

August 12, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Biden:

75 years ago, in the aftermath of one of the most destructive conflicts in human history, nations of the world came together in Geneva, Switzerland to establish clear legal limits on the treatment of non-combatants in times of war. One key provision, found in Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, is the prohibition of collective punishment, which is considered a war crime. We consider the unilateral application of certain economic sanctions to constitute collective punishment.

Collective punishment is a standard practice of US foreign policy today in the form of broad, unilateral economic and financial sanctions. While other countries apply sanctions in some form, the United States [imposes](#) more unilateral economic sanctions than any other country in the world, by far. Though this method of collective punishment may differ from that of conventional warfare, and is often applied outside of declared military conflict, its collective impact on civilians can be just as indiscriminate, punitive, and deadly.

On this, the 75th anniversary of the signing of the Fourth Geneva Convention, we, the undersigned attorneys, legal scholars, and legal organizations call on the international community, and the government of the United States in particular, to comply with international law by ending the use of broad, unilateral coercive measures that extensively harm civilian populations.

Hundreds of millions of people currently live under such broad US economic sanctions in some form, including in notable cases such as Cuba, Iran, North Korea, Syria, and Venezuela. The evidence that these measures can cause severe, widespread civilian harm, including death, is [overwhelming](#). Broad economic sanctions can spark and prolong economic crises, hinder access to essential goods like food, fuel, and medicine, and increase poverty, hunger, disease, and even death rates, especially among children. Such conditions in turn often drive mass migration, as in the recent cases of Cuba and Venezuela.

Civilian suffering is not merely an incidental cost of these policies, but often their very intent. A 1960 State Department memo on the embargo of Cuba [suggested](#) “denying money and supplies to Cuba, to decrease monetary and real wages, to bring about hunger, desperation and overthrow of government.” Asked whether the Trump administration’s sanctions on Iran were working as intended, then-Secretary of State Mike Pompeo [responded](#) that “things are much worse for the Iranian people, and we’re convinced that will lead the Iranian people to rise up and change the behavior of the regime.” The Secretary [spoke](#) with similar approval of how economic sanctions contributed to the humanitarian crisis in Venezuela.

In a 2021 letter to President Biden asking for the repeal of broad economic sanctions on Venezuela, Congressman Jim McGovern, then Chair of the House Rules committee, [wrote](#): “The impact of sectoral and secondary sanctions is indiscriminate, and purposely so. Although US officials regularly say that the sanctions target the government and not the people, the whole point of the ‘maximum pressure’ campaign is to increase the economic cost to Venezuela... Economic pain is the means by which the sanctions are supposed to work... It is not Venezuelan officials who suffer the costs. It is the Venezuelan people.”

The UN General Assembly (e.g. Resolutions [69/180](#) of 2014 and [75/181](#) of 2020) and UN Human Rights Council (e.g. Resolutions [45/5](#) of 2020, [49/6](#) of 2022, and [55/7](#) of 2024) have roundly condemned these unilateral coercive measures as “contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States.” The UN Charter — a treaty to which the US is a party, and is therefore bound as the supreme law of the land under Article VI of the Constitution — reserves the authority to impose sanctions for the UN Security Council. Particular unilateral coercive measures violate other treaties, such as Articles 19 and 20 of Chapter IV of the OAS Charter.¹ In their humanitarian impacts, broad unilateral sanctions [may also violate](#) international human rights norms and law such as the Declaration of Human Rights and International Covenant on Civil and Political Rights, as well as a litany of other international legal obligations, [as documented by](#) UN human rights experts.

Indeed, former UN Special Rapporteur on the effect of sanctions on human rights Idriss Jazairy has [argued](#) that “While the right of States to disagree with each other should be respected, harming the human rights of ordinary civilians should not be resorted to as a means of political pressure on a targeted Government. This is illegal under international human rights law.” He adds, “these civilians deserve the same protections provided by the Geneva Conventions to people in war.” This argument has been repeated by UN officials, and the logic is clear: actions, including lethal ones, that constitute a crime when committed during a declared war, should constitute a crime when committed during peacetime.

The Geneva Conventions, for all of their limitations and subsequent violations, were a triumph of international law in the protection of civilians during times of war. Yet today, hundreds of millions of civilians around the world suffer — and hundreds of thousands have died — even in times of ostensible peace under the broad economic sanctions imposed unilaterally and illegally by the United States.

As members of the legal community, we call on the United States to comply with existing international law by ending the use of broad unilateral coercive measures. Seventy-five years after the Geneva Conventions, collective punishment must end.

Sincerely,

¹“Article 19: No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic, and cultural elements.

Article 20: No State may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another State and obtain from it advantages of any kind.”

Organizations

International Association of Democratic Lawyers
National Lawyers Guild (NLG), United States
Asociación Americana de Juristas
European Association of Lawyers for Democracy and World Human Rights (ELDH)
Progress Lawyers Network, Belgium
Indian Association of Lawyers
Vereinigung Demokratischer Juristinnen und Juristen (VDJ), Germany
Center for Constitutional Rights, USA
National Association of Democratic Lawyers, South Africa
AJP Acción Jurídica Popular, Ecuador
Institute for Justice and Democracy in Haiti
Association française des juristes démocrates (AFJD), France
National Union of Peoples' Lawyers (NUPL), Philippines
Socialist Lawyers Association of Ireland
Just Peace Advocates/Mouvement pour une Paix Juste, Canada
Human Rights Advocates, United States
The Center for Growing Justice
Civil Liberties Defense Center
Partnership for Civil Justice Fund
Legal Centre Lesvos, Greece
Asociación Internacional de Juristas por el Sáhara Occidental (IAJUWS Ecuador)
Arab Lawyers Association, United Kingdom
Clínica Martin-Baro, San Francisco
Democracy for the Arab World Now (DAWN)
Haldane Society of Socialist Lawyers, United Kingdom
National Conference of Black Lawyers (NCBL)
International Association of Lawyers Against Nuclear Arms (IALANA), Germany
National Lawyers Guild, International Committee
National Lawyers Guild, San Francisco Bay Area Chapter
National Lawyers Guild, San Diego Chapter
National Lawyers Guild, South Florida Chapter
National Lawyers Guild, Task Force on the Americas
National Lawyers Guild Chapter at William & Mary Law School
National Lawyers Guild, Mass Incarceration Committee
National Lawyers Guild, El Paso Chapter
National Lawyers Guild, Atlanta Chapter
National Lawyers Guild, Chicago Chapter
National Lawyers Guild, Minnesota Chapter

Individuals (Affiliations for identification purposes only)

Aziz Rana, J. Donald Monan, S.J., University Professor of Law and Government, Boston College

Asli Bali, Professor of Law, Yale University

Ntina Tzouvala, Dr-Associate Professor, ANU College of Law

Eva Nanopoulos, Senior Lecturer in Law, Queen Mary University of London

Susan Scott, National Lawyers Guild International Steering Committee

Marjorie Cohn, Professor Emerita, Thomas Jefferson School of Law

Jessica Whyte, Associate Professor of Philosophy, University of New South Wales

Mario R. Osorio Hernandez, Senior Law Fellow, Georgetown Law

Umut Özsü, Professor, Carleton University

Helyeh Doutaghi, Associate Research Scholar, Yale Law School

Tendayi Achiume, Professor of Law, UCLA School of Law

Robert M. Schwartz, Attorney

Bernardo José Toro Vera, Lawyer, Legislative Advisor in the Chamber of Deputies of Chile

Suzanne Adely, President, National Lawyers Guild

Norman Paech, Universität Hamburg

Dimitris Kaltsonis, Professor, Theory of State and Law at Panteion University of Social and Political Sciences (Athens)

Azadeh Shahshahani, Legal & Advocacy Director, Project South; past president, National Lawyers Guild

Obiora Okafor, Professor, Johns Hopkins University

Nina Farnia, Assistant Professor of Law, Albany Law School

Arthur Heitzer, Chair, National Lawyers Guild Cuba Subcommittee

Deborah C. Anderson, Esq., Attorney, Anderson Law

Joseph Schuman, Managing member, Schuman & Iselt, LLC

Judith Mirkinson, Co-chair International Committee of the National Lawyers Guild

Richard P. Koch, Attorney

Jun Sasamoto, COLAP secretary general

Eileen Weitzman, Attorney

Thomas Schmidt, Co-Secretary General of ELDH

Tim Hirschel-Burns, Lawyer

Elizabeth Beavers, Adjunct Professor of Law, University of New Hampshire Franklin Pierce School of Law

Yiannis Rachiotis, Lawyer

Jamella S. James, JD

Patrick Dunlevy, Attorney

Maryam Jamshidi, Associate Professor of Law, University of Colorado Law School

Donna Cox Wells, Lawyer

Christian Pino Garrido, Abogado

Judy Somberg, Attorney, Retired

Divya Babbula, Staff Attorney, The Legal Aid Society

Alan Levine, Lawyer

Jacqueline Braslow, Staff Attorney, Bronx Defenders

Jennifer Ubiera, J.D., LL.M., Attorney

Jim Lafferty, Fellow, Institute for the Humanities at the University of Southern California in Los Angeles

Declan Owens, Founder, Ecojustice Ireland
Natasha Lycia Ora Bannan, Attorney
Peter Berkowitz, Attorney
Ann F. Hoffman, Attorney, Retired
Jeffrey E. Fogel, Attorney
Virginia Meagher, Attorney, Retired
Alice Slater, World Beyond War
Mark Jacquinet, Attorney, Retired
Krish Govender, National Association of Democratic Lawyers (South Africa)
Gary E. Grass, Attorney at Law
Ann Schneider, National Lawyers Guild
Constance de la Vega, Human Rights Advocates
Nancy Taylor, Attorney
Allison Guttu, Supervising Attorney and Senior Pro Bono Manager, Advocates for Children of New York
Donna Cox Wells, L.A. County Chicano Employees Assn.
Mark Stern, National Lawyers Guild
Nathaniel Damren, Assistant Public Defender, Law Office of the Cook County Public Defender
John Philpot, Attorney
Sue Kern, Attorney
Daniel Goodwin, National Lawyers Guild
Carol Lipton, National Lawyers Guild, NYC Chapter
Audrey Bomse, National Lawyers Guild
Tomas Gayton, Amnesty International
Niloufer Bhagwat, Vice President, Indian Association of Lawyers
Kimberly Baker Medina, Immigration Law Fort Collins
Cathi Choi, Attorney & Co-Director, Women Cross DMZ
Peter Goselin, The Law Office of Peter Goselin
Ann Wilcox, Lawyer affiliated with NLG
Mary T. Yelenick, Attorney
Janae Choquette, Staff Attorney, FWC/WW
Lauren Carasik, Director, Global Justice Clinic, Western New England University School of Law
Victor Goode, Former Director NCBL
Gail Davidson, co-founder, Lawyers Against the War, founder, Lawyers' Rights Watch Canada
J. Benton Heath, Associate Professor, Temple University School of Law
Sanjay Jolly, Lecturer and Program Fellow, Harvard Law School
John E. Douglas, Retired Attorney, NLG Los Angeles
Nora Coon, Attorney
Brittany Stern, Attorney
Professor Curtis Doebbler, The Law Office of Dr Curtis FJ Doebbler
Tom Miller, Founder, Stanford Law School International Law Society
Lorraine Leete, Lawyer, Legal Centre Lesvos
Dimitri Lascaris, Kalloghlian Myers LLP
Daljit K. Soni, Attorney
Victoria Antkowiak, Jurist

Eva Golinger, Attorney
Daniel Meyers, National Lawyers Guild
Randie Long, Lawyer, Merrill Long & Co.
Dianne Post, International Human Rights Lawyer
Mark Stern, NLG International
Fausto Gianelli, Lawyer (Italy)
Joseph Baglieri, Attorney
Dan Siegel, Siegel, Yee, Brunner & Mehta
Flavio Risech, Professor emeritus of law, Hampshire College
Frank Deale, Professor of Law, CUNY Law School
Edre Olalia, Chairperson, National Union of Peoples' Lawyers (NUPL), Philippines
Gregory Biniowsky, Latino Law
Lorne Franks, Attorney
Michel Angela Martinez, Ph.D.
Carlos Vega Pérez, Attorney
Tammy Murphy, Member, Up Against the Law Legal Collective
Eileen Weitzman, Attorney
Nancy Taylor, Solo practice
Barry Kade, Attorney
Pablo A. de la Vega M., Abogado y Periodista (Ecuador)
Mimi Rosenberg, The Legal Aid Society
Luis Carlos Moro, Asociación Americana de Juristas
Karen Wohlforth, Esq., Attorney
Kathleen Gilberd , Executive Director, Military Law Task Force of the National Lawyers Guild
Jon McFarlane, VOCAL-NY
Odongo Odiyo, F.N.
Milad Momeni, President, NLG-NYC
Judy Andler, JD
Gilbert Saucedo, National Lawyers Guild
Terry J. Lodge, Counsel, Ohio Nuclear Free Network
Cheryl Trine, Trine Law Firm LLC
Melia Cerrato, Attorney
Mara Verheyden-Hilliard, Executive Director, PCJF
Carl Messineo, Legal Director, Partnership for Civil Justice Fund
Deborah C. Anderson, Attorney, Anderson Law
David Paul, NLG Task Force on the Americas
Jonathan F. Harris, Associate Professor of Law, LMU Loyola Law School Los Angeles
Bill Montross, National Lawyers Guild
Judy Somberg, Attorney, retired
Bryn Sarner, Attorney
Thomas Howard Nelson, Thomas Nelson & Associates
Corinna Mullin, Professor, City University of New York (CUNY)
Christopher Black, Barrister, International Criminal Lawyer
Jonathan Graubart, Professor, San Diego State University

Vida Samiian, Professor & Dean Emerita, California State University, Fresno
Corinne Blalock, Lecturer & Associate Research Scholar, Yale Law School
Karla R Kelly, Attorney (Retired)
Renata Avila, International Lawyer
Amelie Daigle, Louisiana Chapter of the National Lawyers Guild
Jenipher R. Jones, Esq., Managing Attorney-For the People, LLC
Siphiwe Baleka, New Afrikan Diplomatic and Civil Service Corps (NADCSC)
Nashrah Ahmed, Staff Attorney, Asian Pacific American Legal Resource Center
Heliya Izadpanah, Law Student, UCLA Law
Ryan McNamara, Staff attorney, New York Legal Assistance Group
Jessica Coffrin-St. Julien, Staff Attorney, The Bronx Defenders Union—UAW Local 2325
Atusa Mozaffari, Esq., Attorney, The Legal Aid Society (ALAA 2325)
Michael Diller, Staff Attorney, The Legal Aid Society; Member, UAW Local 2325
Pooja Patel, UAW 2325 member and CAMBA Legal Services Staff Attorney
Ana María Cardenas, Staff Attorney, NYLAG
Naomi Schachter, Social worker, Neighborhood Defender Service of Harlem, UAW 2325 ALAA member
Rachel Holtzman, Staff Attorney, New York Legal Assistance Group
Sarah Chaudhry, The Legal Aid Society
Sophia Gurulé, Attorney, The Bronx Defenders Union - UAW Local 2325
Eva Stevenson, Staff Attorney, the Legal Aid Society NYC
Leah Margulies, Camba Legal Services
Rebecca Orleans, Brooklyn Defender Services
Sarah M. Burlison, Attorney
Ellyn Kessler, ALAA 2325 UAW
Dina Ginzburg, Paralegal, NYLAG
Tarsila Gomez Delarosa, Law Graduate, The Bronx Defenders
Mastaque Ahmed, LAS ALAA IIU
Kavita Naidu, International Human Rights Lawyer, Progressive International
Jared Paul, Law Graduate, The Legal Aid Society
Ellyn Kessler, Attorney, ALAA 2325
Anne Leonardo, Staff Attorney, Bronx Defenders
Giane Alvares, Rede Nacional de Advogados Populares, Brasil
Katie Doman, Attorney, UAW 2325 member
Jordan Manalastas, Attorney (UAW Local 2325 - ALAA)
Lara Russo, Staff Attorney, NYLAG, UAW ALAA2325
Judith L. Bourne, Attorney
Heiner Fechner, Postdoctoral Researcher, University of Bremen
Anna Meléndez-Franco, Staff Attorney, The Legal Aid Society
Ladan Mehranvar, Senior Legal Researcher, Columbia Center on Sustainable Investment and Lecturer in
Law, Princeton University
Micol Savia, IADL representative at the United Nations in Geneva, IADL Secretary General in transition
Dr. Grace Li Xiu Woo, Attorney
Angel Tomas Tueros, The Bronx Defenders & Freedom Agenda
Professor Bill Bowring, Emeritus Professor of Law, Barrister

Sarah Kay, Black Protest Legal Support
Wendy Pettifer, Solicitor
Robert Frank Atkins, Haldane Society of Socialist Lawyers
Gary Daly, Solicitor
Richard Harvey, Barrister, Garden Court Chambers, London, UK
Daniel Ashworth, UAW, local 2325, retiree chapter
Sarah Henry, Solicitor
Erik A. Sperling, J.D., Executive Director, Just Foreign Policy
Karl Gill, Trainee Solicitor
Haris Jamil, PhD researcher, University of Melbourne Law School
John Reynolds, Associate Professor, Maynooth University School of Law
Natsu Taylor Saito, Regents' Professor Emerita, Georgia State University College of Law
Dr. Rose Sydney Parfitt, Senior Lecturer in International Law, University of Kent
Richard Falk, Milbank Professor of International Law Emeritus, Princeton University
Joy Gordon, Professor, Loyola University-Chicago
Jan Susler, Member, National Lawyers Guild
Kanad Bagchi, University of Amsterdam
Volkert Ohm, Lawyer - member of board of IALANA Deutschland
Bernd Hahnfeld, Judge (retired), Cologne
Jorge A. Quintana, Attorney Advisor, DC Board of Elections
Antony Anghie, Professor of Law, University of Utah
Vasuki Nesiah, Professor of Practice, The Gallatin School, NYU
Irina Ceric, Assistant Professor, University of Windsor Faculty of Law
Alex Neve, Adjunct Professor of International Human Rights Law, University of Ottawa and Dalhousie
University, Canada
Heidi Matthews, Assistant Professor, Osgoode Hall Law School, York University
Vincent Wong, Assistant Professor, University of Windsor Faculty of Law