

THE CASE AGAINST ECONOMIC SANCTIONS



Inhumane and contrary to international law — it's time to end the use of broad, unilateral sanctions.

Economic sanctions have become a go-to US foreign policy tool. In recent decades, the number of sanctions imposed by the US has more than quadrupled. But this extreme reliance on a single tool has come with little debate on its merits, and even less honest assessment of the human costs.

Today, a growing body of evidence makes clear that broad, unilateral sanctions undermine the global rule of law and severely harm millions of innocent people.

Sanctions Are Inhumane

The evidence that economic sanctions significantly harm civilian populations is overwhelming. Broad sectoral sanctions are known to stunt overall economic growth; hinder access to essential goods such as food, energy, and medicine; obstruct humanitarian activity; and, as a result, generate additional poverty, hunger, disease, and even mass deaths. These harms are disproportionately borne by women and other vulnerable and marginalized sectors.

A recent literature review showed that 30 of 32 academic, econometric studies found that broad sanctions have a significant negative impact on measures such as income, poverty, mortality, and human rights. One study associated sanctions with an average decline in per capita GDP of 26 percent — roughly the magnitude of the Great Depression. Others found that sanctions caused a 1.4 year decrease in women's life expectancy — comparable to the global decline in life expectancy

as a result of COVID-19 — and a 2.5 percent increase in rates of HIV infection among children.

The sanctions imposed on Venezuela in 2017 by Donald Trump are estimated to have caused tens of thousands of deaths in their first year. Sanctions on North Korea are believed to have led to the deaths of approximately 4,000 civilians in 2018 alone.

The Indiscriminate Nature of Sanctions May Be Intentional

From Cuba to North Korea to Iran, many sanctions regimes have been in place for decades with no obvious result but the suffering of everyday people. To some policymakers, though, as indicated by statements from former secretary of state Mike Pompeo, the cruelty is the point. In a letter urging President Biden to “lift all secondary and sectoral sanctions imposed on Venezuela by the Trump Administration,” then **US House Rules Committee Chair Representative Jim McGovern** noted:

“ The impact of sectoral and secondary sanctions is indiscriminate, and purposely so. Although U.S. officials regularly say that the sanctions target the government and not the people, the whole point of the ‘**maximum pressure**’ campaign is to increase the economic cost to Venezuela... Economic pain is the means by which the sanctions are supposed to work... it is not Venezuelan officials who suffer the costs. It is the Venezuelan people.”

Sanctions Are Illegal

Many legal scholars argue that all unilateral sanctions are illegal, as only the UN Security Council has a mandate to impose sanctions. Unilateral sanctions may also violate specific treaties to which the US is a party, such as the Charter of the Organization of American States, which declares: “no State may use or encourage the use of coercive measures of an economic or

political character in order to force the sovereign will of another State.”

Certain sanctions may also be illegal as a result of the harm they cause to civilian populations, violating international human rights law and treaty obligations such as the Vienna Declaration. Both the Hague and Geneva Conventions, to which the

US is a signatory, prohibit collective punishment of civilians as well. While these only strictly apply in wartime, it is arguably worse that their tenets would be violated outside of war.

Maintaining these sanctions, in spite of their illegality, severely erodes the global rule of law.

Sanctions Are Unpopular at Home

60% of Americans agree the US should lift sanctions.

A recent poll indicated that **nearly 60 percent of the US public** believes the United States should lift sanctions that harm ordinary citizens — which all broad economic sanctions do.

Are Sanctions Targeted?

While certain sanctions are more targeted than others, even purportedly targeted sanctions can have significant spillover effects. Sanctions on a single corporation — such as a state-owned oil company on which a country's economy is heavily dependent — can prove devastating for an entire country. And sanctions on an individual government official may, in practice, prevent entities from engaging with an entire government agency, with potentially harmful spillover effects on the economy, and therefore for ordinary citizens. Targeted sanctions also have a “chilling effect” on nonsanctioned activity, as companies and investors often completely avoid dealing with all institutions and financial entities in sanctioned countries for fear of penalty or a future expansion of restrictions.

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Do Humanitarian Exemptions Provide Relief in Sanctioned Countries?

In theory, most sanctions regimes have exemptions for certain humanitarian activities and essential goods, like food and medicine. In practice, overcompliance with sanctions provisions, costs associated with navigating regulations, and restrictions on related activities like import financing significantly undermine humanitarian access, regardless of any exemptions.

One humanitarian NGO reports that it took nearly a year and a half to gain clearance just to ship 16 boxes of beans to North Korea.

Moreover, any measure of relief provided by humanitarian exemptions is typically far outweighed by the widespread, devastating effects of the sanctions themselves.

What Can Congress Do?

Members of Congress can also act immediately to:

- Require comprehensive assessments of the humanitarian impact of sanctions.
- Reform the International Emergency Economic Powers Act to limit the president's power to sanction without congressional authorization.

Above all, members of Congress can use their influence, both in urging Executive action and, where relevant, by passing legislation, to help **eliminate the use of unilateral economic sanctions— ending current sanctions regimes and preventing the establishment of new ones.**

