THE ROLE OF THE UNITED NATIONS IN THE IMPOSITION AND ENFORCEMENT OF INTERNATIONAL ECONOMIC SANCTIONS

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Abstract

This article examined the pivotal role of the United Nations (UN), particularly the Security Council, in the imposition and enforcement of international economic sanctions. It explored the legal foundations under the UN Charter, the procedural mechanisms for sanction implementation, and the effectiveness of economic sanctions as a tool for maintaining international peace and security. The article assessed both the achievements and shortcomings of UN-led efforts. It also addressed challenges such as humanitarian consequences, issues of compliance and enforcement, and the tension between collective action and state sovereignty. Sanctions may include but are not limited to international trade restrictions, such as embargoes on particular exports and or imports, blocking of foreign assets, denial of foreign assistance, loans, investments and other prohibitions on economic transactions with the target nation. All the above measures and more are separately or cumulatively aimed at crippling the economic activities of the target State to make the target state alter her objectionable positions. Using doctrinal methodology, the article found that despite the prohibition of unilateral economic sanctions and use of force by the UN Security Council, some powerful States or group of States have at various times unilaterally imposed sanctions against some States and even undertaken sole military invasion thus, neglecting *Article 2(4)* of the UN Charter. The work further discovered that the targets of most economic sanctions have been political leaders in the sanctioned states, paradoxically, the effects of the sanctions are mostly on the vulnerable population of the affected state. This research recommended that there should be a deliberate adherence to the principle of "equality of States". The article concluded by proposing reforms to enhance transparency, coordination, and accountability in UN sanctions regimes, with the aim of making them more targeted, humane, and effective.

Keywords: Sanctions, United Nations, Foreign Policy.

1. Introduction

Since 1966, the Security Council has established 31 sanctions regimes, in Southern Rhodesia, South Africa, the Former Yugoslavia (2), Haiti (2), Angola, Liberia (3), Eritrea/Ethiopia, Rwanda, Sierra Leone, Côte d'Ivoire, Iran, Somalia/Eritrea, ISIL (Da'esh) and Al-Qaida, Iraq (2), Democratic Republic of the Congo, Sudan, Lebanon, Democratic People's Republic of

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Korea, Libya (2), the Taliban, Guinea-Bissau, Central African Republic, Yemen, South Sudan and Mali.[1]

The United Nations Organisation[2] is undoubtedly the only international organisation of its kind in the World, established in 1945 after several global conflicts which the then League of Nations was unable to handle due to the limitations of the League and its inability to prevent the Second World War (1939-1945).

The preamble to the Charter of the UN mandates the body among other things; to save succeeding generations from the scourge of war; to reaffirm faith in fundamental human rights; to establish conditions under which justice can be maintained; and to promote social progress and better standards of life in larger freedom. Therefore, it is based on these huge roles placed on the UN through its various organs that it moderates global economic activities, particularly as it relates to the use of sanctions by states as a foreign policy tool.

The use of economic sanctions as a tool of foreign policy dates back to 432 BC when the Athenian Empire banned traders from Megara from its marketplaces thereby strangling the rival City State's economy. By the 20th century, the use of economic sanctions become prominent.[3]

Economic sanction[4] is often defined as "the deliberate government-inspired withdrawal, or threat of withdrawal of customary trade or financial relations."[5] When a sovereign State or group of sovereign States is threatened or feels threatened by the policies or acts of another, it adopts some measures to protect its interests, survival and sovereignty. Such a State or group of States will impose sanctions on specific States or organisations. These sanctions will encompass a variety of measures including restricting or prohibiting trade, financial transactions or other economic activities involving the target State or group of States.

Sanctions are punitive measures (for example prohibiting trade, ceasing financial transactions or barring economic assistance) imposed by one State, group of States or a multilateral body such as the UN on a target entity, or group of individuals that violate international norms that hurt the interests of the sanctioning State or group of States.[6]

Sanctions are preferably adopted as a tool of foreign policy to restrict or limit the economic activities of the target State especially when domestic or international pressure exists where diplomacy alone will be ineffective and where military options would be too severe.[7]

By attempting to influence or alter the target State's behaviour, sanctions may pursue a wide range of foreign policy and or national security objectives or goals such as improving human rights, deterring aggression, preventing the proliferation of weapons or destroying terrorist organisations breeding grounds or nests.

1. United Nations, 'Sanctions', <https://main.un.org/securitycouncil/en/sanctions/information#:~:text=Since%201966%2C%20the%20Security%20Council,Democratic%20Republic%20of%20the%20Congo%2C > accessed 2/5/2025.
2. Herein abbreviated as "UN",
3. Noura Abughris, 'A Brief History of Economic Sanctions' < https://www.carter-ruck.com > accessed 2/5/2025.
4. Herein referred to as "Sanction"
5. Hafbauer et al. "*Economic Sanctions Reconsidered*" < https//www.usitc.gov > accessed 7/3/2025.
6. *Ibid*.
7. *Ibid.*

This exertion of economic pressure to achieve a desired purpose has been validated by Norman and Perkins to the effect that if certain measures serve as a deterrent to individual acts and conducts within States, similar procedures can be adopted to achieve deterrent purposes against certain acts and conducts within sovereign States.[8]

State political leaders are usually the targets of sanctions, for instance, U.S. President Donald Trump targeted Iranian Supreme Leader Ayatollah Ali Khamenei and other top Iranian officials with sanctions. According to the statement by the White house, Trump said the sanctions "will deny the Supreme Leader and the Supreme Leader's office, and those closely affiliated with him and the office, access to key financial resources and support.[9]

Moreover, as a result of the Russian War in Ukraine, the European Union[10], have imposed heavy sanctions on Russian goods and services. The sanctions are mainly targeted at the Russian leader Vladimir Putin whom most European nations consider a dictator and therefore, should not be appeased in order not to prevent a repeat of what happened during the Second World War when most European leaders continued to appease Hitler and considered him as a man who had mere nationalistic tendencies and not an expansionist.

More recently, is President Trump's heavy trade and economic sanctions on Mexico, Canada, China amongst others. Trump's recent trade policies were essentially influenced by the relative success of his previous trade policies which his predecessor Joe Biden inherited and continued with, then Trump used tariffs as a tool, targeting washing machines, solar panels and crucially, steel and aluminium, key materials in an already pricey housing market. But Trump's tariff threats this time around, according to some observers are **more wide-ranging and potentially damaging**.[11]

2. Legal Framework for Sanctions. *Article 2(4)* of the United Nations Charter prohibits the use of economic force by individual States. The 1965 "Declaration on the inadmissibility of Intervention in the Domestic Affairs of State and the protection of their Sovereignty" declared that

> No State may use or encourage the use of economic, political or other types of measures to coerce another State to obtain from it the subordination of the exercise of its sovereign rights or to secure from it, advantages of any kind.[12]

This means that unilateral sanctions which entail a single State or Country or even a multilateral group of Countries or States are prohibited from unleashing economic sanctions. This position of prohibiting unilateral or multilateral economic sanctions has been amplified over the years by the UN General Assembly and the Council.

In 1970, this position was emphasized in the "Declaration on principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter

8. Norman D Palmer and Howard C Perkins, *International Relations* (Delhi AITBS Publishers, 2010) 198-199.
9. Steve Holland and Stephen Kalin, *Trump puts sanctions on Iranian supreme leader, other top officials*, <https://www.reuters.com/article/world/trump-puts-sanctions-on-iranian-supreme-leader-other-top-officials-idUSKCN1TP0AZ/>, accessed 31/3/2025.
10. Herein abbreviated as "EU".
11. Danielle Chemtob, *How Will Tariffs Impact You? Here's What To Know About Trump's Plans*, <https://www .forbes.com/sites/daniellechemtob/2025/02/12/how-will-tariffs-impact-you-heres-what- to-know-about-trumps-plans/>accessed 18/03/2025
12. U.N. Doc A/RES/2131/XX/1965, at annex, para 2.

of the United Nations".[13] It was also re-emphasized in 1980 under the "Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States.[14]

A similar position was maintained in 1995 with the General Assembly's Resolution on Economic Measures as a Means of Political and Economic Coercion against Developing Countries" at which the General Assembly expressed grave concern that the "use of coercive economic measures adversely affects the economy and development efforts of developing countries and has a generally negative impact on international economic cooperation". It therefore urged;

> the international community to adopt urgent and effective measures to eliminate the use by some developed countries of unilateral coercive measures against developing countries which are not authorised by relevant organs of the United Nations or are inconsistent with the principles contained in the Charter of the United Nations, as a means of forcibly imposing the will of one state on another.[15]

In 1996, the General Assembly further adopted a similar resolution under the title "Elimination of Coercive Economic Measures as a means of Political and Economic Compulsion." In 1997, the General Assembly maintained its position but prohibited such unilateral acts that "contravene the basic principles of the multilateral trading system." Furthermore, an ad hoc expert group meeting convened by the General Assembly in 1997 on what it articulated as "basic legal norms" stated that

> the basic principle of international law … as set out in the Charter of the United Nations elaborated in several international legal instruments and backed by declarations adopted by international conferences, proscribed the imposition of coercive economic measures as instruments of intervention in matters that are essentially within the domestic jurisdiction of a State.[16]

This means the prohibition of unilateral economic sanctions has been consistently maintained by the UN General Assembly. There are however exceptions which include

i. multilateral sanctions mandated by the Security Council;
ii. where the Security Council has determined the existence of a threat to peace, breach of the peace or act of aggression;
iii. where the Security Council has merely recommended economic sanctions, provided that any limits specified by the Council are observed;
iv. where the General Assembly recommends sanctions by consensus or by large majorities over some time;
v. certain instances where regional organisations impose economic sanctions for cause against their members;
vi. where one or more States adopt unilateral measures in response to a clear violation of universally accepted norms, standards, or obligations, provided these States are not seeking advantages for themselves but are pursuing an international community interest;

13. U.N. Doc. A/RES/2625/(XXV) (1970) at annex.
14. U.N. Doc. A/RES/36/103/ (1981).
15. *Ibid.*
16. *Ibid* para 73.

vii. where the economic measures constitute proportional countermeasures by a State for a prior injury provided that the measures are not designed to endanger the territorial integrity or political independence of the target State.[17]

The General Assembly of the United Nations, being the legal representative of the international community in the past and several years after, maintained the prohibitions of unilateral economic sanctions except on the above-listed ground. In 1997, the vote was 143 in favour and 3 against the condemnation of the economic sanctions imposed by the United States against Cuba.[18] The general principle against unilateral imposition of unilateral economic sanctions is that no state may claim a general legal right to impose economic sanctions against other States except in situations where the coercion is exercised in the interest of the international community supported by the international community or at least the international community does not oppose the measures adopted.

In contrast to the general prohibitions against unilateral or State imposition of economic sanctions against other States, *Article 41 of Chapter VII* of the UN Charter mandates all members (except any exempted by Charter *Article 48(1))* to participate in measures when decreed by the UN Security Council. This obligation is pursuant to *Articles 2(5), 25* and *48(1)* of the UN Charter by which all members are bound. Even non-members by *Article 2(6)* are required to cooperate. Private persons (natural or juridical) as well as Non-Governmental Organisations[19] which are established and operate under some nation's laws and are required by their respective countries to comply with sanctions imposed by the UN Security Council.

3. Authority of the UN Security Council to Impose Mandatory Economic Sanction

The authority of the UN Security Council to impose economic sanctions[20] derives from the predecessor Covenant of the League of Nations.[21] Both instruments provide that if any member State resorted to war, against another member, all other members were immediately and automatically to subject the former to a severance of all trade and financial relations, prohibit all intercourse with its nationals and prevent all financial, commercial or personal intercourse between them and the nationals of the offending State.[22]

4. Implementation Procedures of Economic Sanctions

Under the UN Charter, there are formal requirements for the imposition of economic sanctions as it is not automatic. It is a graduated scheme provided in *Chapter VII* and under the control of the Security Council as follows:

i. The first step as provided in *Article 39* of the UN Charter is for the Security Council to determine "the existence of any threat to the peace, breach of the peace or act of aggression.[23] In some instances like the Iraqi invasion of Kuwait, the validity of such determination is not in doubt while in the case of Somalia, the determination was

17. U.N. Doc A/RES/47/19 (1992), 48/16 (1993) 49/9 (1994) 50/10 (1995), 51/17 (1996) and 52/10 (1997).
18. David Fischer, Jozef Goldblat, Paul Szasz, *Safeguarding the Atom: A Critical Appraisal <https://www.routledge.com/Safeguarding-the-Atom-A-Critical-Appraisal/Fischer-Goldblat-Szasz/p/book/9780367515997?srsltid=AfmBOoqXMsTZrdp0AMzS->* accessed 2/5/2025.
19. Herein referred abbreviated as "NGOs" .
20. See *Article 41* of *Chapter VII* of the UN Charter.
21. *Article 16(1*) of the defunct League of Nations.
22. However, the League of Nations, the predecessor organ to the United Nations (UN) did not induce a willing compliance to the automaticity of these provisions by members.
23. In practice, chapter VII or Article 39 doesn't need to be explicitly be referred to though one or both of them may be referred to but not strictly adhered to.

purely on humanitarian grounds in the absence of a *de facto* government to make such request.[24] The case of Libya in its refusal to extradite two of its nationals to Scotland or the United States implicated in the Lockerbie bombing was determined by the Security Council on the grounds of threat to or breach of the peace.[25]

ii. Under *Article 40*, the Council may at the same time "call upon the parties to comply with the provisional measures as it deems necessary or desirable.

iii. Under *Article 41*, the Council may decide what measures do not involve the use of force to give effect to its decisions and direct members to apply such measures. These measures "may include complete or partial interruption of economic relations and rail, sea, air, postal telegraphic, radio and other means of communication including the severance of diplomatic relations."

iv. Under *Article 42,* if the Council considers economic sanctions to be inadequate, it may move to take military action as a last resort.

5. Enforcement of Sanctions

Although all UN members are required to comply with economic sanctions imposed by the Security Council, the enthusiasm of these states for carrying out their assigned tasks in any given case is likely to be uneven. Some are economically deeply involved with the target State and may, directly and indirectly, suffer painful economic losses. Others may on principle or for particular political reasons, not be in agreement with the Council as to the imposition or the continuation of sanctions. Also, some States may not be in full control of their nationals, who might take advantage of an official breach of trade relations to smuggle goods at a profitable markup. These States may also lack the domestic legal mechanism for banning their nationals from forbidden trading and must install it (perhaps through parliamentary action) before it can be effective.

For all these reasons, fully voluntary compliance can be an uneven affair, with immediate compliance low but strengthening over time, until perhaps international enthusiasm for the sanctions regime flags and compliance slips again.[26] In imposing sanctions, the Security Council therefore normally requests States to report on the legal and practical measures that they have taken to comply and to require their nationals to do so. In most instances, the Council also establishes a Sanctions Committee, whose primary charge is to monitor compliance with sanctions, partly based on the report received from States. These are naturally likely to be somewhat self-serving and States in serious noncompliance may neglect or decline to submit reports at all. The Committee is normally also authorised to receive reports, usually from other States, about instances of noncompliance.

24. *Article 2(7)* of the Charter prohibits the UN from intervening in matters that 'are essentially within the domestic jurisdiction of any state".
25. UN Doc S/RES/748 (1992).
26. Fortunately, there have been few instances in which a State has openly and formally breached sanctions imposed by the Security Council under *Charter VII*, such as the 1971 U.S. "Byrd Amendment" (P.L. 92-156. 50 U.S.C. 98h-4) defying the embargo on Southern Rhodesia's sale of chrome; that provision was adopted by Congress despite the special appeal in A/RES/2765 (XXVI) of 17 November 1971 and was upheld *in Diggs v. Schultz*, 470 F. 2d 461 (D.C. Cir., 1972); cert. Den 411 U.S. 931, with the Circuit Court holding that even though the law was "in blatant disregard of our treaty undertakings" it had no power to reverse this congressional action.

At times, the Security Council has authorised a form of blockade designed to prevent forbidden cargo from entering or leaving the targeted State.[27] Typically, such measures are easier to maintain along a sea coast than along a land border. It should be noted that such a use of military force is generally not considered to be an exercise under *Charter Article 42,* but rather a means of implementing economic sanctions ordered under *Article 41* and carried out under the auspices of that provision.

6. Sanctions Committees

The Security Council of the UN established a Sanction Committee as a subsidiary organ of the Council. All the fifteen members of the Security Council are represented in the Sanction Committee, which means that each year five of the non-permanent members are replaced. The actual participants are lower-ranking members of the respective delegations. In the case of the United States and some of the other Permanent Council members representatives are specialists in sanctions questions and are supported by an appropriate infrastructure (i.e., contacts in the Departments of State, Defense, Treasury, Commerce, and probably the intelligence community), while the non-permanent members are mostly represented by junior-level diplomats working part-time on these issues.

The chairman of these Committees is chosen from among the non-permanent members and serves for at least a year (unlike the monthly rotation of Council Presidents). The secretariat generally services these Committees in only a formal way (i.e., arranging for meetings and the flow of documentation), without substantive support in terms of economic or other analysis. As the composition of each Committee is identical to that of the Council, formal reports are rare (each representative presumably keeps his delegation sufficiently informed). This arrangement deprives the rest of the UN membership of insights into the work and decisions of these important bodies. Accordingly, although annual reports from each Committee to the Security Council are now required,[28] a General Assembly resolution has called for greater transparency in their work.[29]

The Committee works by consensus, with certain decisions normally taken on a no-objection basis. In particular, those decisions authorising humanitarian shipments are circulated to all Committee members. If non-objects within a given time-frame, they are deemed approved; however, any representative may put an indefinite hold on any approval, without stating a reason. Under the consensus rule such a hold cannot be broken without the consent of the objecting representative.

Each Sanctions Committee receives special assignments in the Council resolution establishing it; subsequent resolutions often expand these assignments. In general, the tasks are as follows:

i. To monitor the implementation of sanctions, by reviewing the compliance reports submitted by states and considering information received from other states about violations, and by reporting violations to the Council.[30]

27. In the first instance in which this was done, the Council in 1965 called on the United Kingdom to use necessary measures to prevent a tanker from delivering oil to Southern Rhodesia (U.N. Doc. S/RES/221 (1996). In respect of Iraq, the Council authorized a maritime force (U.N. Doc. S/RES/665 (1990). See Rosenzweig, infra note 65, at 173-174.
28. As specified in a note from the President of the Security Council (U.N. Doc. S/1995/234).
29. U.N. Doc. A/RES/51/242 (1997), Annex II, para. 33.
30. E.g., U.N. Doc. S/RES/1132 (1997), para. 10(a)-(d), in respect of sanctions on Sierra Leon.

ii. To consider applications for exceptions and exemptions provided for by the Council, mostly for humanitarian purposes.[31]

iii. To consult, on behalf of the Council, with States alleging special economic problems arising out of their compliance with sanctions.[32]

In recent years the Council has also required the Committees to promulgate guidelines to inform those concerned about the application procedures and the circumstances in which these and other types of relief are apt to be granted. A General assembly resolution has called on the Council to make the mandates of the Committees more precise, to take account of what can be fulfilled in practical terms, and to specify standard approaches to be followed by the Committees.[33]

These Assembly recommendations reflect the fact that over the years, dissatisfaction with the performance of the Sanctions Committees has grown. In part, this has been due to their insufficiently precise mandates, to the large volume of work in dealing with numerous applications, and to general unresponsiveness to apparently legitimate concerns of target states and non-target states injured by the sanctions regime. The Council itself has responded to some of these criticisms by issuing guidelines in the form of a series of presidential notes in 1995-1996,[34] but the Assembly believes these have not solved all problems and concerns.[35]

Selected Past Sanctions by the UN Security Council

S/N	NATION	TYPE OF SANCTION	YEAR
1	Southern Rhodesia[36]	Arms and oil embargo and a break in economic relations terminated in 1979 on reaching the agreement under the auspices of the British government that established Zimbabwe	1965
2.	South Africa[37]	Arms embargo terminated in 1994 on the assumption of multiracial democratic governance in 1994	1977
3.	Iraq[38]	Iraq in connection with the Iraqi invasion of Kuwait in 1990 culminated in a comprehensive economic embargo on exports and imports especially on the export of oil subject to certain exemptions	1990
4.	Yugoslavia[39]	General and complete arms embargo on the Socialist Federal Republic of Yugoslavia (SFRY), continued after its dissolution in respect of all the successor States – phased termination started in November 1995; (2) 1992 complete economic embargo (including flights, sporting and cultural events) on the Federal Republic of Yugoslavia (FRY) and later also and	1991

31. Id., para. 10(d)-(e).
32. E.g., U.N. Doc. A/RES/669 (1991) in respect of sanctions on Iraq.
33. U.N. Doc. A/RES/51/242/ (1997), Annex II, paras. 27-28.
34. U.N. Docs. S/1995/234, S/1995/438, S/1996/54.
35. U.N. Doc. A/RES/51/242/ (1997), Annex II para. 29, as well as paras. 27-39 generally.
36. U.N. Docs S/RES/217 (1965), 232 91966), 253 (1968) 277 (1970), 288 (1970), 310 (1972), 314 (1972), 320 (1972), 327-329 (1973), 333 (1973), 386 (1976), 388 (1976), 409 (1977), 411 (1977) and 460 (1979).
37. U.N. Docs S/RES/418 (1977) 421 (1977) & 919 (1994).
38. U.N. Docs S/RES/661 (1990) – 1153 (1998) among others.
39. U.N. Docs. S/RES/713 (1991) 724 (1991) 757 (1992), 760, (1992), 787 (1992), 816 (1993), 820 (1993), 942 (1994), 943 (1994), 967 (1994), 970 (1995), 988 (1995), 992 (1995), 1003 (1995), 1015 (1995), 1021 (1995), 1022 (1995), & 1074 (1996).

		especially on the Serb State in Bosnia and Herzegovina – first hardened and later eased, suspended from time to time and then finally terminated in 1996	
5.	Somalia[40]	The embargo on all arms deliveries	1992
6.	Libya[41]	Libya, in connection with the investigation of two aeroplane bombing incidents: 1992 arms and air embargo, reduction of diplomatic missions, later freezing of funds and embargo on the importation of oil equipment	1992
7.	Liberia[42]	Arms embargo	1992
8	Haiti[43]	Oil and arms embargo, suspended and reinstated several times, and terminated in 1994 on return of the Aristide government	1993
9	Angola[44]	1993 arms and petroleum embargo against UNITA (anti-government faction) and 1997 travel restrictions on high UNITA officials	1993
10.	Rwanda[45]	arms embargo – partially suspended in 1995 and terminated in respect of the government in 1996, but continued against anti-government forces	1994
12.	Sudan[46]	1996 – diplomatic sanctions and later an air embargo;	1996
13.	Sierra Leon[47]	Arms and petroleum embargo and ban on travel by senior personnel of the coup-installed government terminated in 1998 on the return of the elected President	1997

7. Legal Constraints on Economic Sanctions

The long-continued economic sanctions lead to undue harm to the most vulnerable members of the target society: children and the women who care for them, the elderly and the sick. It is true that these sanctions regimes, as adopted by the Security Council, invariably exempted the supply of food and medicines for humanitarian purposes and that the respective Sanctions Committees were given broad powers to grant effective relief. Against this, the target states and their sympathizers claim that the Sanctions Committees, as they operate, are far too prone to allow indefinite and unexplained delays on proposed humanitarian shipments. In addition, it is claimed that because the foreign assets of target States are frozen and their exports blocked, these states are not in a position to purchase even the humanitarian supplies that they would be permitted to import.

Naturally, the proponents of sanctions deny the allegations of undue harshness in the implementation of sanctions regimes; they counter-charge that the target states generally

40. U.N. Doc S/RES/733 (1992).
41. U.N. Docs. S/RES/748 (1992), 883 (1993), 910 (1994), & 915 (1994).
42. U.N. Docs S/RES/788 (1992), 1083 (1996), 116 (1997).
43. U.N. Docs. S/RES/841 (1993), 861 (1993), 873 (1993), 875 (1993), 917 (1994), & 944 (1994).
44. U.N. Docs. S/RES/864 (1993), 1075 (1996), 1087 (1996), 1098 (1996), 1102 (1997), 1127 (1997), 1130 (1997), 1135 (1997), 1149 (1998), & 1157 (1998).
45. U.N. Docs. S/RES/918 (1994), 1005 (1995), 1011 (1995), & 1053 (1996).
46. U.N. Docs S/RES/1054 (1996) & 1070 (1996).
47. U.N. Docs. S/RES/1132 (1997), & 1156 (1998).

appear to have sufficient hidden assets to finance the import of luxury goods for their elites and even extensive armament programmes, that their governments often distribute available humanitarian supplies unfairly, and that extensive black markets are allowed to flourish for the benefit of those close to the government.

From a legal point of view, it is undoubtedly true that even the United Nations and the Security Council, and of course all States, are bound by universally applicable humanitarian principles that forbid the starvation of civilian populations.[48] And that this calls for special care to be taken to protect vulnerable persons.[49] To give precision to these concepts, the General Assembly has called for further attention to the concept of the "humanitarian limits of sanctions" and proposed that "standard approaches should be elaborated by the relevant United Nations bodies." At the same time, the Assembly has made several pertinent operational recommendations.[50]

8. Target and Effectiveness of Economic Sanctions

The states are usually the targets of sanctions. However, in some instances, the UN Security Council may consider some unintended consequences such as women, children and the sick who are the powerless masses. For this reason, the target of the sanctions may shift to governmental elites whose behaviour or conduct caused the international offence for which sanctions were imposed.

For instance, in imposing sanctions in respect of Angola, the Security Council targeted not the country as a whole but only the Union for the Total Independence of Angola[51] rebels that continued to fight the government despite a series of negotiated ceasefires.[52] Another instance is Sierra Leone. In imposing economic sanctions to neutralize a military coup against the elected government of Sierra-Leone, the Council ordered all member States to prevent the entry of into or the transit through their territories of members of the military *juncta* and adult members of their families.[53]

However, the general objective or target goal of economic sanctions is to induce compliance by the target State or other entity with the Security Council demands for particular actions to be taken or discontinued in order to eliminate threats or breaches of the peace or acts of aggression.

The effects of economic sanctions relate to the consequences of the imposition of economic sanctions on target States. Economic sanctions usually exert tremendous pressures aimed at crippling the economy of the target State and this drastically affects the standards of living of her citizens, especially the masses. Sometimes, the effect of sanctions will depend on the extent to which the targeted authorities are dependent on the targeted areas of the sanction.

Unfortunately, the response from the sanctioned state may not be predictable especially if the government is authoritarian and which provokes the sanction. In such a situation, it is the general population of the masses that suffer severely since they would be helpless and incapable of inducing the government to change its course and conduct which provoked the sanction. Most effective sanctions may inflict collateral undue pain on an essentially impotent

48. See Protocol to the 1949 Geneva Conventions, 1977, *art. 53(1)*, 1125 U.N.T.S. 3, 16 I.L.M. 1391 (1977).
49. *Ibid*., *arts. 1, 2, 51*, and Geneva Convention IV relative to the protection of Civilian Persons in Time of War 1949, *art. 16*, 75 U.T.N.S. 287, 6 U.S.T. 3516 T.I.A.S. 3365.
50. U.N. Doc. A/RES/51/242, annex II, paras. 14-20.
51. Herein abbreviated as "UNITA".
52. U.N. Doc S/RES/864 (1993).
53. U.N. Doc S/RES/1132 (1997), para. 5 & 10 (f).

population who become innocent victims. Economic sanctions may also create a burden on neighbouring States, trade partners and historical allies.[54] Kofi"Annan in his 1997 report to UN Country-based sanctions pointed out that sanctions tend to inflict the most harm on vulnerable groups and can cause great collateral damage to the States."[55]

9. Conclusion/Recommendations

Since economic sanctions impact generally the volume or quantum of international trade because of the theory of interdependence of States, there should always be a proper, fair and objective evaluation of the possible impacts and effects before its declaration. Though sanctions are legitimized by international law as provided in *Article 41 chapter VII* of the UN charter, it is also subject to abuse if used unchecked and without human face. There is a need for the Security Council especially the permanent members to undertake a thorough evaluation of the nature and extent of sanctions to be applied to a target State, their cumulative impact on the target State and other States, a clear roadmap of implementation and likely effects on vulnerable groups.

In conclusion therefore, the United Nations remains a central actor in the design and enforcement of international economic sanctions, utilizing its unique legitimacy and global reach to address threats to international peace and security. While economic sanctions have proven to be a powerful non-military tool, their effectiveness is often contingent on unified international support, robust enforcement mechanisms, and careful consideration of humanitarian consequences. The evolution toward more targeted sanctions reflects a growing awareness of the need to balance political objectives with ethical responsibilities. To enhance their impact, future UN sanctions regimes must prioritize accountability, transparency, coordination among member states, and mechanisms for minimizing unintended harm. Strengthening these areas will ensure that sanctions continue to serve as a credible and responsible instrument of international governance. The declaration of economic sanction should be judiciously exercised. Geographical, historical, necessity and economic relations which have created existing relationships as neighbours, friends, allies and economic partners should be taken into consideration so as not to weaken the sanctions and create sabotage,[56] because of their cumulative impact on the economy of a State, and even on innocent third States.

54. Covenant of the League of Nations Art 16.3 is preserved in Art 49 of the UN charter.
55. Noura Abughris "A Brief History of Economic Sanctions" < https://www.carter-ruck.com > accessed 6-2-2025.
56. See Justin Trudeau's Press Conference on 2-2-2025 Trump's new tariff trade policies wherein the Canadian Prime Minister recalled J. F. Kennedy's view of respecting various existing relationships <https://www.cpac.ca/headline-politics/episode/ottawa-announces-federal-response-to-us-tariffs--february-3-2025?id=0434868e-623d-4006-9d0f-7755ab077243> accessed 2/5/2025.