



UDC 341.322:342.7

Doi: 10.31548/law/4.2025.25

Economic sanctions as a challenge to legal theory: Axiological analysis of the impact on human rights and state sovereignty

Maksym Loza*

Postgraduate Student

National University of Life and Environmental Sciences of Ukraine
03041, 15 Heroiv Oborony Str., Kyiv, Ukraine
<https://orcid.org/0009-0000-7837-1918>

Lilia Pankova

PhD in Law

National University of Life and Environmental Sciences of Ukraine
03041, 15 Heroiv Oborony Str., Kyiv, Ukraine
<https://orcid.org/0000-0003-0150-1571>

Article's History:

Received: 24.06.2025

Revised: 12.10.2025

Accepted: 27.11.2025

Abstract

The research was aimed at axiological analysis of economic sanctions and their impact on fundamental legal values, in particular, human rights and state sovereignty. The study was conducted based on a comprehensive combination of general scientific and special legal methods. A set of methods was used, in particular comparative legal, formal legal methods within the framework of a systematic approach, which allowed comprehensively assessing the impact of sanctions on legal systems, international norms, and state sovereignty. The study found that sanctions, as an instrument of international pressure, have a serious impact on state sovereignty and human rights. Their application often jeopardises the fundamental rights

Suggested Citation:

Loza, M., & Pankova, L. (2025). Economic sanctions as a challenge to legal theory: Axiological analysis of the impact on human rights and state sovereignty. *Law. Human. Environment*, 16(4), 25-41. doi: 10.31548/law/4.2025.25.



*Corresponding author

Copyright © The Author(s). This is an open access article distributed under the terms of the Creative Commons Attribution License 4.0 (<https://creativecommons.org/licenses/by/4.0/>)

of citizens, in particular, economic rights such as access to work, social security, and essential goods and services. Sanctions can lead to violations of the rights to life, dignity, and development, especially when restrictions on access to resources affect the general population, including the most vulnerable social groups. It was also found that the selectivity of the application of sanctions and their unequal implementation often lead to double standards in international relations, which undermines confidence in international legal mechanisms. In addition, sanctions can undermine state sovereignty, creating prerequisites for external interference in the internal affairs of the state, which further complicates the protection of citizens' rights. Therefore, sanctions not only increase political isolation, but also call into question the principles of human rights and the international rule of law. The results obtained indicate the need to harmonise international standards of sanctions policy, develop mechanisms for monitoring the effectiveness of sanctions, and introduce humanitarian exceptions to minimise their negative impact

Keywords: global security; democratic values; public order; international politics; countermeasures

Introduction

The relevance of the study of economic sanctions as an instrument of international policy is conditioned by their growing role in resolving international conflicts, deterring states that violate international norms, and ensuring global security. Sanctions are imposed both by leading international organisations (the United Nations, the European Union, etc.) and by individual states, which raises questions about their legitimacy, effectiveness, and compliance with legal principles. Despite the fact that sanctions are often presented as a means of protecting democratic values and human rights, their consequences can be contradictory, in particular, leading to violations of the socio-economic rights of the civilian population and restrictions on state sovereignty. The problem of the study is that the application of economic sanctions often goes beyond international legal norms, which raises questions about their legal nature and compliance with the principles of equality and sovereignty of states. In particular, the principle of sovereign equality of states, consolidated in Article 2 of the United Nations Charter (1945), provides that no state can interfere in the internal affairs of another. However, economic

sanctions, as an instrument of external pressure, often contribute to limiting the sovereignty of states, which can violate this principle. In addition, the application of sanctions sometimes violates the principles of equality between states, since unilateral sanctions can be applied without a corresponding decision of the UN Security Council, which is a violation of the requirements of Article 24 of the Charter.

The analysis of the scientific literature on economic sanctions indicates that researchers pay considerable attention to the legal, political, and economic aspects of this phenomenon. Research by A.A. Gonchar (2024) focused on the mechanisms of legal regulation of European Union sanctions, covering the processes of their initiation and implementation. The researcher emphasised the need for clear legal regulation of sanctions procedures.

A separate area of research is the assessment of the effectiveness of sanctions in the international legal aspect. K.V. Gromovenko (2021) considered economic sanctions as a means of international pressure, concluding that their effectiveness is limited due to the contradiction

between the declared goals and the actual humanitarian consequences, and due to ambiguous compliance with international law. The paper examined in detail the cases of circumvention of sanctions and their consequences, but does not sufficiently consider the social aspects of sanctions influence, in particular, the protection of human rights.

An important addition to the topic is the study by A.O. Gnitii *et al.* (2024), which analysed the mechanisms for ensuring the implementation of sanctions measures in the EU. The researchers concluded that the effectiveness of the sanctions policy largely depends on the level of control over its compliance, especially in the financial sector, which is critical in the context of protecting human rights and ensuring state sovereignty under external pressure. However, the study mainly focused on European experience and did not consider the sanctions mechanisms of other international organisations, such as the UN or the Organisation for Security and Co-operation in Europe.

Considerable attention was also paid to the use of sanctions as a means of foreign policy influence. The study by O.M. Sokolovska (2022) considered economic sanctions as one of the key instruments of foreign policy influence of states. She stressed that sanctions are often used not only to change the behaviour of the object of sanctions, but also to demonstrate the political position of the initiator. In the context of the axiological analysis proposed in this paper, the findings by O.M. Sokolovska (2022) are particularly important because they point to a potential conflict between the strategic interests of states and fundamental legal values – in particular, respect for human rights and respect for sovereignty. This helps to better understand the moral and legal dilemma that arises when applying sanctions as a means of pressure.

The study by K. Flissak (2019) analysed the evolution of sanctions policy in the context of

changes in the international legal order. The researcher noted that economic sanctions, although positioned as an instrument of diplomatic influence, often violate the principles of sovereign equality of states, and can also create disproportionate pressure on the population of the target country, which, in turn, calls into question their compliance with the basic norms of international humanitarian law.

The study by T.S. Yarovoy (2024) considered sanctions as a component of national policy that can promote or, conversely, hinder the development of civil society, depending on the nature of their application. The researcher noted that excessive or politically motivated sanctions pressure can have the opposite effect – lead to the curtailment of democratic freedoms and the strengthening of authoritarian practices in target states, which directly affects the observance of human rights. It is also emphasised that the legality of sanctions should be assessed not only on the formal grounds of adoption, but also on the consequences for the sovereignty of states that fall under restrictive measures.

Research has largely focused on the impact of sanctions on the socio-economic rights of the population. R. Akter and R. Hossain (2021) found that economic sanctions significantly affect the implementation of socio-economic rights in recipient countries of sanctions pressure, in particular, restrict access to basic services, worsen living conditions of the population, and cause an increase in humanitarian crises. The researchers concluded that sanctions, especially those of a sectoral nature, may run counter to international human rights obligations. This underscores the need for their legal assessment not only in view of their political relevance, but also in the context of international humanitarian law and the principles of proportionality and non-discrimination.

T.C. Morgan *et al.* (2023) investigated the evolution and impact of sanctions, in particular,

their role in current international challenges. The researchers noted the growing role of sanctions in world politics, but left open the question of the long-term effectiveness of these measures. D. Lektzian and G. Mkrtchian (2021) analysed the impact of sanctions on economic freedom, noting that economic pressures can lead to increased government control and reduced market freedoms. The paper highlighted an important aspect of the sanctions policy, but did not offer mechanisms to minimise the negative impact of sanctions on economic freedom in sanctioned countries.

Thus, the analysis of scientific sources shows that despite the widespread attention to the legal and economic aspects of sanctions, the axiological dimensions of this phenomenon remain insufficiently developed. In particular, there is a lack of thorough research that would assess the legality of sanctions through the prism of respect for human rights and respect for state sovereignty. In this context, it is relevant to further investigate how sanctions relate to the fundamental values of international law and whether they undermine the axiological foundations of contemporary legal theory.

The purpose of the study was to conduct an axiological analysis of economic sanctions in the context of their impact on fundamental legal values, in particular, human rights and state sovereignty. To achieve this goal, the study performed the following tasks: analysed the legal nature of economic sanctions and their compliance with international law; assessed the impact of sanctions on human rights, in particular, the socio-economic rights of citizens in sanctioned states; investigated the problem of balance between the right of states to sovereignty and the right of the international community to apply sanctions.

Materials and Methods

The study of economic sanctions as a challenge to legal theory was conducted based on a comprehensive combination of general scientific and

special legal methods. This approach has facilitated a systematic investigation of the axiological impact of sanctions on human rights and state sovereignty in an international legal context. The main method of research was comparative legal analysis, which was used to assess the impact of economic sanctions on the legal systems of various states and their compliance with international legal norms. Within the framework of this method, the norms of international law regulating sanctions mechanisms were compared with the regulatory legal acts of the EU and the UN. In particular, such documents as Charter of the United Nations (1945), Treaty on European Union (1992), Regulation of the Council of European Union No. 2580/2001 "On Specific Restrictive Measures Directed Against Certain Persons and Entities with a View to Combating Terrorism" (2001), Regulation of the Council of European Union No. 833/2014 "On the Restrictive Measures in View of Russia's Actions Destabilising the Situation in Ukraine" (2014), Resolution the General Assembly No. 2019A/RES/74/200 "Unilateral Economic Measures as a Means of Political and Economic Coercion Against Developing Countries" (2019).

The formal legal method was used to analyse the structure and content of legal acts regulating the sanctions policy, in particular, to determine the legal grounds for imposing sanctions, procedures for their adoption, and mechanisms for monitoring their compliance. Special attention was paid to the compliance of sanctions with the principles of international law, such as the principle of sovereign equality of states, the inadmissibility of collective punishment and respect for fundamental human rights. The method of a systematic approach helped to comprehensively study the relationship of economic sanctions with political, legal and economic processes in the international arena. Within the framework of this approach, the multi-level consequences of sanctions policies were analysed both for the states

subject to sanctions and for the countries that impose them, considering the global redistribution of geopolitical forces. Special attention was paid to the structural impact of sanctions on domestic political processes, changes in the course of foreign policy, the reaction of financial markets and socio-economic indicators.

To assess the impact of sanctions on human rights, an analysis was used that included studies of real cases, in particular, sanctions against Syria, Iran, and North Korea. The study was based on a number of international legal documents and reports of international organisations, including reports of the UN Special Rapporteur (2018), OHCHR (2019), and Human Rights Watch (2019; 2020). The analysis focused on such socio-economic rights as the right to work, education, health and social security, and the humanitarian consequences of sanctions – access to food, medical services, international assistance, and the impact on migration processes. Special emphasis was placed on the data of the report of the Independent International Commission of Inquiry on the Syrian Arab Republic (2023), which records large-scale human rights violations in conditions of increased isolation. The study of these sources allowed covering a broad picture of the legal consequences of sanctions, including in the context of international humanitarian law, and the principle of state sovereignty.

Results

Essence and classification of economic sanctions. Economic sanctions are an important instrument of international policy used to respond to threats to international peace and security, violations of international law, or non-compliance with the norms and principles of international relations. Sanctions mechanisms provide for the introduction of restrictive measures by individual states, international organisations or coalitions of countries to influence the policy, economy, and

security situation in a particular state or in relation to individuals and institutions. Charter of the United Nations (1945) provides for the possibility of applying sanctions as one of the means of supporting international security, contributing to the prevention of conflicts, stopping aggressive actions, combating human rights violations, countering terrorism, and supporting democratic processes.

During 2000-2024, there is a tendency to increase the number of sanctions regimes, which is conditioned by the globalisation of economic processes, the deepening interdependence of national economies, and the internationalisation of financial flows. In such circumstances, sanctions become more effective as an instrument of influence, since violations or restrictions on economic ties can cause significant negative consequences for the states subject to sanctions. This is especially true for developing countries, as their economies are more dependent on external factors, financial assistance, international trade and investment.

It is generally accepted that modern threats to international peace and security are no longer limited to conventional interstate wars. Recent threats include terrorism, transnational organised crime, proliferation of weapons of mass destruction, human rights violations, environmental disasters, and economic instability. Considering these factors, sanctions mechanisms have become more developed and diverse, aimed at eliminating specific threats or punishing the entities responsible for their occurrence, which, according to S. Kang *et al.* (2023), leads to a deterioration of human rights in sanctioned countries.

Economic sanctions are divided into unilateral (imposed by individual states) and multilateral (approved by international organisations such as the UN). There is also a distinction between general sanctions that cover entire sectors of the economy and targeted sanctions that target specific individuals or institutions. A separate type is financial sanctions, which include asset freezes

and restrictions on financial transactions (Meyer *et al.*, 2023). One of the key aspects of international sanctions is the difference between the sanctions mechanisms used by the UN and the EU. Although both regimes are aimed at ensuring the international rule of law, their legal basis, adoption procedure, binding enforcement and monitoring mechanisms differ significantly (Table 1). The sanctions imposed by the United Nations are based on Article 41 of Title VII of the Charter of the United Nations (1945), which provides for the possibility of using coercive measures that are not related to the use of armed force to maintain or restore international peace and security. EU

sanctions are an instrument of the Common Foreign and Security Policy (CFSP), based on articles 21 and 29 of the Treaty on European Union (2012) and are adopted by a decision of the EU Council. In accordance with articles 42 (4) and 43 (2) of the Treaty on European Union (2012), the council adopts the legal framework for civilian missions of the Common Security and Defence Policy (CSDP). Based on Article 28, member states may decide to initiate operational activities, such as stabilisation missions. With regard to actions in the field of non-proliferation and disarmament, the Council shall take decisions based on articles 28(1) and 31(1) of this Treaty.

Table 1. Comparative characteristics of the UN and EU sanctions regimes

UN sanctions regime	EU sanctions regime
Legal framework	
Chapter VII, Article 41 of the Charter of the United Nations (1945)	Treaty on European Union (2012) (Articles 29, 215)
Decision-making body	
UN Security Council	Council of the European Union (unanimous decision of the member states)
Mandatory execution	
Binding on all UN member states	Mandatory only for EU member states
Types of sanctions	
Trade, financial, transport, arms embargo, travel restrictions	Economic, diplomatic, visa restrictions, asset freezes, arms embargoes
Possibility of appeal	
Limited, revision is possible only by a decision of the Security Council	Individuals and legal entities can challenge sanctions in the EU Court of Justice

Source: compiled by the authors

The legal mechanism for imposing UN sanctions is unified and covers all UN member states. According to Article 25 of the UN Charter (1945), all member states are required to comply with decisions of the UN Security Council that provide for sanctions. Thus, they are binding on all subjects of international law, regardless of their position on a specific sanctions regime. The main forms of UN sanctions are economic and trade restrictions, asset freezes, travel bans, arms embargoes, etc.

An important aspect is that UN sanctions can be directed against both states and non-state actors, including terrorist organisations and persons involved in violations of international law.

EU sanctions, in turn, can be initiated both independently and for the implementation of UN Security Council resolutions. However, their specificity is that they are not automatic: even if the Security Council adopts a corresponding resolution, its implementation in the EU requires a

separate decision by the EU Council. EU sanctions fall into three main categories: UN sanctions, which the EU implements in its legislation; autonomous sanctions, which are imposed independently of the UN; and sanctions against specific countries or individuals based on national policy decisions (Farzanegan, 2022).

From the standpoint of legal regulation, the EU sanctions policy is determined by a number of legal acts, among which the EU Council regulations and decisions of the EU Council play a key role. For example, Regulation of the Council of European Union No. 2580/2001 (2001) defines the mechanism for combating terrorism through financial restrictions, and Regulation of the Council of European Union No. 833/2014 (2014) establishes economic sanctions against Russia in connection with the events in Ukraine. It is important to note that unlike UN sanctions, which apply globally, EU sanctions are applied only on the territory of the member states of the European Union and in relation to its residents.

Another significant difference is the procedure for adopting sanctions. At the UN, the decision to impose sanctions is made by the Security Council on the basis of a consensus of five permanent members (the United States, Great Britain, France, China and Russia), who have the right of veto. This often makes it difficult to adopt sanctions regimes, especially when the interests of the permanent members of the Security Council diverge. In the EU, sanctions measures are taken by the EU Council with the unanimous approval of member states, although in the event of an extension or modification of sanctions, decisions by a qualified majority can be applied (Zhou & Wang, 2022)

The practical application of sanctions also differs. UN sanctions, being universal, require national implementation through the legislation of member states, which sometimes leads to delays or incomplete implementation of sanctions regimes. Moreover, EU sanctions, after the

adoption of relevant regulations and decisions, are binding on all member states and have a direct effect that ensures their effectiveness and unified implementation. Unilateral sanctions imposed by individual states or regional associations, such as the European Union or the United States, often cause controversy over their legality (Alhassan *et al.*, 2023). There is no general mechanism in international law that explicitly authorises or prohibits the use of unilateral restrictive measures outside of UN Security Council sanctions. This creates a legal gap that is interpreted differently by different states and legal schools.

In particular, the UN General Assembly has repeatedly criticised unilateral sanctions that may violate the sovereignty of states, the principles of non-interference in internal affairs and human rights (Gutmann *et al.*, 2021). The Resolution the General Assembly No. 2019a/RES/74/200 (2019) notes that unilateral restrictive measures are incompatible with international law when they are introduced bypassing UN mechanisms. The UN International Law Commission has also repeatedly drawn attention to the need for a clear distinction between legitimate means of coercion and measures that may qualify as disproportionate or discriminatory (Early & Peksen, 2022).

From a legal standpoint, the imposition of sanctions by states or regional organisations can only be justified under certain conditions, in particular, as countermeasures in response to violations of jus cogens norms or to ensure compliance with international law. However, even in such cases, these measures must meet the criteria of proportionality, temporality and non-selectivity, as stated in the decisions of the International Court of Justice, in particular in the case of “Nicaragua v. United States of America” (1986). The legitimacy of sanctions in contemporary international law is closely linked to their source, adoption procedure, and compliance with fundamental

principles. Unilateral sanctions remain the subject of scientific and political debate, especially given their impact on civilians and the potential abuse of economic leverage in global politics.

Axiological analysis of the impact of economic sanctions on human rights. Economic sanctions have a mixed impact on the system of values of society, the economic stability of the state and the well-being of citizens, which requires an in-depth analysis of their effectiveness and compliance with the fundamental principles of human rights. One of the main arguments in favour of sanctions is their role in protecting human rights by putting pressure on authoritarian regimes that violate democratic principles and repress the population. In particular, in such cases, sanctions become a catalyst for political change, encouraging governments to reform the political system and comply with international human rights standards. However, the practical application of economic sanctions demonstrates that they often lead to negative humanitarian consequences, affecting primarily the most vulnerable segments of the population. For example, in the case of Iran, sanctions had serious humanitarian consequences, despite the fact that medicines and humanitarian aid were not formally subject to sanctions restrictions. According to a report by Human Rights Watch (2019), restrictions imposed by the United States have significantly complicated financial transactions, making it impossible to purchase important medicines and medical equipment. This has had a particularly acute impact on patients with rare diseases, cancer, and blood disorders, who have become almost impossible to receive treatment. The report notes that as a result of the sanctions, a significant part of the population was deprived of the basic right to health care, which is contrary to international human rights obligations.

In the case of Venezuela, in 2019, UN High Commissioner for Human Rights Michelle

Bachelet expressed concern about new sanctions imposed by the United States of America against the regime of Nicolas Maduro. She noted that these restrictions, which were intended to put pressure on the country's authorities, can cause serious harm to the population and lead to violations of basic human rights. Bachelet stressed that the sanctions are "extremely large-scale" and do not provide sufficient safeguards to minimise their negative impact on the delivery of humanitarian aid and public access to basic needs (Kolesnichenko, 2019).

In 2019, the Office of the United Nations High Commissioner for Human Rights published a report highlighting the human rights situation in North Korea (OHCHR, 2020). According to this report, the country has recorded an increase in cases of human rights violations, including crimes against humanity. In particular, increased security tensions have led to increased control over the movement of people and new violations of freedom of speech and political rights. The UN has received reports of the tragic fate of those returned to North Korea, including cases of torture, beatings, food deprivation, and sexual violence.

In international legal doctrine, the question of the relationship between sanctions and human rights remains the subject of heated discussions. For example, according to the Universal Declaration of Human Rights (1948), everyone has the right to an adequate standard of living, including food, health care, and social security (Article 25). In addition, the International Covenant on Economic, Social and Cultural Rights (1966) guarantees the right to work and social protection (articles 6-9). Thus, economic sanctions that lead to a significant deterioration in the well-being of the population may run counter to the fundamental principles of international law. Among the most illustrative examples of countries under long-term sanctions regimes, it is worth considering Syria, Iran, Russia, and North Korea (Table 2).

Table 1. Consequences of the impact of economic sanctions on the well-being of the population

Country, period	Reason for imposition	Consequences
Syria (2011-present)	The repression of the Bashar al-Assad regime against civilians during the civil war.	Decline in GDP. Hyperinflation, depreciation of the national currency. Shortage of basic goods, in particular, medicines and food. Rising unemployment and poverty levels. Humanitarian crisis.
Iran (2018-present)	Restoration of US sanctions due to withdrawal from the nuclear deal (JCPOA).	Reduction of oil exports, which is a key source of foreign exchange earnings. Decline in living standards of the population, rise in unemployment. Shortage of medicines and medical equipment. Increased protest movements due to economic difficulties.
Russia (2014-present)	Annexation of Crimea, military aggression against Ukraine.	Shortage of Western technologies and imported goods. Inflation and decline in the purchasing power of the population. Deterioration of living standards due to rising prices. Mass relocation of highly qualified personnel and businesses.
North Korea (2004-present)	Nuclear tests and violations of UN resolutions.	Lack of access to advanced technologies. Weak economy, dependence on contraband supplies. Massive human rights violations through centralised resource allocation. Spread of the shadow economy as a means of survival.

Source: compiled by authors based on the EU Sanctions Map (2025)

A separate area of axiological analysis is the impact of sanctions on social justice and economic stability of a state subject to sanctions regimes. There is an opinion that sanctions that restrict a country's access to world markets can strengthen the position of authoritarian regimes, since they create prerequisites for reinforcing state control over the economy and society (Felbermayr *et al.*, 2020). In this aspect, it is worth mentioning the sanctions regimes against Iran and North Korea, which did not lead to drastic political changes, but caused significant socio-economic difficulties.

In particular, in Syria, according to the Office of the United Nations High Commissioner for Human Rights (OHCHR), long-term US and EU sanctions combined with internal conflict have led to a sharp decline in living standards, a shortage of medical supplies and food, which disproportionately hit the civilian population. The report of the Independent International Commission of Inquiry on the Syrian Arab Republic (2023) notes that restrictions in the field of banking operations make international humanitarian transfers impossible, which is particularly harmful to the implementation of Health and education programmes. In addition, in the case of Iran, according to Human

Rights Watch (2020), restrictions imposed by the United States after withdrawing from the nuclear deal led to a significant reduction in imports of vital medicines and medical equipment. Despite the fact that medical products were not formally sanctioned, indirect consequences – blocking financial transactions and insurance services – made it difficult to access them. This directly affected the exercise of the right to health care enshrined in international law.

An important aspect of the sanctions policy is the development of mechanisms for humanitarian exceptions that allow providing the population with vital goods. UN Security Council Resolution No. 2615 (2021) provides for the possibility of providing humanitarian assistance to Afghanistan, despite sanctions against representatives of the Taliban government. Such exceptions apply in the EU sanctions policy, for example, in relation to Belarus, where the sanctions regime does not restrict humanitarian aid. Economic sanctions have a contradictory impact: on the one hand, they are an effective tool of international pressure, on the other – they can violate human rights, especially of vulnerable groups of the population. Optimising sanctions mechanisms, targeting them, and

continuously monitoring humanitarian consequences are key challenges for the international community to ensure a balance between global security and human rights.

Sanctions and state sovereignty. State sovereignty is a fundamental principle of international law that determines the independence and equality of states in international relations. According to the UN Charter, all states, regardless of their political, economic or military characteristics, have equal rights and obligations, including the right to non-interference in their internal affairs. However, the introduction of sanctions, especially in the form of unilateral economic or political restrictions, raises discussions about their compliance with the principle of sovereign equality of states and international legal norms.

On the one hand, sanctions are justified by the need to respond to violations of international law, prevent aggression or fight terrorism and human rights violations. On the other hand, their effectiveness and legitimacy depend on the objectivity and transparency of their implementation mechanisms. In this context, the problem of “double standards” arises, when sanctions are applied selectively depending on the political or economic interests of key global actors. For example, in the case of the annexation of Crimea in 2014, a number of Western countries imposed large-scale sanctions against Russia, while in similar situations in other regions, in particular in the Middle East, such a harsh reaction was absent or limited to symbolic measures.

In the practice of international relations, unilateral sanctions imposed without a UN Security Council mandate often cause criticism about their compliance with the principle of state sovereignty. The Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations (1970) emphasises the duty of states to refrain from any interference in the

internal affairs of other countries, including economic pressure. Thus, unilateral sanctions that are not approved by multilateral mechanisms can be seen as a form of coercion that undermines the principle of sovereign equality.

In particular, UN Special Rapporteur (2018) points out that unilateral sanctions applied outside the framework of international law can violate the right to development and undermine the stability of the countries that are subject to them. The report notes that the frequent use of such measures undermines the authority of the international legal order and sets dangerous precedents. For example, Iran has repeatedly appealed to international institutions to criticise US sanctions as violating both its sovereign right to economic development and the basic principles of international justice. The report of the Secretary-General (A/73/331, 2018) states that the sanctions imposed on the Iranian government are directed not only against the political authorities, but against the entire nation, undermining its fundamental rights and development opportunities. Similarly, in the case of “Islamic Republic of Iran v. United States of America” (2018), Iran’s right to trade in humanitarian products was recognised, despite the restrictions imposed. In addition, the example of Cuba shows the long-term impact of unilateral US sanctions on the country’s economic system and international relations. In UN General Assembly Resolution No. A/RES/77/7 (2022), 187 states supported the lifting of restrictions, emphasising their negative impact on the country’s socio-economic development and violation of its sovereignty.

Thus, sanctions, especially unilateral ones imposed without the consent of the international community, are not only an instrument of geopolitical pressure, but also a factor that directly affects the sovereignty of states. They can contribute to the fragmentation of the international legal system and increase conflicts between the norms

of force and the norms of law. To ensure the legitimacy of the sanctions mechanism, it is necessary to strengthen the role of international institutions, primarily the UN Security Council, and develop a clear legal framework that takes into account the balance between protecting the international legal order and respecting state sovereignty.

Discussion

During 2000-2024, there was a steady trend towards an increase in the number of sanctions regimes, which is largely conditioned by the strengthening of global interdependence and the spread of the concept of state responsibility for compliance with international law. As noted by G. Moteng *et al.* (2023), sanctions imposed on developing countries, in particular, in the form of restrictions on financial flows and energy transactions, lead to an increase in energy poverty and a decrease in investment attractiveness. These findings are supported by the results of the current study, according to which countries with a high level of dependence on foreign capital (in particular, foreign direct investment and credit programmes of international financial institutions) show increased vulnerability to the consequences of sanctions that go beyond the energy sector.

In countries with low levels of economic diversification, such as Venezuela or Iran, there is a clear link between sanctions pressure and systemic economic destabilisation, including declining industrial production, inflation, and the decline of healthcare and education. In this context, it is important to emphasise that sanctions have a complex impact: restricting access to international payment systems and capital markets causes a chain reaction that exacerbates fiscal imbalances, slows down the development of infrastructure projects, and reduces the level of social well-being.

As part of the study, it was revealed that sanctions pressure, especially in its unilateral format, has a complex and ambiguous impact on

the implementation of human rights and sovereign opportunities of states. This correlates with the critical approach proposed by B. Korf (2023), which saw sanctions as part of a broader paradoxical development logic: on the one hand, they can increase pressure on power regimes, and on the other, they create conditions in which the population suffers from restrictions on access to basic resources, services and guarantees. A similar situation can be traced in this study, which found that the effects of sanctions significantly affect social groups that are not directly related to political elites or sanctions decisions, in particular, women, children, and people with disabilities. Special attention should be paid to the remark by B. Korf (2023) regarding the cynicism of the international development regime, in which sanctions are often disguised as instruments of humanitarian influence, although in fact they lead to increased instability and violations of basic rights. The results of this analysis partially confirm this thesis: sanctions, which are declared as a human rights or democratic tool, in practice often lead to the erosion of sovereignty, increasing dependence on external actors and narrowing the ability of the national legal system to exercise its powers independently.

In turn, Q. Fu *et al.* (2023) examined the relationship between international sanctions and environmental innovation, emphasising that sanctions slow down innovation processes due to restrictions on access to technology and financial resources. Although this study did not focus on environmental aspects, the results confirm a similar trend: sanctions create significant difficulties for modernising institutional and economic infrastructure, limiting the ability of states to perform social functions that directly affect the level of respect for human rights. However, unlike Q. Fu *et al.* (2023), the current study noted that the negative impact is not limited to the technology sector, but also covers the political system as a whole,

increasing the risks of losing state control over domestic politics and economic independence.

The issue of selectivity in the application of sanctions is also extremely relevant in international relations. Despite the fact that sanctions are positioned as a universal mechanism of responsibility for violations of international law, their application often depends on the political and strategic interests of influential states. This creates a situation of “double standards”, when some countries are subject to strict restrictions, while others, despite such violations, avoid sanctions or face only minor restrictions. This situation undermines the credibility of the international sanctions mechanism and calls into question its effectiveness as an instrument for ensuring the international rule of law. In this context, the analysis by H. Veltmeyer (2020) of the impact of imperialist trends on global economic processes pointed out that sanctions policies are often used as a mechanism for controlling the economic development of individual countries, rather than as a means of supporting international law. Similar critical views in the context of international criminal justice were expressed by H. Wang and D. Tatarinov (2024).

The difference between the sanctions applied by the UN and the EU is determined separately. UN sanctions are based on the UN Charter, while EU sanctions are part of a common foreign and security policy. This is confirmed by the analysis of T.C. Nguyen *et al.* (2022), which noted the difference in approaches to sanctions between international organisations. The results of the study also confirm this difference, highlighting the importance of international coordination to maximise the impact of sanctions.

M. Prasad and M. Zaloznaya (2021) emphasised that the effectiveness of responding to external pressure largely depends on the level of institutional organisation and the ability of state structures. This study also shows that states with lower levels of administrative autonomy and weak

state infrastructure are more vulnerable to sanctions, which complicates the implementation of internationally recognised human rights, in particular, access to basic services, health, and education.

The study by M. Splinter and J. Klomp (2022) examined the macroeconomic consequences of sanctions, in particular, the potential risk of economic destabilisation in target countries. Although the present study did not consider indicators of economic growth, the results of the analysis indicate significant social consequences of sanctions, which indirectly confirms the assumption of their destructive role. In particular, economic pressures have been found to impede access to vital resources, such as health, food, and energy, which directly affects the exercise of human rights. Thus, in comparison with the authors' approach, the focus of this study was mainly on the humanitarian dimension of sanctions policy, and not on purely economic indicators.

The paper by O. Zveriev (2024) considered economic sanctions as an instrument of political influence with ambiguous consequences, in particular in terms of long-term social effects. Although the political consolidation of the population around the authorities was not the subject of the analysis of this study, the results confirm another opinion of the author – about significant negative socio-economic pressure, which is not accompanied by the achievement of the stated political goals. This can be seen in countries such as Iran and North Korea, where sanctions have restricted access to basic resources and exacerbated social imbalances without ensuring democratisation or reducing authoritarianism.

On the one hand, sanctions can play the role of a deterrent tool that encourages the target state to comply with international norms and standards. On the other hand, their impact on state sovereignty can be ambiguous, since sanctions often limit the state's ability to freely determine its own economic, political and social policies.

Research by K.V. Gromovenko (2021) emphasised the importance of international legal aspects of economic sanctions, in particular, their effective application in the context of ensuring human rights. The researcher noted that sanctions, although used as an instrument of pressure on offending states, are often of limited effectiveness due to the complexity of ensuring compliance with international norms and the instability of legal control. The results are consistent with these findings, as they show that sanctions pressure on countries that violate international obligations does not always lead to the desired changes in their policies. In particular, when sanctions are applied to states with low levels of legal and institutional capacity, they can only deepen socio-economic problems without significantly affecting the political situation.

Summing up the results of the study, it can be noted that economic sanctions are a complex and contradictory instrument of international pressure, which has both positive and negative consequences for the states on which they are imposed. Literature analysis showed that sanctions can serve the function of protecting human rights, but their impact is often limited by socio-economic difficulties for the population living in the countries to which they are applied. Accordingly, the effectiveness of sanctions does not always meet their goals, especially in conditions of low institutional capacity and political instability in the target countries.

Conclusions

As a result of the study, the legal nature of economic sanctions and their compliance with international law was comprehensively analysed; the impact of sanctions policy on human rights, in particular socio-economic rights of citizens in sanctioned states, was assessed; and the problem of balance between the sovereignty of states and the right of the international community to apply

sanctions was investigated. Regarding the legal nature of economic sanctions, it was established that they are a complex instrument of international regulation, combining economic, political and legal aspects. Although international law allows the use of sanctions as a measure of coercion in response to violations of international norms, the lack of uniform international standards for their implementation creates conditions for their arbitrary use by individual states or international organisations. As part of the study, it was found that sanctions imposed unilaterally without the appropriate approval of the UN Security Council may contradict the principles of international law, in particular, the principle of non-interference in the internal affairs of states and the principle of sovereign equality. However, it should be noted that even multilateral sanctions, supported by a majority of international actors, can cause legal contradictions, especially if their impact extends to the basic rights of citizens who are not involved in the political decisions of the government of their country. This situation often occurs when sanctions result in restrictions on access to essential goods and services, such as medical supplies, food or energy, which directly violates states' obligations to respect economic, social, and cultural rights consolidated in international agreements, such as the International Covenant on Economic, Social and Cultural Rights. However, it calls into question the principles of sovereignty and relations between states, where some actors try to influence the domestic policies of others through economic mechanisms, which does not always meet international human rights standards.

Assessing the impact of sanctions on human rights, it was found that, despite their focus on correcting the political behaviour of states, they can have negative consequences for the socio-economic rights of citizens. In particular, restrictions on financial transactions, blocking assets, banning exports and imports, and other economic

restrictions lead to a decline in living standards, violations of the right to work, and restrictions on access to critical goods, in particular, medical products and food. In addition, it was noted that in the context of sanctions pressure, there is often a centralisation of power and an increase in authoritarian tendencies in sanctioned states, which further restricts civil rights. The best approach to resolving this contradiction is to develop universal standards of sanctions policy under the auspices of the UN or other reputable international institutions, which would allow for a more fair and transparent mechanism for sanctions regulation.

Further research in this area may be aimed at developing new approaches to assessing the effectiveness of sanctions measures, considering

both political and socio-economic indicators. An important area for further research is also the analysis of alternative mechanisms of international influence on states that violate international law, in particular, diplomatic, economic, and legal measures that can complement or partially replace the sanctions policy.

Acknowledgements

None.

Funding

The study was not funded.

Conflict of Interest

None.

References

- [1] Akter, R., & Hossain, R. (2024). The impact of economic sanctions on human rights protection: A critical examination of targeted countries. *Economics & Law*, 5(1), 15-32. doi: [10.37708/el.swu.v5i1.2](https://doi.org/10.37708/el.swu.v5i1.2).
- [2] Alhassan, A., Shabani, A., Taha, A., & Haseki, M. (2023). Sanctions and economic growth: Do sanction diversity and level of development matter? *Heliyon*, 9(9), article number e19571. doi: [10.1016/j.heliyon.2023.e19571](https://doi.org/10.1016/j.heliyon.2023.e19571).
- [3] Charter of the United Nations. (1945, June). Retrieved from <https://surl.lu/dgdjsb>.
- [4] Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. (1970, December). Retrieved from <https://digitallibrary.un.org/record/202170?v=pdf>.
- [5] Early, B.R., & Peksen, D. (2022). Does misery love company? Analyzing the global suffering inflicted by US economic sanctions. *Global Studies Quarterly*, 2(2), article number ksac013. doi: [10.1093/isagsq/ksac013](https://doi.org/10.1093/isagsq/ksac013).
- [6] EU Sanctions Map. (2025). Retrieved from <https://www.sanctionsmap.eu/#/main>.
- [7] Farzanegan, M.R. (2022). The effects of international sanctions on Iran's military spending: A synthetic control analysis. *Defence and Peace Economics*, 33(7), 767-778. doi: [10.1080/10242694.2021.1941548](https://doi.org/10.1080/10242694.2021.1941548).
- [8] Felbermayr, G., Kirilakha, A., Syropoulos, C., Yalcin, E., & Yotov, Y.V. (2020). The global sanctions data base. *European Economic Review*, 129, article number 103561. doi: [10.1016/j.eurocorev.2020.103561](https://doi.org/10.1016/j.eurocorev.2020.103561).
- [9] Flissak, K. (2019). [Economic sanctions and the specifics of their positioning in modern international relations](#). *Current Problems of Jurisprudence*, 1(17), 72-80.
- [10] Fu, Q., Gong, Q., Zhao, X.X., & Chang, C.P. (2023). The effects of international sanctions on green innovations. *Technological and Economic Development of Economy*, 29(1), 141-164. doi: [10.3846/tede.2022.17782](https://doi.org/10.3846/tede.2022.17782).

- [11] Gnitii, A.O., Antonov, A.O., & Shatokha, E.O. (2024). Mechanisms for ensuring the implementation of sanctions (restrictive measures) of the European Union. *Forum of Law*, 79(2), 96-104. doi: [10.5281/zenodo.10933564](https://doi.org/10.5281/zenodo.10933564).
- [12] Gonchar, A.A. (2024). Legal regulation of EU sanctions: From initiation to implementation. *Economic Theory and Law*, 2(57), 71-82. doi: [10.31359/2411-5584-2024-57-2-71](https://doi.org/10.31359/2411-5584-2024-57-2-71).
- [13] Gromovenko, K.V. (2021). Economic sanctions: International legal aspects of effectiveness. *Juris Europes Scientia*, 4, 70-77. doi: [10.32837/chern.v0i4.265](https://doi.org/10.32837/chern.v0i4.265).
- [14] Gutmann, J., Neuenkirch, M., & Neumeier, F. (2021). Sanctioned to death? The impact of economic sanctions on life expectancy and its gender gap. *The Journal of Development Studies*, 57(1), 139-162. doi: [10.1080/00220388.2020.1746277](https://doi.org/10.1080/00220388.2020.1746277).
- [15] Human Rights Watch. (2019). *Maximum pressure: US Economic sanctions harm Iranians right to health*. Retrieved from <https://surl.li/xkdoja>.
- [16] Human Rights Watch. (2020). *World Report 2020*. Retrieved from <https://surl.li/mwwjza>.
- [17] International Covenant on Economic, Social and Cultural Rights. (1966, December). Retrieved from https://treaties.un.org/doc/treaties/1976/01/19760103%2009-57%20pm/ch_iv_03.pdf.
- [18] Judgement of the International Court of Justice in Case "Nicaragua v. United States of America". (1986, June). Retrieved from <https://www.icj-cij.org/sites/default/files/case-related/70/070-19860627-JUD-01-00-EN.pdf>.
- [19] Judgment of the International Court of Justice in the Case of "Islamic Republic of Iran v. United States of America". (2018, October). Retrieved from <https://www.icj-cij.org/node/105708>.
- [20] Kang, S., Lee, S., & Whang, T. (2023). Economic sanctions, repression capacity, and human rights. *Journal of Human Rights*, 22(2), 174-197. doi: [10.1080/14754835.2022.2096404](https://doi.org/10.1080/14754835.2022.2096404).
- [21] Kolesnichenko, D. (2019). *The UN called the new US sanctions against Venezuela excessive*. Retrieved from <https://surl.li/dpunbo>.
- [22] Korf, B. (2023). The irony of development: Critique, complicity, cynicism. *Anthropological Theory*, 23(2), 147-166. doi: [10.1177/14634996221115225](https://doi.org/10.1177/14634996221115225).
- [23] Lektzian, D., & Mkrtchian, G. (2021). The effect of sanctions on economic freedom. *Social Science Quarterly*, 102(6), 2776-2794. doi: [10.1111/ssqu.13067](https://doi.org/10.1111/ssqu.13067).
- [24] Meyer, K.E., Fang, T., Panibratov, A.Y., Peng, M.W., & Gaur, A. (2023). International business under sanctions. *Journal of World Business*, 58(2), article number 101426. doi: [10.1016/j.jwb.2023.101426](https://doi.org/10.1016/j.jwb.2023.101426).
- [25] Morgan, T.C., Syropoulos, C., & Yotov, Y.V. (2023). Economic sanctions: Evolution, consequences, and challenges. *Journal of Economic Perspectives*, 37(1), 3-29. doi: [10.1257/jep.37.1.3](https://doi.org/10.1257/jep.37.1.3).
- [26] Moteng, G., Raghutla, C., Njangang, H., & Nembot, L.N. (2023). International sanctions and energy poverty in target developing countries. *Energy Policy*, 179, article number 113629. doi: [10.1016/j.enpol.2023.113629](https://doi.org/10.1016/j.enpol.2023.113629).
- [27] Nguyen, T.C., Castro, V., & Wood, J. (2022). A new comprehensive database of financial crises: Identification, frequency, and duration. *Economic Modelling*, 108, article number 105770. doi: [10.1016/j.econmod.2022.105770](https://doi.org/10.1016/j.econmod.2022.105770).
- [28] OHCHR. (2020). *United Nations Human Rights Report 2019*. Retrieved from <https://surl.li/yqbtad>.
- [29] Prasad, M., & Zaloznaya, M. (2021). Bureaucratic quality and social development. *Sociology of Development*, 7(3), 231-252. doi: [10.1525/sod.2019.0023](https://doi.org/10.1525/sod.2019.0023).

- [30] Regulation of the Council of European Union No. 2580/2001 "On Specific Restrictive Measures Directed Against Certain Persons and Entities with a View to Combating Terrorism". (2001, December). Retrieved from <https://eur-lex.europa.eu/eli/reg/2001/2580/oj/eng>.
- [31] Regulation of the Council of European Union No. 833/2014 "On the Restrictive Measures in View of Russia's Actions Destabilising the Situation in Ukraine". (2014, July). Retrieved from <https://eur-lex.europa.eu/eli/reg/2001/2580/oj/eng>.
- [32] Report of the Independent International Commission of Inquiry on the Syrian Arab Republic. (2023). Retrieved from <https://surl.li/mxzdqx>.
- [33] Report of the UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. (2018). Retrieved from <https://surl.li/wwkvdt>.
- [34] Resolution the General Assembly No. 2019A/RES/74/200 "Unilateral Economic Measures as a Means of Political and Economic Coercion Against Developing Countries". (2019, December). Retrieved from <https://documents.un.org/doc/undoc/gen/n19/434/06/pdf/n1943406.pdf>.
- [35] Sokolovska, O.M. (2022). Sanctions as a means of foreign policy influence. *Bulletin of NTUU "KPI". Political Science. Sociology. Law*, 3(55), 82-86. doi: 10.20535/2308-5053.2022.3(55).269556.
- [36] Splinter, M., & Klomp, J. (2022). Do sanctions cause economic growth collapses? In R. Beeres, R. Bertrand, J. Klomp, J. Timmermans & J. Voetelink (Eds.), *NL ARMS Netherlands annual review of military studies 2021* (pp. 115-132). Hague: NL ARMS. T.M.C. Asser Press. doi: 10.1007/978-94-6265-471-6_7.
- [37] Treaty on European Union. (2012, October). Retrieved from https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF.
- [38] UN General Assembly Resolution No. A/RES/77/7 "On the Need to End the Embargo Against Cuba". (2022, November). Retrieved from <https://docs.un.org/ru/A/Res/77/7>.
- [39] UN Security Council Resolution No. 2615. (2021, December). Retrieved from <https://surl.li/ayqyab>.
- [40] Universal Declaration of Human Rights. (1948, December). Retrieved from <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.
- [41] Veltmeyer, H. (2020). Capitalism, development, imperialism, globalization: A tale of four concepts. *Globalizations*, 17(8), 1335-1349. doi: 10.1080/14747731.2019.1699706.
- [42] Wang, H., & Tatarinov, D. (2024). Issues of limitation of international criminal justice in the modern world. *Social and Legal Studios*, 7(4), 121-131. doi: 10.32518/sals4.2024.121.
- [43] Wei, W., Cui, Q., & Cui, H. (2023). How political conflicts threaten energy security and economic growth in Asia: A study on the sanctions imposed on Iran. *Energy & Environment*, 34(1), 58-77. doi: 10.1177/0958305X211045768.
- [44] Yarovoy, T.S. (2024). Prospects for the application of political and economic sanctions as an instrument of state policy in the conditions of the formation of civil society. *Scientific notes of VI. Vernadsky TNU. Series: Public Management and Administration*, 35(74), 146-151. doi: 10.32782/TNU-2663-6468/2024.3/27.
- [45] Zhou, F., & Wang, X. (2022). The carbon emissions trading scheme and green technology innovation in China: A new structural economics perspective. *Economic Analysis and Policy*, 74, 365-381. doi: 10.1016/j.eap.2022.03.007.
- [46] Zveriev, O. (2024). Nature of economic sanctions and reasons for their application. *Economy of Ukraine*, 1(746), 40-53. doi: 10.15407/economyukr.2024.01.040.

Економічні санкції як виклик правовій теорії: аксіологічний аналіз впливу на права людини та державний суверенітет

Максим Лоза

Аспірант

Національний університет біоресурсів і природокористування України
03041, вул. Героїв оборони, 15, м. Київ, Україна
<https://orcid.org/0009-0000-7837-1918>

Лілія Панькова

Кандидат юридичних наук

Національний університет біоресурсів і природокористування України
03041, вул. Героїв оборони, 15, м. Київ, Україна
<https://orcid.org/0000-0003-0150-1571>

Анотація

Дослідження було спрямоване на аксіологічний аналіз економічних санкцій та їхнього впливу на фундаментальні правові цінності, зокрема права людини й державний суверенітет. Дослідження проводилося на основі комплексного поєднання загальнонаукових і спеціальних юридичних методів. Для дослідження було використано комплекс методів, зокрема порівняльно-правовий, формально-юридичний методи у межах системного підходу, що дозволило всебічно оцінити вплив санкцій на правові системи, міжнародні норми та державний суверенітет. У ході дослідження встановлено, що санкції, як інструмент міжнародного тиску, мають серйозний вплив на державний суверенітет і права людини. Їх застосування часто ставить під загрозу основні права громадян, зокрема економічні права, такі як доступ до праці, соціального забезпечення та необхідних товарів і послуг. Санкції можуть призводити до порушення прав на життя, гідність та розвиток, особливо в умовах, коли обмеження доступу до ресурсів торкаються широких верств населення, включаючи найбільш вразливі соціальні групи. Також було з'ясовано, що вибірковість застосування санкцій і нерівне їхнє виконання часто призводять до виникнення подвійних стандартів у міжнародних відносинах, що підриває довіру до міжнародних правових механізмів. Крім того, санкції можуть підривати державний суверенітет, створюючи передумови для зовнішнього втручання у внутрішні справи держави, що ще більше ускладнює захист прав громадян. Відтак санкції не тільки посилюють політичну ізоляцію, але й ставлять під питання принципи прав людини та міжнародного правопорядку. Отримані результати засвідчили необхідність гармонізації міжнародних стандартів санкційної політики, розробки механізмів моніторингу ефективності санкцій та запровадження гуманітарних винятків для мінімізації їхнього негативного впливу.

Ключові слова: глобальна безпека; демократичні цінності; публічний порядок; міжнародна політика; контрзаходи