

Legal Mechanism of Power: Sanctions as Tools of Foreign Policy

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Abstract

This research explores the legal foundations and practical application of sanctions as instruments of foreign policy in the contemporary international order. As traditional methods of conflict resolution and diplomatic pressure continue to evolve, sanctions have emerged as a preferred tool for states and international bodies to influence the behavior of target nations without resorting to military force. This study critically examines the legal mechanism that authorizes the use of sanctions under international law, with a particular focus on the framework established by the United Nations Charter and relevant domestic legislation. It also investigates the shift from comprehensive sanctions targeted or “smart” sanctions, which aim to minimize humanitarian impacts while maintaining political pressure. Using the Iran-West conflict as a case study, the paper evaluates the effectiveness, legality, and ethical implications of sanctions regimes, drawing comparisons with approaches in the United States, the United Kingdom, and Malaysia. Through doctrinal and comparative legal analysis, supported by qualitative data from secondary sources, this seeks to provide a clearer understanding of how sanctions operate as a legal tool of power and influence in foreign policy. The findings highlight the complexities, challenges, and future directions of sanctions use with the framework of international law and global governance.

Keywords: Economic Sanctions, Foreign Policy, Legal Mechanism, Targeted Sanctions, Iran-West Conflict.

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1. Introduction

Economic sanctions refer to the threat or actual imposition of restrictions on economic relations by one or more countries against another, with the aim of pressuring the targeted state to alter its behavior (Mokhtari,2015). This definition highlights three key elements. First, sanctions always involve at least two parties: the country imposing the measures, known as the "sender," and the country facing the restrictions, known as the "target." Actions by non-state actors such as consumer boycotts or divestment campaigns by local governments, do not fall under the category of sanctions. Moreover, not all nations make use of sanctions; in practice, they are primarily employed by a limited number of countries (Kobayashi,2018). Economic sanctions used as tools of foreign policy are essentially penalties that may include restrictions on trade, financial transactions, or the suspension of economic and military aid, with the aim of influencing the behavior of the targeted country. These sanctions can be either selective as such, limiting specific areas of trade, finance, or assistance, or comprehensive, cutting off all economic ties with the target nation. Sanctions are often implemented in situations where there is significant domestic pressure to act, but where diplomatic measures or public messaging are considered too weak, while more extreme options like covert operations or military intervention are deemed too drastic.

Sanctions are a key instrument used by the United Nations to maintain international peace and security. Increasingly, states are also using sanctions to advance their foreign policy goals. Notably, both the UN and the European Union have been moving away from imposing sanctions on entire states and instead focusing on specific individuals and entities. However, these targeted sanctions often involve heavily politicised processes that lack transparency. Additionally, the grounds for imposing such measures are either not clearly disclosed or are defined in vague and overly broad terms (Moroni,2020). Historical evidence points to certain shared features among sanctions that have been successful, especially when success is measured against more practical objectives rather than the lofty aims typically cited by analysts and policymakers. The widespread view in academic and business circles that sanctions tend to be “ineffective” usually stems from comparing their outcomes to their publicly stated main objective. This objective is often

framed as compelling the targeted country to align with the policy goals of the sanctioning country. For instance, goals such as dismantling South Africa's apartheid regime or pressuring Iraq to pull out of Kuwait are often cited. However, policymakers in the sanctioning country may have reasons to exaggerate these primary objectives. In reality, the true aims of sanctions might be more limited and less openly expressed.

Sanctions often serve additional purposes beyond their publicly stated goals, such as signaling a country's determination, punishing the target for violating international norms, or deterring future unacceptable behavior. These underlying objectives can be more significant than the officially declared aim and may, in fact, be the true motivation behind imposing economic sanctions. Moreover, sanctions tend to be more effective in achieving these secondary goals. For example, while the main publicly stated aim of U.S. sanctions against the Soviet Union in 1980 was to pressure a withdrawal from Afghanistan, evidence suggests that President Jimmy Carter viewed the more realistic and important objectives as demonstrating U.S. resolve and discouraging Soviet aggression toward Iran, Pakistan, or the Persian Gulf as regions he saw as strategically vital (GAO, 2018). Sanctions can increase the cost of trade and financial activities for the targeted country, but they rarely lead to the complete collapse of its economy. Over time, the affected nation often manages to find alternative suppliers and markets, though usually at a higher cost. For instance, despite facing widespread international boycotts, South Africa managed to replace most of its lost exports within two years. However, this came at a cost, its goods were sold at discounted prices, and reaching new markets required more expensive transportation. Sanctions can also impose economic burdens on the countries that impose them, such as lost profits from missed export and financial opportunities, as well as higher costs for sourcing imports from alternative suppliers. When applied together, sanctions on exports, imports, and financial activities tend to have a cumulative impact, strengthening their overall economic pressure. Nevertheless, these tools are imprecise and often struggle to target specific groups within the sanctioned country. For example, U.S. financial sanctions on Panama, which aimed to pressure the government while sparing the broader economy, ended up causing significant unintended harm to the economy and non-targeted civilian populations (GAO,2018).

2 .Theoretical Framework

The study of economic sanctions as tools of foreign policy is anchored in both international legal theory and international political economy. Sanctions are an instrument of non-military coercion that also represents power relations between states and international organizations and functions at the interface of law, economics, and diplomacy. This study incorporates a doctrinal concept of the law with the usage of the utility theory and empirical meta-analysis to define the strategic, the legal, and the functional levels of sanctions.

From a legal standpoint, sanctions derive their legitimacy from international law, particularly under Chapter VII of the United Nations Charter, which authorizes the Security Council to impose binding measures in response to threats to international peace and security. At the domestic level, countries like the United States employ instruments such as the International Emergency Economic Powers Act (IEEPA) to enforce sanctions through executive authority. As highlighted by Althabhwani et al., trade agreements and WTO provisions also govern aspects of sanction legality, though unilateral sanctions often raise questions about the principles of sovereignty and non-intervention (Althabhwani et al,2024:185–188).

The comparative challenges of applying legal norms across different jurisdictions are also critical.

Countries operating under common law, civil law, or hybrid legal systems interpret and implement sanctions differently. These variations complicate the enforcement and contestation of sanctions under international arbitration frameworks, making multilateral consensus essential for long-term efficacy (Althabhwani et al,2024:188).

Utility theory further complements the legal analysis by conceptualizing sanctions within a cost-benefit framework. According to Maha et al., nations pursue foreign policy objectives based on maximizing expected utility while minimizing risks to their political and economic interests. Sanctions, in this context, are instruments through which states attempt to shift the utility calculus of the target state—raising the costs of non-compliance to outweigh the benefits of maintaining undesirable policies (Maha et al,2024:117–124). This theoretical underpinning explains why sanctions are often deployed alongside diplomatic engagement or military deterrence.

The role of political relationships and economic interdependence is central to utility theory. Warm bilateral ties increase the potential influence of sanctions, while cold or adversarial relations reduce their effectiveness. Sanctions tend to yield better results when the target state is reliant on the sender state’s markets, technology, or capital (Maha et al. 2024, 121). In line with this, Jenkins critiques Western sanctions on Syria as largely ineffective and morally questionable, arguing that they neither shifted Assad’s behavior nor spared civilian suffering—raising doubts about their strategic rationale and legal ethics (Jenkins,2025).

A valuable addition to this framework comes from the recent meta-analysis by Demena and van Bergeijk, which empirically reviews 37 studies to assess the statistical determinants of sanction success. The study confirms that strong pre-sanction trade relationships, shorter durations, and prior diplomatic ties significantly increase the likelihood of success. The present analysis has quantitative implications providing support behind the qualitative statements made in previous literature and the need for properly contextualized and well calibrated sanctions policies (Demena and Van Bergeijk,2025:1-20).

It is also indicated by the meta-analysis that there is a publication bias and a methodological need to control stringent methods, which proves that doctrinal legal analysis should be complemented with empirical data to create an effective and balanced strategy of the sanctions regime. Including mixed-effects modeling, the research confirms the strength of some of the variables that included target regime type and sanction scope, providing more insight into the theory of the action and inception of sanctions in practice.

Overall, this theoretical framework combines legal doctrines, economic models of utility, and empirical findings in order to consider how sanctions can be used as a tool of legal and strategic influence. It gives the basis of evaluating their use in various geopolitical situations, especially regarding Iran, and sets standards of quantifying their performance, legality and legitimacy in the ethical regard.

3. Research Methodology

This study is a doctrinal legal research, or ‘law in text’, using a qualitative approach. The researcher will also examine relevant materials related to the use of artificial intelligence in detecting illegal sports betting activities in depth. Thus, the doctrinal legal method is suitable for achieving the stated objectives as it focuses on generalization and the formulation of theory. The goal is to expand understanding within the field of investigation. The researcher does not focus on the practical application of the findings.

A library-based method is also used to gather information for this study. Secondary sources such as articles, journals, books, and theses written by academic scholars will be referred to in order to obtain relevant and credible information related to the topic. The researcher will use platforms such as LexisNexis, the Current Law Journal (CLJ), Scopus, HeinOnline, and Westlaw International to access articles, journals, and other materials relevant to the study.

Internet sources were also used to obtain up-to-date information from various websites as supplementary material to support the research. The researcher will refer to internet sources to gather information on sanctions and economic policy and news from platforms such as Forbes, Awani, and other international news sites. Comparative method was used to compare the economic policies around the world and legal approaches to the implementation of sanctions. The comparison with other countries is intended to propose improvements in the international legal framework based on the findings of this study.

The researcher used analytical and critical approaches to evaluate previous studies in order to draw conclusions for this research. Past research will be analyzed to assess their findings and propose enhancements to address the issues raised in this study. Thus, the researcher will review writings published on similar or closely related topics that have inspired this research.

4. Results and Discussion

The study identified significant patterns in the implementation and effectiveness of economic sanctions, particularly in the context of their use as foreign policy instruments. The Iran-West conflict served as a core case study, demonstrating how sanctions led to substantial economic repercussions. These included reduced GDP growth, increased inflation, currency devaluation, and a sharp decline in foreign investment (Abdelbary and Elshawa,2023:216). Iran's isolation from the global financial system further disrupted trade and market access, while the reinstatement of secondary sanctions after the U.S. withdrawal from the Joint Comprehensive Plan of Action (JCPOA) in 2018 revealed the fragility of multilateral sanctions when one major party withdraws (Abdelbary and Elshawa 2023:220).

While economic consequences were clearly visible, political transformation remained elusive. Sanctions alone did not compel immediate policy reversals; however, they did create diplomatic leverage that brought Iran to the negotiating table in 2015 (Abdelbary and Elshawa,2023:231). This finding supports the broader assertion in sanctions literature that sanctions are more effective as part of a comprehensive diplomatic strategy rather than as standalone coercive tools (Forrer,2017:4).

In humanitarian terms, sanctions had widespread social and health-related repercussions. According to The Lancet Global Health, sanctions targeting aid-dependent countries significantly increased maternal and child mortality from 1990 to 2019 (Haidari et al.,2025). In Iran, sanctions exacerbated shortages in medicine and health supplies, with particularly severe consequences for vulnerable populations (Abdelbary and Elshawa,2023: 233). Moradi et al confirmed that sanctions lead to both direct harm, such as medical supply constraints, and indirect consequences including malnutrition, unemployment, and mental stress (Moradi et al,2024). Furthermore, Koehler (2024) emphasized that humanitarian exemptions—while present on paper—often fail in practice due to poor implementation and regulatory complexity, ultimately exacerbating poverty.

The economic costs were not confined to sanctioned states alone. It was revealed that U.N. sanctions resulted in a 2.7% average GDP drop for target nations, while U.S. unilateral sanctions caused a 1.2% decline (Lee,2024). The Ifo Institute echoed these findings, confirming that sanctions reduced trade volumes, investment levels, and overall economic confidence (Ifo Institute,2024). Sanctions also created ripple effects in global markets, impacting businesses in sender countries due to lost contracts and supply chain disruptions (Forrer,2017:3).

The research further affirmed that sanctions are most effective under specific conditions. According to Demena and van Bergeijk's (2025) meta-analysis of 37 empirical studies, sanctions have higher success rates when they are short-term, multilateral, and imposed on democracies or states with high trade dependence on the sender. The same study underscored the importance of diplomatic ties prior to the imposition of sanctions as a factor enhancing compliance (Demena and van Bergeijk,2025:15). These conclusions reinforce earlier claims by the GAO (1992) that sanctions are more likely to succeed when they are clearly defined, rapidly applied, and broadly supported (GAO,1992:11).

Legally, the legitimacy of sanctions remains a contested issue. Unilateral sanctions, especially those with extraterritorial reach, often face criticism for violating international legal norms such as sovereignty and non-intervention (Modern Diplomacy,2023). Tilahun, N., & Okafor, O.(2024) noted growing concerns about the compatibility of sanctions with International Humanitarian Law (IHL), particularly when sanctions result in disproportionate civilian suffering. These legal tensions are compounded by enforcement inconsistencies and the absence of accountability mechanisms for sanctioning states (Tilahun and Okafor,2024).

Symbolic sanctions imposed primarily to express condemnation also feature prominently in the results. While they may generate international visibility and diplomatic signaling, their tangible impact is often limited. Lumen (2018:20) points out that such sanctions can be co-opted by authoritarian regimes to boost nationalism and entrench resistance. Jenkins (2025) similarly criticizes Western sanctions on Syria for being more punitive than transformative, arguing that they have intensified human suffering while failing to dislodge the Assad regime.

The adaptability of targeted regimes is another recurring theme. In the Iranian case, authorities turned to regional and informal trade mechanisms to bypass restrictions. Russia's response to post-Ukraine war sanctions, documented by the Economics Observatory, mirrored this pattern, as inflation surged but core industries adapted through alternative trading blocs (Economics Observatory,2024). Sanctioned states have increasingly relied on cryptocurrency, barter systems, and geopolitical realignments to mitigate economic isolation (JCPOA,2024).

Policy effectiveness depends not only on sanction design but also on broader international consensus. Reports by Brookings (2024) and AidData emphasize that sanctions are more impactful when integrated into coherent foreign policy strategies that include diplomatic incentives, public messaging, and clearly articulated end-goals. Sanctions lacking exit strategies or imposed reactively tend to lose credibility and become symbolic rather than functional (Brookings,2024).

The last effects that cannot be disregarded are the effects of sanctions on the perception of the whole world. The surveys conducted by AidData and CNAS report an increased critic of Western sanctions as Western countries are regarded as self-interested or hypocritical, especially when there are no consequences for humanitarian outcomes. This is an issue that weakens the moral standing of those states that make sanctions and requires more comprehensive and transparent mechanisms in the future.

To conclude, findings of the present paper emphasize that economic sanctions are a complex, context-driven instrument with multiple effects that may also become ethically problematic. These antecedents play a major role in their success, which is highly dependent on strategic coherence, legal legitimacy, and humanitarian design as well as diplomatic alignment. When used judiciously sanctions can change the state behaviour and buttress the international rules by their preciseness. They can, however, backfire or have the wrong implementation which results in being more harmful than good, diminishing the same values which they purport to promote.

5 .Analysis or Discussion

Economic sanctions have been used throughout history as a form of coercive diplomacy, i.e., an instrument meant to change the behavior of the targeted state by withdrawal of or limitation of economic relations. Although the idea of using sanctions is largely seen as a peaceful alternative to militaristic conflict, there is still a debate (both scholarly and policy-oriented) about whether sanctions are justified legally, strategic, or ethically. This discussion critically evaluates the theory, practical usage, and practice of sanctions based on lengthy case studies involving many empirical studies. The key argument being brought forth here is that despite the fact that under certain circumstances sanctions might work efficiently, its abusive and often unintended use, legal uncertainty, and unreasonably disproportionate average costs, especially with regards to humanitarian cost amplify its unsustainability, thus nullifying its position as an effective instrument of foreign policy.

Althabhwawi et al. (2023) present their argument in their article titled *Personal Media Restrictions on Freedom of Speech: a Social Contract Theory Behind It*, arguing that personal media usually serves to promote jumping into action enrooted with emotions devoid of any overall consideration, which causes social disharmony. By relying on social contract theory, they argue that the restrictions against such speech that are imposed by the government can be warranted as necessary to assure the order in the society, as an implicit social contract of the members of the society to accept some limits in the name of general welfare (Althabhwawi et al,2023). The same argument can be made with respect to sanctions as instruments of foreign policy. Sanctions may also be discussed in terms of upholding internal peace, such that sanctions are a form of enforcement mechanism in a kind of international social contract according to which the international community as a whole agrees to limit the activities that are detrimental to international peace and stability at large. There is a particular sense of balance between the liberty of the individual or state and the necessity of a greater sense of order in both contexts meaning the need of proportional and legally based measures. Moreover, the fact, noted by the authors, that uncontrolled expression may elicit unstable and emotional reactions confirms the idea that the sanction should be strategically designed, precisely targeted and justified in a clear language to prevent unnecessary escalation (Althabhwawi et al,2023). From a legal standpoint, sanctions are recognized within international law frameworks, particularly under Article 41 of the United Nations Charter, which allows the Security Council to impose measures not involving the use of armed force. However, unilateral sanctions, those not authorized by multilateral institutions have raised legal and ethical questions regarding state sovereignty and non-intervention. According to the Modern Diplomacy report (2023), unilateral sanctions imposed by powerful states, especially the United States, often operate outside of international legal consensus and risk violating the principle of sovereign equality of states under international law. Moreover, sanctions that are overly broad and vague in their objectives or duration risk conflicting with established norms in international humanitarian law (Modern Diplomacy,2023).

Sanctions are most commonly justified on grounds of national security, human rights violations, nuclear proliferation, or geopolitical aggression. In the case of Iran, the West has used sanctions over several decades to deter nuclear development and curb regional influence. Empirical evidence from Abdelbary and Elshawa (2023) suggests that while sanctions did cause a sharp contraction in Iran's GDP and disrupted key sectors such as oil and banking, they failed to completely halt nuclear advancement or induce regime change (Abdelbary and Elshawa, 2023: 225–228). The strategic logic underpinning such measures rests on the assumption that economic pain will translate into political concession. Nonetheless, the problem with this assumption is that it tends to misjudge the power of authoritarian or ideologically embedded rulers, seeing that they are more likely than not much stronger than it would seem, as well as overestimating the influence of economic elites on the state policy-making process. U.S. sanctions with Iran have been to a large extent ineffective because Iran has adapted an apt strategy of shifting into the resistance approach. The importance of sanctions as a legal means of force is also emphasized in *An Analysis of the Impact of Sanctions on the Economy and Political Stability*, where they have been conceptualized as one of the non-violent coercion systems founded on international law and used by the International community to make states change undesired behavior (Hassan et al, 2024). They tend to have legal authority depending on the resolutions of the United Nations Security Council, or regional, or national law, and are formally authorized as part of the foreign policy. Economically, sanctions interfere with the production processes, decrease the GDP, create more jobs, and limit access to resources through imports, including the basic ones, which are supposed to create pressure on the political elites but often impact the rest of the population, posing humanitarian risks (Hassan et al, 2024). Politically, they can debilitate aimed regimes by putting on fire and anti-regime movements, but in certain occasions, they strengthen the existing governments by facilitating nationalistic clauses against its supposed external attack (Hassan et al, 2024). The paper makes a distinction between trade sanctions, financial sanctions, asset freezes and travel bans and adds that each of the sanctions functions differently within the realm of laws and has its own economic and political impacts. Lastly, the authors emphasize that multilateral, selective, and multilateral sanctions, also augmented with diplomatic contact, are the most effective, simply because unilateral, excessively broad, or limply

implemented ones lead to sanction evasion and the creation of alternative geopolitical coalitions (Hassan et al,2024). To support this point, some put forward the idea that sanctions are very unlikely to work in those cases when the goals set are too ambitious, or when the targeted state has a possibility of finding alternate trade partners, as well as political allies, Daniel Drezner (2024). The results of his examination of historical regimes of sanctions show the trend where sanctions were not very effective especially when they were used unilaterally or lacked a clear route map of de-escalation (Drezner,2024). The example of Iran demonstrates the given phenomenon; under the pressure of the U.S, Iran adjusted their economy with regard to the increased non-oil export, the involvement in the trade with the region and the reliance on China and Russia regarding the diplomatic support. Such adaptations compromise the compulsive authority of sanctions and underline the key multilateral participation. Other important points of view concerning the sanctions against Iran are concerned with the internal and external conditions, which indicate the low success of the sanctions. According to Pirani and Naderi (2023), U.S. sanctions, despite being comprehensive and long-standing, failed to achieve their core objectives due to Iran's strategic use of a resilience-based economic model and its shifting geopolitical alliances. Internally, Iran promoted self-sufficiency, diversified its economy, and strengthened nationalistic narratives to maintain domestic political unity. Externally, the country built deeper economic and diplomatic ties with powers like China, Russia, and Turkey, states that were either non-aligned with the sanctions or willing to bypass them through alternative mechanisms. Moreover, the article emphasizes the fact that unilateral sanctions are usually not considered for the purpose of being globally accepted and implemented due to the lack of multilateral legitimacy. Geopolitical fragmentation and lack of united enforcing capabilities of the world system gave Iran opportunities to use loopholes in the international system in terms of the global financial and trade systems. Another factor cited by the authors as weakening sanctions was their inconsistent implementation, as well as the emergence of informal trade relationships and networks, as well as political strength of the Iranian regime. These data could also be taken to prove that unless it is combined with multilateral cooperation and strategic diplomacy, sanctions tend to lack

the quality of producing sustainable political change (Pirani & Naderi, 2023).

This argument can be supported by quantitative data. The meta-analysis by Demena and van Bergeijk (2025) including 37 studies revealed that the probability of the sanction to be successful is much higher under the condition of shorter duration of sanctions, the presence of pre-existing trade relations between a sender and a target, and concerning the economic dependence of the target on the sender (Demena and Van Bergeijk, 2025:5-8). In comparison, long-term sanctions are likely to As opposed to long-term sanctions, however, the idea of prompting a regime change with the help of a long-term sanctions team result in a decline in returns and entrenched nationalist or anti western discourse in the target state. It is particularly so when sanctions are not seen as a means of policy but as punitive mechanism-of-collective punishment, thus causing a rally-around-the-flag effect by local populations. One of the longest standing criticisms that are used in regard to sanctions is their humanitarian implications. In another interesting article, Jenkins (2025) critiques Western-initiated sanctions in Syria, and despite pointing to an array of reasons, the paper concludes that widespread financial sanctions and bank sanctions have led to the collapse of the health infrastructure in Syria and the risk of medical material shortages, and a failure to deliver humanitarian aid on time (Jenkins, 2025). On the same note, Yazdi-Feyzabadi et al (2024) reveal that sanctions are associated with rising mortality rates, medicine access, and health system impending, especially in geographical settings lacking the strength of the state or outright war (The Lancet, 2025; Moradi et al, 2024).

These concerns have been recognized by the United Nations and have stressed on the need to have humanitarian carve-outs in sanctions regimes. Yet, according to Koehler (2024), these exemptions do not work well since they are poorly constructed, bureaucratic time consuming or non-functional in areas with high risk. The effect of such is that even where there may be formal exceptions, their operation in practice is adulterated and the distinction between strategic pressure and collective punishment is further eroded. The example of the use of sanctions against Iraq in the 1990s is one of the most quoted cases because UN sanctions caused serious humanitarian crises but did not achieve a significant change in the policies of the regime. The ethical aspects of sanctions have also begun to attract more critical attention in the legal scholarship.

Tilahun, N., & Okafor, O. (2024) argues for aligning economic sanctions more closely with principles derived from international humanitarian law, including necessity, proportionality, and distinction. The authors contend that broad-based sanctions, such as those affecting food, medicine, or public utilities, violate the principle of distinction by failing to differentiate between combatants and civilians (YJIL,2024). This line of reasoning positions poorly targeted sanctions as legally dubious and morally indefensible, calling into question the legitimacy of current practices even when they are justified under national security grounds.

While legal critiques and humanitarian considerations are mounting, the appeal of sanctions as symbolic instruments remains strong among policymakers. Lumen (2018) classifies sanctions into five functional categories: coercion, deterrence, destabilization, signaling, and symbolism. The symbolic dimension, where sanctions are used to project moral outrage, signal alliance commitments, or placate domestic audiences, often dominates in politically sensitive contexts (Lumen,2018:44). However, this symbolic usage frequently comes at the cost of strategic clarity and measurable success. In the absence of defined goals and clear benchmarks, symbolic sanctions risk becoming indefinite fixtures in foreign policy, eroding their credibility and frustrating diplomatic progress. A case in point is Russia, where sanctions following the annexation of Crimea and the 2022 invasion of Ukraine have created sharp divisions in global trade and finance. According to the Economics Observatory (2024), the Russian economy has contracted, inflation has surged, and trade patterns have shifted, but the political leadership has remained defiant. In the meantime, secondary effects like the increase of prices on energy, stop of exports on grain and restriction of global liquidity have reached nations who are not close at all to the initial conflict and states that sanctions contain ramifications that enter globally very far beyond their original intentions. Although sanctions are a very common and theoretically sound instrument of international law and regulation, these measures, in the actual world, often fail to meet the purposes of applied measures. It is weakened by strategic misalignment, humanitarian fallout, legal ambiguity and political symbolism. An even more developed, empirically based and ethically justifiable framework is long overdue to bring sanctions back into line with their apparent goal in minimizing collateral damage.

When evaluating the new architecture of sanctions regimes, not only is it important to ask how and not whether sanctions work, but it is also important to consider how sanctions operate within the larger international legal regimes, political signaling, economic coercion, and humanitarian responsibility. The multilateral v unilateral sanction is one such dimension especially in regard to legitimacy of the sanction and effectiveness also. One of the first extensive evaluations (GAO Report,1992) concluded that multilateral sanctions were much more effective, particularly when enforced using institutions like the United Nations or the European Union which give the actions some legal weight and allows the burden to be shared (GAO,1992:2-4). The unilateral sanctions, on the other hand, are characteristically weaker in preventing evasion, and not likely to generate cooperative pressure by the international society.

Multilateral sanctions have been imposed on different cases by the United Nations Security Council, such as North Korea, Libya and the apartheid-era in South Africa. The second example of these sanctions was their important contribution in separating the apartheid regime, along with the moral and economic pressure applied by Sanctions, which as Drezner (2024) states, when coupled with a pressure to the regime at hand also in the form of a resistance, an added value of a relevance on the level of regime change was present (Drezner,2024). Yet, this success tale has been frequently put to the test with up-to-date development such as North Korea where after decades of multilateral sanctions, the regime has not relented its nuclear development and its economic isolationism. This contradiction shows that the context and not only coordination predetermines outcomes of sanctions. The current case of multilateral interactions fought in sanctions imposed on Russia since 2022 provides recent evidence of complications of multilateralization. According to the ifo Institute Forum (2024), Russia's economy experienced a contraction of over 2 percent annually, compounded by supply chain disruptions and asset freezes. Yet, the Brookings Institution (2024) cautions that these economic shocks have not materially changed Russia's strategic calculus or political resolve, suggesting that the costs imposed have not been sufficient or decisive enough to force a behavioral shift.

Instead, Russia has responded by rerouting energy exports to Asia, embracing import substitution, and promoting internal narratives that blame foreign aggression for economic hardship. This mirrors a broader trend where sanctions, rather than isolating a regime, may reinforce internal cohesion by creating an external scapegoat.

VOX CEPR (2024) highlights that sanctions often lead to informal labor growth, greater inequality, and new trade alignments—especially in authoritarian states that control information and shape public perception. In Iran, the government mitigated unrest by offering subsidies and cultivating ties with countries like China and Venezuela (Abdelbary and Elshawa, 2023: 229–231). However, the humanitarian impact remains severe. Globalization and Health (2022) documents how sanctions disrupted Iran’s access to vaccines and medical supplies during the COVID-19 pandemic, while Moradi et al links both direct and indirect sanctions to broader health system decline. These effects mirror Jenkins’ (2025) observations on Syria, where sanctions intensified suffering and weakened humanitarian aid delivery. These examples highlight a legal and ethical dilemma: the contradiction between the intended political pressure of sanctions and their unintended humanitarian consequences. Tilahun, N., & Okafor, O. (2024) suggests a new rights-based legal framework, which is proposed to analyze the sanctions and defer to the principles of the international humanitarian law (IHL) that include distinction, proportionality, atrocities and necessity. Even the adherence to these principles, particularly where they are applied to the designing of blanket economic sanctions, is destined to yield the same results as that of punishment by a group, which are quite against the principles of the IHL and customary international law (YJIL, 2024).

This criticism is especially effective when focusing on the disconnect between what the laws actually exempt and what they are practically unworkable, either because of bureaucracy red tape, concern with secondary sanctions or lack of defined and articulated enforcement preferences. Strategic utility in strategic terms, Lumen (2018) underlines that sanctions need not always be assessed solely by considering their economic effects, but also diplomatic leverage and signaling. Sanctions that fail to induce direct policy change may still succeed in shaping the diplomatic environment, deterring future violations, or reassuring allies of a state’s commitment to international norms (Lumen, 2018: 46–47).

However, this signaling must be consistent, legally grounded, and accompanied by clear benchmarks for compliance and removal. The absence of such criteria, as observed in the long-standing U.S. embargo on Cuba, contributes to sanctions being perceived as ideologically rigid rather than pragmatically flexible instruments of statecraft.

Adding to the complexity is the role of economic globalization and digital finance, which have reshaped the enforcement and circumvention of sanctions. A 2023 preprint on arXiv details how states like North Korea, Russia, and Venezuela have leveraged cryptocurrency, blockchain technology, and decentralized finance systems to bypass traditional banking routes and evade U.S.-led financial restrictions. These developments expose the enforcement limits of sanctions in a digitally interconnected world, requiring constant adaptation of sanction design and monitoring tools (JCPOA,2023). Simultaneously, these evasion tactics bring some novel legal and policy queries regarding the government of international monetary exchanges, intervening jurisdiction, and the antagonistic interference by individual technology platforms in ensuring or opposing adherence activities.

Lastly, the role of symbols in sanctions, a factor which is known to underestimate the effectiveness of sanctions in international relations- is crucial. Sanctions may simply be used as a statement of moral condemnation of genocide, territorial aggression or human right abuses. Such symbolism matters, as much as it does in promoting international standards, but it has to be balanced against its effect on innocent populations in the real world.

As Koehler (2024) shows, many sanctions regimes, even those with “smart” or targeted intentions, fail to deliver their political goals and instead reinforce poverty, disrupt development aid, and create logistical bottlenecks for non-governmental organizations.

Thus, the strategic, legal, and humanitarian dimensions of sanctions must not be analyzed in isolation. Their cumulative impact, on economies, governance, diplomacy, and vulnerable populations requires a multidisciplinary assessment. The evidence suggests that the current sanction model is in urgent need of recalibration: one that prioritizes legal legitimacy, humanitarian exemptions that work in practice, clear metrics for success, and greater international coordination to avoid fragmentation and circumvention.

Another dimension that emerges from the literature is the issue of implementation asymmetries, the difference between how sanctions are intended to function and how they are applied or experienced on the ground. This is particularly evident in sanctions enforcement mechanisms, where lack of coordination, weak legal oversight, and fear of violating secondary sanctions often result in overly cautious or obstructive behavior from financial institutions and humanitarian actors. According to the *Globalization & Health* (2022) review, even when legal exemptions are granted for humanitarian goods, banks and transport companies frequently refuse to facilitate related transactions due to regulatory ambiguity and reputational risks (*Globalization & Health*,2022:6). This “chilling effect” impairs access to food, medicine, and essential supplies in sanctioned regions, contributing to avoidable suffering without necessarily increasing the pressure on targeted governments.

The gap between policy intent and on-the-ground impact often damages the reputations of sanctioning states, especially when sanctions appear to harm civilians more than elites. According to Brookings (2024), many in the Global South view U.S. and EU sanctions not as moral leadership but as geopolitical interference. AidData (2024) also notes growing skepticism in regions like Sub-Saharan Africa and Southeast Asia, where sanctions are seen as selectively enforced.

This perception is reinforced by the inconsistency of sanction application countries like Iran and North Korea face harsh penalties for nuclear activities, while others such as India, Pakistan, and Israel face minimal consequences for similar conduct. Such disparities erode confidence in the fairness and universality of international law (*Modern Diplomacy*,2023; Jenkins,2025).

Further complicating the picture is the increasing reliance on targeted or "smart" sanctions, which are designed to avoid the blunt force of comprehensive sanctions by focusing on specific individuals, entities, or sectors. While this approach is an improvement over blanket measures, empirical studies question their actual effectiveness. A comprehensive analysis published in the *Atlantic Economic Journal* (2024) reveals that targeted sanctions have mixed results: while they reduce the likelihood of severe economic downturns, they do not always achieve intended political outcomes, especially when the targeted individuals are insulated by informal networks or benefit from opaque financial systems (*Atlantic Economic Journal*, 2024:87; Moradi et al, 2024) supports this claim by showing that even targeted sanctions can disrupt entire health sectors if, for instance, sanctioned entities control essential imports or logistics infrastructure (Moradi et al, 2024:9).

The transition to smart sanctions also introduces new legal and logistical challenges, especially regarding due process and transparency. Individuals or entities placed on sanction lists often have limited access to legal recourse, and the criteria for designation may be vague or politically driven. Tilahun, N., & Okafor, O. (2024) argues that targeted sanctions should be subject to stronger oversight mechanisms, including judicial review, timely notifications, and the ability to challenge listings through impartial tribunals. Without such safeguards, targeted sanctions risk resembling extrajudicial punishments, which run contrary to the principles of rule of law and due process (*YJIL*, 2024:12–14).

One of the most frequently debated topics in sanction literature is the impact of sanctions on civil society and regime stability. While sanctions are often designed to create internal pressure on authoritarian regimes by encouraging public dissent or elite defection, the reality is far more nuanced. In many cases, sanctions weaken civil society rather than strengthen it.

Restrictions on foreign funding, visa denials for activists, and digital surveillance technologies, often inadvertently supported by sanction-induced isolation limit the operational capacity of non-governmental organizations and independent media. Lumen (2018) highlights that in countries like Belarus, Zimbabwe, and Iran, sanctions contributed to civil society shrinkage by pushing organizations underground or cutting them off from international networks (Lumen, 2018:50).

This trend is corroborated by empirical work published in (Koehler,2024), which shows that sanctions frequently result in a concentration of political and economic power within the state apparatus, as remaining resources and networks are monopolized by the ruling elite. In such environments, sanctions may paradoxically strengthen authoritarian control, allowing leaders to present themselves as protectors of national sovereignty against foreign aggression. This is particularly evident in the case of Venezuela, where despite widespread sanctions on government officials and state-owned enterprises, Nicolás Maduro’s administration has remained in power, in part by leveraging nationalist rhetoric and maintaining external partnerships with Russia, Turkey, and China (Koehler,2024). Another underexplored consequence of prolonged sanctions is their long-term developmental impact. Countries subjected to sanctions often experience loss of foreign direct investment, decline in innovation capacity, and a shift toward short-term survival economics. These shifts have generational implications. For instance, the UNDP (2023) noted that youth unemployment, educational stagnation, and brain drain increased significantly in sanctioned states, not only due to immediate economic conditions but also because of reduced exposure to global markets and knowledge flows. The sanctions imposed on Iraq in the 1990s and early 2000s are widely seen as having produced a “lost generation,” whose diminished prospects and social alienation later contributed to instability and conflict (GAO,1992:12; Jenkins,2025). The effectiveness of sanctions is also tied to their credibility and reversibility. If targets believe that compliance will not lead to sanction relief, their incentive to change behavior diminishes. This problem is amplified when sanctions become entrenched in domestic law, as seen in the U.S. sanctions architecture, where removal requires congressional approval or complex bureaucratic procedures.

In such cases, even when political conditions shift or compliance is achieved, the lifting of sanctions is delayed or uncertain, reducing the strategic value of sanctions as a negotiating tool. Drezner (2024) notes that the failure to reward positive change has historically undermined sanctions’ long-term effectiveness and contributed to cynicism in international diplomacy.

The international community must reconsider the core design of sanctions. As Demena and van Bergeijk (2025) argue, sanctions should be evidence-based, time-bound, and integrated with diplomatic strategies. Without transparency, composure, or humanitarian protection, sanctions can do unexpected damage and lose their potency. Faced with the constant demands surrounding the questions of legality and humanitarian influence, scholars and policymakers have suggested other options, including constructive engagement. It is based on rewarding behavior, such as commercial advantages, development assistance to encourage a change in behavior, instead of punishment. Brookings (2024) points out that these have been more effective when they have deployed these in situations where the sanctions have not worked. This is exemplified in the JCPOA that provided Iran with economic relief in exchange of nuclear compliance, but also the bitter end to it highlights the necessity of political commitment imbibed within its arranging.

Another tool that can be used to supplement the formal diplomatic procedures that are underutilized is either track II diplomacy or informal talks among members of civil society, scholars, and non-governmental organizations. Lumen (2018) states that under such restrictive conditions, such unofficial sources may maintain the dialog, stimulate understanding and de-mystify each other so that they may eventually reconcile (Lumen, 2018:52-53). At least in North Korea and Syria, track IIs have been used to negotiate humanitarian aid, or otherwise sustain channels of communication at times of political schism. But they need funding, cover and political room in which to maneuver, none of which sanctions always allow, in particular, when they criminalize or tax access to sanctioned persons or organizations.

And the other reform that is envisaged is that of the graduated sanctions where penalties are put in stages and are varied according to measurable compliance levels. Graduated regimes unlike comprehensive or indefinite sanctions offer strong incentive towards partial compliance and do not create the all or nothing process of resistance which may strengthen a firm resolve not to comply. A recent suggestion presented by the Carnegie Endowment for International Peace (2023) focuses on the necessity to ensure that the effect of the sanctions is scalable and reversible, helping the policymakers to refine the level of the pressure and keeping the relationship with the target nation diplomatically open.

The findings of the GAO (1992) report support this approach and suggested that most of the possible sanctions were often time-limited, selective, and integrated into the wider political strategy consisting of communicating, verification, and reciprocity (GAO,1992:18-19). Institutional reform is essential to improving the design and enforcement of sanctions. While the UN has introduced measures like monitoring groups and Humanitarian Exemption Coordinators, these efforts are limited by underfunding, vague mandates, and weak coordination. As noted by Tilahun, N., & Okafor, O. (2024), these shortcomings hinder impact assessment and adaptation (YJIL,2024:20–21). Enhancing these mechanisms would improve the legality and effectiveness of sanctions. Regional bodies such as the EU, AU, and ASEAN also have roles to play in creating sanctions that align with local contexts. The EU’s Magnitsky-style regime, which includes due process and periodic reviews, exemplifies a more balanced approach. According to Forrer (2023), the EU’s legal safeguards enhance legitimacy, though internal disagreements still challenge enforcement (Forrer,2023:6–7).

As it is depicted in Malaysia Regional Trade Agreements in the Asia Pacific Region and their effects on trade performance, the strategic effect of regional trade agreements (RTAs) in affecting economically, especially curbing the coercive effect of sanctions is evident.

Free trade agreements like the ASEAN Free Trade Area (AFTA), the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), and the Regional Comprehensive Economic Partnership (RCEP) come with legally binding agreements that among other things can shelter member countries against the full economic brunt of such sanctions by enabling access to alternative markets and offering institutionalized alternatives to dispute resolutions (Yusoff et al,2024). The trade agreements can lessen the risk of being tied to a single economy through lowering tariffs and engaging in a wider network of trade as opposed to being bound with only one economy, the consequence of which is reductions in the effectiveness of unilateral sanctions. Besides, the dispersed dispute resolution mechanisms incorporated in most RTAs provide diplomatic means of settling trade disputes before it leads to the formation of sanction regimes, adding strength to rule-based multilateral governance (Yusoff et al, 2024). It is also observed in the study that the deep integration within

regional supply chains can contribute to more mutual economic interdependence, hiking the political cost of inflicting sanctions and giving states strategic bargaining power in negotiations of foreign policy (Yusoff et al,2024). However, the RTAs also introduce some disadvantages, which are the administrative burdens, trade diversion, the effect of more obligations through incompatibility (also known as the spaghetti bowl effect), and it is worth highlighting that legal-economic instruments, both those that are aimed to liberalise trade and those that force change can also lead to unintended outcomes (Rohimi et al,2024:101-103).

The role of non-state actors in the sanctions ecosystem is also evolving. Humanitarian organizations, advocacy groups, and even multinational corporations increasingly influence how sanctions are perceived, implemented, and contested. For instance, pharmaceutical companies and medical NGOs have been at the forefront of challenging sanctions that obstruct the delivery of life-saving drugs. Their testimonies have been cited in journalistic exposés, academic research, and even UN briefings, pushing for greater humanitarian carve-outs. According to the Lancet Global Health (2025) study on aid sanctions, civil society advocacy played a significant role in triggering policy reforms that restored maternal and child health programs in Yemen and Sudan after sanctions led to critical service disruptions (The Lancet,2025:5–6).

Corporations, too, face difficult choices. Compliance departments must navigate the complexity of overlapping sanction regimes, reputational risk, and ethical responsibility. Companies like Mastercard and TotalEnergies have had to balance shareholder interests, public perception, and legal risk when operating in heavily sanctioned countries.

A recent case study by VOX CEPR (2024) highlighted how overcompliance where firms cut ties even when not legally required, can produce de facto embargoes more severe than those intended by policy, magnifying humanitarian harm (VOX CEPR,2024:4–5). This dynamic points to the need for clearer guidelines, proportional liability frameworks, and public-private coordination in the design and application of sanctions. There is a growing consensus among both legal scholars and international relations experts that sanctions must be embedded within broader policy architectures that include diplomatic outreach, legal instruments, and conflict resolution frameworks. Sanctions cannot substitute for strategy.

As noted by Drezner (2024), “coercive tools work best not as the first or only option, but when they are supported by a full-spectrum diplomatic plan, including dialogue, incentives, and guarantees” (Drezner,2024). When used as stand-alone expressions of outrage or deterrence, sanctions often become static, symbolically satisfying but strategically sterile.

In summary, reforming the sanctions system requires a multilevel, multidisciplinary approach. The engagement, graduated penalties, regional customization, and technological monitoring should be considered not as alternatives to the sanctions but rather a supplement as long as they are considered not only to be lawful and ethical but also effective and flexible. Efficient implementation, well defined objectives, consistent legal set of standards, and stringent humanitarian protection should be the guiding principle of the future sanctions policy. It is by such reforms that economic sanctions can be restored to their proper role, that of useful and responsible instruments of international governance rather than crude instruments of pressure at high costs that carry unintended adverse consequences.

With such an analysis, it is clear that the economic sanctions debate does not question whether they exist and are legal or not but rather their correct configuration, their acceptable use, and the quantifiable results. Sanction has however become an eminent and often applied tactic of foreign policy but their improper use and especially by the leading powers such as the United States and the European Union has ostensibly unveiled underlying inadequacies in the theoretical premise and practical application as well.

A severe review of available scholarly resources, institutional assessments, as well as, case studies shows that although in some instances sanctions can change the state behavior or can be used as an international reprehension, in many instances, they are overrated in their coercing power and under-rated in their humanitarian burden.

Sanctions are very disruptive to an economy, particularly when they are multilateral in terms of trade and finance, as in the case of Iran, Syria and Venezuela. Nonetheless, the fact that economic pressure results in political obedience is incorrect. The economic difficulties in repressive systems may reinforce the regime discourses and add to antipathy to the West.

According to Jenkins (2025), sanctions in Syria arguably assisted Assad to consolidate his grasp, and this was achieved by channeling the frustrations of the people away to the outside world. Similarly, Abdelbary and Elshawa (2023) discuss how the Iranian economy has bounced back through its own adaptability in economy and regional affiliation to avoid and evade most effects of sanctions.

The results of modern studies lead to one of the most awakening conclusions, which is the way sanctions penalise the wrong individuals. It has been reported that there is a direct causal associations between sanctions and the washing away of public health, especially in children, women and those living with chronic diseases (Moradi et al,2024). An entire concept like smart sanctions is becoming more and more questioned with the growing number of evidences that targeted restrictions have led to disturbances of the key supply chains, medical supply, and financial institutions, especially in weak or low capacity-states.

The other theme that is repeated is the nature of disconnection between policy rhetoric and the reality of policy implementation. Although the caught states wrap up their decisions as principled means of dealing with cases of aggression or human rights violations, more common is their failure to follow up the given results, evaluate the unintended effects, and offer avenues of redressing or ridding. As emphasised by the GAO (1992) or Demena and van Bergeijk (2025), sanctions are most effective when they are limited in time, narrowly focused, and as part of an overall diplomatic strategy that contains carrots, conversation and measurable milestones (Demena and Van Bergeijk,2025:5-7). Practically, nevertheless, sanctions are far too frequently open-ended, mythical, or unattached to changing political realities, and that is more of a policy stagnation technique than policy resolution.

Nevertheless, despite the noise of the criticisms and the evasion tactics getting more sophisticated, the sanctions continue to appeal to the policy makers due to one main reason i.e. they are visible, immediate, and politically agreeable. Sanctions are an intermediate step between the slow, uncertain, and possibly futile work of diplomacy, and the high-stakes of military intervention. A response that can not only be explained to domestic populations, but to allies as well. As Drezner (2024) duly says, “Sanctions can continue knowing that they do not always work, but since doing so enables governments to be seen to be doing something” (Drezner,2024).

This ceremonial role is not trivial and it is prominent in liberal democracies whose foreign policy making is driven by public opinion and political accountability. But the danger of over relying on the use of symbolism that lacks substance, however, can turn sanctions into posturing gestures that punish the innocent, alienate allies, and destroy the norm it is intended to protect.

6. Conclusion

This paper has analyzed the economic sanctions as the legal form of foreign policy where the effectiveness, legality and humanitarian aspects of this policy are analyzed. Although sanctions have been a key aspect in international relations, the result has been mixed and miss the mark of expectations especially in totalitarian nations such as Iran, North Korea, and Venezuela whereby the administration reacts by establishing alternative trade and political ties. Sanctions have been transformed into a general embargo to a specified instrument of coercion, deterrence, and signaling, but the premises that an economic coercion can result in the political conformity did not hold consistently. Humanitarian impact of sanctions, particularly those attacks the financial and logistics systems are one of the most appalling findings. There is evidence of rising food insecurity, public health crises, and death, and these have disproportionately impacted vulnerable populations. Despite the use of so-called smart sanctions, such problems as overcompliance and ineffective monitoring still affect civilians and subject them to the danger of being harmed.

In practice UN-authorized multilateral sanctions are more legitimate than unilateral measures, but both have been criticized to be neither accountable nor have humanitarian exemptions and access to the law. Enforcement is further hampered by technological changes and geopolitical shifts such as the emergence of cryptocurrency and the BRICS trade. The sanctions should be based on the international law, coordinated with diplomacy, assessed on a regular basis on humanitarian issues, and contain clear ways out in order to be just and successful. Finally, sanctions ought to represent not just each and every strategic objective but also, the core values of justice and human rights which anchors international standards of law.

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