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مجلة فصلية محكمة تعنى بنشر الأبحاث والدراسات السياسية العراقية والعربية والدولية
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كلية العلوم السياسية - جامعة النهرين

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كلية العلوم السياسية - جامعة النهرين

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- لغة المجلة هي اللغة العربية والانكليزية على أن يراعى الوضوح وسلامة النص.
- ترحب المجلة بنشر البحوث والدراسات السياسية النظرية والتطبيقية ولا سيما التي تجعل من قضايا المنطقة والعالم محط اهتمامها، ماضياً وحاضراً ومستقبلاً، وعلى وفق الآتي:
 1. أن لا يزيد عدد صفحات البحث أو الدراسة عن (15) صفحة مطبوعة بحجم خط (14) والتباعد (1,15) ونوع الخط Simplified Arabic تقدم عبر المنصة الاليكترونية للمجلة على الرابط :
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 2. أن تتصف البحوث والدراسات بالموضوعية والدقة العلمية.
 3. أن تعتمد الترتيم العشري للعناوين الأساسية والفرعية او التصنيف المعياري العام.
 4. يرفق مع كل بحث او دراسة ملخصين (احدهما باللغة العربية والآخر باللغة الانكليزية/ يتضمن اهداف البحث ، المنهج والمعالجة ، ابرز النتائج واهم الاستنتاجات والمقترحات) مع ضرورة مراعاة ان الملخص مختلف اختلافا جذريا عن المقدمة وليس تكرارا لها .
 5. تخضع جميع البحوث المقبولة للنشر الى نظام الاستلال الالكتروني في كلية العلوم السياسية -جامعة النهريين.
 6. يرفق مع كل بحث ودراسة سيرة ذاتية مختصرة للباحث وتعهده .
- تقوم المجلة بإخطار الباحثين بإجازة بحوثهم أو دراساتهم من عدمها بعد عرضها على محكمين تختارهم على نحو سري من بين أصحاب الاختصاص.

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- يجوز للمجلة أن تطلب إجراء تعديلات شكلية أو شاملة على البحث أو الدراسة قبل إجازتها للنشر بما يتماشى مع أهدافها.
- البحوث المنشورة تعبر عن آراء أصحابها ، ولا تعبر عن رأي المجلة .
- ترحب المجلة بالمناقشات الموضوعية لما ينشر فيها أو في غيرها من الدوريات وبأية ردود فكرية أو تصويب، وكذلك ترحب بنشر التقارير عن المؤتمرات والندوات ذات العلاقة ومراجعات الكتب وملخصات الرسائل الجامعية التي تتم إجازتها على أن تكون من إعداد أصحابها.

توجه جميع المراسلات إلى هيئة التحرير على العنوان الآتي
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E.mail: pirj@nahrainuniv.edu.iq

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The Status of Sanctions in US Foreign Policy: A Study on the Magnitsky Act[∇]

Assistant Lecturer Zainab Hassan Khalaf*

Abstract:

The sanctions impose significant economic pressure on states, organizations, and individuals, leading them to behave differently, which mitigates circumstances in conflicts and helps contribute to stability. The Magnitsky Act is a turning point in international law and global governance. Unlike most other sanctions on entire states, the Magnitsky framework targets individuals accused of corruption, money laundering, or human rights violations. A preliminary discussion about economic sanctions and their objective perform in this research, before adopting an investigation of how they were used as effective instrument of diplomacy against international relations and American foreign policy.

The particular context of the passage of the Magnitsky Act, enacted with an intention of punishing those persons guilty of human rights violations as well as those directly involved in this behavior, is mentioned. And it outlines how the application of the law increased to cover more than one country and how the law served the role of enshrinement principle of accountability and deterring future abuses, in addition to strengthening the assistance to activists and human rights organizations since it also helped to bring the violations to light and to increase global cooperation to enforce accountability for infringements that happened. The study addresses the economy of sanctioned economy and its impact in its analysis on its affected countries (e.g. economic recession, increased unemployment numbers, inflation rate, economy recession and local currency devaluation, increased poverty rates and inequality).

It found that sanctions like the Magnitsky Act are an important part of U.S. foreign policy today, acting as a new "sheriff" of tools to stop human rights violations. These kinds of sanctions can help the US achieve some of its policy goals in some cases eg, Libya and South Africa, they can also make diplomatic issues worse and raise tensions such as in Cuba and Iran.

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* University of Baghdad, College of Medicine, Department of Media and Government Communication
zainabalhilaly1992@gmail.com

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The Magnitsky Act has highlighted human rights abuses and established accountability at the international level. Nonetheless, the success of sanctions relies on the international environment, collective implementation, and the political goals of the United States, while also considering their humanitarian impacts.

From an analytical perspective, by targeting sanctions against individuals responsible for human rights violations instead of entire states could strengthen accountability and promote the integration of human rights into diplomacy. However, its effectiveness depends largely on international coordination and the political interests of major powers.

Keywords: US sanctions — foreign policy — Magnitsky Act — human rights — economic diplomacy

Introduction:

Economic sanctions constitute a foundation of the US foreign policy as a lever to realize a host of political, economic, and security goals. The United States has used this tactic for decades to accomplish a wide variety of objectives, including fighting terrorism, preventing nuclear proliferation, and holding violators of human rights accountable. Sanctions act as significant pressure for states, organizations, and all individuals under the influence of sanctions so that they conduct themselves differently, which leads to reduced situations in wars and contributes to stability (Masters, 2019). Perhaps the most widely known of these tools has been the Magnitsky Act, which was passed in 2012 after Russian lawyer Sergei Magnitsky died in prison in 2009 after he uncovered large-scale government corruption. It seeks to punish the criminals and institutions known to commit human rights violations and corruption by freezing their assets and prohibiting their entry into the United States. Even in 2016, the law expanded the scope to become the Global Magnitsky Act, meaning the U.S. government can impose sanctions on anyone who commits serious human rights violations or major acts of corruption, no matter where they happen (Human Rights First, 2024). The US' approach to sanctions accomplishes several goals. It can thwart the spread of nuclear weapons by imposing sanctions on Iran and North Korea, and it helps human rights by punishing dictators (like Bashar al-Assad in Syria). Sanctions are a central element in American foreign policy because they prevent abuses from happening in the future; they promote accountability and transparency, and they send a clear signal that the USA stands ready to act swiftly to bring human rights violations to justice

(Infosalam, 2018). The purpose of this study is to analyze the use of sanctions, in particular the Magnitsky Act, in US foreign policy and to see at what level they are used economically and politically globally.

Table (1): Major U.S. Sanctions

Country	Type of Sanctions	Objectives	Economic Impacts	Political Impacts
Iran	Oil, financial, and export sanctions	Preventing nuclear proliferation	Decline in GDP, rising inflation, and depreciation of the national currency	Strengthening alliances with Russia and China, and reinforcing the regime's hardline positions
North Korea	Financial, trade, and asset-freeze sanctions	Nuclear disarmament	High unemployment rates, shortages of basic goods, and deterioration of the local economy	Tensions with neighboring countries, increased international isolation, and strengthened ties with certain states such as China
Russia (Magnitsky Act)	Asset freezes and travel bans	Punishing human rights violations and corruption	Decrease in foreign investments, currency devaluation, and negative impacts on certain economic sectors	Deepening relations with countries not adhering to the sanctions, intensifying domestic repression, and restricting civil liberties

Source: office of foreign assets, 2024.

Along with economic considerations, the research will also seek to understand how sanctions impact the particular targeted states, which will suffer from economic contraction, growing unemployment and inflation, depreciation of the national currency, reduction in government revenues, and increase in poverty and inequality. They will also be assessed for their political effects, including reinforcement of international isolation, reshaping alliances, and heightened regional conflict.

- **Significance of the Study:**

This study is crucial because it reveals the purpose of sanctions as a powerful instrument in the framework of US foreign policy, especially in relation to international human rights issues. This is also an attempt to provide an analytical understanding of the effect of US sanctions (especially the Magnitsky Act) on international relations. The study explores what the use of sanctions has been able to achieve, as well as the challenges and consequences of these approaches.

- **Research Objective:**

The primary aim of this study is to examine the use of sanctions, specifically the Magnitsky Act, on a global scale concerning the United States' foreign policy ambitions. It also examines the effects of these sanctions on international systems and relations, both positive and negative, and acknowledges the economic and political consequences of sanctions on targeted countries, as well as on the international system more broadly.

- **Research Problem:**

The problem through which this study is constructed to view its findings through questions and provides context incorporating the general context of this paper includes: what impact has been made on American foreign policy as a result of economic coercion abroad, including that in practice under the Magnitsky Act? How does this law advance the human rights cause? And how will the sanctions regime work in and upon international relations?? In what way do targeted countries handle these sanctions?

- **Research Hypothesis:**

In this study, it was argued that economic sanctions, specifically the Magnitsky Act for short, are an effective tool for achieving US foreign policy objectives, but these sanctions also have the effect of complicating international relations with targeted countries and thereby introducing them to new diplomatic uncertainties.

- **Structure:**

First: A General Introduction to Sanctions in U.S.

Definition of Economic Sanctions and Their Purpose

Economic sanctions are acts and processes countries use to change the behaviour of another country or some specific entity by imposing trade, financial, and economic restrictions. These measures are intended to achieve

a variety of strategic goals, which include strengthening national security, promoting human rights, and restricting the deployment of nuclear weapons (Lameh, 2023). The United States frequently imposes sanctions in one of a multitude of varieties to further its foreign policy goals. It uses them as a weapon to keep countries and organizations in line with its rules, or what it calls international law and norms. The US views sanctions as a means of modifying the behavior of specifically targeted countries through economic pressure to produce reforms in policy change and practice that it believes will then push them into conformity (Peksen, 2019). Sanctions are a last-resort weapon in global conflict (far from a military action), but are a very effective tool in decreasing conflict and conveying, more than any other principle, a stronger message of America's sovereignty and its commitment to policies that trump compromise, thereby increasing its presence and credibility internationally. The sanctions may be placed individually or collectively on perpetrators of human rights abuses and terrorists respectively (U.S. Department of the Treasury, 2022b). In short, economic sanctions, a powerful tool in the U.S. arsenal of foreign policy, will serve to enhance national security interests (Lameh, 2023).

Second: The Magnitsky Act

1. Origin of the Legislation, its Purpose

The Magnitsky Act was related to the killing of lawyer and auditor Sergei Magnitsky, who uncovered massive government corruption while investigating the biggest tax-evasion case in Russia, around \$230 million, in 2008. The law came after the massive human rights violations that went with the case and its aftermath, and was passed directly in response (Congressional Research Service, 2012).

Magnitsky was tortured during his detention, followed by his death in 2009. After this attack, however, human rights activists were soon to begin calling those responsible for Magnitsky's death to be held accountable. And these efforts eventually manifested in the US Congress passing the Magnitsky Act of 2012, which intends to punish Russian officials implicated in that incident, as well as human rights abuses and corruption, by imposing sanctions against them, including freezing their assets and barring them from entering the United States (Congress.gov, 2015). The Magnitsky Act broadened the scope once restricted to Russia

only, it has also become global law in 2016, giving the government the power to sanction a person or organization that perpetrated gross human rights violations or otherwise committed serious corruption (Khalaf, 2020).

The objectives of the Magnitsky Act are as follows (U.S. Department of State, 2024):

- Countering corruption by observing people in the financial system and exposing those who abuse the position of power.
- Preventing human rights abuses including torture or illegal detention.
- Supporting accountability by ensuring that the people responsible for corruption and abuse are punished by imposing financial and travel restrictions.
- Enhancing deterrence and projecting United States influence.
- Providing clear messaging that decisively, Americans stand up for human rights abusers and agents of corruption.

2. Effects of the act on human rights

The Magnitsky Act is referred to as a critical tool in U.S. foreign policy in striving to advance human rights and prevent corruption from happening at the international level (Human Rights Watch, 2023). reports that it was applied to the targeting of government officials and individuals who are involved in human rights violations by freezing their assets and preventing them from entering the United States. The impact of the Act on human rights is documented in some of the following areas (CNN, 2017):

- The Magnitsky Act strengthens the concept of accountability, to show that the world will NOT put up with such behaviour.
- The legal deterrent (which ensures future violations are not tolerated, as officials will know they can face heavy punishment if they participate in human rights abuses).

With the law, activists and human rights organizations have now gained accountability for the acts against humanity. The Magnitsky Act revealed serious violations of human rights that otherwise might have gone undetected. It can alter domestic policies that concern those countries that are implicated; through economic and diplomatic influence brought about by sanctions and by pursuing those responsible in major areas of corruption, thereby reducing their strength.

Third: Sanctions: Economic and Political Effects

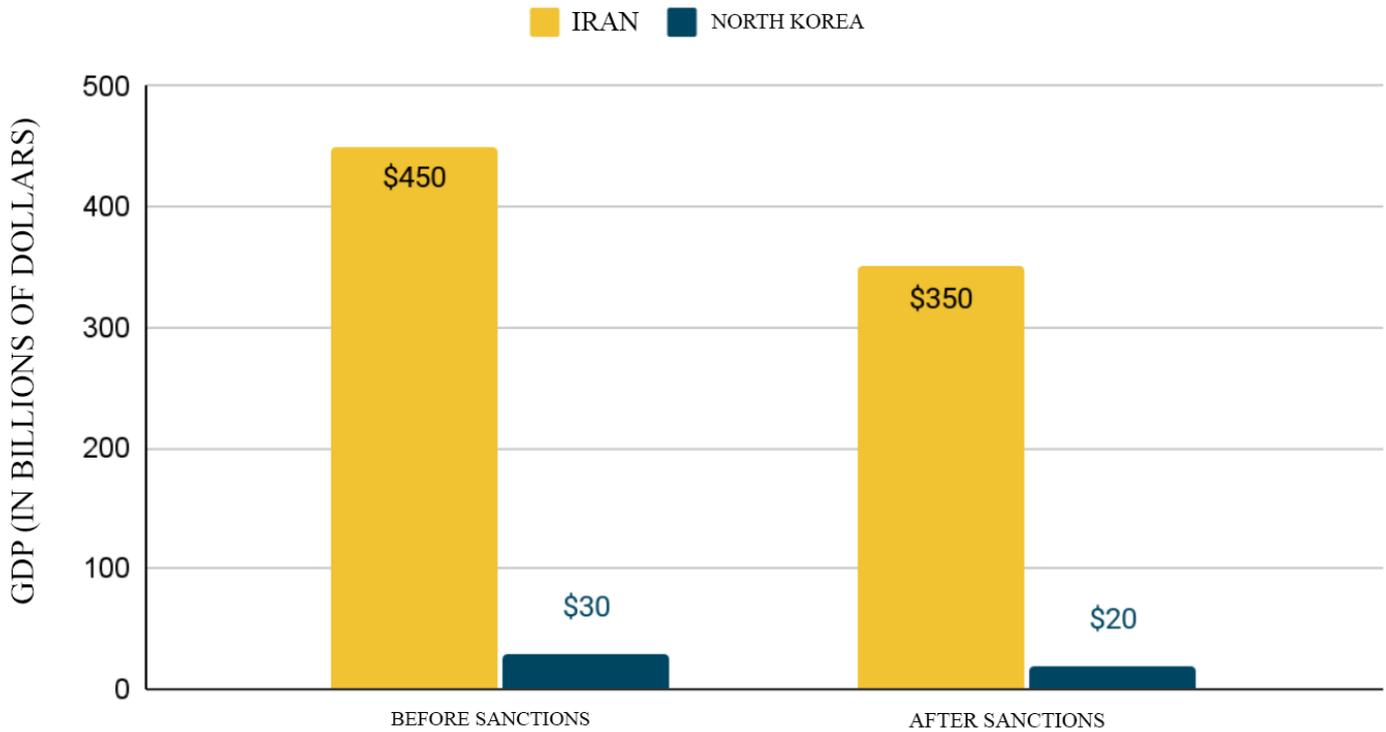
1. Economic Effects on Targeted States

Economic sanctions, as a tool, are the most powerful tool that nations find very successful, as they are known to influence the economy in a direct way on targeted countries, measured as possible by their impact on outcomes in direct, as well as long-lasting terms (Khalaf, 2020). Here are some of the biggest economic impacts:

- Economic Contraction: Sanctions cause a decrease in the economic activity of states that are the target. Restrictions on trade and foreign investment restrict a country's access to global markets, which leads to a decline in GDP and a slowdown in economic growth (Al Jazeera Net, 2016) see Chart (1).
- Increase in Unemployment: Limitations on both local and foreign companies leads to businesses closing down and projects being halted, resulting in millions of jobs being laid off. In response, this leads to escalation in unemployment rates and further pressures social security systems (Yassin, 2023). The result is higher inflation rates: reducing citizens' purchasing power. And in doing so, suffering from increased living costs (Smialek, 2022). This is depicted in Chart (2).
- National currency deprecating: The Sanctions cause the local currency to lose value as a result of diminished investment behavior and the withdrawal of foreign capital. It raises the price of imports and compounds the problems on the domestic economy (Al Jazeera, 2016).
- Reduction in tax revenue and customs duties. Sanctions therefore reduce the capacity of governments to earn income, which diminishes governments' abilities to finance public provision of services, infrastructure and development (Estevão, 2019). As income levels of the governments are constrained through sanctions, they can't sustain higher spending on basic human needs.
- Increase in Poverty and Inequality: The economic pressures from sanctions are directly linked to growing poverty rates and deepening inequality. This hits the most vulnerable sectors of society the most since people are losing jobs and living at higher cost of living. (International Monetary Fund, 2018) See Chart (3).

Chart (1): GDP Before and After the Imposition of Sanctions on Iran and North Korea

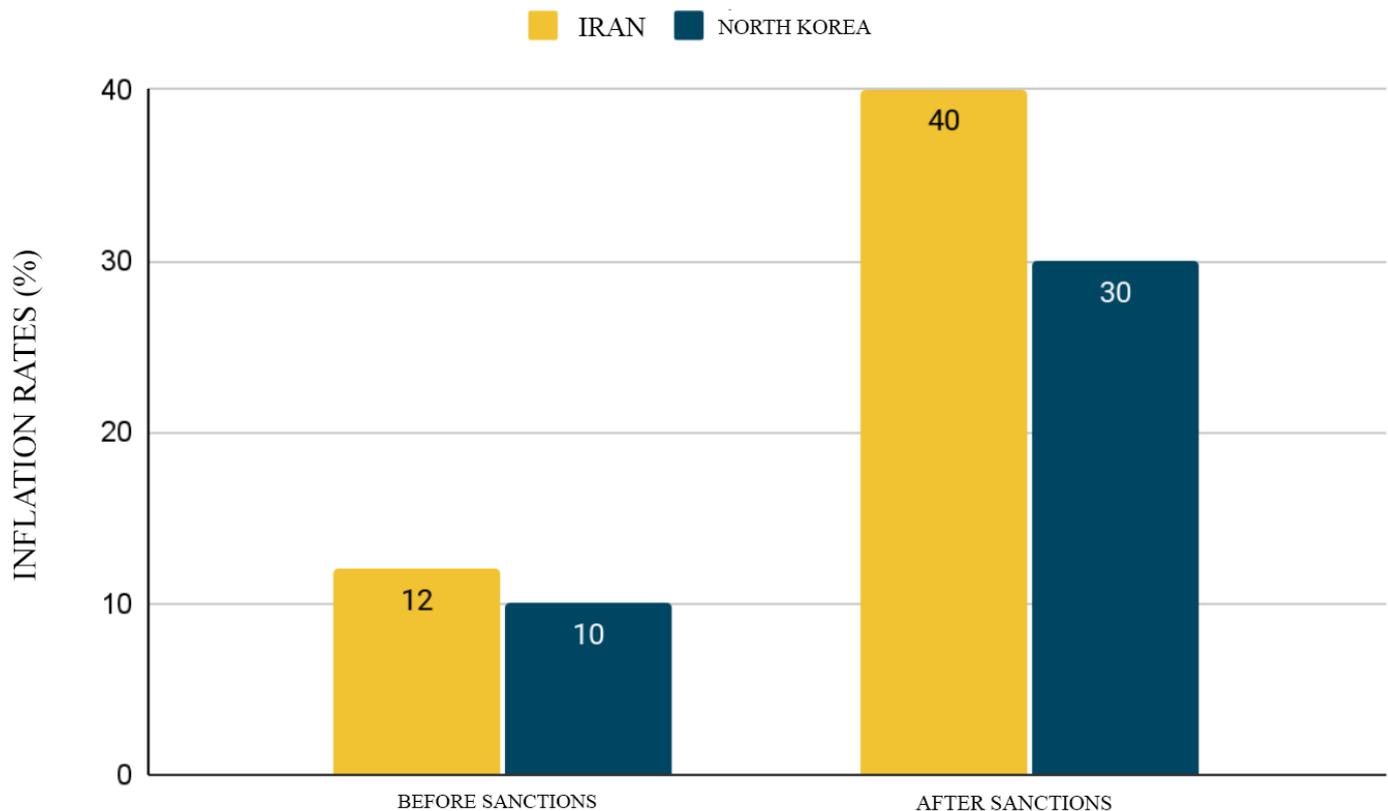
Source: World Bank Open Data.



The chart above shows a significant decline in Iran’s GDP from \$450 billion to \$350 billion following the imposition of sanctions. As for North Korea, the chart illustrates a decrease in GDP from \$30 billion to \$20 billion after sanctions were enforced. This indicates that sanctions have contributed to reducing GDP in both Iran and North Korea, reflecting clear economic contraction.

Chart (2): Inflation Rates Before and After the Imposition of Sanctions on Iran and North Korea

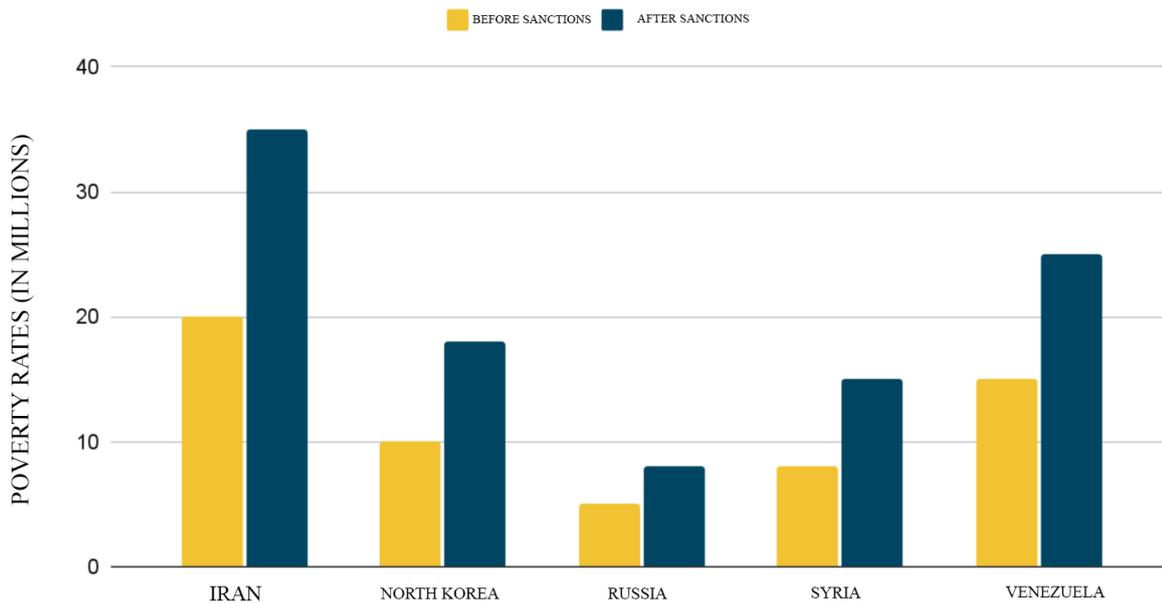
Source: World Bank Open Data.



The chart above shows a sharp increase in inflation rates in Iran from 12% to 40% after the imposition of sanctions. Similarly, in North Korea, inflation rates rose from 10% to 30% following the sanctions. The chart illustrates the impact of sanctions in driving inflation upward, which weakens citizens' purchasing power and exacerbates economic hardship.

Chart (3): Impact of Sanctions on Poverty Rates

Source: World Bank Open Data.



The chart above illustrates how economic sanctions lead to rising poverty rates in targeted states, significantly affecting citizens' living standards. In Iran, poverty levels increased from 20 million to 35 million after sanctions were imposed, reflecting a substantial rise in poverty. Similarly, in North Korea, poverty levels rose from 10 million to 18 million, indicating a notable impact of sanctions on the population's economic conditions.

In Russia, poverty increased from 5 million to 8 million, showing a rise that is less severe compared to other countries. In Syria, poverty levels increased from 8 million to 15 million, reflecting a serious deterioration in economic and social conditions. In Venezuela, poverty rose from 15 million to 25 million, indicating a severe economic crisis and a significant surge in poverty rates.

2. Political Impacts on International Relations

The impact of sanctions is not limited to the economic aspect alone, but also significantly affects international relations and the foreign policies of targeted countries, as well as the countries imposing the sanctions. The political effects are evident in several aspects, most notably,:

- International isolation: Sanctions isolate targeted countries from the international community, reduce opportunities for diplomatic and commercial cooperation with other countries, weaken the targeted country's position on the international stage, and force it to rely on a limited number of allies. (CNN, 2017).

- Regional conflicts: Sanctions contribute to the escalation of regional conflicts, as targeted countries resort to adopting more aggressive policies in response to the sanctions, which increases tensions with neighboring countries and may even lead to confrontations (Lebow, 2013).
- Increased levels of internal political repression: In some cases, sanctions may generate hardline factions within the political leadership of targeted countries, which contributes to their use as a pretext to justify repressive policies to gain internal support against what they call the "external enemy," leading to a reduction in civil liberties. (Abu Al-Layl & Salama, 2023).

Table (2): Number of Countries Affected by U.S. Sanctions

Country	Number of Sanctions	Country	Number of Sanctions
Iran	12	Belarus	1
North Korea	10	Burma (Myanmar)	1
Russia	15	Central African Republic	1
Syria	8	Republic of the Congo	1
Venezuela	9	Ethiopia	1
Cuba	7	Hong Kong	1
Sudan	6	Iraq	1
Somalia	5	Lebanon	1
Libya	4	Nicaragua	1
Yemen	3	South Sudan	1

Source: office of foreign assets, 2024.

Fourth: Assessing the Effectiveness of Sanctions

1. The Successes and Failures of Sanctions

In particular, economic sanctions, however, might be successful in some cases and not in others. The effectiveness of sanctions depends on numerous reasons, including their conceptual design, the nature of international efforts and the degree of effective implementation (Smeets, 2018). Here are cases that contain effective and unsuccessful applications of economic sanctions:

▪ **Examples of Successful Sanctions**

South Africa: Apartheid reigned in South Africa between 1948 and 1991, when the white minority of South Africans ruled the black majority, maintained by an exclusionary system that maintained the commercial and economic

interests and structures established by whites during three centuries of colonialism. Examples of sanctions working include South Africa's widespread economic sanctions introduced by the global community on the apartheid regime. In the end these sanctions which meant they imposed a significant trade and investment embargo helped to destroy apartheid and usher in a multi-racial democracy. (Al-sharq Al-Awsat, 2021).

▪ **Examples of Failed Sanctions**

Iran: Following the United States and its allies' imposed sanctions against Iran to prevent the latter from building its nuclear program, the country's currency fell and the costs of inflation soared, having an enormous negative effect on the economy. Nonetheless, these sanctions had not stopped Iran's nuclear activity from continuing unabated (Rome, 2022).

2. Determine If The Sanctions Work

To evaluate the effectiveness of sanctions we need to know what set of variables leads to an extent to which the objectives were set out we are able to realize them. The latter has been assessed according to economic and political effects and its effectiveness in meeting the strategic targets pursued by imposing countries when deploying them.

When it comes to judging the effectiveness of sanctions, there are several key factors:

- Sanctions measure effectiveness if they accomplish the specified political objective. Sanctions against South Africa were effective for instance in that they helped dismantle the apartheid regime (Al-sharq Al-Awsat, 2011). Sanctions against Cuba did not change the political system despite decades of sanctions (People's Will Party Qassioun, 2023).
- To understand the effectiveness of sanctions, we have to measure their impact on the economies of target countries. Sanctions that cause serious economic recession or increase inflation are effective in pressuring targeted governments, as they were with Iran (Clawson, 2018) and Lebanon (Khalaf, 2020).
- Another criterion for assessing the efficacy of sanctions is whether they may influence the behaviour of targeted states globally. Consequences of sanctions on Libya included the extradition of suspects in the Lockerbie bombing and withdrawal of Libya's weapons of mass destruction programs (Moqatel Min Al-Sahra Encyclopedia, 2020). Sanctions can also have huge implications in humanitarian terms, but, even if they reach their goal, they

are ineffective and unprincipled, as illustrated by the sanctions imposed on Iraq in the 1990s which caused mass suffering of civilians and human and material injury but was not politically beneficial (Segal, 1999).

- The effectiveness of sanctions is judged by how much broad international support they attain. The United Nations has sanctions on Iran, this is an example of global consensus that enhances the effectiveness of sanctions; the overall impact is greater when these are brought down by multiple countries together than where the penalties are levelled by an individual country as a whole (Al-Ha'i, 2023).
- The effectiveness of sanctions also depends on the targeted countries' ability to secure economic partners or allies, or form new alliances. That is, they can take countermeasures if they wish to mitigate its effect. Russia, for example, has also been able to increase its economic cooperation with China and other countries while lessening the effects of Western sanctions (Al-Basrati, 2022).

- **Conclusion and Findings:**

It confirms that economic sanctions are important in contemporary US foreign policy, particularly focusing on the Magnitsky Act as a modern tool to punish human rights violators. The study's findings affirm that by analyzing the economic consequences of sanctions on the countries targeted, the research shows that these measures effectively accomplish US foreign policy goals. But it also proves that these sanctions can present diplomatic problems and inflame tensions in global relations. Sanctions fail or succeed, depending largely on our international environment, how much we collectively do in terms of international solidarity in their implementation.

Although sanctions may succeed in bringing about political and economic change in specified countries, as in the case of Libya and South Africa, they fall short of their targets in Cuba and Iran. From a positive perspective we can say that the Magnitsky Act has proven to be somewhat successful in exposing human rights abuses and punishing perpetrators of them, establishing at the international level a principle of accountability for those responsible and helping to bring about the results the United States hopes for in relation to targeted countries.

Politically sanctions result in reshaping international alliances, escalating regional conflicts and changes of internal policies in targeted countries. As a result, a number of economic, political and humanitarian dimensions should be taken into account to determine whether sanctions

work. The United States has used economic sanctions as one of its most influential weapons of choice, systematically and consistently in different spheres of life, according to its economic and financial power and ability to exert influence on the international order, as indicated in this research. This depends on whether their success for the US depends on political goals and reducing adverse impacts for civilians and international relations.

From an analytical perspective, the Magnitsky Act represents a significant evolution in international relations by pioneering the use of targeted penalties on individuals rather than entire nations, the Act enhances accountability mechanisms and fosters states to prioritize human rights in their diplomatic engagements, promoting a framework in which accountability is central to global human rights governance, challenging authoritarian regimes and empowering civil society advocates for accountability and human rights protection. However, the effectiveness of such targeted sanctions remains closely linked to the level of international coordination and the political interests of major powers. In some cases, these measures contribute to strengthening global norms related to transparency and human rights protection, yet in other contexts they may be perceived as instruments of geopolitical pressure. Therefore, the long-term impact of the Magnitsky Act should be assessed not only through its immediate punitive outcomes, but also through its broader influence on the development of international accountability mechanisms and the credibility of global human rights governance.

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