

HUMANITARIAN CONSEQUENCES OF SANCTIONS ON REFUGEE MIGRATION *

UDC 341

DOI: 10.52063/25792652-2025.1.24-42

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This paper investigates the unintended consequences of economic sanctions, focusing specifically on their role in generating displacement and the related legal challenges. While sanctions aim to influence state behavior, they can also cause economic instability that forces people to migrate. The purpose of the study is to assess how current international legal frameworks recognize and protect individuals displaced by sanctions and to propose policy measures that address these humanitarian impacts.

Using legal and policy analysis, the paper examines key international instruments and case law to identify gaps in the legal status and protection of affected individuals. It finds that many people displaced by sanctions do not fall under traditional refugee or migrant categories, creating a protection gap. Although some legal and humanitarian mechanisms exist, they are often insufficient to address this type of displacement.

The study concludes by recommending stronger legal recognition, targeted humanitarian exemptions, and better international coordination. These measures can help reduce harm to civilians and ensure that sanctions align with humanitarian principles.

Key words: *Economic sanctions, forced migration, international law, humanitarian impact, refugee protection, legal reform, economic instability, international cooperation, human rights, displacement crises.*

INTRODUCTION

Sanctions are widely used instruments in international relations, intended to influence the behavior of states, organizations, or individuals in response to actions perceived as threats to peace, human rights, or international norms. These measures can include trade restrictions, asset freezes, or travel bans, and they are often preferred as alternatives to military intervention. However, while sanctions are aimed at achieving specific political or security outcomes, they can have significant unintended consequences, particularly when they result in economic and social hardships for the general population. One of the most pressing issues arising from sanctions is their impact on migration patterns, as people affected by economic instability may be compelled to seek better living conditions elsewhere.

* Հոդվածը ներկայացվել է 04.02.2025թ., գրախոսվել՝ 17.03.2025թ., տպագրության ընդունվել՝ 30.04.2025թ.:

This research addresses the question: How do sanctions, intended to pressure specific actors, contribute to migration and humanitarian crises in third states? Economic hardships caused by sanctions — such as rising inflation, job losses, and shortages of essential goods — can force individuals and families to migrate, often placing additional strain on neighboring countries and the international community. The migration resulting from sanctions can create complex legal and humanitarian challenges that are not always accounted for in existing international frameworks.

The problem lies in the fact that international legal systems may not fully address the consequences of sanctions-induced migration. While there are established conventions and agreements governing the treatment of refugees, these frameworks often do not account for economic migrants or people displaced by indirect consequences of international policies. Furthermore, the extraterritorial reach of some sanctions regimes raises questions about state sovereignty and the balance between achieving policy goals and minimizing harm to innocent populations. This research explores the intersection of sanctions and migration from an international law perspective, analyzing case studies to highlight the need for improved legal and humanitarian measures. It proposes more nuanced approaches to sanctions that prioritize minimizing harm to civilian populations while achieving their intended objectives.

The migration resulting from sanctions-induced economic instability highlights the urgent need for legal reform to ensure that affected populations are afforded adequate protections. The current legal frameworks are inadequate in addressing the unique vulnerabilities faced by displaced persons and asylum seekers who are not displaced due to direct conflict or persecution but rather due to the broader socio-economic disruptions caused by sanctions. Furthermore, the role of climate change in exacerbating these crises calls for a more comprehensive approach to migration that integrates environmental factors, mental health support, and sustainable solutions for both refugees and host countries.

The Human Cost of Economic Sanctions: Migration and Vulnerabilities in Focus

The economic and social disruptions caused by international measures often force individuals to leave their home countries in search of safety and stability. This migration leads to large-scale refugee crises, placing significant strain on host nations, particularly those already grappling with limited resources or socio-economic challenges. Neighboring states, in particular, often bear the initial burden of accommodating displaced populations, which creates complex legal, humanitarian, and political issues.

The Venezuelan displacement crisis is a striking example of how economic instability can drive mass migration. Over 7 million Venezuelans have fled their country, with many seeking refuge in Colombia. As the host nation struggles to absorb these large numbers, its infrastructure, healthcare system, housing, and education services face immense pressure. The resulting strain exacerbates social tensions, increases poverty, and threatens regional stability. International legal frameworks, notably the 1951 Refugee Convention and its 1967 Protocol, provide crucial protections for individuals fleeing persecution. However, these instruments typically do not address those displaced by economic factors, leaving a significant gap in legal protection. Migrants displaced by economic hardships or systemic failures often find themselves without a clear legal status or access to essential rights, such as healthcare, education, and employment. Host states, often navigating these issues without adequate international assistance, must contend with inconsistent practices and humanitarian gaps. This legal ambiguity worsens

the vulnerability of displaced populations and complicates the challenges faced by host countries (United Nations High Commissioner for Refugees (UNHCR) 15-18).

Economic sanctions, intended to compel a change in state behavior, often have unintended consequences for the civilian population. The long-term effects of economic restrictions, such as inflation, unemployment, scarcity of goods, and increased poverty, leave many people with no choice but to flee their home countries. Migrants, driven by these hardships, often find themselves without a legal framework for their status, which exacerbates the vulnerabilities of those displaced. The legal status of economic migrants is ambiguous in international law, which primarily focuses on refugees fleeing persecution. This gap in the law further complicates the legal challenges for both displaced populations and host countries.

The impact of such crises extends beyond the immediate displacement of individuals. Third states hosting refugees often face long-term challenges, including economic pressures, strained social cohesion, and political opposition to migration. The legal complexities involved in accommodating large numbers of displaced persons highlight the urgent need for greater international cooperation and burden-sharing. While frameworks such as the Global Compact on Refugees advocate for equitable support for host nations, their implementation remains inconsistent, leaving countries like Colombia, which shoulder the greatest responsibility, with insufficient resources to address the challenges effectively (World Bank 8-10).

The legal implications of these crises are significant. Economic sanctions or other international measures that lead to mass displacement raise critical questions about compliance with international obligations. The United Nations Charter emphasizes proportionality and the need to avoid excessive harm to civilian populations, principles central to maintaining international peace and security. Moreover, international human rights law, including the International Covenant on Economic, Social, and Cultural Rights (ICESCR), stresses the importance of safeguarding basic rights such as access to education, healthcare, and employment. Displacement resulting from economic sanctions often undermines these rights, underscoring the need for more balanced approaches to international relations that prioritize humanitarian concerns (OHCHR 22-25).

By addressing these gaps in international law and humanitarian practice, the global community can better align its responses to displacement crises. A collaborative approach that integrates real-time monitoring, equitable burden-sharing, and comprehensive protections for all displaced persons is essential to mitigating the humanitarian impact of migration while ensuring adherence to international legal obligations.

The legal complexities of forced migration also disproportionately impact women and children, who face heightened risks of violence, exploitation, and discrimination. Women, in particular, are at risk of sexual violence, trafficking, and denial of access to health care and other essential services in refugee camps. Similarly, children are frequently deprived of education, exposed to forced labor, or even recruited as child soldiers in conflict zones. Addressing these vulnerabilities requires a more comprehensive approach to migration crises, ensuring that refugee protection policies are sensitive to the needs of women and children. Legal frameworks should not only provide physical protection but also ensure access to education, healthcare, and other services crucial for their well-being and future integration.

The international community must adopt a more humanitarian and collaborative approach to migration crises, ensuring that displaced persons are provided with legal protections and adequate support, while also promoting sustainable solutions for both refugees and host countries.

As global climate change accelerates, its impact on forced migration cannot be ignored. Climate-induced disasters such as floods, droughts, and rising sea levels increasingly contribute to displacement. These environmental factors drive people from their homes in search of safety, food, and clean water. International cooperation is essential to addressing the root causes of climate displacement, as well as to providing adequate resources and protection to those affected by climate-related migration. Legal protections for climate migrants are largely underdeveloped, further complicating the challenges of their displacement and integration.

In addition to the physical and economic hardships of displacement, refugees often experience severe mental health challenges due to the trauma of forced migration. The emotional toll of fleeing one's home, experiencing violence, and living in precarious conditions can lead to psychological issues such as depression, anxiety, and post-traumatic stress disorder (PTSD). Mental health services must be integrated into humanitarian response plans, offering displaced populations the support they need to rebuild their lives and cope with the trauma they have endured. This requires a broader understanding of the psychological needs of refugees, with an emphasis on cultural sensitivity and accessibility of care.

The complex interplay of economic, political, and environmental factors drives mass displacement and refugee crises. A comprehensive and compassionate response requires international cooperation, legal reform, and humanitarian assistance. By addressing the root causes of displacement, providing adequate protection and support to refugees, and promoting sustainable solutions, the international community can alleviate the suffering of millions of displaced persons and contribute to a more just and equitable world.

Navigating Legal Challenges: Sanctions, Forced Migration and International Law

Sanctions, though designed to influence the actions of governments or specific individuals, often lead to broader economic impacts that can drive migration. These economic impacts, including inflation, unemployment, and resource scarcity, disproportionately affect ordinary citizens, often resulting in forced migration. From an international law perspective, these consequences raise concerns about the balance between enforcing policy measures and protecting the rights of affected populations.

Sanctions can significantly disrupt the economies of targeted countries, limiting their access to international trade, freezing assets, and restricting essential imports. These measures can lead to widespread economic difficulties, such as severe inflation and high unemployment rates (Pape 90-136). The right to economic stability is recognized under international law, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), which protects the right to work, adequate living standards, and access to healthcare and education. When sanctions undermine these rights, they present legal and humanitarian dilemmas (Galtung 378-416).

The economic hardships that result from sanctions often compel large numbers of people to migrate. Faced with deteriorating living conditions and an inability to support their families, many feel they have no choice but to seek refuge elsewhere. This movement of people can create significant challenges for neighboring countries, which may struggle to accommodate sudden influxes of migrants (Allen 853-867). For instance, Colombia has experienced considerable pressure from the influx of Venezuelan migrants, straining its healthcare system, education services, and social infrastructure. International law provides a framework for the protection of refugees, as outlined in the 1951 Refugee Convention, but this convention does not always cover individuals displaced by economic

factors. Consequently, many migrants fleeing economic hardships caused by sanctions may not qualify for legal protection, leaving them in vulnerable positions (Gordon 156-172).

While the 1951 Refugee Convention protects individuals fleeing persecution, economic migrants displaced by sanctions often fall outside its scope. These individuals, who may be fleeing severe economic instability, lack formal refugee status and may not qualify for the protection offered by international law. As a result, they are left without clear legal status, making it difficult for them to access basic rights such as healthcare, education, and employment in host countries. This legal gap exacerbates their vulnerability and places additional strain on the legal systems of host nations, which must navigate complex and inconsistent policies regarding economic migration (United Nations, Article 2(4)).

The imposition of sanctions and their extraterritorial impact on civilian populations raises concerns about the principle of proportionality, a key element of international law. While sanctions are meant to target government behavior, their unintended consequences often harm civilians disproportionately. This creates a tension between the intended political goals of sanctions and the broader humanitarian effects, which may violate the principles of the United Nations Charter. States imposing sanctions may inadvertently cause harm to vulnerable populations, leading to mass migration that places an additional burden on neighboring countries. The extraterritorial enforcement of sanctions also challenges state sovereignty, particularly when sanctions disrupt the economic and social rights of civilians in target countries.

Addressing these issues requires a more comprehensive approach to sanctions, one that includes real-time monitoring of humanitarian impacts and more effective implementation of humanitarian exemptions. This would help ensure that sanctions regimes do not disproportionately harm civilian populations and that migration-related challenges are mitigated in accordance with international law (Zarate 102-118). The implementation of humanitarian exemptions can play a crucial role in alleviating the adverse effects of sanctions on civilian populations. These exemptions are designed to allow the continued flow of essential goods and services, such as food, medicine, and other humanitarian aid, even in the face of economic restrictions. However, the application of these exemptions is often hindered by bureaucratic inefficiencies, delays, and concerns over secondary penalties. Strengthening the monitoring and oversight mechanisms for humanitarian exemptions could help ensure that aid reaches those in need without delay and that sanctions do not unduly harm vulnerable populations.

While economic sanctions are a tool used to achieve political goals, their unintended consequences often result in significant human suffering, particularly through forced migration. The impact on civilians, who are often left without legal protection, highlights the need for a more balanced and humanitarian approach to the enforcement of sanctions. By addressing the legal gaps that leave economic migrants vulnerable, strengthening humanitarian exemptions, and ensuring real-time monitoring of the humanitarian impacts of sanctions, the international community can better protect the rights of displaced populations and uphold international law.

Humanitarian Impact on Third States and the Legal Implications

Sanctions, while aimed at achieving specific political or security objectives, often lead to widespread humanitarian consequences that can affect not only the targeted state but also neighboring and economically connected third states. These unintended consequences manifest in various forms, including refugee crises, healthcare system breakdowns, food insecurity, and overall strains on social infrastructure. When sanctions

destabilize a country, the ripple effects frequently extend beyond its borders, burdening neighboring nations and raising significant concerns under international humanitarian and human rights law.

The Syrian displacement crisis provides an example of the unintended consequences of sanctions, compounded by prolonged conflict. Economic measures have disrupted essential services within Syria, compelling millions to seek refuge in nearby countries such as Lebanon and Jordan (UNHCR 10-12). These host nations face immense pressures on their social and economic systems, struggling to provide adequate shelter, healthcare, and education to displaced populations. This situation highlights the need to evaluate the broader implications of sanctions and the collective responsibility of the international community to mitigate these effects.

International legal frameworks emphasize the principle of non-harm, which obligates states to ensure that their actions do not cause undue harm to others (International Law Commission 2001). While sanctions are often justified under Chapter VII of the United Nations Charter as tools for maintaining international peace and security, their implementation frequently raises concerns regarding proportionality and necessity⁴. Striking a balance between enforcing sanctions and minimizing unintended humanitarian consequences requires robust mechanisms and accountability (United Nations, Article 39). Striking a balance between enforcing sanctions and minimizing unintended humanitarian consequences requires robust mechanisms and accountability.

The imposition of sanctions must comply with the principle of proportionality outlined in international law, ensuring that the harm caused by these measures does not outweigh their intended political or security objectives. In the context of displacement crises, this means that the impact of sanctions on civilian populations must be carefully weighed against the intended outcomes of the sanctions. When sanctions result in widespread economic instability and forced migration, they can create conditions that exacerbate existing humanitarian crises, making it necessary to reassess the overall effectiveness and ethical implications of these measures.

Equitable burden-sharing is essential to address the strain placed on host states managing significant responsibilities with limited international support. The Global Compact on Refugees underscores the importance of collective action in addressing displacement crises (UNHCR 15-17). However, gaps in implementation often leave these countries to manage extensive burdens alone, further straining resources and complicating their ability to address the needs of displaced populations effectively.

One of the critical aspects of addressing displacement crises caused by sanctions is the need for equitable burden-sharing among the international community. Host countries, especially those in regions adjacent to conflict zones, are often left to manage the bulk of the refugee burden without sufficient support from the international community. As the Syrian crisis has demonstrated, neighboring states such as Lebanon and Jordan have shouldered the responsibility of hosting millions of displaced persons, often without adequate financial or logistical assistance. A more coordinated and cooperative approach is needed to ensure that resources are fairly distributed, and that host countries receive the necessary support to meet the needs of displaced populations.

Legal protections for individuals displaced due to economic instability remain inadequate. While the 1951 Refugee Convention and its 1967 Protocol provide critical safeguards for those fleeing persecution, they do not extend to individuals displaced by economic factors exacerbated by sanctions (UNHCR 1951). This leaves many without formal legal recognition or access to essential services such as healthcare, education, and employment (Gatrell 89-92). For instance, in Lebanon, the absence of comprehensive legal frameworks for displaced Syrians has resulted in precarious living conditions and inadequate support systems (Khalaf 45-49).

To address the complex challenges faced by displaced populations due to sanctions, long-term legal and humanitarian solutions are required. These solutions must include the development of regional agreements and frameworks that specifically address the migration dynamics caused by economic instability. Such frameworks should ensure that displaced individuals have access to legal recognition and support, as well as integrate host countries into broader international cooperation mechanisms. This would include providing financial assistance, capacity-building programs, and legal frameworks for local integration, voluntary repatriation, and third-country resettlement.

Addressing these challenges requires international cooperation and reforms. Financial assistance, capacity-building programs for host states, and the development of regional agreements tailored to address migration dynamics can help manage these crises more effectively. Strengthening oversight and transparency in sanctions regimes, including the consistent application of humanitarian exemptions, can also reduce unintended harm to civilian populations. Improved mechanisms for ensuring the delivery of essential goods and services to affected areas are vital.

One key approach to minimizing the humanitarian impact of sanctions is the effective use of humanitarian exemptions, which allow for the continued flow of critical supplies, including food, medical aid, and basic necessities. However, the current application of these exemptions is often hindered by bureaucratic delays, concerns about secondary sanctions, and lack of transparency. Strengthening the oversight of sanctions regimes, coupled with the real-time monitoring of humanitarian conditions in affected regions, can improve the application of these exemptions. This would help ensure that essential aid reaches vulnerable populations and that the humanitarian impact of sanctions is minimized.

The disproportionate impact of these crises on vulnerable groups, such as women and children, warrants particular attention. Women often face increased risks of exploitation and violence, while children may lose access to education and basic protections. Sustainable solutions, including voluntary repatriation, local integration, and third-country resettlement, must prioritize the needs of these groups while addressing broader systemic challenges.

By adopting a collaborative and human-centered approach, the international community can better align sanctions policies with humanitarian principles. This alignment will reduce the unintended consequences of sanctions on civilian populations and neighboring states, promoting a more equitable and effective global response to displacement crises. The impact of sanctions-induced displacement is particularly harmful to vulnerable populations, including women and children, who often face heightened risks of violence, trafficking, and exploitation. Women may be subjected to sexual violence, while children may suffer from the lack of education and protection. Ensuring that the international response to displacement prioritizes gender and child protection is essential for sustainable and humane solutions. Efforts should include targeted programs to address the specific needs of these groups, such as access to legal protections, healthcare, and education.

By addressing these gaps in international law and humanitarian practice, the international community can help mitigate the humanitarian consequences of sanctions, reduce the burden on host states, and provide a more effective and compassionate response to displacement crises. This will require a shift toward more human-centered, rights-based approaches that prioritize the protection and dignity of displaced persons and promote long-term, sustainable solutions to global migration challenges.

CONCLUSION

Economic sanctions, while intended as tools to enforce international norms and influence state behavior, often have significant unintended humanitarian consequences. Chief among these is the displacement of populations due to the economic instability sanctions create, which forces individuals to seek safety and opportunity elsewhere. This paper underscores the inadequacies of existing international legal frameworks in addressing the needs of those displaced by economic factors, leaving them vulnerable to exploitation, inadequate living conditions, and limited access to essential rights and services.

The challenges faced by host countries, particularly those in close proximity to crises, further highlight the pressing need for equitable burden-sharing and international cooperation. Frameworks like the Global Compact on Refugees aim to address these issues but have struggled with inconsistent implementation, leaving host nations to shoulder disproportionate responsibilities without adequate support. Additionally, the lack of robust legal protections for economic migrants exposes critical gaps in international law that must be addressed through comprehensive reforms.

To mitigate the adverse effects of sanctions on civilian populations and displaced persons, this paper advocates for a human-centered approach. Strengthening humanitarian exemptions, improving oversight and real-time monitoring of sanctions' impacts, and fostering greater international collaboration are essential steps. Furthermore, legal frameworks must evolve to address the complex dynamics of economic displacement, ensuring that those affected are afforded dignity, protection, and access to basic rights.

Addressing these challenges is not merely a matter of policy but a moral imperative. By aligning sanctions regimes with international humanitarian principles, the global community can strike a better balance between achieving political objectives and safeguarding human rights. Through collaborative efforts and a commitment to equitable and sustainable solutions, it is possible to alleviate the suffering of displaced populations while reinforcing the ethical foundations of international law and global governance.

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*Երևանի պետական համալսարանի
իրավագիտության ֆակուլտետի եվրոպական և միջազգային
իրավունքի ամբիոնի հայցորդ,
ք. Երևան, Հայաստանի Հանրապետություն*

Աշխատանքում ուսումնասիրվում են տնտեսական պատժամիջոցների՝ չնախատեսված հետևանքները՝ հատուկ ուշադրություն դարձնելով նրանց ազդեցությանը՝ հարկադիր տեղահանվածների և դրան հաջորդող իրավական դժվարությունների վրա: Չնայած պատժամիջոցները նպատակ ունեն ազդելու պետության վարքագծի վրա, այնուամենայնիվ դրանք կարող են նաև առաջացնել տնտեսական անկայունություն, որը բնակչությանը ստիպում է արտագաղթել: Հոդվածի նպատակն է գնահատել, թե ինչպես են գործող միջազգային իրավական շրջանակները ճանաչում և պաշտպանում պատժամիջոցների հետևանքով տեղահանված անձանց, և առաջարկել քաղաքականություն՝ ուղղված տվյալ մարդասիրական բացերի վերացմանը:

Օգտագործելով իրավական վերլուծություն՝ հոդվածում հետազոտվում են հիմնական միջազգային փաստաթղթերը և դեպքերի ուսումնասիրությունները՝ տուժած անձանց իրավական կարգավիճակի և պաշտպանության բացերը վերհանելու համար: Ակնհայտ է դառնում, որ պատժամիջոցների հետևանքով տեղահանված մարդիկ հաճախ չեն ընկնում փախստականների կամ միգրանտների ավանդական կատեգորիաների տակ, որի պատճառով ստեղծվում է պաշտպանական գործիքների բաց: Չնայած կան որոշ իրավական և մարդասիրական մեխանիզմներ, բայց դրանք հաճախ բավարար չեն այս տեսակի տեղահանման խնդիրները լուծելու համար:

Եզրափակելով՝ հոդվածում խորհուրդ է տրվում ուժեղացնել իրավական ճանաչումը, մարդասիրական նկատառումներով կատարել նպատակային բացառություններ և բարելավել միջազգային համակարգումը: Այս միջոցառումները կարող են օգնել նվազեցնելու քաղաքացիական բնակչությանը հասցված վնասը և ապահովելու պատժամիջոցների համապատասխանությունը մարդասիրական սկզբունքներին:

Հիմնաբառեր՝ տնտեսական պատժամիջոցներ, հարկադիր միգրացիա, միջազգային իրավունք, մարդասիրական հետևանքներ, փախստականների պաշտպանություն, իրավական բարեփոխումներ, տնտեսական անկայունություն, միջազգային համագործակցություն, մարդու իրավունքներ, տեղահանման ճգնաժամներ:

ГУМАНИТАРНЫЕ ПОСЛЕДСТВИЯ САНКЦИЙ В ОТНОШЕНИИ МИГРАЦИИ БЕЖЕНЦЕВ

СИРАНУШ ГРИГОРЯН

*соискатель кафедры европейского и международного права
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В данной статье исследуются непредсказуемые последствия экономических санкций, особое внимание уделяется их роли относительно положения вынужденных переселенцев и связанных с этим юридических сложностях. Несмотря на то, что санкции направлены на коррекцию действий государства, они также могут провоцировать экономическую нестабильность, вынуждающую население к миграции. Цель исследования - оценить, каким образом действующие международные правовые рамки признают и защищают лиц, перемещенных в результате санкций, и предложить политические меры, направленные на устранение этих гуманитарных последствий.

На основе правового анализа в статье рассматриваются ключевые международные нормативные акты и прецедентные случаи с целью выявления пробелов в правовом статусе и механизмах защиты пострадавших лиц. Делается вывод о том, что многие лица, перемещенные в результате санкций, не подпадают под традиционные категории беженца или мигранта, что создает существенные пробелы в их защите. Несмотря на то, что существуют некоторые правовые и гуманитарные механизмы, их зачастую недостаточно для решения проблемы таких перемещенных лиц.

В заключение в статье рекомендуется усилить правовое признание, применять целевые исключения на основе гуманитарных позиций и совершенствовать международную координацию. Эти меры могут помочь уменьшить ущерб гражданскому населению и обеспечить соответствие санкций гуманитарным принципам.

Ключевые слова: *вынужденная миграция, международное право, гуманитарные последствия, защита беженцев, правовая реформа, экономическая нестабильность, международное сотрудничество, права человека, кризисы перемещения.*