

From Trade Embargoes to Diplomatic Outreach: The Evolving Landscape of Sanction

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Abstract

Sanctions have transitioned from broad trade embargoes to multifaceted tools of diplomacy aimed at altering state behaviour while avoiding direct military conflict. Despite their growing use, questions persist regarding their legality, effectiveness, and ethical implications, particularly when employed by powerful states against weaker ones. This study addresses the conceptual and legal gap surrounding the evolution of sanctions from punitive measures to instruments of strategic diplomacy. The article's main objective is to evaluate whether sanctions today function as effective diplomatic tools or if they serve coercive interests that compromise international norms. Using a qualitative, doctrinal methodology, the paper examines primary legal frameworks such as the UN Charter and WTO agreements, complemented by secondary literature and case studies including Iran, North Korea, Russia, Myanmar, and Malaysia. The findings reveal a dual nature: while sanctions can successfully enforce international law and support human rights, they often harm civilian populations and reflect power asymmetries when used unilaterally. Moreover, targeted states increasingly adapt through strategic alliances and economic resilience, diminishing the impact of sanctions. The study concludes that sanctions are most effective when legally grounded, proportionate, multilaterally enforced, and embedded in broader diplomatic strategies.

Keywords: Economic Embargoes, Sanction, Diplomatic Outreach, International Trade Law.

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1. Introduction

Today, sanctions are a key component of foreign policy; they are no longer limited to general trade embargoes but are being used more and more as targeted tools against specific people, organisations, and sectors (Koehler, 2024:120–122). The transition from isolation to conditional engagement is reflected in this evolution, where sanctions are used to coerce state behaviour while maintaining open channels for negotiation (Drury et al,2014:27–30). States use sanctions to both punish and negotiate adherence to international norms as globalisation and international conflicts grow more complex (Peksen and Jeong,2021:897–899). However, sanctions are commonly criticised for harming civilian populations, particularly during humanitarian crises, even though their goal is to delegitimise targeted regimes (Koehler, 2024:123–125). Critics argue these measures risk becoming tools of dominance rather than diplomacy, particularly when powerful countries impose unilateral sanctions on less powerful states, potentially exacerbating inequality and undermining sovereignty (Drury et al,2014:34–36).

This article examines whether modern sanctions are effective as legitimate instruments of diplomacy or do they more often serve as tools of coercion that backfire on their intended purpose? To investigate, it will examine their legal foundations, and their application in contemporary disputes. It will also analyze strategic responses from both sanctioned states and third-party nations, exploring whether sanctions truly can be integrated into diplomatic frameworks or whether they tend to reinforce power asymmetries.

2. Theoretical Framework

2-1. Realism and Liberalism in Sanctions Diplomacy

The theoretical framework of sanctions diplomacy can be critically examined through the dual lenses of realism and liberalism. Two foundational theories in international relations that explain different behavioral approaches of states and also their global governance.

Realism, from its basis based on an anarchic international system, asserts that states are the primary actors driven by the pursuit of power and security. Sanctions, from a realist perspective, are tools of hard power used to compel adversaries, shift power balances, or assert dominance. Hence, realism says that if a state feel threatened or sees a chance to increase its power, it is justified in doing whatever is necessary to survive and maintain its position either by way of using diplomacy, sanctions, alliances, or even force.

Realists see sanctions as part of a larger strategy to deter or discourage actions that are against their desire, and to gain an advantage or control in global politics. In this framework, sanctions serve as non-military yet aggressive instruments of national interest, reflecting a zero-sum logic where gains by one actor necessarily imply losses for another (Mahmood, 2025: 28–31). In such a system, survival becomes the primary objective, because “in anarchy, security is the highest end. States will only try to achieve things like peace, wealth, or influence after they are sure they can survive. Consequently, even peaceful states must prepare for the use of force, as relying on others would leave them vulnerable to more aggressive powers.

A clear example of realism in sanctions diplomacy can be seen in the wide-ranging economic sanctions imposed on Russia by the United States, the European Union, and their allies after Russia invaded Ukraine in February 2022. From a realist perspective, these sanctions were not just acts of punishment, but strategic tools to weaken Russia’s military and economic power, and to prevent further expansion that could threaten the balance of power in Europe. Realists argue that in an anarchic international system, states act based on power and survival, and they must protect their own interests without relying on international institutions. Through measures targeting Russian banks, energy sales, and prominent political figures, Western states sought to curtail Moscow’s resources, dissuade additional military moves, and signal to other potential challengers the high cost of similar behaviour. Such an approach embodies a realist assumption that coercive tools, especially sanctions, help preserve strategic pre-eminence in an evolving international order.

On the other hand, liberalism offers a more cooperative and norm-driven reading of sanctions diplomacy. From this perspective, sanctions, although coercive, can be understood as tools through which states, acting collectively, reinforce shared rules, protect human rights, and preserve international order. When multilateral measures are advanced by organizations like the United Nations or the European Union, they embody less the desires of single countries and more a collective commitment to governance grounded in accepted standards (Mahmood, 2025: 29; Duguri et al, 2021: 3).

Liberalism in world politics typically stresses cooperation, acknowledges the guiding power of institutions, and champions norms such as democracy and human rights. Unlike realism, which privileges power calculations and

individual self-interest, liberal thought insists that states and international bodies can collaborate to curb violence and reward responsible conduct. A clear instance of this approach emerged after Myanmar's February 2021 coup, when Western democracies coordinated punitive steps aimed at junta leaders and their commercial networks in response to severe repression of civilians.

These sanctions were designed not to seize land or expand influence, but to compel the junta to restore elections and end grave human rights violations. The policies now under review emerged from sustained diplomatic talks, illustrating the liberal premise that collective international pressure can ultimately steer domestic conduct. Endorsements from leading human-rights organisations and frequent debates in global forums evidence an effort to shore up international law alongside broadly accepted ethical norms without resorting to force.

Realism centres on the hard calculus of power and security, while liberalism privileges cooperation and mutual standards; yet both lenses reveal the added intricacies modern sanctions now routinely embody. Today's sanctioning strategy blends competitive posturing with overtly collaborative signals, making a joint reading of realist and liberal ideas indispensable for anyone hoping to trace how these measures are crafted, deployed, and assessed against their original goals.

2-2.Distinguishing Sanctions from Embargoes: Forms and Functions

Sanctions take numerous shapes, and each variety pushes a targeted state in its own, sometimes subtle, direction. Although commentators often speak of penalties in sweeping terms, academic work still divides most measures into economic, political, and targeted bins. Under those labels one can find asset freezes, travel bans, arms embargoes, and tighter financial filters, among others. Any of these steps may come from a lone country or from a coalition of states, yet recent years have leaned toward measures that spare whole populations and zero in instead on specific people and firms. Analysts now tend to see sanctions not simply as punitive gestures but as purposeful instruments for upholding norms, deterring conflict, and pressuring diplomatic dialogue.

Although the terms embargo and sanction are often treated as twins, they actually differ in scope and aim. An embargo tends to create a broad, sweeping halt to trade and finance, hoping to wrap a target state in economic

isolation. Such measures tend to appear during wars, deep crises, or after blatant breaches of international law. Over time, powerful states have relied on embargoes to weaken rivals and force compliance. A well-known case is the 1960 U.S. embargo on Cuba, which blocked nearly all investment and commercial exchange.

During the apartheid years, the United Nations responded to South Africa racial policies by imposing an arms embargo that curbed the sale and transfer of weapons in and out of the country. Embargoes themselves can in turn be organised into several categories, including strategic, broad and multilateral types.

3.Methodology

The study employs doctrinal approach. Doctrinal approach is a library-based method which involves collecting and analyzing legal data from primary and secondary sources, such as legislation, article and scholarly writings (Althabhwai et al,2014). This journal uses a qualitative and doctrinal research approach, which means it focuses on understanding legal rules, international practices, and policy developments through written sources. Much of the information presented here originates from library-based research, with primary documents such as the United Nations Charter and WTO agreements serving as foundational sources. Secondary materials-academic journal articles, research papers, think-tank reports, and reputable news outlets-then illustrate how these sanctions have played out in concrete situations. To make the analysis more relevant, the paper includes case studies such as Iran, Russia, North Korea, and Myanmar to show how sanctions work differently depending on the situation. The paper also looks at Malaysia's position, especially how it navigates the global sanction system while staying engaged with initiatives like China's Belt and Road Initiative (BRI).

3-1.Legal Frameworks Governing Sanctions

International law primarily regulates the imposition of economic sanctions through the United Nations Charter, with Chapter VII providing the key norms. When the Security Council determines that a situation constitutes a threat to the peace, a breach of the peace, or an act of aggression, it is authorized to take enforcement action aimed at restoring international order. Following that determination, member States are obliged to carry out any binding resolution the Council adopts, including a range of measures

specified in Article 41 that fall short of military force. Those measures may consist of cutting diplomatic ties, freezing financial assets, or severing wider economic relations between the targeted State and the international community. Although the Council enjoys broad latitude in shaping the form and intensity of sanctions, that discretion must still serve the primary goal of preserving peace and cannot permanently violate fundamental legal principles (Sánchez Miranda, 2022:16-24). By permitting non-violent pressure through monetary and diplomatic channels, Article 41 thus supplies a lawful substitute for armed intervention while averting its attendant human costs.

Mandatory sanctions like asset freezes, travel bans, or trade obstacles carry a distinct legal weight; because they stem from Security Council resolutions, Article 25 of the United Nations Charter obliges all member states to enforce them. Viewed through this framework, UN sanctions rank among the most universally respected measures available to the international community. Yet their implementation inevitably overlaps with the more permissive, yet still binding, norms of the World Trade Organization, which are channelled through the General Agreement on Tariffs and Trade (GATT). In particular, GATT's Article XXI grants countries broad latitude to suspend normal trade in defence of essential national security, language that many delegations originally drafted with war or major internal strife in mind. Despite that latitude, WTO panels exercise meaningful scrutiny over the exception, and several high-profile disputes involving Russia and Ukraine illustrate how members risk losing a case if they cannot prove a genuine and proportionate threat.

Beyond treaty language, long-standing state practice grounds economic sanctions in customary international law, reinforcing arguments that countries may lawfully employ restrictive measures to deter violations of community norms, protect their citizens, or shield allies from harm. According to the Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA), when a state violates its international obligations, the injured state may impose countermeasures, including economic and trade sanctions, to stop the violation and seek reparation. These countermeasures can be imposed directly by the affected state, or in some cases, by third-party states if a general obligation owed to the international community which is known as *erga omnes* is breached.

However, the legal framework for such sanctions under customary international law remains unclear and contested. A major issue is the uncertainty around the territorial reach of sanctions of whether they can apply beyond the borders of the state that imposes them. The differing practices of powerful actors like the United States and the European Union have contributed to this confusion. Additionally, there is no clear standard for what makes a sanction appropriate or proportional, raising concerns about the legality and effectiveness of certain economic sanctions (Sánchez Miranda,2022:36).

3-2.Strategic Alignment and Adaptive Responses by the Targeted States

Sanctions can lead to serious consequences on the local industry and economy of the sanctioned country leading them to seek alternatives to strive for the impact in sustaining their economy despite the sanction. For example, sanctions have unintended effects where they prompt sanctioned states to develop local industries, build alternative alliances, and reduce reliance on Western institutions.

With the current global issues, more economic sanctions are being used. However, the countries targeted by these sanctions often respond by strengthening their local economies, resisting the sanctions on the world stage, and finding ways to work around them (Yulia Erport & Tomer Fadlon, 2023:94). Sometimes, sanctions can actually help the country being punished in unexpected ways. For example, people in the country may unite and work harder to support their own economy. In Iran, this led to growth in local industries. Sanction in Iran has led to the self-reliance economy sufficiency where they shifted to the reliance on local production.U.S sanction on Iran financial and central bank had restricted the access to the global market which indirectly affected the oil industry of Iran. However, this has created a new development to the non-oil sector including manufacturing and industrial equipment production which has boosted the local economy (Majidi and Zarouni,2022:24). If effectively managed, this self-sufficiency strategy not only reduces vulnerability to future sanctions but also promotes industrial transformation and a positive trade balance.

Another example is in North Korea. North Korea coped so well in mitigating the consequences of sanction by studying and understanding the new sanction imposed on them since they have been imposed for sanction for so many years. For example, they created connections and strengthened relationships with China which helped to boost the North Korea economy

through their trade activities. In 2011, North Korean mineral exports to China generated significant income, up to US\$6 billion, with 60 percent coming from mineral exports (Park,2014:203). Moreover, China also helps North Korea bypass sanctions by using their shared border and third-party companies to secretly reroute restricted goods into North Korea through indirect trade channels (Yulia Erport & Tomer Fadlon,2023:97).

This success shows long-term exposure to sanctions, coupled with strategic alliances as North Korea had with China, can enable sanctioned states not only to survive but to sustain and even grow critical sectors of their economy. Hence, this will suppress the intended sanction that was aimed to collapse their country's economy.

3-3.Legal Soft Power and Strategic Realignment: Malaysia's Role in the Evolving Sanctions Landscape

Malaysia shows how a country can use legal and diplomatic tools instead of imposing harsh sanctions to manage its position in global trade. Rather than applying sanctions or direct pressure, Malaysia focuses on building strong economic ties through regional trade agreements (RTAs) and projects like China's Belt and Road Initiative (BRI). These efforts allow Malaysia to improve trade access and stay connected with major economies, especially during times of global tension. For example, by joining both the CPTPP and RCEP, Malaysia is seen as balancing between U.S. and China interests while protecting its economy through formal legal agreements (Althabhwai et al, 2024,95–97). The BRI, though based on non-binding agreements like MoUs, still helps Malaysia strengthen ties with China and support national development goals (Althabhwai et al.,2024:195–197).

However, Malaysia cannot avoid being affected due to the conflict between China and the U.S. which disrupted supply chains and influenced investment patterns. Malaysia responded by welcoming relocated businesses and seeking new trade partners (Ahmad Mukhdzmir et al.,2024:125–127). To manage such risks, Malaysia relies on legal dispute systems like the WTO and ISDS to protect its trade rights in a fair, rule-based way (Ahmad Mukhdzmir et al.,2024:131–133). These choices show how Malaysia uses legal soft power and smart diplomacy to avoid conflict, support its economy, and stay connected globally.

3-4.The Diplomatic Turn: Sanctions as Negotiation Tools

According to bargaining theory, as developed by scholars such as Fearon (1995) and Drezner (2011), sanctions are not merely punitive measures, but integral parts of a strategic negotiation process between states (Brown,2024: 4). From this perspective, sanctions are tools to shift the cost benefit analysis of the targeted state, by combining pressure with diplomatic incentives to compel policy change or compliance with international norms. Rather than aiming solely to weaken or isolate a regime. Sanctions when designed within a diplomatic framework serve as leverage in reaching political settlements. Brown (2024:4) supports this view, arguing that the effectiveness of sanctions depends not only on their severity but also on the willingness of both sender and target to engage in meaningful negotiation. This theory underscores that sanctions alone rarely yield results unless they are part of a broader diplomatic mechanism that includes the possibility of relief in exchange for behavioral change.

This dual-purpose nature of sanctions can be understood based on the real cases of sanction that happened nowadays. When economic sanctions are imposed, they create financial pressure on the targeted country, often forcing it to reconsider its actions to protect its own economic interests. This kind of pressure can push a country toward negotiations as a way to ease the impact of those sanctions (Saaida and Amro,2023:11). A good example of this is the case of Iran. The United States imposed sanctions on Iran over concerns about its nuclear program, but alongside the pressure, it also offered a relief from sanctions in exchange for compliance according to international law by abiding by the nation's security. This approach led to the 2015 Joint Comprehensive Plan of Action (JCPOA), an agreement reached between Iran and six world powers (P5+1) that linked sanctions relief to Iran's compliance with nuclear inspection and limits (Rafique and Nadeem,2023:45). The JCPOA is a clear example of how sanctions can be part of a broader diplomatic effort, encouraging both sides to compromise and work toward shared goals.

In conclusion, sanctions can be effective tools for negotiation when they are used not just to punish, but to encourage dialogue and offer a path to compromise. When combined with diplomatic incentives, sanctions can pressure states to change their behavior while still leaving room for cooperation and peaceful resolution, as shown in the case of Iran's nuclear agreement.

3-5.Humanitarian Impacts and Ethical Challenges

Usually, sanctions are imposed solely in response to violations of international law. In practice, they may be applied in situations involving “a threat to the peace, a breach of the peace, or an act of aggression”, as stated in Article 39 of the UN Charter. This is especially relevant in the context of humanitarian crises resulting from human rights violations. Acts of aggression such as massacres, war crimes, or systematic oppression can justify the imposition of sanctions by other states in fulfilment of their duty to uphold and promote international human rights norms. Sanction has been evolving as a foreign policy to achieve the state's desired outcomes. However, while it's always aimed at attacking the state economy and the government itself, it commonly has unintended consequences that inadvertently cause harm to the humanitarian crisis. This normally affects the shortage of food supplies, medicine supply and other basic essentials. Things get even worse when the states involved were listed by the UN, US, EU or other countries as a terrorist country where humanitarian aid will be more difficult to access (Hoye, 2024:158).

One key example is the humanitarian impact on the sanction on Afghanistan. The United States has frozen Afghanistan's central bank assets held abroad, and Western donors suspended funding through institutions like the World Bank and IMF. Following the August 2021 coup, the Taliban and many of its government officials were placed under UN and U.S. sanctions, targeting funds and restricting financial dealings. With the money frozen, the cash cannot be withdrawn and led to serious financial issues among the ordinary citizens. This caused prices of basic goods to increase, making the civilian unable to buy food. At the same time, the health care system broke down as hospitals ran out of medicine and health workers were left unpaid. This can also be traced back during the sanction imposed by the UN on the Taliban after the Al-Qaeda bombing on the US's embassy in Dar es Salaam and Nairobi in 1999. As part of the UN sanctions, Ariana Afghan Airlines was compelled to halt all international flights. Afghanistan's state-owned aircraft had been the principal mode of transportation for humanitarian aid and medical supplies entering the nation (Dorsey, 2024). This airline, owned by the Afghan government, was the main way for bringing in humanitarian aid and medical supplies to the country so when the operation was prohibited

this has led to circumstances in supplying all of the basic necessities needed affecting the life state of the civilian.

The Afghanistan case is a clear reminder that sanctions meant to target governments or regimes can unintentionally cause serious harm to civilians. This creates important ethical concerns and highlights the need to learn from such cases, especially as current global sanctions continue to affect ordinary people the most.

3-6.Effectiveness of Sanction

Economic sanctions are one of the most commonly used tools in international relations, but they're rarely examined closely. Usually, people judge how "effective" sanctions are based on how quickly they change a country's actions. However, this view overlooks the more complex roles sanctions can play, such as putting pressure on, limiting, or sending a message to the targeted country (Giumelli,2024:218). To properly judge sanctions, we need to clearly separate four things which are the impact by assessing the actual damage to the economy or politics, effectiveness on whether the sanctions achieved their goals, efficiency of the sanction by reviewing how much was spent compared to what was gained, and success of the sanction by looking at how well it fit into bigger strategy. (Pala,2021: 240).

A sanction that successfully reaches its goal is usually a sanction that has clear,realistic goals that are not too ambitious and it will become more effective when imposed multilaterally which will put more pressure that restricts the target country. Successful sanctions also tend to focus on specific areas such as key industries or targeting individuals in possession of power rather than harming the general population. Most importantly, they work best when they're part of a broader plan that includes diplomacy and security efforts (Pala,2021:247–248). A good example is the international pressure that pushed Iran to agree to the 2015 nuclear deal. In that case, sanctions were supported by active diplomacy, and the result was a real policy shift.

One most notable successful sanction was the economic sanction imposed on South Africa during the Apartheid era which the aim was to prevent racism.Starting in the 1960s and growing stronger in the 1980s, countries around the world imposed economic, trade, and cultural sanctions on South Africa to protest its racist system of apartheid. In the 1980s, the international community, particularly the United States, the European Economic

Community (EEC), and the United Nations (UN), imposed comprehensive trade and financial sanctions on South Africa, targeting its banking sector and export-dependent industries (Hufbauer et al.,2009:246). These included arms embargoes, financial restrictions, and boycotts of South African goods and sports teams. While the change didn't happen overnight, the combined pressure from sanctions, global public opinion, and internal resistance eventually helped force the South African government to end apartheid in the early 1990s (Dantata,2025:184). This case shows that when sanctions are widely supported and tied to a clear moral cause, they can help bring about real political reform.

On the other hand, sanctions tend to fail when their goals are too vague or too extreme, when they are not properly enforced, or when the countries applying them misunderstand the target's political situation. For example, the sweeping UN sanctions against Iraq in the 1990s, and ongoing sanctions on North Korea, have not changed those regimes. In fact, authoritarian governments can use the sanctions to stir up anti-foreign sentiment, blaming outside enemies for their own problems (Pala,2021:249). Meaning to say, when authoritarian governments are hit with sanctions, instead of making changes, they use the situation to their advantage. They tell their people that the real problem is not their own bad policies, but the actions of foreign countries trying to harm them. This creates anger toward outsiders and helps the government look like a victim or protector of the nation. As a result, the people focus their frustration on foreign enemies instead of blaming their own leaders.

More recently, despite wide-ranging sanctions against Russia, the country has not pulled back from its war in Ukraine. Russia's economy has held up better than expected, partly because of wartime production, support from third-party countries, and the fact that not every major economy agreed to enforce the sanctions (Giumelli,2024:213–216). These cases show a common weakness which is when sanctions are not backed by strong and unified enforcement, the targeted country often finds ways to adapt, lessening the pressure. Even though heavy wartime spending and continued trade with China and India have kept the Russian economy from collapse, sanctions have still made the conflict more expensive by blocking advanced military technology and squeezing key revenues which the effects that are likely to grow over time (Giumelli,2024:215).

Furthermore, recent U.S. proposals to impose a 500% tariff on Russian oil, alongside secondary sanctions on countries such as China, India, Brazil, and Turkey that continue importing from Russia, reflect a shift in sanctions policy toward aggressively reshaping global trade alignments. Senator Lindsey Graham's 2025 bill, known as the Sanctioning Russian Energy Networks Act, aims not only to pressure Moscow into negotiating over the Ukraine conflict but also to punish countries that bypass Western sanctions. The proposal has drawn concern from economists and diplomats alike, who warn that such sweeping or vague penalties may backfire by triggering retaliatory trade measures and weakening multilateral coordination. With China and India being major energy consumers and influential players in global South cooperation, aggressive U.S. tariff strategies may unintentionally motivate these states to deepen their trade independence and reliance on parallel financial systems like China's CIPS, undermining the effectiveness of future sanctions diplomacy.

Economic sanctions should not be evaluated through a simplistic, black-and-white lens. As noted by Giumelli (2024) and Pala (2021), even when sanctions do not result in immediate or dramatic changes such as regime collapse or the end of military aggression, they can still play a significant role in weakening a targeted state over the long term. Sanctions can erode a regime's financial and technological capacity, hinder its military development by restricting access to critical components, and send a powerful symbolic message to the international community that certain actions such as territorial aggression or human rights violations are unacceptable. These effects may not be immediately visible in macroeconomic indicators or political behavior, but they contribute to gradually raising the cost of the targeted state's actions. Therefore, the true value of sanctions lies in how well they support a broader foreign policy strategy. As both authors stress, the most effective sanctions are those that begin with clear, limited, and realistic goals, rather than sweeping or vague demands. Moreover, their success is heavily dependent on the unity of international cooperation in enforcing them. Without widespread cooperation, targeted states can easily combat the restrictions by strategising new trade and financial transactions through alternative partners. Thus, for sanctions to be truly effective, they must be carefully designed, strategically integrated, and backed by a coordinated global effort (Giumelli, 2024: 213; Pala, 2021: 243).

3-7.Challenges and Criticisms

Although sanctions are often portrayed as peaceful alternatives to military action and as mechanisms to uphold international law, their actual implementation is frequently plagued by significant shortcomings. One of the key criticisms is the issue of selective enforcement, whereby powerful nations impose sanctions based on their own political or economic agendas rather than on consistent legal or ethical principles. For instance, countries such as the United States, Japan, Canada, and members of the European Union have been criticised for making unilateral decisions without transparent consultation, often excluding other members of the World Trade Organization (WTO). This practice raises concerns about the legitimacy and impartiality of sanctions as tools of international justice.

Ongoing gaps in the way sanctions are applied have convinced numerous analysts that some governments simply treat certain countries better than others. When a small or developing nation challenges the rules, it is often hit with swift, sweeping penalties; by contrast, larger states can behave in bolder or even more damaging ways yet frequently escape the same fallout. This unequal treatment erodes confidence in the rules themselves and encourages the impression that sanctions are really just political tools rather than impartial means of holding governments to account. Rather than lending order to the system, overlapping and often conflicting regimes create a patchy and confusing environment on the world stage.

Picture a country under tough American sanctions because of claimed human-rights violations, yet it still moves goods and services across the Atlantic to European partners that impose lighter and often far less visible controls. In Washington the ban might cover only oil exports and certain dealings with foreign banks, while in Brussels grand-sounding restrictions choke nearly every trade artery, promise after promise leaving diplomats and relief agencies, even U.N. offices, guessing what is off-limits today and which crack might reopen tomorrow. Without one clear rulebook, global firms spend enormous time and money checking each territory's do-and-dont list and sidestepping clashes between rules that rarely line up.

Policymakers often advertise sanctions as a way to punish despotic leaders and force them toward more acceptable conduct, yet it is the unprotected civilian population that suffers first and hardest. Instead of singling out regime insiders, sweeping measures strangle whole economies, interrupt food

supplies, and black out power grids, creating a slow and steady misery for households that have no say in official decisions. The experiences of Iraq, Iran, and Venezuela show this pattern clearly; broad embargoes have turned routine shortages of water, medicine, and even electricity into grim fixtures of daily life, while strained hospitals wait helplessly for funds and goods that remain stuck in transit or frozen abroad.

Because national-security language is vague and can be framed almost any way, governments use sanctions in ways that suit their own priorities. Under this broad rubric, stronger countries pick and choose the trade they allow, hammer selected partners with embargoes, and keep around WTO limits while leaving others—and often the affected public—wisely blind. When officials label something a security risk the rough fallout goes hidden while only a handful of well-connected firms trade as usual, dimming or drowning the original aim of punishing rogue actors. By wielding these home-made legal arguments, powerful states slip the shackles that smaller countries must wear, eroding the norm of sovereign equality and casting shadow over the global credit of the rule of law.

Whenever governments exploit reporting loopholes or cite selective legal clauses, diplomats and citizens begin to question the fairness and trustworthiness of the very institutions meant to enforce order. What ought to be impartial instruments for restoring stability can instead appear as blunt bargaining chips that richer states use to promote their own agendas. Announcements issued just as a negotiation collapses start to sound less like careful policy and more like the first volley in an unspoken economic conflict. Rushed sanctions rarely calm disputes or finish fistfights; they tend to pour petrol on the embers that are already glowing. By cutting off options for the targeted leadership, such measures often stiffen elite resolve, ignite nationalist slogans, and unite ordinary people behind a flag that promises only a hard end to diplomacy.

Punitive measures are more likely to promote peace when they are introduced in an orderly, visible manner and when their design takes civilian life into full account. If rules are kept secret, if favouritism creates exemptions, or if penalties shut down hospitals and schools, the general population pays the heaviest price, the guilty escape real pain, and the legitimacy of restraint collapses. Sanctions that tie fines to independent review, that openly debate and close loopholes, and that consistently include

lifesaving waivers thus stand the best chance of steering politics toward greater fairness and quieter relations over time.

3-8. Compatibility with International Law

Governments regularly describe economic sanctions as lawful tools for upholding international order, particularly when a state resorts to illegal occupation, outright aggression, or even genocide, or when fast-rising threats to global peace emerge. When designed and implemented carefully, these measures allow countries to push back against self-styled rogue regimes while avoiding the massive human toll and cost burden that a military invasion or similar intervention usually brings. In recent years, the so-called targeted or smart sanctions have gained prominence, aiming to freeze assets, deny visas, and block crucial imports to guilty officials firms, or whole industry blocks, while sparing ordinary citizens from the suffering that broad embargoes routinely cause.

Even with their obvious practical upsides, legal scholars and judges working in the international arena keep questioning whether many high-profile and often unilateral sanction schemes actually respect the rules the international community has already agreed on. A theme that comes up again and again is the non-discrimination principle woven into the World Trade Organizations fabric. Under WTO rules, members promise to treat each other's goods and services on an equal footing, but whenever unilateral-or even coordinated-sanctions lack solid legal backing they can slip into the role of invisible trade barriers that advantage one economy at the expense of others. When whole jurisdictions are shut out from finance, energy, or big domestic markets based solely on politically drawn blacklists, observers rightly ask if the decision-making is truly neutral, a question that threatens the credibility that WTO law was meant to protect in the first place.

Sanctions are usually drafted and rolled out in closed rooms, so outsiders struggle to read the legal fine print. The heavy lifting almost always rests with rich, militarized states steering key committees at the World Trade Organization, United Nations Security Council, and similar forums. That power gap nudges smaller countries to the sidelines, re-drawing old hierarchies across the global governance landscape. Whenever deals emerge from private huddles or a tight coalition, the idea of international law as a neutral yardstick loses credibility.

Deep legal trouble starts when sanctions unintentionally collide with recognized human rights standards. Measures that broadly cut off health care, food, schools, or shelter can put states at odds with the International Covenant on Economic, Social, and Cultural Rights. Policies aimed at upholding justice thus risk inflicting humanitarian harm, undermining the very values the sanctions were originally designed to protect.

A careful and balanced legal framework is therefore necessary. Under Chapter VII of the UN Charter, the Security Council may authorize sanctions in response to serious threats to the peace, evident violations of international law, or outright acts of aggression. Even so, those coercive measures must meet core legal criteria: they must be proportionate, non-discriminatory, and established through clear and accessible procedures. Above all, they must honour state sovereignty and protect the rights and welfare of ordinary civilians caught up in the crisis.

When designed within that open legal framework and supported by broad multilateral consensus, sanctions can reinforce global norms and help settle disputes without resorting to force. But if misapplied or used selectively, they risk turning international law into an instrument of power politics, eroding its credibility as a universal and principled system for justice and cooperation.

4. Conclusion

Growing tension and also global crises have developed the diplomacy initiatives from imposing trade embargoes to stop trading to imposing a larger punishment by using sanctions to completely put a halt to all aspects of the sanctioned states from completely functioning. The current use of sanctions can be seen as a success but nevertheless questionable, as far as it effectively fulfils its purpose, which is still up for debate, by relying on the current sanctions that took place in the global crisis we are facing in today's international relations. However, it is undeniable that sanctions also help to ensure the protection of human rights and the sovereignty of the states where sanctions are normally imposed with the aim that the targeted states comply with the international norm, such as in the sanctions imposed on Russia for its invasion of Ukraine. Hence, we can see that sanction use today is not meant merely for punishment but also to promote compliance with international law by influencing the internal state behaviour and upholding values like human rights, state sovereignty and the rule of law. However, overreliance on sanctions creates wonder about how it effectively imposes

them when some actions taken can lead to misuse of sanctions as a tool of coercion and self-interest, especially in the hegemony battle of states such as big players like the U.S. and China. Furthermore, selective enforcement by powerful states can lead to perceptions of double standards, which undermines international cooperation. The effectiveness of sanctions is influenced by their legal basis, proportionality, transparency, and integration into broader diplomatic strategies. To maintain credibility, sanctions must be implemented rightfully according to law. If used appropriately, they can be useful alternatives to settle conflict in international relations without using military power. But when misused, they could escalate conflict and put civilians in danger, which is contrary to the principles they are supposed to support.

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References

1. Ahmad Mukhdzamir Maha; Amierul Hakimie Luqman Yusli; Ariff Luqman Zukafli; Irna Maisara Hasman; Jady Zaidi Hassim; Wan Farahiyah Izni W Abd Rahman; Ali Mohammed Shanani Al-Janabi. (2024). "The Implication of International Disputes on International Trade: Malaysia as a Case Study." *Geopolitics Quarterly* 20 (Special Issue): 117–139.
2. Althabhwawi, N.M; Zainol, Z.A. (2014). The patent legal system in Iraq: The path to efficiency of its statutes. *World Patent Information*, 36, 32-35.
3. Althabhwawi, Nabeel; Cheng Jia Hui; Hew Min Min; Li Xue; Parviz Bagheri; Oli Saad Ali Al-Jubouri. (2024). "An Analysis of the Impact of China's Belt and Road Initiative towards Malaysia." *Geopolitics Quarterly* 20 (Special Issue): 183–209.
4. ASEAN. (2022). "Regional Comprehensive Economic Partnership (RCEP): Overview and Updates." Association of Southeast Asian Nations. <https://asean.org/rcep-overview/>
5. Baek, B.S. (2008). "The Iraq Sanctions: Humanitarian Implications and Legal Issues." *International Journal of Korean Unification Studies* 17 (2): 1–24.
6. Biersteker, Thomas J.; Sue E. Eckert. (2008). *Strengthening Targeted Sanctions through Fair and Clear Procedures*. United Nations.
7. Biersteker, Thomas J; Sue E. Eckert; Marcos Tourinho. (2016). *Targeted Sanctions: The Impacts and Effectiveness of United Nations Action*. Cambridge: Cambridge University Press.
8. Brown, Sopia. (2024). "Economic Sanctions as a Tool of Foreign Policy: Effectiveness and Ethical Considerations." *International Journal of Transcontinental Discoveries* 11 (1): N.P. <https://internationaljournals.org/index.php/ijtd>.
9. Cipriani, Marco; Linda S. Goldberg; Gabriele La Spada. (2023). "Financial Sanctions, SWIFT, and the Architecture of the International Payments System." SSRN. <https://ssrn.com/abstract=4336483>.
10. Cortright, David; George A. Lopez. (2000). "The Limits of Coercion." *Bulletin of the Atomic Scientists* 56 (6): 18–20. <https://doi.org/10.2968/056006007>.
11. Dantata, B.S. (2025). "The Role of Economic Sanctions in Shaping Global Power Dynamics: Effectiveness and Consequences." *Journal of Political Discourse* 3 (1): 181. <https://www.jopd.com.ng>.
12. Davey, William J. (2011). "The WTO and the Interpretation of National Security Exceptions: Article XXI of the GATT 1994." In *International Economic Law and Institutions: Essays in Honor of Mitsuo Matsushita*, edited by J. H. Jackson, 17–33. Oxford: Oxford University Press.
13. Dorsey, Delaney. (2024). "Sanctions Failed in Afghanistan. They Also Hurt Women the Most." Inkstick Media, February 5. <https://inkstickmedia.com/>

- sanctions-failed-in-afghanistan-they-also-hurt-women-the-most./
14. Drezner, Daniel W. (2011). "Sanctions Sometimes Smart: Targeted Sanctions in Theory and Practice." *International Studies Review* 13 (1): 96–108.
 15. Drury, A. Cooper; Patrick James; Dursun Peksen. (2014). "Neo-Kantianism and Coercive Diplomacy: The Complex Case of Economic Sanctions." *International Interactions* 40 (1): 25–51. <https://doi.org/10.1080/03050629.2013.863194>.
 16. Duguri, Usman Safiyanu; Isyaku Hassan; Yusuf Kamaluddeen Ibrahim. (2023). "International Relations, Realism, and Liberalism: A Theoretical Review." *International Journal of Social and Humanities Extension* 2 (1): 1–6. <https://www.ijshe.info/index.php/ijshe>.
 17. Erport, Yulia; Tomer Fadlon. (2023). "Economic Maneuvering: How States Evade Economic Sanctions." *Strategic Assessment* 26 (2): 91–108.
 18. Financial Times. (2024). "HSBC Hong Kong Joins China's Alternative to Swift Global Payments System." *Financial Times*, October 24. <https://www.ft.com/content/2c96f54c-f831-495b-85ca-4defaf5432f0>.
 19. Giumelli, Francesco. (2024). "A Comprehensive Approach to Sanctions Effectiveness: Lessons Learned from Sanctions on Russia." *European Journal on Criminal Policy and Research* 30: 211–228. <https://doi.org/10.1007/s10610-024-09585-x>.
 20. Government of Malaysia. (2019). "Shared Prosperity Vision 2030." https://en.wikipedia.org/wiki/Shared_Prosperty_Vision_2030.
 21. Hoye, J. Matthew. (2024). "OFAC, Famine, and the Sanctioning of Afghanistan: A Catastrophic Policy Success." *New Political Science* 46 (2): 150–170.
 22. Hufbauer, Gary C; Jeffrey J. Schott; Kimberly A. Elliott; Barbara Oegg. (2009). *Economic Sanctions Reconsidered*, 3rd ed. Washington, D.C.: Peterson Institute for International Economics.
 23. Klabbers, Jan. (2017). *International Law*, 2nd ed. Cambridge: Cambridge University Press.
 24. Koehler, Anna Franziska. (2024). "Inhumane Diplomacy: A Systematic Review on the Effects of International Sanctions on Poverty." *International Trade, Politics and Development* 8 (3): 118–143. <https://doi.org/10.1108/ITPD-02-2024-0008>.
 25. Lopez, George A; David Cortright. (2002). *Smart Sanctions: Targeting Economic Statecraft*. Lanham, MD: Rowman & Littlefield.
 26. Mahmood, R.M. (2025). "Power in International Relations: Insights from Realist and Liberal Theories." *European Scientific Journal* 21 (8): 27–38. <https://doi.org/10.19044/esj.2024.v21n8p27>.
 27. Majidi, A; Z. Zarouni. (2022). "The Impact of Sanctions on the Economy of

- Iran.” *The Open Access Journal of Resistive Economics* 10 (1): 11–27.
28. Malanczuk, Peter. (1997). *Akehurst’s Modern Introduction to International Law*, 7th rev. ed. London: Routledge.
29. Ministry of International Trade and Industry Malaysia. (2022). “Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP): Malaysia’s Ratification and Benefits.” <https://www.miti.gov.my/index.php/pages/view/4698>.
30. Mukhdzmir Maha; Ahmad, et al. (2024). “The Implication of International Disputes on the International Trade: Malaysia as a Case Study.” *Geopolitics Quarterly* 20 (Special Issue): 117–139.
31. Nephew, Richard. (2017). *The Art of Sanctions: A View from the Field*. New York: Columbia University Press.
32. Pala, Tadeáš. (2021). “The Effectiveness of Economic Sanctions: A Literature Review.” *The NISPAce Journal of Public Administration and Policy* 14 (1): 239–266. <https://doi.org/10.2478/nispa-2021-0009>.
33. Park, John S. (2014). “The Key to the North Korean Targeted Sanctions Puzzle.” *The Washington Quarterly* 37 (3): 199–214. <https://doi.org/10.1080/0163660X.2014.978444>.
34. Peksen, Dursun; Jin Mun Jeong. (2021). “Coercive Diplomacy and Economic Sanctions Reciprocity: Explaining Targets’ Counter-Sanctions.” *Defence and Peace Economics* 33 (8): 895–911. <https://doi.org/10.1080/10242694.2021.1919831>.
35. Portela, Clara. (2010). *European Union Sanctions and Foreign Policy: When and Why Do They Work?* London: Routledge.
36. Rafique, Sadia; Daman Nadeem. (2023). “Politics of US Sanctions against Iran: An Analysis of the Time Period from 2000 to 2020.” *UCP Journal of Humanities & Social Sciences* 1 (2): 35–53.
37. Reuters. (2024). “Malaysia to Support Palm Oil Producers’ Compliance with EU Deforestation Law.” Reuters, September 27. <https://www.reuters.com/markets/commodities/malaysia-support-palm-oil-producers-compliance-with-eu-deforestation-law-2024-09-27/>.
38. Reuters. (2025). “Short Take: Chad Seeks \$630 Million Financial Support from IMF.” Reuters May 23. <https://www.reuters.com/world/africa/short-take-chad-seeks-630-million-financial-support-imf-2025-05-23/>.
39. Rohimi, Arif Husaini Mohammad, et al. (2024). “Malaysia’s Regional Trade Agreements: The Law, Geopolitics, and Impact on the Multilateral Trading System.” *Geopolitics Quarterly* 20 (Special Issue): 87–116.
40. Rushmeen, S. (2024). “Diplomatic Strain: Analyzing Implications of Recent US Sanctions on Pakistan.” *Modern Diplomacy*, April 26. <https://modern-diplomacy.eu/2024/04/26/diplomatic-strain-analyzing-implications-of-recent-us-sanctions-on-pakistan/>.

41. Saaïda, Mohammed B.E; Azzam Amro. (2023). "The Effects of Economic Sanctions on International Relations." *Al Istiqlal University Research Journal* 8 (2): 1–18. <https://journal.pass.ps/index.php/aurj/article/view/385>.
42. Sánchez Miranda, Manuel. (2022). *When Sanctions Become Weapons: The Relationship between the WTO System and the Broader International Law in the Governance of Economic Sanctions*. SSRN. <https://ssrn.com/abstract=4288662>.
43. Tauseef, N; S. Legacy. (2024). "International Relations Theory and Practice: Revisiting Realism, Liberalism, and Constructivism in a Changing World." ResearchGate. <https://www.researchgate.net/publication/386341651>.
44. The News International. (2023). "Barter Trade Is a Useful Tool but Not a Magic Solution." *The News International*, June 12. <https://www.thenews.com.pk/print/1077168-barter-trade-useful-tool-but-not-magic-solution>.
45. UNCTAD. (2022). *Trade and Development Report: Financialization and Dedollarization in the Global South*. United Nations Conference on Trade and Development. <https://unctad.org>.
46. United Nations. (2020). "UN Sanctions: How Are They Created and Monitored?" <https://www.un.org/securitycouncil/sanctions>.
47. United Nations. (2023). "Malaysia-UNESCO Cooperation Programme (MUCP): Enhance South-South Cooperation." <https://sdgs.un.org/partnerships/malaysia-unesco-cooperation-programme-mucp-enhance-south-south-cooperation>.
48. Van den Bossche, Peter; Werner Zdouc. (2017). *The Law and Policy of the World Trade Organization: Text, Cases and Materials*, 4th ed. Cambridge: Cambridge University Press.
49. Williams, Simon. (2024). "The Pandemic Agreement and the New Age of Global Health Diplomacy." *Time*, May 21. <https://time.com/7287603/simon-williams-essay-pandemic-agreement/>.

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