

The Impact of International Economic Sanctions on Human Rights

Yahia Madjidi *

University of El Oued, (Algeria)

yahia-madjidi@univ-eloued.dz

Aiouadj Taleb

University of Khenchela, (Algeria)

aiouadj.taleb@univ-khenchela.dz

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Abstract:

International economic sanctions are sets of coercive measures taken by a state, group of states, or international bodies against a particular state or entity or individuals to impose financial restrictions and hold nations to account. These sanctions are established for various reasons, including human rights violations or inappropriate conduct on an international level. Moreover, these sanctions are often imposed by Western states for political and biased reasons, serving as a powerful tool to enforce political and economic pressure. To implement these sanctions, many schemes are used, including trade embargoes, asset freezes or seizures, travel restrictions, investment banning, and restrictions on financial transactions. These restrictions have a substantial impact on human rights in the targeted state, including the right to food, medicine, education, and healthcare. The prolonged imposition of these sanctions can worsen poverty and unemployment and increase political and social tensions. Although the main objective of these sanctions may be to induce behavioral change in the targeted state, the complexity of the issue arises from the fact that sanctions, despite aiming to achieve desired goals, can occasionally worsen economic and social problems, necessitating a delicate equilibrium between penalties and human rights.

Keywords: *Economic sanctions, Human Rights, targeted state, Embargoes, Restrictions, Penalties, Food, Health, Poverty.*

Introduction:

International economic sanctions are of paramount importance today, as they are considered a topical issue, especially in light of current developments on the international scene. As one of the deterrent punitive means restored to when necessary, in accordance with the requirements of international law, especially chapter VII of the United Nations charter. Its importance stems from the fact that those international economic sanctions are seen as a nonmilitary mechanism. In response to threats in a number of international crises, the Security Council has attempted to use economic sanctions as a means to maintain global peace and security. Furthermore,

** Correspondent Author*

the mechanism of international economic sanctions has attracted the attention of legal scholars, politicians, and economists due to its multiple aspects and the different perspectives of each faction in justifying, emphasizing, or distinguishing it from other similar causes.

In recent decades, sanctions, particularly over-all trade sanctions, have raised concerns among humanitarian organizations and civil society members regarding their humanitarian consequences. These organizations have been able to observe the harsh humanitarian effects of certain sanction regimes during their field operations. Economic sanctions not only negatively impact the humanitarian situation of the targeted population, but they also hinder the provision of humanitarian aid and create disparities in the degree of impact on the targeted groups, with vulnerable segments of society being the greatest victims.

Given that economic sanctions are generally imposed against countries and entities that reject and resist Western hegemony, most of the permanent members of the Security Council seek to achieve their own economic and political interests by circumventing international legitimacy and distorting international law, and with a deliberate neglect of the dire consequences arising from the application of these sanctions usually implemented by the UN organs, especially with the expansion of fields of application and the number of countries concerned.

But how were the impacts of international economic sanctions threaten human rights and affect their essence in light of the existence and application of international law?

This paper aims to analyze the effect and extent of the international economic sanction on human rights especially the general public and vulnerable segments of society despite its conflict with the rules of international humanitarian law.

As a result, in this paper, we address the conceptual approach and the nature of the international economic sanctions in the first theme, and the scope of interfere between International Economic Sanctions and the Principles of Human Rights in the second theme, before finally concluding and determining the areas of tolerance and fields of confrontation determinants for evaluating the resilience and effectiveness of the international law rules, as follows:

I- International Economic Sanctions - a Conceptual Approach.

This section focuses on the theoretical approach to the triple equation. As the history of the application of this type of sanctions reveals, they are essentially a reflection of long-standing crises between states, usually imposed by stronger powers on weaker parties for a variety of reasons. The legal and normative debate of economic sanctions is about legality and

human rights obligations and it concerns whether the imposition of sanctions is a lawful process under international process guarantees, but the legitimacy of sanctions is a controversial issue that has two main directions among legal experts and politicians. Although they are divided between sanctions approved by a collective body such as the United Nations and those imposed unilaterally by a single country or bloc such as the Western bloc.

I-1. Notion and nature of International Economic Sanctions.

Several governments have used international economic sanctions as a crucial instrument in their foreign policy, deploying them deliberately to achieve specific objectives. The definition of these sanctions varies among scholars. Some consider them as an economic pressure tool to achieve foreign political objectives, while others view them as a political act causing harm or coercion by states in their foreign policy. Some may see them as a means to harm the commercial and industrial interests of a state.

The divergence among scholars regarding the definition of international economic sanctions can be attributed to their legal, political, and economic aspects. In fact, legal and political writer Kofi Oteng Kufuor argues that the imposition of economic sanctions is carried out based on political and economic decisions within a legal framework .

Defining international economic sanctions is crucial and challenging. The challenge arises from any expansion in this field, as it may lead to chaos in the use of economic pressures and the legitimization of their forms, while lacking the necessary controls that govern their implementation.

A certain aspect of scholarship has provided an extensive definition of economic sanctions, stating that they are "a political act causing harm or coercion by a state in its economic policy".

This definition lacks the controls that enable these measures, which may result in a state exercising various pressures to implement and enforce its policy, using economic sanctions as a pretext against states that violate their international obligations.

As some may be aware, that economic sanctions are synonym for an economic boycott in its broadest sense, which is the termination of business ties with a person, organization, or nation in order to accomplish a political, military, or economic goals in both peace and conflict .

Others define them as: an unacceptable reaction in foreign or domestic policy, whereby an affected state can express its condemnation by imposing economic penalties. These penalties cannot be specified by a formal cutoff or threat in official financial or trade relations in the targeted country". So there is no well-established and precise definition of human rights

sanctions. As scholars' points out, human rights sanctions are frequently conflated with sanctions aiming at goals such as democracy, good governance and the rule of law.

Meanwhile, others consider economic sanctions to be: "economic pressure tools to achieve the foreign policy of a state, a group of states, or the international community. They represent a stage of international pressure on a state or states that may be preceded or accompanied by other measures such as the severance of diplomatic relations and may be followed by other types of sanctions, including military operations. .

In a more precise definition, the author went on to describe economic sanctions as: "an economic measure aimed at influencing a state's will to exercise its rights by urging it to respect its international obligations."

This definition specifically reveals another intention behind imposing economic sanctions, which is to influence the state's behavior in order to encourage it to comply with the rules of international law

Economic sanctions overlap with boycott and embargo, and they are sometimes used to describe blockades and economic warfare, also they are often seen as softer than blockades or economic warfare since they are frequently employed in peacetime and are an attempt to settle conflicts without resorting to war, whereas economic warfare usually follows traditional warfare .

At this point we may list the main characteristics of international economic sanctions as follows:

A. They are an international economic measure, meaning that it is an international action taken by international organizations or countries in the field of international economic relations, targeting the trade and industrial interests of the state.

B. they are a coercive measure, meaning that they are imposed on the target state compulsorily and cause harm and affect its economic interests.

C, the punitive measure is applied to address violations of international legal obligations, meaning that it is a result of aggression or threats to international relations, whether political or economic.

D, this measure aims to reform the aggressive behavior of the state and protect the interests of other countries, as well as to maintain international peace and security. Thus, international economic sanctions can be distinguished from various economic pressures targeting a state to achieve its interests and influence the policies of opposing states.

I-2. Types of Economic Sanctions

Over time, the forms and characteristics of international economic sanctions have undergone changes, with varying types and underlying philosophies at each stage. Consequently, the three primary branches that

encompass the most significant types of international economic sanctions can be classified as follows:

First: Economic Boycott

According to the *International Legal Terminology Dictionary*, a boycott is "an action taken by international authorities, organizations, and individuals engaged in trade to suspend trade relations with another state and prevent dealing with its nationals with the aim of exerting economic pressure on it in response to its commission of aggressive acts."

The *British Encyclopedia* defines a boycott as "The act of refusing or encouraging others to refuse engaging in any commercial or social interactions with a party, with the intention of applying pressure on that party."

Boycott is a modern form of economic sanctions and it is intended to suspend economic and trade dealings with a certain state to compel it to respect the rules of international law. So despite the technological and political intricacies that earmark the current international economic system, the transnational boycott remains a prominent technique of international economic coercion. Boycott also has a narrow meaning as "refusing to purchase goods produced by a particular foreign country," while others give it a broader meaning, including trade relations with a specific country and the treatment of its nationals with the aim of exerting economic pressure on it in response to its commission of aggressive acts. This perspective also sees boycott as furthermore, the scope of the embargo may widen in certain cases to include third parties represented by other countries if they have economic or trade relations with the boycotted state.

The economic boycott of a country generally entails banning its imports of essential materials and weapons, impeding its exports, and limiting its international activities. It may even reach the extent of freezing its financial assets abroad, thereby achieving the desired political objectives of the boycott. For example, India's boycott of British goods in 1920 to support the demands of the nationalist movement, instigated by Gandhi.

One of the most prominent examples of economic boycott aimed at restoring international legitimacy to a regime was Resolution 731 issued unanimously by the UN Security Council, imposing a comprehensive trade embargo against Haiti. Its implementation began on June 23, 1993, with the objective of pressuring the military government in Haiti to reinstate the ousted President Jean-Bertrand Aristide, who was overthrown in a military coup in September 1991, and to establish democracy in the country. The resolution called for freezing Haitian funds abroad in all countries, banning the sale, transfer, or export of petroleum to Haiti, and prohibiting the export of weapons, equipment, aircraft, spare parts, and ships.

Second: Naval Blockade

Given the importance of maritime trade to states, a naval blockade, an old type of warfare, remains one of the most efficient techniques of putting pressure on a state to comply with international law.

A Naval blockade might be defined legally as “an operation by a belligerent State to prevent vessels of all States, enemy as well as neutral, from entering or exiting specified ports, or coastal areas belonging to, occupied by, or under the control of an enemy belligerent State”, the purpose of the naval blockade is to impose larger sanctions than the blockade itself, severing economic and financial ties. It is also defined as "an action by which one of the belligerents prohibits transportation between the sea and land of the enemy's coasts and territories, both in terms of entry and exit. Moreover, because maritime trade plays a significant role in the economies of countries, the objective behind the naval blockade is to undermine the economy of the non-compliant state and compel it to comply with the provisions of international law. This is enforced by sufficient naval and aerial forces.. The San Remo Manual on International Law Applicable to Armed Conflicts at Sea is the most recent international interpretation that particularly addresses Naval blockades. This volume is one of the few complete international instruments written in the twentieth century to assist legal decisions involving naval warfare. Although legally acknowledged, the text is a codification of customary international law and hence not totally binding. Still, it reflects the present international agreement on blockades.

Third: Economic Embargo.

The term "embargo" in English is equivalent to "حظر" (hazr) in Arabic, which refers to the prohibition or restriction on the export of strategic goods or the policy of embargo, and finally, strategic embargo. Scholars discussed the economic embargo and linked it to trade without mentioning any commercial aspect possibly; their point of departure on this matter could be Article 41 of the United Nations Charter. This article outlines the authority of the Security Council to determine non-military measures for implementing its decisions and to call upon UN members to apply such measures. These measures encompass a range of actions, such as the potential disruption of economic relations, including trade and other commercial activities, as well as the interruption of various means of communication, and even the severance of diplomatic ties. Consequently, these actions may result in the imposition of an economic embargo, affecting trade and consumer goods in particular.

Embargo is the prohibition of exporting goods to a country or several countries. Some have expanded the concept of embargo to the extent that it

becomes synonymous with boycott. However, adhering to the narrow concept of this term, which only means the prohibition of exports to other countries, is more accurate in its meaning.

International organizations impose this type of economic sanctions to punish countries that violate the provisions of international law, including engaging in unlawful activities or to prevent them from using those goods, most of which are by war-torn countries for purposes that are objectionable. Organizations that impose sanctions often conduct research on countries to determine which ones should be subject to the ban. In some cases, the organization specifies the type of prohibited goods that should not be traded with non-compliant countries. This can include weapons, ammunition, energy resources, petroleum, and any other goods that can be used in weapon production.¹

Under International law, an embargo is not an act of war but a sanction that can be enacted individually or collectively against a country and by member States of the United Nations (UN). It is meant to sanction an international wrongful act of behavior from one State. Collective embargoes are generally decided by the UN Security Council (UNSC), acting under Chapter 7 of the UN Charter, when faced with threats to international peace and security, breaches of the peace, and acts of aggression (art. 41 of UN Charter). It represents an agreed tool for the peaceful management of disputes before escalating (in last recourse) to the use of armed forces under the authority of the UNSC (art. 42 of the UN Charter). Regional intergovernmental organizations can also impose embargoes.

Fourth: Financial Sanctions.

Financial Sanctions are recognized as one of the most severe types of economic punishment since they disrupt a country's economic system and deprive the populace of basic necessities. This can generate public anger of the government, which can have a substantial impact on modifying the state's policies and preventing it from violating international law.

As an important means of international relations, international sanctions are expanding in influence and scope. At the same time, as an important part of international sanctions, financial sanctions directly affect the financial system and have a profound impact on the economy of the target country. With the deepening development of global economic ties, the effects of financial sanctions have far exceeded direct economic losses and have also had an important impact on the economic policy environment of the sanctioned country².

Financial sanctions focus on the financial aspects of economic penalties and involve several measures, including:

Suspension of aid, loans, and memberships, which has become widely accepted in the contemporary international economic system. Such assistance is usually provided by powerful countries to weaker countries through established international channels.

Freezing financial assets of the punished countries. This measure has been implemented by France and the United States against Egypt after its nationalization of the Suez Canal, which was intended to finance its foreign trade. The United States also implemented this measure against Iran, especially after the hostage crisis in 1979. Some argue that financial measures are more effective than customs measures because the former can be implemented by a decision from the Minister of Finance, while the latter requires multiple legislations to be enacted.

II- Scope of interference between International Economic Sanctions and the Principles of Human Rights.

During the first forty-five years of the previous century, the United Nations Security Council issued decisions regarding economic sanctions only in two cases: Rhodesia (1966) and South Africa (1977). Since the end of the Cold War, the Security Council has increasingly resorted to collective economic sanctions. Sanctions have been imposed on Iraq, former Yugoslavia, Haiti, Somalia, Libya, Liberia, Angola, Rwanda, Sudan, and Mali³.

As evident from these examples, United Nations sanctions can be imposed in times of peace as well as during armed conflicts.

Given the increasing use of international economic sanctions by the international community and the humanitarian effects resulting from these sanctions, it becomes important to explore the legal framework within which economic sanctions can be imposed, the legal limits of their imposition, and the political reasons that call for setting boundaries on the Security Council's exercise of its authority to impose sanctions.

II-1 Reshaping the Legal legislation of International economic Sanctions for human rights prevention.

Under Article 39 of the United Nations Charter, if the United Nations Security Council decides that there is a threat to peace, a breach of peace, or an act of aggression, it has the ability to invoke Article 41 and call for the application of collective economic penalties. The primary goal of these sanctions is to maintain or restore international peace and security.

Prior to analyzing the legal and political factors that delineate the Security Council's power to impose economic sanctions, it is important to situate the Council's sanctioning authority within its legal and political framework the purposes for which the United Nations was established are outlined in Article 1 of the Charter. Without a doubt, the primary aim, as

mentioned in the initial paragraph of Article 1, is to uphold and reinstate international peace and security. This is to be achieved through the mechanisms detailed in Chapter VI, which pertain to peaceful dispute resolution, or through the enforcement measures laid out in Chapter VII⁴.

In the event that the Security Council identifies a peace-threatening situation, a breach of peace, or an act of aggression, it has the authority to issue recommendations or make decisions regarding actions aimed at upholding or reinstating global peace and security⁵. The measures mentioned could be either those outlined in Article 41, which exclude the employment of armed force and encompass actions like economic sanctions, or the measures specified in Article 42, which involve "necessary action by air, sea, or land forces to uphold or restore international peace and security."

Before considering the applicable rules on sanctions regimes in times of peace, which are derived from human rights law, it is important to note that the use of maritime or aerial blockades to impose a sanctions regime in times of peace does not necessarily lead to a shift from a peaceful situation to an armed conflict. This is because the stage at which such a blockade should be considered as creating an armed conflict is not clear, both in practice and in principle. The examination of each case should consider the facts, law, and specific circumstances involved. One pivotal factor to consider is whether there is active engagement in establishing or maintaining a blockade. International human rights instruments acknowledge the entitlement to life, health, and a satisfactory standard of living, encompassing essentials like food, clothing, housing, medical care, and freedom from hunger. These instruments place a responsibility on states to actively strive towards realizing these rights (Robin, G. 2005)⁶. Taking into account legal and humanitarian perspectives, one can argue that the Security Council ought to consider these rights when implementing a sanctions framework, avoiding systems that undermine people's access to these fundamental rights.⁷

From a humanitarian standpoint, there is a clear need to consider these rights. However, when viewed from a legal perspective, the issue becomes more intricate. Some authors argue that the "right to life" solely safeguards against arbitrary deprivation of life, such as execution, enforced disappearance, and torture, rather than encompassing deprivation of life caused by starvation or the failure to meet basic needs like food, healthcare, and medical care. The initial General Comment of the UN Human Rights Committee on Article 6 of the International Covenant on Civil and Political Rights addresses this limited interpretation. The Committee explicitly disagrees with constraining the meaning of the phrase

"right to life" and asserts that its protection necessitates states to implement proactive measures."

According to this opinion, any system of punishment should not deprive people of the minimum goods and essential services necessary to sustain their lives. Even if we read the expression "the right to life" in a narrow and limited way and assume that it does not apply to deprivation of life through denial of essential food, it is difficult to see how the right to food, especially the right to be free from hunger, can be limited in this manner. One of the most important provisions regarding the right to life and freedom from hunger is Article 11 of the International Covenant on Economic, Social, and Cultural Rights, which states the following:

The States Parties to the present Covenant acknowledge the entitlement of all individuals to a sufficient standard of living for themselves and their families, encompassing ample provisions of food, clothing, and housing, as well as the ongoing enhancement of living conditions. The States Parties shall undertake suitable measures to guarantee the fulfillment of this right, acknowledging the vital significance of international cooperation founded on voluntary agreement.

The States Parties to the present Covenant, acknowledging the inherent entitlement of every individual to be free from hunger, shall individually and collectively, through international collaboration, undertake various measures, including specific programs, with the aim of: (a) enhancing methods of food production, preservation, and distribution by fully leveraging technical and scientific knowledge, disseminating principles of nutrition, and fostering the development or reformation of agrarian systems to maximize the efficient utilization of natural resources; (b) considering the challenges faced by both food-importing and food-exporting nations, ensuring a fair allocation of global food resources based on actual needs.

During armed conflict, it is deemed unacceptable to intentionally starve civilians, which is in line with the prohibition on depriving individuals of food and causing hunger or starvation. However, it would be inconsistent and contradictory to permit such actions during peacetime, making the imposition of sanctions appear highly anomalous.⁸

Alongside the previously mentioned rights to life and food, the Convention on Genocide safeguards what can be referred to as the "collective right to life" and prohibits the deliberate act of starving any national, ethnic, racial, or religious group with the aim of annihilating said group, as defined in the concept of genocide. The prohibition of genocide applies irrespective of whether it occurs during periods of peace or times of war.⁹

The Security Council's approach is increasingly inclined towards integrating humanitarian exemptions into comprehensive sanction frameworks, regardless of whether they are implemented during armed conflicts or periods of peace. Put simply, humanitarian considerations will be given due consideration, whether the sanctions are enforced during armed conflicts or in times of peace. During armed conflicts, these humanitarian concerns are addressed by adhering to international humanitarian law, while during peacetime, they are addressed through the lens of human rights law.

Conclusion

Current international legislation governing economic sanctions appears to encourage a contradictory situation in which they permit all-encompassing economic actions against governments while purporting to safeguard individuals within such countries. This regime is contradictory in the sense that the systematic constriction of economies by many economic sanctions regimes is expected to, and does, generate humanitarian crises from which vulnerable individuals are unlikely to benefit.

Economic sanctions are subject to the whims and political interests of western nations at the expense of international law, despite the fact that some of these nations have committed crimes against humanity, they have never been subject to sanctions measures.

In conclusion, resorting to economic sanctions seems to be an established component of the international community's response to situations involving violence or the potential for violence. Such sanctions are considered lawful under international law, as long as they adhere to enforceable human rights and international humanitarian law principles. Consequently, it is crucial to design sanction regimes in a manner that safeguards the lives and well-being of the targeted state's population. These sanctions should incorporate humanitarian exemptions to alleviate the suffering of civilians and comply with human rights and international humanitarian law. Moreover, it is essential to monitor sanction regimes throughout their duration to ensure they do not inflict unnecessary hardship on the affected state's population and to establish mechanisms for providing humanitarian assistance in exceptional cases.

References :

- 1 Fatna Abdelaal Ahmed, *op. cit*, p. 46

2 Xue-Ying Liu, Wei He, & Others, *The impact of financial sanctions on economic policy uncertainty: Global evidence*, *Pacific-Basin Finance Journal*, Volume: 88, December 2024, doi.org/10.1016/j.pacfin.2024.102558

3 Maria Bengtsson, *Economic Sanctions Go Smart, A human rights perspective*, LINKÖPING UNIVERSITY, Department of Management, Economics and Business Law, Political Science, Master Thesis, May 2002, Pp.1-2.

4 United Nations Charter, UN, <https://www.un.org/en/about-us/un-charter/full-text>, Date of Access: 07/06/2025.

5 Charter of the United Nations, article 39.

6 Robin Geiss, *Humanitarian Safeguards in Economic Sanctions Regimes: A Call for Automatic Suspension Clauses*, *Periodic Monitoring and Follow-Up Assessment of Long-Term Effects*, *Harvard Human Rights Journal*, Year: 2005, Vol. 18, Pp.168-199.

7 Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948 (Genocide Convention). Universal instrument, adopted by General Assembly resolution 260A (III).

8 Genocide Convention, Article 3(c). See C. Breining-Kaufmann, *Hunger als Rechtsproblem : Völkerrechtliche Aspekte eines Rechts auf Nahrung*, Schulthess Polygraphischer Verlag, Zürich, 1991, p. 95.

9 Genocide Convention, Article I