 related humanitarian exemption requests with unprecedented speed and urgency".¹⁶² In April 2020, OFAC's fact sheet on humanitarian assistance and trade during the COVID-19 pandemic highlighted relevant exemptions available for non-scheduled emergency medical services.¹⁶³ Despite this flexibility, government-imposed measures to control the spread of the pandemic slowed the import of lifesaving supplies. From August 2020, humanitarian supply flows across the border were completely suspended.¹⁶⁴



04.
Recommendations

04. Recommendations for sanctioning entities

The causal links connecting sanctions to direct harm to children, especially the most vulnerable, cannot be demonstrated easily, and the deterioration of children's rights is at times diffuse and gradual. Yet mounting evidence of sanctions' impact on the realization of children's rights is inescapable, including the most recent forms of sanctions touted for their precision. Sanctioning powers have a moral and legal obligation to tackle these shortcomings in existing and future sanctions regimes.

Sanctioning powers have a moral and legal obligation to tackle the impact of sanctions on children in existing and future regimes.

Through a range of initiatives and policy changes, the international community has sought to minimize the negative impacts of sanctions. Many have aimed to improve communication between stakeholders, especially in relation to the financial transactions underlying the work of humanitarian organizations. Some call for governments to take on a greater share of the risk, in light of disproportionately high levels of responsibility currently placed on financial institutions, NGOs and international organizations that struggle to navigate the complex compliance environment. Other initiatives focus on innovative technical solutions, such as alternative payment channels intended to facilitate humanitarian operations, and to safeguard humanitarian aid, with heavily sanctioned countries.¹⁶⁵

These efforts all have merit, but have not been sufficient to address the challenges discussed in this paper and many are not sustainable. Drawing on its experience navigating sanction regimes, UNICEF encourages all sanctioning powers to:

1.

Carefully design sanctions regimes

Major sanctioning powers should alter their approach to conceiving and planning sanctions, choosing more strictly discriminating measures and adopting truly targeted action. The design process must integrate assessments of likely humanitarian impact and broader societal consequences, and these assessments should be prepared in consultation with organizations operating in the targeted territories as well as child rights experts. The design process should also consider how legal compliance and fiduciary risks can have a detrimental effect on the capacity of organizations working on the ground to deliver aid to civilian populations, including children. All regimes must integrate mechanisms to ensure redress, de-listing and consideration to humanitarian matters, incorporating minimal international standards of due process.

2.

Improve guidance and streamlining on humanitarian exemptions and licensing

Humanitarian exemptions must work in practice, not just on paper. Sanctioning parties can do more to safeguard humanitarian assistance in compliance with international humanitarian law. Sanctioning parties should seek to harmonize practices and develop a common guidance on humanitarian exemptions, including clearer regulations and information on what trade is allowed and what steps organizations need to take to engage in such trade. Additional tools to clarify procedures would demonstrate the intent of sanctioning powers to make humanitarian exemptions succeed. Exemptions and licensing processes also need to be streamlined, with a reassessment of current sanctions lists, clearer guidance and adequate training for humanitarian organizations.

3.

Safeguard banking channels

More efforts are required to identify viable and sustainable banking channels for large scale humanitarian and long-term efforts. A number of ideas are currently being discussed. These include, 'protected' or licensed payment routing involving named private banks; a stand-alone humanitarian bank; special purpose vehicles; and specialised UN procurement offices that can be granted full authority to access humanitarian goods and services.¹⁶⁶ These deserve dedicated exploration. A feasibility study on establishing alternative procurement channels for humanitarian trade with countries under sanctions would also be welcome. Setting up these alternative routes would facilitate access to essential items, such as food and medicine.

4.

Monitor and report on the humanitarian consequences of sanction regimes

The effectiveness of sanctions, including their unintended consequences, can only be determined through the adequate collection of evidence. Several high-profile autonomous sanctions regimes are planned and coordinated through ad-hoc coalitions, but no formal mechanisms currently exist to monitor their collective impact.¹⁶⁷ Joint coordination and reporting on overlapping sanctions regimes by major sanctioning powers should involve systematic documentation on the impact of sanctions, with an emphasis on children. Child rights experts should be included in these monitoring mechanisms, including in the UN Security Council Sanctions Committees and Panels of Experts.

5.

Conduct a legal review of sanctions regimes

States have discretion to impose measures exerting pressure on other actors that violate international law. Yet this discretion is not absolute: sanctions must uphold the principles of legitimacy, necessity, proportionality, and take due account of obligations under the UN Charter, international humanitarian law, human rights law and refugee law. Successive UN General Assembly resolutions have called on States to limit the application of unilateral coercive measures, particularly those of an extraterritorial nature that have been deemed illegal.¹⁶⁸ A review of sanctions regimes' legality should support main sanctioning powers in selecting foreign policy tools that strengthen the international order.

Previous efforts to improve sanctions regimes have been unsuccessful in reducing harm to children. Concerted action to revamp sanctions policies is urgently needed to ensure that these mechanisms deliver their explicit goals, rather than harming children. ■

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February 2022