

Sanctions as a Catalyst for Environmental Degradation

Report No14
september, 2024



Sanctions as a Catalyst for Environmental Degradation



© Organization for Defending Victims of Violence (ODVV)

www.odvv.org

info@odvv.org

Sanctions as a Catalyst for Environmental Degradation

Report No. 14

Printed in Tehran, Iran, september, 2024

By: ODVV Research Team

Supervision: Mahdi Mohebirad

Design: Mohammad Taheri

Introduction

Unilateral Sanctions are one of the means of international pressure imposed to coerce other States to change their policies and practices. Imposing sanctions beyond the authorization of the UN Security Council, especially on developing countries followed by over-compliance, has adverse effects on almost all human rights¹ including the right to health, food, life, education, and the right to a clean, healthy and sustainable environment recognized by the UN General Assembly (UNGA) resolution 76/300² and the UN Human Rights Council (UNHRC) resolution 48/13.³

Unilateral sanctions also known as unilateral coercive measures (UCMs) can have significant negative environmental impacts, often as unintended consequences. The Special Rapporteur

1 UNHRC, Douhan, Alena. Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, A/78/196 (2023), p.45.

2 UNGA, The human right to a clean, healthy and sustainable environment, A/RES/76/300, 1 August 2022.

3 UNHRC, The human right to a clean, healthy and sustainable environment, A/HRC/RES/48/13, 18 October 2021.

on ucm believes that the parameter of intention shall not be considered in the process of monitoring. She has repeatedly stressed that statements by sanctioning States on the unintentional nature of humanitarian damage⁸³ do not release them from the responsibility, accountability and redress for the damage caused by their unilateral sanctions: under the principle of due diligence, all States are responsible for ensuring that their activities and activities under their jurisdiction or control do not affect human rights. Due to the necessity of cooperation and shared responsibility of the international community to the environment, the sanctioned country is faced with the degradation of environmental protection indicators and limited access to financial and scientific aid and support. The impact of economic sanctions on the environment is particularly evident in the case of Iran, a country subject to incessant economic pressure mainly by the U.S. for over four decades.⁴ Like many countries, Iran has environmental issues. The sanctions not only prevent the Iranian government from addressing them effectively; they contribute to making the challenges even worse. The U.S. economic sanctions contrary to this States' international obligations are contributing to environmental harm and additional negative factors like air pollution in Iran, preventing all people in Iran from fully enjoying their rights to health and life. They also impede Iran's ability to pursue sustainable development policies and implement efficient environmental protections for years.

⁴ Economic sanctions are triggering environmental damage | Environment | Al Jazeera

Iranian citizens' right to a clean and healthy environment

Violation of the right to enjoy a clean and healthy environment for the citizens of the sanctioned country is the most obvious effect of unilateral sanctions on the environment. According to the Stockholm Declaration, “Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations.”¹ Furthermore, as mentioned the UNGA and the UNHRC have officially recognized the right to a clean, healthy and sustainable environment as a human right.² However, the scientific, technical and economic embargo of countries accelerates the process of environmental destruction. Environmental problems are directly related to the level of development and economic issues in countries. When the financial issues caused by the sanctions drive the citizens towards poverty,

1 UNGA, UN Conference on the Human Environment, A/RES/2994, 15 December 1972, Principle 1.

2 Supras 2, 3.



it is unrealistic to believe that they will care about environmental issues. When a country's economy is weakened, it is logical that environmental issues have a lower priority than other issues. Under sanctions and embargos, even when the capacity to export (e.g., oil) or the required funds for purchasing a product (e.g., gasoline) exists, the obstacles to transferring funds through official banking systems and trade sanctions limit income; reduce the capacity for the acquisition and import of goods, services, and technologies. Negative economic growth and increased unemployment reduce

the sanctioned State's capacity for environmental protection, leading to problems in the provision of food and safe drinking water in the target country and in this way, the right to health, which affects the environment.

Sanctioned states may rely more heavily on their natural resources and deprioritize environmental protection in favor of economic survival, resulting in over-exploitation and weaker enforcement of environmental regulations.³ In addition to reducing the sanctioned State's ability to decouple its economy from natural resources, economic sanctions have a major impact on the environmental public policy of the sanctioned State. Generally, the urgency associated with societal and public policy issues concerning the environment is markedly diminished in the context of sanctions. Even in developed economies, the environment loses its priority in public policy during economic recessions. So, it is not unexpected to see a sanctioned State overlooking its environmental sector.⁴

A study by Qiang Fu and others on 22 sanctioned countries found that the imposition of unilateral sanctions by the U.S and the European Union (EU) had a significantly negative impact on Environmental Performance Index (EPI), dropping the sanctioned states EPI scores respectively by 0.114, 0.060, 0.045,

3 Madani, Kaveh. «How international economic sanctions harm the environment.» *Earth's Future* 8, no. 12 (2020), p. 8.

4 *Ibid*, p. 9.

0.084, and 0.063.⁵ Moreover, the simultaneous-equation models and Sobel tests showed that the intermediate effect of GDP between international sanctions on environmental performance is significantly negative.⁶

In recent years, with the increase in the quantity and severity of UCMs against Iran, its negative effects on the health of Iranian citizens and the health of the environment have become more common.

The economic isolation caused by sanctions has hindered Iran's ability to manage its natural resources sustainably. For example, UCMs have contributed to the drying up of wetlands like the Mesopotamian Marshes, which straddle the Iran-Iraq border. The U.S. sanctions on Iran have indirectly led to severe environmental degradation in these marshes.⁷

These negative effects have led the UN Special Rapporteurs and Independent Experts to demand the U.S. government lift its sanctions against Iran “so that Iranians can access their right to a clean environment.”⁸

5 Fu, Qiang, Yin E. Chen, Chyi-Lu Jang, and Chun-Ping Chang. «The impact of international sanctions on environmental performance.» *Science of the Total Environment* 745 (2020), p.1.

6 Ibid.

7 Supra 4.

8 US sanctions violate Iranian people's rights to clean environment, health and life: UN experts | OHCHR



Air pollution

Air pollution poses a significant challenge in Iran, with reports indicating that it contributes to elevated rates of respiratory and various other illnesses, resulting in approximately 4,000 premature deaths each year in Tehran and around 40,000 premature deaths across Iran annually.¹ The increase in types of pollution and the inability of the country to make optimal use of international capacities have slowed down the process of responding appropriately to environmental problems, and this will lead to a decrease in the quality of life and health of the Iranian people.

A good example of the impact of the sanctions on air pollution

increase in Iran can be seen in the economic and infrastructural problems caused by the import of good quality gasoline. Following sanctions on petroleum imports starting in 2009, Iran had to rely more on domestically produced gasoline that did not meet environmental standards. This led to a sharp decline in air quality in major Iranian cities like Tehran. The inability to import clean energy technologies and the rise in domestic gasoline consumption exacerbated the issue.²

The U.S. sanctions compel Iranians to prolong the use of older vehicles that burn fuel less efficiently while making it impossible for Iran to obtain equipment and technology to reduce vehicle emissions.³

Another example of the impact of sanctions on the environment is the embargo on the shipping industry and the non-cooperation of some international maritime bodies, which reduces the safety of ships and oil tankers and increases the number of marine accidents and, as a result, the pollution of Iran's environment.⁴ Environmental degradation due to sanctions can lead to health issues and exacerbate human rights concerns, as communities face polluted air, water, and soil.

2 <https://time.com/2986299/iranian-sanctions-create-tehran-air-pollution/>

3 Supra 12.

4 Mashhadi, Ali, and Mahnaz Rashidi. «The Effects of Imposed Sanctions against Iran on Environment, Energy & Technology Transfer in International Law.» Public Law Research 16, no. 46 (2015): P. 107.

Common but Differentiated Responsibilities and Transfer of Green Technology

The nature of environmental problems of countries is such that their solution requires the active cooperation and participation of the international community. Today, developed countries are under an obligation to provide financial, scientific and technical aid to developing and less developed countries according to the well-established principle of «common but differentiated responsibilities», so that they can improve their environmental conditions by benefiting from these aids. In this regard, principle 7 of the Rio Declaration emphasizes that “The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.”¹

Considering the historical differences and distinct technical and economic abilities between developed and developing countries, this principle finds different contributions to solving the environmental

¹ UNGA, The Rio Declaration on Environment and Development. A/CONF.151/5/Rev.1, 12 August 1992, Principle 7.

crisis. Improving the quality of the environment in developing countries requires the transfer of Environmentally Sound Technologies (ESTs), less polluting industrial designs and support of ESTs. However, unilateral sanctions are considered a big obstacle to achieving this principle and can limit a country's access to such technologies.



Considering the historical differences and distinct technical and economic abilities between developed and developing countries, principle of «common but differentiated responsibilities» finds different contributions to solving the environmental crisis

The transfer of environmental technologies is mentioned in several international instruments, especially the Rio Declaration, Agenda 21 and the UN Framework Convention on Climate Change (UNFCCC). Although the commitments mentioned in the environmental instruments are not uniform, and some of them, including the Rio Declaration and Agenda 21, do not have the binding characteristics of environmental conventions; however, they state principles that can guide the international community and lead to binding rules in subsequent instruments and agreements.

Today, even in several binding international instruments, certain obligations have been placed on countries in this field. For example, the 2001 International Treaty on Plant Genetic Resources for Food and Agriculture has stipulated that “the contracting parties are

obliged to provide and/or facilitate access to technologies for the conservation, characterization, evaluation and use of plant genetic resources for food and agriculture which are under the Multilateral System.”² Additionally, according to this Convention, access to and transfer of technology protected by intellectual property rights, to developing countries that are Contracting Parties, in particular least developed countries, and countries with economies in transition, shall be provided and/or facilitated under fair and most favorable terms.³ Moreover, The Convention on Biological Diversity emphasizes that the transfer of technology to developing countries must be under fair and most favorable conditions, including on concessional and preferential terms where mutually agreed upon in identifying potential intellectual property rights.⁴ We see a similar situation in the Kyoto Protocol and the Montreal Protocol.

Sanctions imposed by developed countries on developing countries, not only render the transfer of such technologies unfair, but basically, the possible grounds for transferring such technologies to the sanctioned country will disappear and itself become a factor for endangering the health of the environment of the embargoed country.

Therefore, the imposition of unilateral sanctions beyond the Security Council resolutions can breach several binding and non-binding

2 UN, International Treaty on Plant Genetic Resources for Food and Agriculture, 2001, Art. 13(2)(b)(i).

3 Ibid., Art. 13(2)(b)(iii).

4 UN, The Convention on Biological Diversity, 1992, Art. 16(2).

textual and customary obligations in the field of environment. Some of these obligations, including the principle of common but different responsibility, transfer of green technologies, etc., are expressed in binding environmental conventions, and some of the obligations are emphasized as customary obligations due to repetition in non-binding instruments and the practice of States.

UN Experts including Prof. Alena Douhan, the Special Rapporteur on the Negative Impact of UCMs on the enjoyment of Human Rights have warned that “U.S. efforts to enforce its sanctions by threatening to penalize foreign companies doing business in Iran have led foreign car manufacturers to leave the country. So, Iran must rely on locally made motors and other equipment that cannot use the latest technologies”. They added sanctions prevent investing in Iran. Accordingly, sanctions caused foreign energy companies to abandon projects to build large solar power plants in Iran to generate electricity on a scale that Iranian entities could not replicate. The mandate holders also have noted that sanctions are blocking progress in improving the environment by preventing Iranians from accessing online databases, engaging in joint environmental research projects abroad and courses about environmental issues and sustainability. Moreover, it should be mentioned that UCMs impede Iran’s ability to receive grants for environmental efforts from international funding institutions, such as the Global Environment Facility (GEF), a subsidiary of the World Bank.⁵

5 Sanctions hinder GEF to finance environmental projects in Iran - Tehran Times

Sustainable development

The right to development, as it is a subset of international economic rights, on the other hand, is one of the components of human rights under the title of the third generation of human rights related to the rights of solidarity. The right to development has two aspects: first, countries' efforts for their development should be respected by other governments and organizations (negative right). Second, developed countries should spend all their material and technological efforts to help the developing countries of the south (positive right). Unilateral sanctions are in clear contradiction with both aspects of the right to development. In 2015 all the UN member States adopted the 2030 Agenda for Sustainable Development, which sets out a 15-year plan to achieve the Goals and their related targets. Sustainable development aims to balance the needs of the economy, environment and social well-being. Rio Declaration states that to achieve sustainable development, environmental protection must become an integral part of the development process.¹ Moreover, the Rio Declaration demands cooperation between countries to achieve sustainable development.²

Since the concept of sustainable development in environmental

1 Rio Declaration, Principle 4.

2 Ibid, Principle 27.



restrictions in accessing new technologies; deterioration of environmental security; challenges regarding natural disaster prevention, response and recovery, due to the bans of imports of specialised equipment are areas impacted by the combination of unilateral sanctions and overcompliance.

Remarks by Prof. Alena Douhan, the Special Rapporteur on the negative impact of the unilateral coercive measures (UCMs) on the enjoyment of human rights, 19 May 2022

law implies a series of economic, environmental and social components, and achieving such a level of development requires a certain balance between these components, which is primarily the existence of an economic system that can produce surplus and have independent and sustainable technical knowledge; it seems that by weakening the country's economic power, the sanctions hinder the process of achieving sustainable development.

To mitigate the economic impact of sanctions, countries might adopt unsustainable development practices, such as deforestation, overfishing, or increased fossil fuel extraction. Although the U.S. has consistently claimed its "maximum pressure" campaign on Iran does not target the people of Iran, the reinstatement of sanctions targeted critical sectors of the country's economy, such as energy, shipping, automotive, aviation and finance, which are all crucial to sustainable development. Research indicates that unilateral sanctions negatively impact the Environmental Performance Index (EPI) of targeted countries like Iran. This diminishes their capacity to engage in sustainable



Research indicates that unilateral sanctions negatively impact the Environmental Performance Index (EPI) of targeted countries like Iran. This diminishes their capacity to engage in sustainable development and innovation in green technologies

development and innovation in green technologies.

The imposition of unilateral sanctions can compel targeted States to shift their production practices towards less regulated industries or regions, which often lack stringent environmental protections. Furthermore, the economic isolation caused by unilateral sanctions can hinder a country's ability to access clean technologies and sustainable practices. For example, the sanctions imposed on Iran not only impacted its air quality but also restricted its participation in international scientific and technological advancements, pushing it to entrench unsustainable practices.³

3 Supra 12.

Final Words

While unilateral sanctions are often justified as necessary measures for achieving political objectives, their negative influence on the environment is a critical concern. Although sanctions cannot be blamed as a direct cause of environmental problems, their impact on the environment as an environmental degradation catalyst is undeniable. Today, Iran is experiencing not only intense health and economic distress but also an ever-worsening environmental crisis as a result of U.S. and other unilateral sanctions by Canada and the EU. The unilateral sanctions on Iran have accelerated environmental degradation in the country, leading to worsening air quality, depletion of natural resources. The consequences extend beyond Iran's borders, affecting neighboring regions and the global environment. Additionally, UCMs can stifle innovation in green technologies. As mentioned such sanctions negatively impact the Environmental Performance Index (EPI) of targeted countries, thereby diminishing their capacity to engage in sustainable development and innovation. This stagnation not only affects the sanctioned country but also has broader implications for global environmental efforts, as the lack of cooperation and technological exchange can hinder progress in combating climate change and promoting sustainable practices worldwide. It is time for illegal sanctions that impede Iran's ability to improve the environment and reduce the adverse effects on health and life, to be completely lifted, allowing Iranians to enjoy their rights to a clean environment, health, life, and other rights linked to favorable environmental circumstances.

US sanctions are contributing to environmental harm in Iran and preventing all people in Iran, including migrants and Afghan refugees, from fully enjoying their rights to health and life and contributing to additional negative factors like air pollution.

UN Press releases, Special Procedures, 20 December 2022





Organization for Defending Victims of Violence
(ODVV)