

# UNILATERAL SANCTIONS AND INTERNATIONAL RESPONSIBILITY OF THE THIRD STATE

## SANÇÕES UNILATERAIS E RESPONSABILIDADE INTERNACIONAL DO TERCEIRO ESTADO

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**Abstract:** Despite the dramatic changes in the various international societies and the regulating of the international legal system and increasing dependence of countries on cooperation and interconnection with each other in the various fields, along with the human progress in the fields of science and technology, it is observed the increasing use of powerful countries such as the United States from the unilateral sanctions on behalf of its political, economic, dominant power against the other countries, especially the least developed countries, including the Islamic Republic of Iran. In most of the time, the third countries, considering the national interests and the economic and financial opportunities and threats, accompany with these countries in the case of the unilateral sanctions. The third state action, considering the 2001 draft of the international law commission on international State responsibility, has the international responsibility; now the question is whether these acts, as a violation of an international constitution, can be attributed to a third-state. Our argument in this article is that the third-state actions, in accompany with the unilateral sanctions, are the violation of international obligations, including the United Nations Chart, human rights obligations and the citizenship rights of that State, and will give rise to the international responsibility of that State.

**Keywords:** Unilateral Sanctions. International Responsibility of The States. Third State. Violations of International Obligations. International Law. United Nations Chart. Human Rights. Citizenship Rights.

**Resumo:** Apesar das mudanças dramáticas nas várias sociedades internacionais e da regulamentação do sistema jurídico internacional e da crescente dependência dos países em cooperação e interconexão entre si nos vários campos, juntamente com o progresso humano nos campos da ciência e tecnologia, observa-se o uso crescente de países poderosos como os Estados Unidos das sanções unilaterais em nome de seu poder político, econômico e dominante contra os outros países, especialmente os países menos desenvolvidos, incluindo a República Islâmica do Irã. Na maioria das vezes, os países terceiros, considerando os interesses nacionais e as oportunidades e ameaças econômicas e financeiras, acompanham esses países no caso das sanções unilaterais. A terceira ação do Estado, considerando o esboço de 2001 da comissão de direito internacional sobre responsabilidade internacional do Estado, tem a responsabilidade internacional; agora a questão é se esses atos, como uma violação de uma constituição internacional, podem ser atribuídos a um terceiro estado. Nosso argumento neste artigo é que as ações de terceiro estado, em conjunto com as sanções unilaterais, são a violação de obrigações internacionais, incluindo a Carta das Nações Unidas, obrigações de direitos humanos e os direitos de cidadania daquele Estado, e darão origem ao responsabilidade internacional desse Estado.

**Palavras-chave:** Sanções Unilaterais. Responsabilidade Internacional dos Estados. Terceiro Estado. Violações das Obrigações Internacionais. Direito Internacional. Carta das Nações Unidas. Direitos Humanos. Direitos de Cidadania.

## Introduction

One of the important issues of international law in the contemporary times is the international responsibility of the state because it has close ties with the other fields of international law, especially international peace and security issues. Therefore, the explanations of the international responsibility of the state and its implication has led to the guarantee development of the implementation of international law and the guarantee of the interests of the small powers against the great powers and the beneficial effects like the need for compensation of material and non-material damages. Also, unilateral sanctions today is as a means for the economic pressure of powerful countries over the other countries to adjust their policies, but the use of these unilateral sanctions is aimed at safeguarding the specific interests of the country without paying attention to the interests and aspirations of the other members of the international community and politics which have been implied in recent years by some powers, especially the United States, against some developing countries whose policies and practices have not been in the line with their interests. The United States is one of the promoters of unilateral economic and political sanctions to achieve the goals set out in the Foreign Policy. Sometimes, the other countries which have the relationship with sanction country, are punished and fined. Considering the unilateral sanctions, the legitimacy and non-legitimacy of these sanctions and the international responsibility of the exporting country have the most importance, and the third state has been less pronounced. The purpose of this article is to review the international responsibility of the Third State on the basis of the draft law drawn up by the International Law Commission in 2001. Based on this, it will begin with the concept and conditions of international responsibility of the state and then it will examine the international responsibility of the third state with regard to the materials of the draft.

## Research Method

This paper attempts to prove whether there is a logical relationship between the category of unilateral sanctions and the international responsibility of third-state. Third-state international responsibility and their actions during unilateral sanctions, especially unilateral US sanctions against Iran, has been investigated and its total image has been presented.

## Concept of the State International Responsibility

According to professor Basdevant, the international responsibility is a legal entity whereby a State that is acting in contravention of international law has to pay compensation to the suffering country in accordance with international law. Jean-Jacques Rousseau, considers a fundamental role for this legal entity. To Max Huber (International Judge), a decisive and plausible principle is that responsibility is a rational requirement of law. All international rights require the international responsibility (United Nations Arbitration Rules Report, 1925, Vol. 2, p. 615). The International Court of Justice, dated July 26, 1927, in Chorzow Factory Case between Germany and Poland states: "This is one of the principles of international law that imposes the violation of obligation to compensate for damage in a balanced manner; Therefore, the compensate for damage is a necessary supplement to the implementation of a treaty without necessarily referring to it in the treaty itself". In International Law, international responsibility as an international legal entity is: Compulsory Compensation (Material and Intolerance) imposed in the international law, which must result from the act or omission of unlawful act contrary to international law (customary or treaty), one of the subjects of international law.

### **Draft Articles on Responsibility of States for Internationally Wrongful Act In 2001**

Articles 1 and 2 of this draft indicate that the violations of international law by a state leads to the international responsibility of that state, since this is the fundamental principle that is the source of all the articles of the draft (59 articles). According to the Articles 1 and 2 of this international responsibility draft, each state is responsible for its acts in respect of its international obligations, and any international violation of a state shall entail the international responsibility of that state, provided that the actions of that state:

#### **A) According To International Law, Be Attributed To That State**

State-related action can include the act or leave the act. For example, in the Corfu channel case, the International Court of Justice stated that in order to assume the international responsibility of the Albanian state, it is sufficient to the extent that the state knew or should have been aware of the existence of land mines in its territorial waters, and did not take any action to warn the other Corfu channel case, 1949, p. 4). )

#### **B) Causes the violation of an international obligation of that State**

Violation of an international obligation involve both treaty and non-treaty obligations. This issue has also been used by the International Court of Justice in the cases such as Chorzo Factory Case (1927) and the Restraint of Damage to the United Nations Staff (1949) and the Arbitration Tribunal in the Rainbow Warrior Case (1990). Of course, with reviewing the judgments of the International Court of Justice, it is realized that, contrary to Article 2 of the Commission in 2001, in the most cases, such as the judgment of the Court in the Kumar Asami case in April 29, 1999, the Court's main priority was to investigate the violation of the commitment by the relevant state (Malaysia), and then in the next step, assign this issue to that state.

#### **Third-State International Responsibility In Relation To the Violation of United Nations Chart**

The United Nations Chart is as the founding treaty and basic document which sets out the goals and objectives that the United Nations has set up and is based on it. Article 1 explains the United Nations goals and Article 2 define the principles upon which the organization and its members act in pursuit of the objectives referred to in article 1. Among these objectives are the maintenance of international peace and security, the settlement of international disputes with peaceful means in accordance with international law, the development of friendly relations among the nations, the achievement of international cooperation on human rights and the basic freedoms for all without discrimination. Now we review a number of these principles and the third-states actions during unilateral sanctions that violates the United Nations Chart and international obligations and as a result, the international responsibility of the third state, based on a draft drawn up by the International Law Commission on International State Responsibility in 2001.

#### **A. The Principle of Sovereign Equality of States**

The principle of sovereign equality of states as a general principle requires equality of jurisdiction and respect for the personality of the states and observance of their territorial integrity and political independence. For this reason, Article 2, paragraph 1 of the United Nations Convention has predicted the principle of equality of member states for the sustainability of the new world order and as the basis for the united nations solidarity. Many outstanding lawyers referred to this principle in their writings, including:

Ian Brownlie argues in his book "International Law Principles" argues that "the principle of equality of the states' sovereignty as one of the fundamental principles of international law embodies the doctrine of the constitution about the states' rights, which is essentially a ruling community of states with a single identity" (Branli, 1990, p. 187).

On the principle of equality of the states' sovereignty, Henkin stated that "every governing and independent state can freely exercise their right resulted from their sovereignty in any manner not compatible with the equal rights of the other states". He has also noted that "the equalization of the sates as a fundamental principle of a free economic system is an equality of rights and obligations "(Henkin, 1989, p. 192).

"According to the international law, the principle of the states' equalization is a necessary consequence of the rejection of the universal empire, as well as the claim that the international community is governed by the law", Lowe states. (Lowe, 1988, p. 52).

According to Schwarzenberger, "the states' equalization is the natural consequence of the coexistence of governing states" (Schwarzeneberger, 1957, p. 125).

The Standing Court of Arbitration in the Norwegian shipowners claim also stated that international law and justice are based on the principle of states' equality.

Given the above description, it can be considered the third-state measures and the use of economic penalties in line with the unilateral sanctions imposed by the embargoed country, such as the United States, as the threat and violation by the sovereignty to the other countries' sovereign, and contrary to this principle because the economic independence is the fundamental

part a sovereignty.

### **B. The Principle of Good Faith**

Good faith is known as a general and fundamental principle of the international law; to some ones, the good faith principle is the basis of the whole of law or the fundamental principle of law, but John Ocaner provides a definition of the good faith principle in international law is more acceptable than the other ones. To John Ocaner, the good faith principle in international law is a fundamental principle as the origin of the rules that are directly and individually related to the honesty, fairness and reasonableness and it is determined by the means of these criteria, which at a certain time prevails on the international community. Generally speaking, the good faith principle can be regarded as one of the fundamental principles governing the establishment of legal obligations, irrespective of its origin; this means that the observance of this principle by the states regulate the implementation of their rights and obligations in the international arena, and in particular. This principle supports the legitimate expectations created by the states' obligations with virtue of the rules of faith, statelessness, silence, and implies the preservation of trust and confidence. The commitment of the members of the United Nations to act based on the good faith, include both the cases in which each member take measures and take decisions individually and also the members do that as one of the UN bodies in a collective manner.

With presenting this description of the good faith principle, the actions of the third state in the course of unilateral sanctions can be considered illegal and in violation of the good faith principle and the obligations of that state to the United Nations Chart, because the in article 24 of the United Nations Chart have agreed and committed themselves to assign to the Security Council (as the public security organ) the task of identifying a threat to the peace or an act of rape and choice the right decision mechanism for effective action mechanism by the members and, moreover, in Article 103 of the United Nations Chart, the member states have agreed that the obligations of United Nations members under the United Nations Chart are preceded and superior on their obligations under any other international agreement. For this reason, the states should avoid from any arbitrary acts alone or common with one or more states in this regard. To better understand this issue, with examining and implementing the European Union 'unilateral measures when the United States' unilateral sanctions against Iran and its obligations under the United Nations Chart, in accordance with its principles, in particular the good faith principle, it is obvious these actions could be considered as the international responsibility of the member states of this union; the actions is non-malicious acts that violate the United Nations Chart and its principles, especially the good faith principle. Since the economic sanctions are some part of the international system's executive mechanism in the United Nations Chart which must be implemented by the Security Council and executed under the certain conditions, and such matters should not be imposed arbitrarily on the part of States.

### **C) The Principle of Non-Intervention**

The principle of non-interference in the internal and external affairs of the countries is one of the recognized principles of international law, which has been approved in the declarations, including the declaration on the prevention of interference with the inland affairs of states and support their independence and sovereign (December 21, 1965), the Chart, including the United Nations Chart and conventions and various agreements. It means that each State has inherently and exclusively right to choose the political, economic, social and cultural systems without any intervention from any other states. The judiciary also indicates this and the International Court of Justice, while accepting and approving it in various cases, has mentioned it; the International Court of Justice in Corfu case (1949) stated that "the right to claim intervention cannot be anything but a manifestation of a powerful policy, a policy that has led to the most severe abuses in the past and cannot have any place in the international law. The Nicaraguan case against the United States also states that the principle of non-interference is the right of any independent state which administers their affairs without the external interference, and respect for territorial sovereignty among independent states is one of the fundamental principles in the international relations. The General Assembly, in the resolution 2131 approved in 1965, also states that "no state has the right

to interfere directly or indirectly with any reason in the internal or foreign affairs of any other state.

With these description, it is obvious that any action, whether economic, political etc. of the third-state state to impose the tension on the sanction country can be considered as an intervention in this state's internal affairs, because these unilateral measures violate the fundamental principles of the Universal Declaration of Human Rights, including the principle of non-interference and as a result, violations of their obligations to the United Nations Chart and led to the international responsibility of this state. For example, the boycott of oil purchases from our country by the members of the European Union in 2012, in line with the U.S. unilateral economic sanctions against Iran, which was aimed at pushing for a nuclear change and causing a lot of economic problems for our country. Given that a significant percentage of Iran's budget is obtained through the sale of oil, it can be considered as a clear indication of intervention in the internal affairs of Iran and in violation of the principles of the Chart, including the principle of non-interference and also violating the international obligations of the member states of this union, like the obligations of members of this union to the United Nation Chart and International agreement letters and, as a result, the international responsibility of this union and its member as a third state considering the draft of 2001, the state's international responsibility through the International Law Commission. Because, if this action of the members of the European Union, based on the resolution of the Ministers Council of the Union, aimed at implementing the provisions of Security Council resolution 1929 in 2010, in this resolution, the Council of Ministers has not banned the purchase of oil and gas from Iran, and only members of the union have been banned new investing and technologies and technical assistance, including the sale of equipment and technology in the oil and gas sector. This shows that this action by the members of the European Union took place unilaterally and beyond the decisions of the Security Council. Regardless of what has been declared, the European Union and its member states, have violated their international obligations with Iran regarding oil and petrochemicals, because the countries member of the union have several agreements in various areas of energy with Iran, including the "Mutual Aid and Mutual Investment" agreement among the states member of this union, such as Italy, Germany, France and Austria with Iran, and this is considered as unilateral violation.

### **Third-State International Responsibility Regarding Human Rights Violations**

The principles and norms of human rights observe the fundamental rights that are considered to be inherent rights and emphasize the human rights and freedoms inherent in the inalienable rights of individuals towards the state and society, and the states are required to respect the rights. Human rights are based on universal human dignity, and it belongs to the man just because mankind does not have time or place, and has a positive two-sidedness. A positive aspect is the recognition of the right and fulfillment of human dignity, and negation includes the deterrence in the defense and prevention of aggression, rape, and distorting. Maintaining international peace and advancing and encouraging respect for human rights are among the most important goals of the United Nations. The realization of these two goals was a matter for the authors of the chart and its member states, and since the founding of the United Nations and the United Nations Chart, the idea that one of the members of the organization, in the exercise of his powers, would provide the violations of fundamental human rights was unbelievable and far from the mind, and this is a fact that there is a deep connection between peace and human rights. Human rights are subject to respect for human rights; nevertheless, looking at the current events in the powerful states, including unilateral sanctions on relations with the other states, especially with less developed and developing countries, is clearly visible in the violation of the human rights and ignore the fundamental freedoms of the people. In this regard, the Economic, Social and Cultural Committee emphasized: "Individuals residing in a country should not be deprived of their fundamental economic, social and cultural rights because their leaders violated the rules of peace and security". The International Court of Justice, in the Diplomatic and Constitutional Court of the United States of America in Tehran on May 24, 1980, explicitly stated that "the exclusion of human beings from the liberties and the pressure to put them in a difficult situation is clearly contrary to the principles of the Universal Declaration of Human Rights. Taking into account these materials,



third-state responsibility has been addressed to some of the most fundamental human rights and in the case of violation when imposing the unilateral sanctions.

#### **A - The Right to Life**

The right to life is one of the most significant and most important human rights and, besides being closely related to human dignity as one of the most fundamental human rights, it is the background to the realization of the other human rights and through the UN Human Rights Committee, it is the highest right that cannot be neglected even in public emergency situations. Of course, some authors believe that the right to life supports people against the arbitrary abandonment of life by execution, disappearance, torture and so on, and does not extend abandonment of life through the hunger or lack of basic nutritional needs such as food, primary health care and medical care. However, the Human Rights Committee does not agree with such a narrow interpretation of the concept of the right to life, and in its first interpretation, states: "The Committee notes that the right to life has often been interpreted in a restrictive way. The right concept of life's inherent right cannot be construed in a restrictive way, and the right to this right requires that states take positive measures". According to this view, the sanctions should not prevent people from achieving the minimum essential goods and services necessary for sustainable living. Therefore, the states should not undermine the right to life by imposing economic sanctions, because these sanctions will interrupt and shorten the supply of medicines and food and other basic needs and spread the disease and increase the mortality, especially in the most vulnerable countries, and this action would be in violation of the right to life in the sense that the Human Rights Committee has said. It is therefore clear that the actions of the third state, along with unilateral sanctions and even silence and not any reaction against the loss of the right can alone lead to the international responsibility of the third state.

#### **B- The Right to Development**

Despite the fact that the right to development is not explicitly included in the United Nations, the Universal Declaration of Human Rights or the International Covenants on Human Rights, but some of the principles contained in the 1986 Declaration rooted in the materials and regulations of those important documents; in addition to the declaration of the right to development, this right is approved in the various resolutions such as the United Nations General Assembly and the Commission on Human Rights, the international and international conferences including Rio Declaration on Environment and Development, Copenhagen Declaration on Social Development, Beijing Declaration, The Durban Declaration and Program of Action and the global forum for sustainable development and Declaration of the Universal Conference on Human Rights and the other international documents. According to these international documents, the right to development is a universal and non-transferable right and an integral part of human rights. It guarantees the freedom and development and the fair right of every human being to the material resources of the international community and includes the nutrition, education and housing, housing, social security, art, communications, freedom, security, and supplies that ensure the sustainability of human beings and their spiritual and material resources. The states need to work together effectively to develop and enforce it. It is a matter of absolute unilateral sanctions by powerful states that are clearly in conflict with this duty, which would undermine the economic system of target countries and, consequently, stop the development of these countries in various cultural, economic, and social fields and so on. With some reflection on the status of countries that have been unilaterally violated by powerful countries, it is understood the impact of the massive damages of these sanctions on the fundamental right to development, and find that the right to development is one of the most vulnerable human rights standards in these sanctions. According to the material provided, it is clear that the actions of third-state drafts in the context of unilateral sanctions that violate the right to development, could be the international responsibility of these countries; for example, the various restrictions and sanctions that countries such as the European Union, China, India, South Korea have created in the context of US sanctions against Iran in the field of banking and the transfer of money from oil sales. Given the heavy dependence of Iran's economy on oil sales and its revenues, these sanctions have prevented Iran from acquiring such revenues, and

reduced the value of Iranian national currency in the international markets, reduced the economic growth and as a result, reduced the flow of state services to people, increased unemployment and reduced the purchasing power of people, especially the deprived and vulnerable ones, and in general, have led to the deprivation and limitation of the Iranian people in the enjoyment of the right to development, including the right to a minimum standard of living and the health and well-being. These measures can certainly undermine the right to the development of our people from the above countries as third states and the international authority of these countries.

### **C - The Right to Education**

The right to education is a universal right in education. This right has been recognized under Article 13 of the International Covenant on Economic, Social and Cultural Rights one of the fundamental human rights. In accordance with the right, the States Parties to the Covenant have committed themselves to provide the basic education for free and accessible to all, and to make all available secondary education accessible to all, in particular the progressive introduction of free secondary education to higher education. The right to education includes the responsibility for providing basic education to those who have not completed elementary education; in addition, the right to education includes the educational considerations, such as the requirement for discrimination at all levels, improving the status of teachers and teaching staff and sufficient educational expenses. They also believe that the goal of education should be the full development of human personality and a sense of dignity, and to strengthen respect for human rights and fundamental freedoms. In addition, they agreed that that the education should prepare all individuals to play a useful role in a free society providing the understanding and tolerance among all nations and all ethnic or religious groups and encouraging the development of United Nations activities to maintain peace. Imposing the unilateral sanctions would severely disrupt in the education system of the sanction country, and, accordingly, the rights of a wide range of people, especially children and youths, to education and adequate services at the various levels of education (elementary, high, and higher) are violated and abolished. It is clear that the third-states' action in the field of unilateral sanctions may violate the right to education of individuals in the country, which could lead to international responsibility of that state.

## **Third State International Responsibility Regarding Violation of Citizenship Rights**

In the light of the globalization of affairs and the change in the functioning of the competence of the state, the concept of "citizenship rights" has been acknowledged at the national level to the international level. Accordingly, the effects of the citizen will not be limited to the national community. In this sense, citizens as human beings must be protected and revered and have international support against the will of states. In other words, each person at the same time as a citizen and a member of his own country, is considered as a member of the human community and a citizen of the world. With the consideration of the citizenship rights, we find that these documents are the result of the development of human rights and human rights law as well as some basic and civil rights documents. In addition, citizenship rights documents have been recognized in a number of important international treaties, such as the 2001 Peoples Charter, French Declaration of Human Rights, Canadian Charter of Rights and Freedoms 1982, African (Banjul) Charter on Human and Peoples Rights 1981, European Charter of Rights 2000, and UNESCO (2004), "World Charter on the Right to the City".

Looking at the existing international judicial system, especially in the European Court of Justice and the Judiciary, we also find that Citizens' rights, such as the right to fair trial, the right to property, the right to standards acceptable to life, were approved in the cases Kadi and Al-Barkat, Nabil Sayyadi and Patriche Vink, Yousef Mostafa Nada etc. according to above, we look at these three examples of the most important rights and the third-state international responsibility in the event of violations of citizenship rights obligations.

### **A. Fair Right to Trial**

The right to a fair trial includes a set of rules and procedures that are anticipated to respect the rights of the parties to their lawsuit. This right in the International Covenant on Human Rights, such as the Universal Declaration of Human Rights (Articles 8-11), the International Covenant on Civil and Political Rights (Article 14), the European Convention on Human Rights (Article 6), the American Convention on Human Rights (Articles 8 and 9), Also, in the International Covenant on Civil and Political Rights, such as the Universal Declaration of Citizens' Rights (Article 10), the Law on the Rights of the Child (Articles 49, 48 and 47), the Charter on the Rights and Freedoms (Articles 14, 13, 12 and 11) of the African Charter on the Rights of People of the World (Articles 3 and 7) have been emphasized. According to the principles of the above, everyone has the right to be heard fairly by a court of law, independently and on a mutually satisfactory basis, with reasonable probability and with the possibility of being equal to the opposing state in his own right. This right is a guarantee that, in the event of a breach through each of the rights, the individual may object to a lawsuit by a fair trial or, In case of accusation of violations of other rights or the community, it is desirable to consider a fair trial through the authority of the competent authority during legal proceedings. This right includes a set of rules guaranteeing regulations of the individual' rights during the proceedings from the beginning to the execution of the decision. According to paragraph 1 of Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Court of Justice of the European Union, these guarantees include access to records and information claim, the right to defend and having the facilities necessary to perform its jurisdiction, the right to claim at a reasonable time and the right of implementation of decision-making authority. In other words, the development and advancement toward the effective judicial protection of human rights through the proper and fair trial of a set of guarantees under the right of fair trial. The European Court of Justice has recognized and referred to this right in the famous lawsuit by the Al-Barakat and Kadi Foundation, and also in the judgment of 19 March 1997 in Hornesby case against Greece, three pillars of the right to a fair and just hearing were set: 1. Access to the court, 2. Good prosecution and 3. Effective implementation of the court decision.

According to the above, it is clear that the violation of the right to a fair and just hearing for people when imposing the unilateral sanctions by a third state is also a violation of its human rights obligations and can lead to international responsibility in that country.

### **B. Right of Sovereignty**

Sovereignty right is an exclusive right to determine how to use a source and its incomes. The sovereignty right is one of the most discriminatory human rights because although it is not explicitly mentioned in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, Cultural Rights, but Article 17 of the Universal Declaration of Human Rights recognizes the sovereignty and prescribes: 1) Everyone has the right to own and in partnership with the others, 2. No one shall be arbitrarily deprived of the right of sovereignty. This right is also recognized and endorsed by the Additional Protocol to the European Convention on Human Rights, as well as in international human rights documents such as the Universal Declaration of Citizens' Rights (Article 2, paragraph 3), and the European Convention on the Rights of Persons (also referred to in Article 17, paragraph 2). The European Court of Justice in various cases, such as Bosphorous Turkish Airlines against Ireland in the course of the sanctions imposed against Yugoslavia in 1991, and the General Assembly of Europe, has emphasized its important role in Iranian companies and banks against the European Union during the sanctions imposed on Iran on September 6, 2013. In the line with the unilateral US sanctions on Iran, countries like the United Arab Emirates and the member states of the European Union have blocked the assets of Iranian individuals and corporations and caused arbitrary abolition of sovereignty and, consequently, violated the right of sovereignty. Given the similar cases and the confirmation of European Court of Justice and the European Court of Justice in these cases, it is clear that the actions of these countries as third countries violate their civil rights obligations.

### **C - The Right to Proper Living Standards**

The right to proper living standards is one of the most important welfare rights of individuals.



This right in the article 25 of Universal Declaration of Human Rights, Articles 11 and 12 of the Covenant on Economic, Social and Cultural Rights, and several multilateral human rights treaties, as well as in the International Covenant on Civil and Political Rights (Articles 23, 18, 16, 14, 13, 12, 11 and 2) Citizenship and the 4 articles (35 and 34) of the European Chart of Rights are stipulated has been specified. This right is appropriate to some extent, such as the right to food, clothing, housing and health.

Article 25 of the Universal Declaration of Human Rights states: “Everyone deserves a living with acceptable standards for the health and well-being of himself and his family, including food, clothing, housing, medical care and social services; he also has the right to benefit from social security at times of unemployment, sickness, disability, homelessness, old age and lack of livelihood resources”.

Article 11 of the Covenant on Economic, Social and Cultural Rights also provides: “States Parties to this Covenant recognize the right of everyone to have an adequate living standard for themselves and their families, including adequate clothing and shelter, as well as the continuous improvement of living conditions. The Parties to the Covenant will take appropriate measures to ensure the realization of this right, and in this respect, accept the importance of international cooperation on the basis of free consent “. In addition, the Article 12 continues: “The States Parties to this Covenant recognize the right of everyone to the best of their physical and mental health”. In accordance with the foregoing, the observance of this right requires the protection of certain economic, social and cultural rights associated with it; respect for the right to individual property, the right to employment, the right to education and the right to social security, including those rights, are among these rights. Imposing the sanctions with a negative impact on production, employment and national income will result in low economic efficiency, poor and fair distribution of goods and services, and the creation of classroom irregularities and disruptions, and, in general, deprives people of their living standards and deprivation of living standards. Statistical reports and studies conducted by international bodies in this regard clearly illustrate this issue.

With these explanations, the actions of the UAE, Bahrain, Egypt as a third state on the Qatari sanctions through Saudi Arabia, has made it difficult to reduce the prosperity and lack of food, and deprive the people of an appropriate and well-motivated situation. Given the fact that the international organizations, including the International Amnesty Organization, have also argued that Qatar's boycott has reduced welfare and crisis in the lives of its people, can be considered as the actions of third states (the UAE, Bahrain and Egypt) that violate the right to enjoy the standard of living of the people, and consequently, have led to international responsibility for these states as a third state, according to the draft of the International Commission on Human Rights in 2001.

## **Conclusion**

Today, the absolute sovereignty of states and the acts of their exclusive jurisdiction do not have a place in international law, and the acts of the countries as one of the sources of international law limited to conditions such as the observance of the objectives of the United Nations Chart, the observance of human rights and the right of citizenship. We must accept the fact that there is an inescapable relationship between the peace and the promotion of human rights in today's society, with a tendency towards awareness of values and morals. On the other hand, studying and reviewing the measures taken by countries in sanctions (especially in the case of unilateral sanctions) and the effect of these sanctions on target countries indicate that these sanctions have harmful effects on human rights law and that ordinary people, as the main victim, have the greatest suffering in this area.

With the explanations provided, and also with the mention that today human rights are based solely on the intrinsic humanity of mankind; it can be said that human rights have reached a level that is above and beyond the traditional limits of the international society, so that the Human Rights Committee does not specify the principle of mutual action between countries, and its provisions are in the context of the rules of international law, and even Judge Tanaka in Southwest Africa 1966 in his theory states that “If the rules of the international law are presented, then it is included to the rules to protect human rights”. It is clear that any violation of these rules and human rights by states will be subject to the severe reaction of the international community and

public opinion. In the same vein, the United Nations Commission on Human Rights (UNHRC), in a treaty entitled "Human Rights and Unilateral Acts of Violence", has explicitly listed trade restrictions, blockades, prohibitions and foreclosures as compulsory measures which are a violation to the human rights.

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