

KINGDOM OF BELGIUM

Statement delivered by

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**United Nations Security Council – Arria-Formula meeting :
“End Unilateral Coercive Measures Now”**

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Mr. President,

Dear colleagues,

My remarks today will focus on 4 elements: 1) the principles of **EU restrictive measures, as Belgium has no national sanctions policy**, 2) efforts to prevent the adverse impact of sanctions regimes on the humanitarian situation, 3) call for an evidence-based discussion, and 4) objective and due process of sanctions.

- 1) (*The core objectives of EU sanctions*). EU restrictive measures policy is a tool in the EU foreign and security policy to promote international peace and security, prevent conflict, and to defend compliance with international law, international human rights law and international humanitarian law. The EU translates **UN sanctions** into action, but also acts where the UN is unable to act in upholding its own values and principles. For instance, when a territory is militarily annexed in EUs neighborhood in direct violation of the UN charter, or in the case of destabilizing human rights violations, EU restrictive measures are built **gradually**, to enable dialogue and response. They are also **targeted**, aimed only at those responsible for negative policies, while reducing as much as possible any adverse effects or unintended consequences, in particular on the civilian population.
- 2) (*Efforts to prevent the adverse impact of sanctions regimes on the humanitarian situation*). The EU has an elaborate framework in place to prevent these adverse effects, and to **avoid over-compliance** by private actors by promoting regular interaction between all relevant actors. As most EU restrictive measures are targeted, only few cover export restrictions. And when they do, EU prohibitions **do not cover the export of food, medicines or medical equipment**. The EU commits to preserving the humanitarian space, including through the development of **best practices** and the adoption of mitigating measures, including the **introduction of exceptions and derogations**. This system also applies in the current COVID-19 crisis. The European Commission recently published a specific Guidance note on how COVID-19-related humanitarian aid

and in particular medical assistance can be provided to countries and areas around the world that are subject to EU-sanctions.

- 3) (*Our call for a frank but evidence based discussion*). Belgium and the EU are committed to make sure humanitarian exceptions effectively **safeguard humanitarian space**. Therefore, Belgium encourages any stakeholder to provide us with concrete **evidence based information** on any EU restrictive measure hampering the delivery of humanitarian aid or the respect for human rights. Unfortunately, this sanction discussion is too often instrumentalized. Syria is a case in point. Following the discussions over the Syria humanitarian crossborder resolution, it should be clear who is defending more humanitarian access, and who is actively blocking. It should also be clear who is financing the humanitarian aid, and who is not. In this context, I draw the attention to the fact the EU and its member states have continuously supported the Syrian people and continue to be the most important humanitarian donor for Syria, totaling €20 billion of EU assistance to the Syria crisis since 2011.
- 4) (*Final remarks on objective and due process*). The **objective** of any sanctions policy is key. It should be rooted in our shared UN values. We do support regional sanctions in support of democracy and rule of law, like for instance the recent AU and ECOWAS sanctions following the coup in Mali. We do not support sanctions undermining international multilateral institutions, including independent courts and tribunals, or with any extraterritorial effect. Turning to **due process**: in this framework, we would also like to reiterate our support for better due process for the UN sanctions regimes, building on the good practice of the Ombudsperson and taking into consideration the case law of domestic and regional courts. This would bolster the credibility and effectiveness of our UN Security Council sanctions.

I thank you.