

THE IMPACT OF INTERNATIONAL ECONOMIC SANCTIONS ON THE RIGHT TO LIFE IN IRAQ

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ABSTRACT

The importance of this topic lies in the fact that international economic sanctions, as non-military sanctions, have received wide attention in contemporary international law, although they are a punitive measure in which armed forces are not used. Because of the steady increase in the Security Council's recourse to economic sanctions in its repressive policies as a punitive policy, this has raised many problems, especially the serious humanitarian effects of these sanctions on the peoples of targeted countries such as Iraq, and these policies indirectly affect the right to life, which is considered one of the most important civil rights stipulated in most international human rights covenants, so we sought through this article to study the legitimacy of the international economic sanctions imposed on Iraq and to show their effects on the right to life, guaranteed under the International Bill of Human Rights, and by following the quantitative method by describing and analyzing Mortality rates during the years of the siege and comparing them to determine the negative effects of economic sanctions on the health aspect in Iraq. This study showed that the death rate increased significantly during the years of the siege and beyond, especially among children and women, due to neglect of health care, water pollution and the spread of diseases and epidemics. It has been proven that the sanctions regime imposed by the United Nations on Iraq is ineffective in promoting the establishment of a stable international order, and its failure to achieve the objectives required of it. The consequences of those sanctions were more deadly for people. The case of Iraq underscores the need for legal restrictions on the Security Council.

Keywords: Economic Sanctions, Right to Life, Embargo, Acts of Aggression, Siege.

INTRODUCTION

Sanctions are “measures taken by a country to coerce another country to comply with an international agreement or code of conduct, usually in the form of restrictions on trade.” The issue of international economic sanctions in contemporary times is the focus of great global attention and as a result of the tragedies and disasters left by the Second World War. The international community has resolved to change that tragic reality through the United Nations Organization, which was established in 1945, to avoid the world wars that occurred before this date, affirming in the preamble of its Charter to save future generations from the scourge of war, protect their human rights and maintain International peace and security and with the birth of the United Nations a more advanced collective security system emerged.

Economic sanctions are a mechanism that aims to modify and correct the behavior of states that violate the provisions of international law related to international peace and security, within the framework of an attempt to avoid resorting to military force and the use of weapons, instead of adopting a peaceful solution to the conflict. But in recent years, international economic sanctions have become a cause for concern. Some countries suffer from the humanitarian consequences of these sanctions, as economic sanctions have led to the death of thousands of children in Iraq, and the migration of many people in search of safety, causing the country's economy to be destroyed and deteriorate. At the health and educational levels, it has caused a humanitarian disaster due to the lack of food and medicine. Humanitarian organizations are also witnessing the harsh reality and social impact on the population of economic sanctions that can eliminate weak states. This enables the most powerful countries to dominate the international arena.

The United Nations Security Council continued to apply comprehensive economic sanctions on Iraq from August 6, 1990, until 2003, and the international community considered these sanctions to be strict and illegitimate due to real reports of human suffering in Iraq and growing doubts about the feasibility of the imposed sanctions. And its legal background under the International Bill of Human Rights and International Humanitarian Law. Those sanctions affected all different aspects of life, but the most serious impact was on the right to life, considering that it is one of the most important civil rights advocated by all human rights charters. Article 6 of the International Covenant on Civil and Political Rights states: The right to life is an inherent right of every human being, and the law must protect this right, and no one may be arbitrarily deprived of his life.

All parties agree that the basic needs of the Iraqi people are not being met. All governments, United Nations agencies, the press, and international non-governmental organizations have recognized that the Iraqi people have been living under conditions of protracted humanitarian crises since the beginning of the siege, and that the suffering of Iraqi civilians requires the international attention and legal priority. And if the Security Council had stopped pursuing the objectives of controlling weapons at the expense of the heavy human price, the deteriorating health of the Iraqi people would not have reached what it is today (Kokabisaghi, 2018).

The Legal Basis for Imposing Economic Sanctions in the United Nations System

The Security Council may call for collective economic sanctions under Article (41) of the United Nations Charter, if decided under Article (39) that there is a threat or breach of peace or an act of aggression and if the aim of imposing sanctions is to preserve international peace and security or the restoration of (Belhassan, 2017). Since economic sanctions are an internationally recognized part in the history of international relations, it is necessary to try to analyse and explain the concept of these sanctions.

Thus far, economic literature still does not have a precise and comprehensive definition of economic sanctions, or the mechanism for their implementation, the reasons and grounds that influence the decision-making process on imposing sanctions are not explicitly defined and transparent. Economic sanctions have become a frequent international practice, while the

political and legal aspects of the implementation have not been determined yet (Vorotnikov et al., 2019).

In the absence of a legal definition of international economic sanctions, the jurisprudential jurisprudence of some researchers appeared in order to define these penalties (Ghania, 2018).

Jentleson defines it as "*the actual denial or threat to use economic sanctions from one side or more, with the aim of influencing the behavior of another country and limiting its military capabilities.*" (Zawaghi, 2015)

Economic sanctions can also be defined as a means of international coercive pressure practiced by the UN Security Council in accordance with Article (41) of Chapter Seven of the United Nations Charter against the state that has inflicted what is considered a threat to peace or breaches it, or has committed an act that is considered an act of aggression with the aim of changing the political or military landscape of the target country (Ali, 2020). This was confirmed by the International Sanctions Committee of the United Nations League, which was formed in 1931, as the aim of economic sanctions is to harm the interests of the commercial and industrialized countries in order to change the state's aggressive policy.

Economic Sanctions in the United Nations System

The provisions of the Charter represent the legal basis for economic sanctions, but their wording raises some issues, on top of which the wide discretionary power is given to the Security Council. Therefore, we will analyse both Article (39) and Article (40) of the Charter and the problems that it raises

First: The content of Article (39) of Chapter Seven of the United Nations Charter: Article (39) stipulates that "*the Security Council shall decide whether there has been a threat to peace or a breach of it, or if what occurred was an act of aggression, and in this regard it shall present its recommendations, or it shall decide what measures must be taken in accordance with the provisions of Articles (41,42) to preserve peace and international security, or restoring it to normal.*" We find that the expression contained in Article (39) of the Charter "*threat to peace, breach it, or an act of aggression*", is a very broad term that includes gross violations of human rights wherever it constitutes a threat to peace and that the justification for imposing sanctions is to contain or avoid an actual conflict, possible and imposed as a response to human rights violations.

The United Nations Charter, in its seventh chapter within Article (39) specified the cases in which the Security Council may intervene to impose economic sanctions, and these cases are: threatening security, breaching security, or the occurrence of an act of aggression, but the charter did not define these terms, and it did not set standards for their use, and therefore the Security Council's use of them is discretionary (Adel, 2012). It seems that the Charter was adopted with the intention of keeping ample room for the UN Security Council to decide in each case what it deems appropriate and sufficient for the survival of its ultimate goal. To eliminate the threat to peace and not to identify the wrong party. This is what made some jurists question whether the Security Council's actions are legal. Its political measures, as Hans Klissen believed: "*The purpose of rescue measures under Article (39) of the Charter is not to preserve or restore the law, but to preserve and restore peace, which is not necessarily in conformity with the law*".

Second: Measures of Article (41), (Non-military measures): Article (41) of the Charter of the United Nations states: "*The Security Council must decide what measures to be taken that do not require the use of armed forces to implement its decisions, and it may request members of the United Nations to apply these measures, and it may include the suspension of economic links and transportation. The rail, sea, air, postal, telegraphic, and wireless and other means of transportation will be totally or partially suspended, and diplomatic relations is cut off*".

Article (41) does not delineate under which situations sanctions may be applied, and it merely provides guidelines as to the types of measures that may be implemented, while decision-making authority resides centrally within the Council (Jana, 2018).

The Imposition of Economic Sanctions in the United Nations System

The Charter of the United Nations Organization established a precise system for maintaining international peace and security and granted several branches within the framework of the United Nations the task of implementing economic sanctions, and these bodies are:

First: the UN Security Council as a mechanism for implementing economic sanctions: Economic sanctions can be imposed both in peacetime as well as in times of armed conflict and the Security Council of the Organization is the first authorized to impose measures "*that do not include the use of armed force*", as it may call for the imposition of collective economic sanctions under Article (41) of the Charter of the United Nations, provided that it is determined first according to Article (39), the existence of a threat to the peace, breach of peace, or an act of aggression in order to maintain international peace and security, it enjoys wide discretionary power in this field and it has the right to adapt the facts as acts of aggression, disrupting or threatening the peace.

The ways in which the Security Council expressed its decisions differed from the existence of a situation of threatening the peace or breaching it, or even the occurrence of an act of aggression that leads to the implementation of its authority according to Article (39) of the Charter. In some decisions, the Council explicitly referred to the text of Article (39) of the United Nations Charter. With the mention of the expressions contained therein, while we find it in other cases, it resorted to mentioning the expressions contained in Article (39) without explicit reference to Article (39), as happened in Resolution 418 of 1988 related to the case of South Africa, and in other decisions in which it refers to Chapter seven of the Charter as a basis for its authority without specifying Article (39) or mentioning the phrase contained in it. Therefore, it is difficult to find a straight line in the penal policy of the Security Council as a result of political considerations that are the driving factor in its actions that were until the end of the Cold War due to the repeated use of the right of veto, it is marred by hesitation in determining whether the situation constitutes aggression, a threat, or a breach of peace, which led to it resorting to Chapter six in a number of cases, and this confusion disappeared after 1990, which led to the repeated use of the articles of Chapter seven as a result of the expansion of the concept of international peace and security.

The Security Council obliges the member states of the United Nations to apply economic sanctions according to Articles (25-48-103) of the Charter in accordance with a general and prior commitment by the member states, and in implementation of the principle of equality that it implies equal burdens, however, the Security Council alone, at its discretion, can decide to assign

a special mission within the framework of the Charter and its desire to decide on the actions of sanctions to a country in itself, collective action, is done on the condition of direct implementation of the Council, in addition to obligating member states to apply indirectly within the framework of the international or regional organizations, to which they belong. Non-member states of the United Nations are bound by punitive Security Council decisions according to the text of Paragraph (6) of Article (2) from the charter. Under the Charter, it is not sufficient for states to agree to implement United Nations sanctions and to be implemented by international or regional organizations. Rather, they still have a double obligation stemming from the principle of the need for states to cooperate in implementing the sanctions contained in Article (41) of the Charter. Countries have no right to protest for their links with the target state to evade the implementation of its obligations arising from the charter, and this is in accordance with paragraph (5) of Article (2) of the Charter of the United Nations, in addition to that, states must work together to provide mutual assistance in implementing the measures adopted by the Security Council in accordance with Article (49). The Security Council has urged in many of its resolutions that the unintended negative side effects of economic sanctions on the civilian population should be reduced as much as possible.

Practical reality indicates that most of the international economic sanctions imposed by the Security Council pursuant to the authority conferred upon it by Article (41) of Chapter seven of the United Nations Charter were taken based on its examination of the existence of a threat to international peace and security in the concerned region, out of eighteen in which the Security Council imposed international economic sanctions until 2005, there are seventeen cases that are based on facts of a threat to peace, and there is one case that is based on the conclusion that a violation (breach) of peace has occurred, and no case was found based on an act of aggression (Jamila, 2017).

Second: The General Assembly of the United Nations and the economic sanctions: The General Assembly is the most democratic branch in the United Nations, as member states are represented on an equal footing, as it is the supreme body for oversight, control and debate, and it is a global parliament and a public forum for the expression of international will and bears secondary responsibility, after the Security Council of the organization, as the security council does not carry all responsibility of maintain peace and international security and the signing of economic sanctions. Regarding the recommendations of the United Nations General Assembly aimed at imposing punitive measures, the Charter did not explicitly stipulate the authority of the General Assembly to issue such recommendations, but rather as a result of the failure of the Security Council. The repeated use of the international sanctions mechanism, the General Assembly replaced the Security Council in some cases and issued a number of punitive recommendations, as happened with South Africa, North Korea, and others. The degree of effectiveness of the recommendations of the General Assembly and the likelihood of states compliance with them varies according to a number of considerations, including the time and circumstances of the recommendation, the basic issues related to it, all of this would mobilize public opinion without neglecting that the first criterion for the state's response is the balance of gain and loss from the political point of view. In this regard, Roger Fischer suggests four means to pressure states to comply with the recommendations of the General Assembly, the most important of which is the possibility that the state directly concerned with the subject of the

recommendation will take reprisals, and the possibility that the allies of the opposing countries will counteract them, as well as the nonaligned states and world public opinion.

The Charter of the United Nations grants the General Assembly the power to discuss all the affairs of the United Nations and issue recommendations regarding them, as well as granting it many powers in the field of maintaining international peace and security according to the provisions of Articles (10-11-12-13-14) of the Charter. The General Assembly may exercise its powers to issue recommendations and decisions that are binding on the imposition of economic sanctions provided that:

1. Not to deal with any dispute as long as it is before the Security Council until it ends, refers to it or ignores it, unless you deal with it from another side, this is possible according to Paragraph (1) of Article (12).
2. To refer to the Council all of the issues that it deems necessary to do something, whether before or after it is discussed and this is according to the provisions of Paragraph (2) of Article (11) of the Charter.

In spite of the above provisions authorizing the General Assembly to intervene in the field of maintaining peace and security, the punitive authorities remain hostage to the Security Council and which no apparatus can take away from them.

The Impact of International Economic Sanctions on the Right to Life in Iraq

Studies show that sanctions hardly achieve their goal of changing the political behavior of the target, and instead have a significant impact on economic indicators.

Economic sanctions are considered one of the most important means that some countries use to pressure other countries, with the aim of achieving special goals and objectives that negatively affect all fields, especially the field of human rights, which are mainly economic and social, and the cultural rights that are the most violated and the most affected. Based on the position of the United Nations, which tends to take steps to mitigate the negative humanitarian effects of economic sanctions without the need to relieve pressure on the leaders of the target country, and therefore this is what prompts us to study the repercussions of these sanctions on the right to life and their repercussions on Iraq as an example for countries that signed economic sanctions international (Faeze, 2020).

The Importance of the Right to Life in International Conventions

The reality confirms that economic sanctions affect individual human rights, which is what is known as the rights of the first generation, and are civil and political rights, which is, in the forefront the right to life. The right to life is considered one of the rights of the first generation concerned with civil and political rights. these rights were codified in the Universal Declaration of Human Rights in the year 1948 and the International Covenant on Civil and Political Rights of 1966 and ratified in 1976, where the countries that ratified the International Covenant on Civil and Political Rights pledged to protect people residing in their territory and who follow their jurisdiction to protect them with law and enabling them to enjoy it without discrimination on the grounds of race, gender or others (Jerg, 2018).

The right to life is one of the most important civil rights stipulated in many international covenants on human rights, such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, and it is the most vulnerable to economic

sanctions, and therefore the imposition of economic sanctions for a long period is a violation. The Convention on the Prevention and Punishment of the Crime of Genocide of Humanity, which the International Court of Justice adopted its provisions from the customary rules, and is also a violation of the Universal Declaration and the International Covenants for Human Rights, and an acute shortage of medical equipment and supplies has been recorded as a result of the global danger that imposed severe restrictions for importing them in a number of countries that have been subjected to economic sanctions such as (Libya, Haiti), which led to the recording of a large number of deaths, and the causes of these deaths did not come from bombing or material losses, but from stopping the supply of food and medicine, and this contradicts the texts. Many international conventions, including Article (3) of the Universal Declaration of Human Rights, which states: "*Everyone has the right to life, liberty, and security of his person,*" as well as Article (2) of the European Convention on Human Rights, which states: "*The right of every human being to life is protected by law*", and Article (4) of the African Charter on Human and Peoples' Rights, which states: "*It is not permissible to violate the sanctity of the human being, and it is his right to respect his life.* ", as well as the first article of the American Declaration of Human Rights and Duties, which states: "*Every human being has the right to life, liberty, and integrity of his person*". In this regard, the doctrine of the right to life has gradually expanded to include protection against malnutrition and epidemics, as stated in the comment of the United Nations Human Rights Committee, No. 06/16 of 1982, which came in its fifth paragraph: "*Emphasizing the strong relationship of the right to Life and the right to health care, as he called that the right to life should be interpreted broadly*". Economic sanctions impair population health by impairing access to health care and medication during the sanctions.

Iraq is A Victim of Politicized Sanctions

The economic sanctions were officially decided by the Security Council 4 days after the Iraqi invasion of Kuwait in the year 1990 when the Security Council issued Resolution No. 660 condemning the military invasion of Kuwait and requested Iraq to withdraw from Kuwait. The sanctions constituted economic pressure on the Iraqi people and used the suffering of civilians as a means of pressure in negotiations with the Iraqi government to control armaments. These sanctions led to the destruction of infrastructure in all fields, but the area that suffered the most was the medical field and the health status of Iraqis, which led to a high rate of deaths in Iraq during and after the years of the embargo.

It is noted that the first years witnessed a rise in death rates, and although the sanctions affected all segments of Iraqi society, they had a greater impact on the most vulnerable groups such as children, pregnant and lactating women, and the elderly, and the child mortality rate increased dramatically, notable during the years of the siege compared to previous years. We find that the period between 1990 to 1996, the beginning of the imposition of sanctions on Iraq, had the most impact on the right to life, and Iraq was in a state of emergency, it witnessed a sharp increase in the death rate, as studies have shown that more than half a million Iraqi children have died due to the increased incidence of viral hepatitis, polio, malaria, and malnutrition, and one out of four Iraqi children suffers from malnutrition. Malnutrition has reached 75.5% among children under five years of age. The death rate during childbirth increased from 50 per hundred thousand births in 1989 to 117 per hundred thousand births in

1997, and the mortality rate for children less than five years of age also increased from 30.2 per thousand births to 97.2 during the same period. The reason for the increase in the mortality rate of children under five years of age recorded in public hospitals (more than 40 thousand deaths annually compared to 1989) is due to severe diarrhea, pneumonia, and malnutrition. As for children over the age of five, the increase in deaths (more than 50 thousand deaths annually compared to 1989) is due to heart disease, hypertension, diabetes, cancer, and liver or kidney disease. About 250 people die in Iraq every day because of the sanctions, and this was confirmed by the United Nations agencies and human rights organizations.

It can be said that the effects of the sanctions and the embargo entered the second stage in 1996, when the United Nations established the “*Oil for Food*” program issued under Security Council Resolution No. (986), a program that allows Iraq to export a specified quantity of its oil, to benefit from its revenues, by purchasing for the humanitarian needs of its people, under the supervision of the United Nations. The program worked to “*reduce the increase in the number of deaths and cases of malnutrition, but it did not address the situation from its roots, and the program did not come to ensure the protection of Iraqi children from malnutrition and diseases, as a result of Water pollution and other factors*”(Amin, 2004). Although this program brings Iraq more than 11 billion dollars, the child mortality rate remains very high, but the largest percentage of deaths is not due to malnutrition directly, but rather due to causes related to water and some diseases such as diarrhea, where the poor water quality, as well as the lack of sanitary sterilization of water is the first problem before food poverty, and it is the first cause of death for children in Iraq, and therefore the oil for food program failed to solve the humanitarian crisis and was not effective in the long run. The UNICEF Welfare Fund for Childhood and Motherhood stated in its report in 2001 that cases of diarrhea that lead to death due to lack of fluids and acute respiratory infections constitute 70% of child deaths. According to a study conducted in 1997, it revealed that about 75% of medical equipment was destroyed, in addition to that, 25% of 1,305 medical institutes were closed (Jamal, 2009). A UNICEF report on August 5, 1999, explained the depth of the catastrophe experienced by the people of Iraq, as the report stated that half a million Iraqi children under the age of 5 years could have avoided their death if the embargo had not been imposed on Iraq. The report indicated that the mortality rate for children and mothers in Iraq has doubled, compared to before the imposition of the sanctions, and the report considered that the death rates in Iraq are today among the highest rates in the world and that all the reasons behind this, as described by the report, are due to the sanctions regime applied on Iraq. The study concluded that children under the age of five are dying at a rate more than double the rate that prevailed 10 years ago, and if we look at the data of the Ministry of Health and the death rate, it becomes clear to us that the citizens of Iraq are suffering from severe health crises. The reason for most of these crises is due to the sanctions, as the lack of electricity and the suspension of water treatment disrupt the work of hospitals and the storage of medical materials, as well as the lack of medical equipment and medicines, also a shortage of specialized medical teams. According to the World Food Program of the Food and Agriculture Organization of the United Nations in 2000, about 800,000 Iraqi children suffer from chronic malnutrition, due to many reasons, such as the low consumption of milk, eggs, meat, fish, and animal proteins. Survey information carried out by the World Food Program of the United Nations in 2000 said that about 800,000 Iraqi children suffer from malnutrition, of whom 21% are underweight, 20% are stunted in normal growth and 9% suffer from wasting, and this is due to malnutrition, as a result,

more than 14,000 children died of starvation in addition to the previous causes, according to the Director-General of the World Health Organization in the European Union Office, Dr. Nakajima. As examples of the suffering experienced by the Iraqi people, one of the obstetricians stated that 90% of pregnant women suffer from anemia due to malnutrition. It is noted that cholera, German measles, rickets, and other diseases have re-emerged after they were eliminated before 1990.

The invasion of Iraq began in March 2003, and the military operations officially ended in May of the same year, and with it, the economic sanctions and the siege on Iraq ended (Yiyeon, 2019), and it can be said that it is the third stage of the impact of sanctions on the right to life in Iraq. It is observed during the following years there is an improvement and a decrease in mortality rates. In 2003, we find that the infant mortality rate reached 107.9 per 1000 live births, compared to 2006, we find that the rate decreased to 35 per 1000 live births and decreased more and more until it reached 13.9 in 2019, and the same is the case for the under-five mortality rate. The rate in 2003 reached 130 per 1,000 live births, but this rate decreased in 2006 to 41 per 1,000 live births and continued to decline until it reached 24.3 in 2019, as for the maternal mortality rate at birth, we find that the rate in 1999 reached 294 per 100 thousand births, and compared to 2006, we find that the rate decreased to 84 per 100 thousand births, and decreased More until it reached 31.5 in 2019 (Zahira, 2019).

We find that there has been a decrease in the rate of weight loss among children and adults in recent years, and this is a clear indication of an improvement in the health status of Iraqis years after the end of the siege, and therefore, by comparing previous death rates, it is possible to say that recent years have witnessed a decline in the deterioration of the health situation and a decrease in death rates, but they remained higher than the normal rates, the negative effects on the health situation remained even after the sanctions ended years earlier, the rate of the spread of chronic diseases left by the sanctions in Iraq required many years to reduce. It is worth noting that some attribute the deterioration of the health situation in recent years to the existence of administrative corruption in the public health apparatus in the country, which hinders the improvement of health care for Iraqis (Al-Aloosy, 2021). And here it can be said that the economic sanctions and the siege imposed on Iraq had left a regime, and successive governments in Iraq which are unable to secure the health and other needs of the people.

Finally, many diplomats believed that comprehensive economic sanctions were innovative, benign, non-violent, and a method of moral foreign policy to resist threats to peace and security and did not cause severe suffering, but it is now clear that economic sanctions on Iraq have caused serious damage to large numbers of Iraqis. Innocent civilians, through a lack of food and medicine, as well as water pollution, electricity cuts, infrastructure damage, add in addition to a lack of health equipment, led to the deterioration of conditions in government hospitals and medical centers. This impeded the improvement of the health situation, and is an inevitable result of the policy of sanctions, and although the Security Council received several warnings from UNICEF and the World Health Organization regarding the humanitarian emergency in Iraq, the United Nations neglected the health conditions, and it took 6 years to establish the oil-for-food program, which was supposed to contribute to Improving health conditions, this was not sufficient and did not contribute to resolving the health crisis. After the end of the siege, the improvement in the health situation is still very slow due to the lack of integrated health and awareness policies, programs capable of making a change in the current health conditions, as well as the lack of material and moral support which could be provided by

the United Nations and human rights organizations to meet the needs of the people of Iraq after the end of the sanctions (Daniel, 2011).

RESULTS

The United Nations practiced a policy of economic sanctions without being bound by fixed standards and the arbitrary use of its powers increased the suffering of the people, not the governments. Economic sanctions are a form of war because they are an indiscriminate measure that affects all groups, whether they are civilians or fighters, and because their use is a form of collective punishment, which is contrary to Geneva law, especially Article 14 of Geneva law. Additional Protocol I.

We conclude that economic sanctions have indirectly killed more people in Iraq. Therefore, it must be a commitment by the United Nations to allocate material and moral support to establish specialized teams to study the health situation in Iraq, through plans and programs by international experts, and to identify Obstacles and problems that impede improving the health status, analyzing and developing appropriate solutions, while finding appropriate mechanisms to implement the results.

CONCLUSION

The provisions of the Charter of the United Nations represent the legal basis for economic sanctions, but their formulation raises some issues, foremost of which is the wide discretion granted to the Security Council, and there are no articles to directly restrict economic sanctions, but there are many international legal texts that provide for human rights, which are During which he understood that the various rights of peoples should not be violated when imposing economic sanctions on their governments, such as Article (3) of the Universal Declaration of Human Rights and the second paragraph of Article (5) of the International Covenant on Economic and Social Rights states that: Everyone has the right to Life, Liberty and Personal Security.

It has been proven that the sanctions regime imposed by the United Nations on Iraq is ineffective in promoting the establishment of a stable international order, and its failure to achieve the objectives required of it. The consequences of those sanctions were more deadly for people. The case of Iraq underscores the need for legal restrictions on the Security Council. For 13 years, the Security Council has maintained comprehensive economic sanctions without any regard for its legal obligations to act in accordance with human rights and humanitarian principles. Contrary to normal logic, the case of Iraq illustrates how comprehensive economic sanctions are not a humanitarian option for war. Certainly, public opinion cannot tolerate a military campaign against Iraq that kills many innocent children, especially since it is not a war launched in the name of the peoples of the world under the authority of an organization dedicated to defending human rights.

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