**Organization for Defending Victims of Violence (ODVV)**

**ODVV's response to "call for written inputs: Request for inputs on patterns, policies, and processes leading to incidents of racial discrimination and on advancing racial justice and equality", issued by**

**Advisory Committee**

ODVV urges the UN Advisory Committee to pay attention the widespread and systemic "racism based on nationality" against all millions of nationals of States under economic sanctions or Unilateral Coercive Measures (UCM)s. An incident which is negatively affecting the human rights of "millions" of people globally and regrettably it is totally or partially overlooked by various UN mechanisms even when the issue is raised by the civil society.

We encourage the members of the Advisory Committee to include this form of systemic racism which is imposed on the nationals of sanctioned countries globally in their study and regrets that the case is not included in the questionnaire designed by the Advisory Committee on racial discrimination.

Specifically, ODVV expresses serious concerns over the continued policies of banks and financial actors that violate human rights for nationals of sanctioned countries, hinder the flow of humanitarian items to sanctioned countries, fringe the rights of free trade and the right to education for students of foreign universities because of their nationality.

The banks intentional reluctance to conduct legal transactions or offer authorized services is reflected in activities such as their refusal to opening or maintaining bank accounts for nationals of sanctioned States living abroad, without providing them with any explanations; requiring unnecessary documentations for making financial transactions for these nationals; delaying financial transfers and denying foreign students the opportunity to receive education loans to pay university fees on the grounds of being nationals of a sanctioned country.

Considering the fact that the outreach of sanctions leads to extensive violations of a magnitude of human rights, we urge the UN Advisory Committee to recommend HRC to initiate a mechanism to encourage all banks and financial institutions to comply with their international obligations including their responsibilities under the UN Guiding Principles for Business and Human Rights and General Comment No. 24 of the Committee on Economic, Social and Cultural rights, offering services to all individuals and entities without discrimination based on nationality.

The committee is also informed that the widespread, large scale discrimination based on nationality which is resulted by UCMs impedes access to all fundamental items and collectively violates the right to life, the right to health, the right to education, the right to food, the right to clean water and sanitation, the right to work, the right to an adequate living standard, the right to work as well as the rights of the most vulnerable including, refugees, migrants, asylum seekers, patients with chronic disease and their families, and the people with disabilities.

We would also take note of the former study by the Advisory Committee on the negative effects of UCMs on Human Rights (A/HRC/28/74) and at the same time draw the attention of the Advisory Committee to the discussion on the discrimination based on nationality presented by the former UN Special Rapporteur on UCMs in his report to the human rights council:

*"There is a strong legal argument to the effect that sanctions may have a discriminating effect on the basis of the country of residence or nationality of the targeted populations. Discrimination on the basis of nationality or national origin violates, inter alia, article 26 of the International Covenant on Civil and Political Rights and articles 1 and 2 of the International Convention on the Elimination of All Forms of Racial Discrimination".*

*A/HRC/39/54, pp.38.*

In line with the above-mentioned concerns, ODVV provides answers to 2 questions listed in the Advisory Committee questionnaire:

**QUESTIONS TO ALL STAKEHOLDERS:**

1. What do you consider to be the root causes for systemic patterns of racial inequality?

Based on our observations and evidences we reiterate that imposition of UCMs on populations, beyond the authority of the United Nations and in violation of International human rights and humanitarian law is the root cause of global and continuous discrimination based on nationality against people of sanctioned countries.

1. Do you have any recommendations to any stakeholder that you think would advance efforts to address systemic, structural or institutional racism either at the national or international level? Please share those.

ODVV would like to remind all sanctioning countries, specifically the United States – the ones who impose unilateral sanctions on other States beyond the authority of the United Nations as the only legitimate law making body and with total disregard for human rights and humanitarian impacts of sanctions – that they need to remain committed to their international obligations under "the International Convention on the Elimination of All Forms of Racial Discrimination" specifically, the Article 1.

We also warn the sanctioning States that serious discrimination, based on nationality, against the people of sanctioned countries pushes international banks and businesses to treat people (applicants or employees) unfavourably or refuse to offer them the required services because they are from a particular country and that sanctioning countries are directly responsible for all human rights violations, including the right to life , the right to health, the right to education, the right to work, the right to an adequate standard of living, the right to food, the right to water and sanitation and the right to a healthy environment among other rights.