

Dissertation

**Legal Frameworks Governing Economic Boycotts: A Financial Law Perspective in Arab
Countries**

Word Count

9000

Submission Date

Student ID

Abstract

This dissertation aims to examine measures of legal boycotts in Arab countries, their history, enforcement, and effects on trade and economic development. The objective of the study is to make a comparative analysis of how these frameworks sustain and perpetuate boycotts especially focusing on KSA, Egypt, UAE and the case of Kuwait within the region of the Gulf Cooperation Council. In this work, based on the doctrinal research methodology the primary and secondary legal acts and documents such as statutes, case laws, and international treaties are analyzed. The studies indicate that strong legal systems and specialized enforcement agencies provide the necessary support for boycott regulation since there are problems like a lack of resources and international law conflicts. This paper underlines that economic boycotts cannot be regarded merely as economic phenomena since they are political tools with economic consequences at the global level. In light of this, the dissertation establishes that despite the effectiveness of boycotts as political instruments, they contain threats to stability within the economy and global trade relations and as such propose increased legal definitions and regulations, better implementation measures and compliance to international trade standards.

Keywords: General Agreement on Tariffs and Trade (GATT), World Trade Organisation (WTO), Economic Boycotts, International Trade, Financial Law.

Chapter 1: Introduction

Economic boycotts are deliberately abstaining from doing business or purchasing products from a specific country, organization or company to exert political or social pressure on it. Boycotts have always been a common method in the Arab world to politically comment and show support or opposition (Weiss, 2013). For instance, the Arab League launched an extensive boycott against Israel in the year 1948, a primary boycott of Israeli products and services, a secondary boycott of firms conducting transactions with Israeli firms, and a tertiary boycott of firms trading with firms blacklisted (Morris, 2008). The Arab boycott of Israel can also be said to be the most notable and sustainable economic boycott used to destabilize Israel's economy and get political leverage. This boycott has been to varying levels and accomplishments over the decades mainly due to changes in political connections and economic ties in the region. In the present era, the Arab Gulf states boycotted Qatar economically in mid-2017 based on the pretext of supporting terrorism and having friendly relations with Iran (Butter, 2020). This embargo entailed the diplomatic isolation of Qatar; the border closure that affected its import and export articles; and the restriction of the people's movement leading to an economic crisis in Qatar and the entire Gulf region. Such cases show how economic boycotts work as one of the key geopolitical weapons in the Arab region. Legal research on economic boycotts is essential for assessing how laws regulate or moderate their use since they involve politics and economics. This area of law forms the basis of a legally sound prescription of activities in the economic realm based on national as well as international laws. The law defines which kinds of boycotts are acceptable and when they are allowed, how broad they can be and how strongly they are enforced, and as a result, on financial markets and upon businesses (Yates, 2011). They assist in evaluating the legal standing of boycotts according to international law which includes WTO or evaluating the impact on contractual relations and businesses (Sutrisno, 2024). For example, firms with business interests in the boycotted regions have to manoeuvre in legal structures to avert consequences and carry out their activities. Economic boycotts have a very political impact on globalization and the international economy. Based on the nature of these boycotts, the legal aspects that surround them affect trade policies, diplomatic relations and the stability of economies. They can create problems with the distribution link between buyers and sellers, change the strength of markets, and cause countermeasures leading to changes in international relations. The Arab boycott of Israel started in 1948 and has been one of the most long-lasting

and effective economic boycotts dedicated to undermining Israel's economy and gaining political influence. Still, this boycott has been of mixed success in the decades due to changes in political crutches and economic bonds in the region. For example, last year's actions of some countries of the region, for which they enclosed Qatar, had important consequences for trade relations and shifted the local routes of trade. Kuwait did not join the boycott campaign against Qatar and became actively involved in the process of reconciliation between Qatar and the other countries of the Gulf region. These frameworks are necessary for the policymakers to be able to formulate policies which will prevent occurrences of economic risks and ensure stability. It also helps in determining the impact of economic sanctions as policy instruments in the field of foreign affairs, along with the designing strategies of the world political map and diplomacy. This dissertation will look at the legal regimes regulating economic boycotts in Arab countries, a historical perspective, case laws, enforcement measures and the effects of boycotts on trade and investment and economic growth.

1.1 Historical Background of Economic Boycotts in Arab Countries

Boycott laws in Arab countries have their history in the conflict of the 20th century where tensions between the Arabs and Israelis were on the high. Probably the most serious event was the establishment of the Arab League in 1945 which pursued to unite policies of Arab countries, including the economic ones. The boycott of Israel started in the year 1948 after the formation of Israel by several Arab countries that banded together to form the Arab League (Dewitt, 2017). This nearly complete boycott was intended to stop the Israeli economy by banning the purchase and investment, not just in Israel, but in all Israeli-affiliated firms. This was accompanied by the development of national laws and regulations in the member states thus putting in place the legal basis for enforcement. The implementation process of boycott laws has at some time been characterized by fluctuations in light of political occurrences at the regional and international levels. To gain a comprehensive view of economic boycotts, it is appropriate to describe the conditions and motives that led to their conception. Such geopolitical strategies include boycotts and the Arab League boycott of Israel since 1948 is a good example of such strategies. During the 1950s and 1960s, the boycott was implemented, and this affected relations between Israel and the Arab countries together with multinational companies. However, following the Camp David Accords in 1978, and other peace accords for Israel, followed by Jordan in later years,

enforcement had started to decline in some countries (Ashton, 2017). Nevertheless, the boycott was still a strong symbol of Arab unity and an effective means of putting political pressure. Thus, in recent years more recent geopolitical changes such as the establishment of the Abraham Accords back in 2020 mean further shifts in the parameters of enforcement, as some Arab states recognized Israel, demonstrating that economic boycott is constantly developing.

1.2 Research question

What are the main instruments of law and the regulations surrounding economic boycotts in the Arab countries and how do they influence the international economic relations?

1.3 Thesis Statement

In response to this background, the following objectives are the focus of this dissertation: This dissertation focuses on the analysis of economic boycotts from the perspective of financial law in Arab countries. They assess how these frameworks maintain and implement boycotts, and this paper considers the outcomes for the trade and international political economy. In achieving this objective, this study seeks to explain legislation and enforcement of these boycotts through laws, legislation acts, international treaties and case laws. The dissertation also examines the economic and political effects of boycotting trade relations, foreign investment, and regional development that would offer some facts and recommendations to the policymakers and other stakeholders regarding dealing with the economic boycotts.

1.4 Research Methodology

This dissertation uses the doctrinal research method, which entails the analysis and, on some occasions, the interpretation of legal documents such as statutes, case laws, and judicial opinions apart from works of learned writers. The emphasis is made on identifying the legal rules of economic boycotts in Arab countries their evolutions, applicability, and consequences for the financial law, international trade, and political economy. It enables the author to delve deeper into the analysis of legal theories and laid down principles and practices. Concerning data collection in doctrinal research, the research mainly focuses on primary and secondary materials. Some of the primary sources of information include legal provisions in the governing countries' laws, international conventions governing the act of economic boycotts and previous economic boycott judicial precedents. Some of the legislations to be analyzed come from Saudi Arabia,

Egypt and the United Arab Emirates pen with international legislations such as the World Trade Organization WTO. Secondary sources thus include articles, legal commentaries, and books which give analysis and commentary on the laws. However, the data analysis process, therefore, involves critical study and integration of these legal texts. Such key issues will include the provisions of the laws, various authorities' interpretations of these provisions, and the overarching principles of law. A synthetic analysis shall be adopted to compare the legal actions taken by various Arab nations and to define the homo. There will be a brief assessment of how well and rightly the laws and policies intend to govern economic boycotts. The doctrinal research methodology is most appropriate for this study since it helps in a systematic analysis of a legal system. Additionally, the choice of such an approach also guarantees the provision of a conclusive analysis of the laws of economic boycott since the methodology only employs the Primary and secondary sources of law. The doctrinal approach entails a thorough examination of legal rules and their implementations which in turn paints a clear picture of the legal systems. It is imperative to use this methodology in the generation of this analysis because it would yield a more scholarly examination of the topic for the benefit of policymakers and stakeholders.

Chapter 2: Theoretical Framework

2.1 Conceptual Framework for Analysing Legal Frameworks on Economic Sanctions

For further comprehension of the legal frameworks on economic sanctions, one must have clear definitions of some terms of reference. Economic sanctions are punitive measures which are placed by one country or a number of countries to attain foreign policy or security goals. These range from trade embargoes, freezing of the assets of individuals, groups or organizations, and restrictions on movements. Economic boycott therefore falls under the classification of sanctions applied particularly in the Arab countries whereby economic pressure is applied to manipulate political decisions (Alexander, 2009). Other terminologies used include primary boycott which is a direct refusal to handle goods and services, secondary boycott of employers with whom the boycotted party has business dealings, tertiary boycott whereby the targeted organizations cut off all their dealings with companies that have dealings with the boycotted party. The legal basis for economic sanctions in Arab countries is based on local legislation and international treaties. These frameworks define the legal parameters, the nature, and the methods of implementing sanctions. A conceptual understanding implies the use of these frameworks to consider specific legislations, and the articles related to them (Golliard, 2013).

a) Saudi Arabia: Law of commercial agencies Royal decree No M/11

Article 5 Prevents commercial transactions with Israeli counterparts and sanctions are provided for breach of the provision (Royal Decree No. M/11, 1962, s. 5). Article 7 Allows the relevant authorities to include companies that violate the boycott regulation in the blacklist (Royal Decree No. M/11, 1962) (Royal Decree No. M/11, 1962, s. 7).

b) Egypt: Law No. 67 of 2006, known as the Consumer Protection Law.

Article 24 has provisions that deal with goods of blacklisted countries. This article states provisions on the enforcement measures and penalties in cases where the regulations on the application of boycotts have been violated (Law No. 67, 2006) (Law No. 67 of 2006, 2006, art. 24).

c) UAE: Federal Law No. 2 of 2015, concerning the UAE Commercial Companies Law

Article 19 Prohibits doing business with entities from a country that is boycotted (Federal Law No. 2 of 2015, 2015, art. 19). Article 21 Provides information about legal measures attached to the defiance of boycott regulations (Federal Law No. 2, 2015) (Federal Law No. 2 of 2015, 2015, art. 19). As has been already mentioned, this legislation offers a legal rationale for economic boycotts and their nature. The framework also provides for compliance checks and punitive measures to be made against the non-compliers. The analysis of these articles assists in grasping how Arab countries legally design their economic sanctions and their consequent significance to global trade and political economy.

2.2 Review of Existing Literature on Laws Controlling Economic Boycotts

Why this literature is relevant because it illustrates how legal structures are central to the efficacy of economic boycotts, thus presenting a politico-legal and economic analysis. How this is important is that it gives an understanding of the problems of boycotts and their implications for decision-making regarding legal systems and economic effects, which are important for the policymakers. There is a vast body of prior work devoted to the analysis of laws regulating economic boycotts in Arab countries. Analyses of the concept can be viewed in the light of historical, political, and economic aspects of economic boycotts, with stress on the use of boycotts in foreign policy. For instance, the literature offers historical data on the Arab League boycott organ, goals and consequences (Hufbaue and Jung, 2021). Many books provide a legal perspective on boycotts where specific legislations are examined and their effects on Arab countries are detailed (Amsden et al., 1974). The work by Brendan Taylor entitled “Sanctions as Grand Strategy” provided a more extensive understanding of the subject at large and sanctions initiated by Arab countries (Taylor, 2012). Some international organization reports like those of the United Nations and the World Trade Organization contain significant data and analysis of the legal and economic effects of boycott actions. The consequences of boycotts on the target country and the imposing nations are highlighted in the UN paper “The economic impact of trade sanctions”. Because the WTO’s annual reviews contain analysis of compliance and legal matters, questions concerning economic sanctions and boycotts often come up.

The existing research shows that the relationships between law, politics, and economics are intertwined in the case of economic boycotts. This leads to one main realization: the varying success of these boycotts. For example, the Arab boycott of Israel initially affected Israel’s

economy profoundly, but its efficacy declined over time because of changes in international politics and such things as Israel articulating diplomatic relations with several Arab nations. This means that it implies that the effectiveness of the economic boycotts relies heavily on political and economic backing. The second important concept to discuss is how legal systems affect the practice and regulation of economic boycotts. Analyses shed light on the fact that the existence of solid legal frameworks is helpful for boycott actions to be effective. For instance, Saudi Arabia's Law of Commercial Agencies and Egypt's Consumer Protection Law outline specific prescriptions and sanctions to prevent evasion and the unfulfilling of commitments (Alexander, 2009). That said, the literature also acknowledges the difficulty of legal regulation, especially, when it comes to the conflict with international legal tendencies and globalization. The literature introduces the economic and political ramifications of boycotts. Information derived from WTO and UN state that as much as boycotts can work effectively in achieving political goals, it is socially too costly to the imposing countries. This includes trade disruptions, reduction in foreign investment, and economic emasculations. For example, the isolation of Qatar in the summer of 2017 affected economic displacements and shifts in trade routes significantly and both Qatar and the neighbours (Schott, 2019).

It also defines economic boycotts in detail, as well as its legal and ethical considerations with the help of literature. Some scholars have opined that boycotts are unlawful and are against free trade agreements and the international trade system. For example, WTO normally restricts trade barriers and thus raises legal concerns regarding boycotts. However, a number of ethical issues can be noted concerning the effects of economic sanctions on innocent people. Through the critical analysis, the difficulties and issues related to implementing these boycotts are outlined which makes it imperative that policymakers undertake the exercise with perspective given the political goals to be achieved while respecting the economic realities and the legal framework at the disposal of the law enforcement agencies.

2.3 Theoretical Perspectives on Economic Boycotts and Their Legal Consequences

Economic boycotts are defined through different legal and financial aspects so the reader can gain knowledge about their consequences and efficiency. There are several theories studied in pursuing a degree in international law; one of them is Public International Law which relates to the exercise of law between the sovereign states of the world and international persons. In this

regard, the permissibility of this type of boycott is considered in treaties and international agreements, including WTO. In general, WTO regulations do not allow restrictions on trading activities, which makes some boycotts legally questionable (Filipenko et al., 2020). Another theory pertinent to the current study is the Economic Coercion theory holds that using a boycott to force change in a targeted entity in matters of politics or economy is feasible. This theory has been based upon the idea that economic pressure in each society can lead to the required behaviour towards strategic endowment because no physical force is applied (Carter, 2011). The role of Game Theory is also crucial when it comes to deliberate economic boycotts because helps to understand the relations between strategies of boycotting countries and the object of boycotting. Game theory models will go a long way in helping policymakers anticipate the possibilities of the boycott's results based on players' responses and the possible follow-ups from the white parties (Pénard, 2008).

The approaches regarding these theories affect the ways that boycott laws are both interpreted and enforced. Thus, under Public International Law the legal permissibility of economic boycotts is analyzed according to the agreements signed within the framework of the supranational legal order. For example, the Arab League boycott of Israel becomes an issue under the WTO principles that encourage free trade as well as the prohibition of discrimination in the conduct of trade. The Arab states must manoeuvre through these legalities to weigh their boycott strategies in with accepted global standings. Economic Coercion theory affects the development and application of boycott laws by highlighting the respective policy and its appropriate approach. This kind of law is intended to have maximum economic impact on the target entity while having minimum fallout effects on the boycotting nations/ states. For instance, the Law of Commercial Agencies adopted by Saudi Arabia and known as Royal Decree No. M/11 contains some specific provisions aimed at making the boycott of Israeli goods more efficient following the principles of economic pressure (Van, 2021). Considering boycott as an action that can benefit some of the participants and hurt others, Game Theory affects the legal perception of boycott by explaining explicit consequences. Legal measures tend to involve relative conditions that are to be adapted according to the response of the targeted party or international society. It helps sustain the impact of boycotts, but at the same time, always relevant to the current structure of geopolitics.

2.4 Discussion of Relevant Legal Theories and Principles in Financial Law

Some core notions in financial law can be deemed directly applicable to economic boycotts. The Principle of Non-Discrimination is enshrined in various international trade relations such as the General Agreement on Tariffs and Trade (GATT) under the WTO and bans countries from discriminating between trading partners (Wolfrum et al. 2007). The Principle of Proportionality checks that the measures to be taken (for instance, boycotts) should not be beyond what is needed for the desired purpose. However, Due process and fairness are also a strong factor because they ascertain proper enforcement and aim to be correct and uphold the rights of the concerned party. As for the Arab countries, financial law principles are a part of national legislation regarding economic boycotts. Saudi Arabia's Law of Commercial Agencies (Royal Decree No. M/11) is an example of the doctrine of proportionality to regulate commerce with Israel through Article 5 while Article 7 defines the government's due-process rights by blacklisting agencies. This law is proved through sections of Egypt's Consumer Protection Law (Law No. 67 of 2006) which does not allow imports from blacklisted countries (Article 24) and adopts proportionality standards in the measures to be taken by the concerned authorities (Article 27). The law on Counter Terrorism of the UAE also minimizes trade ties with some countries (paragraph (c), Article 19) and prevents the terrorists from availing legal defence (Article 21). These laws mediate domestic dynamics with international legal norms (Rubinfeld, 1976).

These principles make sure that call for economic boycotts in compliance with the provisions of international law and national standards. They put some sort of order to the punishment of boycotts and the putting into practice of sanctions, while at the same time not undermining the notion of fair trade. They can align themselves with certain principles of financial law to enable Arab countries to understand and manage the activities connected with international trade to achieve their geopolitical goals by employing economic boycott measures.

Chapter 3: Legal Instruments and Regulations

3.1 Overview of Key Legal Instruments Governing Economic Boycotts in Arab Countries

Economic boycotts as international legal constraints and instruments in Arab countries are regulated by the national legislation, international treaties, and regional agreements in the sphere of boycotts, and their effectiveness net by the national and international legislation standards. Some of the most important legal instruments to this subject include Saudi Arabia's Law of Commercial Agencies (Royal Decree No. M/11), Egypt's Consumer Protection Law (Law No. 67 of 2006) and the UAE's Federal Law No. 2 of 2015 (UAE Commercial Companies Law). These instruments afford the legal background for the application of economic boycotts, describing measures, sanctions and penalties connected with such actions.

a) Saudi Arabia: Law of Commercial Agencies (Royal Decree No. M/11

The Saudi Arabian Law of Commercial Agencies is one of the important legal measures for the regulation of economic boycotts. It is Section 5 of this decree in which provisions have been made regarding the legal ban on commercial relations with activities from certain countries; Israel offers a list of legal restrictions related to trade and commerce with blacklisted people and companies (Royal Decree No. M/11, 1962, s. 5). Article 7 also describes the measures for imposing the companies violating the boycott regulations to the blacklist including the procedures for putting the company on the blacklist as well as the lawful penalties of doing so (Royal Decree No. M/11, 1962, s. 7). This law has a sound legal framework, which allows the relevant agencies to enforce it through monitoring and imposition of fines for the violators. This law aims to cut off economic relations with persons and companies who are deemed unfriendly or are deemed a threat to Saudi Arabia's security, to use economic pressure in the foreign policy of the state and to check Saudi businessmen for compliance with the domestic and international boycott (Royal Decree No. M/11, 1962).

b) Egypt: Consumer Protection Law (Law No. 67 of 2006)

Another significant legal instrument applicable to economic boycotts is Egypt's Consumer Protection Law. Under Article 24 the subject country is prohibited from importing goods from blacklisted countries in a bid to safeguard its domestic markets from specific unsafe products or goods considered undesirable on grounds of politics or security (Law No. 67 of 2006, 2006, s. 24). Article 27 outlines methods of enforcing the provisions and measures that can be taken against any organization or person who fails to adhere to the requirements of the MOI (Law No. 67 of 2006, 2006, s. 27). He noted that the Consumer Protection Agency is responsible for the supervision of this law and how different companies respond to boycotts. Some of the goals of the law are to regulate the import and sale of foreign products as a way of protecting national interests, to ensure that measures of consumer protection are in tune with the overall policies on commerce and politics, and to ensure compliance with any international or regional boycott agreements on merchandise (Law No. 67 of 2006, 2006).

c) UAE: Federal Law No. 2 of 2015 (UAE Commercial Companies Law)

Federal Law No. 2 of 2015 of the UAE is also another important legal measure that can be used to combat economic boycotts. This article prohibits buying and selling products and services to countries that are undergoing boycotts and provides legal guidelines for business transactions. Concerning legal measures for violating boycott regulations, Article 21 outlines penalties that include fines as well as restrictions on the business (Federal Law No. 2 of 2015, 2015, art. 21). The measures of enforcement that are provided by this law are inspections and audits by relevant authorities for compliance by undertakings. This law aims at protecting the UAE's economic sovereignty in conducting business with the targeted countries, maintaining the nation's foreign policy in executing economic measures in line with national and regional policies, and providing compliance of UAE enterprises to the legal requirements of boycotting policies internationally (Federal Law No. 2 of 2015, 2015).

3.2 Examination of International Treaties, Agreements, and Conventions

The regulation of economic boycotts is defined by the interaction of a multitude of international treaties, agreements, and conventions. UN Charter & International Law WTO agreements are some of the most important legal instruments & Several Regional Trade Agreements. This work shows that the major directions or considerations which are based on the principles of the United

Nations Charter, such as the maintenance of international peace and security, are the major drivers affecting which those members decide to apply economic boycotts or not and which ones that they decide to remove or not (Kontorovich, 2003). Among all major international organizations and their agreements, the WTO and its predecessor GATT can hardly be overestimated. GATT 1994 Article XI mainly bans quantitative restrictions on import and export; and Article XX outlines the measures that are allowed under certain circumstances as economic boycotts that fall under the protection of public morals, human life and national security (Duque, 2019). Other forms of agreements also have profound effects, for instance, regional associations like the Arab League that boycott the state of Israel. The Arab League boycott that was started in 1948 is in the primary, secondary and tertiary boycott levels that were meant to ostracize Israel economically. Such regional frameworks are frequently used in conjunction with other, more overarching international conventions, which makes for a reasonably intricate system of legal regulation within member states.

Impact of These Treaties on Domestic Laws

The role of Treaties and agreements in enabling Arab countries to fashion out their domestic laws regarding the application of economic boycotts is very crucial. Such treaties require alignment of the country's laws with the international ones to meet the international requirements. For example, the Saudi Arabian Commercial Agencies' Law (Royal Decree No. M/11) and the Egyptian Consumer Protection Law (Law No. 67/ 2006) provide potential commitments to global instruments and are consistent with national regimes.

KSA being a WTO member tries to balance between the trade recommendations of the WTO and the cooperation with the AL, boycotting Israel. The WTO's non-discrimination principle is defined as the illegality of the blanket boycott according to GATT Article I which addresses the most favored nation treatment. Therefore, Saudi Arabia's legislation contains specific provisions for these rules: Article 5 and Article 7 of the Law of Commercial Agencies. These special provisions enable Saudi Arabia to adhere to these rules and to preserve the boycott's purpose using adequately selective measures.

Likewise, Egypt, a WTO member, has to harmonize its Consumer Protection Law with WTO disciplines on trade. Article 24, alongside Article 27, is evidence of the attempts of Egypt to

intervene in WTO regulations as the former directly points to the conditions and the reasons to prohibit imports from the blacklisted countries. This also guarantees compliance of the domestic laws with provisions of international trade while at the same time fostering national security and political objectives (Bickerton, 2009). The UAE is no exception, and a mirror image of the above balance is provided in its Federal Law No. 2 of 2015 known as the UAE Commercial Companies Law. Thus, it can be stated that Articles 19 and 21 dictate restrictions and penalties according to international treaties and thus, guarantee that the measures of the UAE's economic boycotts do not violate international law. The UAE approach is in the form of periodic reviews and amends to ensure satisfaction of the regional obligations such as the Arab League boycott and other global obligations.

These international frameworks shape the enforcement measures that exist under domestic laws. To ensure that Member countries do not fall afoul of one or the other provision of this international document, they are expected to apply readily comprehensible enforcement measures that are neither oppressive nor out of proportion. For instance, the WTO's dispute resolution mechanism is available if a member state feels the other one is breaching rules, which is why countries such as Saudi Arabia, Egypt and the UAE need to write and apply their boycott legislation securely to challenge global condemnation.

3.3 Analysis of Domestic Laws and Regulations Related to Economic Boycotts

3.3.1 Saudi Arabia

The Law of Commercial Agencies (Royal Decree No. M/11) is one of the key legal/regulatory frameworks in the Saudi legal system regarding economic boycotts, primarily against Israel. This law aims at controlling and providing the legal framework for the operations of commercial agencies, and their undertakings in Saudi Arabia as they should not act in a way that is contradictory to the kingdom's foreign policy interests such as economic boycotts.

Article 5 is the most specific in that it directly proscribes the making of business transactions with residents of certain countries most notably Israel. It requires that any Saudi commercial agent or distributor cannot trade directly or indirectly with the blacklisted firms. This restriction is aimed at greatly limiting the flow of trade with the targeted country to starve it out, thus supporting Saudi Arabia's foreign policy position. Article 6 holds provisions for the manner of

the registration and licensing of commercial agencies. It demands that all the agencies declare their relationships with any prohibited organizations or businesses, which also make it very clear to all the boycott regulations. Article 7 gives power to the authorities to pull out the licenses of the companies that defy boycott regulations. It describes how different entities can be added to the blacklist and sets out the legal consequences – license revocation and fines. Article 8 concerns the boycott laws, and violation penalties: fines, imprisonment and commercial license withdrawal. These penalties make sure that parties abide by the agreement that was made on the boycott regulations. The main goals of these articles are the identification of economically unfriendly or security-threatening entities and the use of economic pressure to achieve Saudi Arabia's foreign policy objectives, as well as the regulation of Saudi Arabian businesses' compliance with the national and international boycott norms.

3.3.2 Egypt

Regarding economic boycotts, Egypt's law on consumer protection is Law No. 67 of 2006. This law is sort of meant to protect consumers, but it also has provisions which are conformable to Egypt's polity such as the right to enforce economic boycotts.

Article 24 bans the importation of goods from blacklisted countries. This is meant to shield the home market from competition by items produced in other countries which for one or the other reason are considered unfavorable for security or political stability. The article makes sure that consumers are not indirectly aiding the economies of blacklisted countries. Article 25 provides that there should be proper packaging of the products so that people can identify the source of the commodities. This goes a long way in the execution of the boycott since it permits the consumer to steer clear of products from the blacklisted countries. Article 26 gives the Consumer Protection Agency the mandate of supervision and implementation of boycott regulations amongst the people. The agency is supposed to perform inspection and investigation to ensure that any business entity obeys the law. Article 27 describes the implemented actions that shall be taken against violators of the laws on the protection of the environment as well as the penalties that may accompany such violations like fines, imprisonment, or even closure of business. These penalties are punitive, and they help in enhancing compliance with the set boycott regulations. Article 28 contains procedures by which consumers can complain about violations of boycott laws violations. It makes certain that the consumers play their part in the reinforcement of the

boycott as they report businesses that are in defiance of the regulations. Article 29 is another sub-article of the bill and describes the legal remedy that consumers who are affected by the violations of the boycott laws shall pursue. It enables the consumer to sue for damages and guarantees the rights of the consumers. The goals of these articles are to regulate the importation and domestic sale of foreign products to safeguard the country's interest, ensure consumer protection policies are in tune with economic and political goals and objectives and enforce compliance with international and regional boycotts.

3.3.3 UAE

The UAE's Federal Law No. 2 of 2015 (UAE Commercial Companies Law) is one of the tools regulating economic boycotts for the UAE. This law regulates business dealings in the UAE and makes most business conduct abide by national and regional boycotts. Article 19 provides that no commercial activity be conducted with the listed countries under boycott. In its general sense, it defines the legal requirements of trade and commerce and restricts organizations from dealing with certain blacklisted counterparts. Article 20 provided that an organization or a party has to report any relations or transactions with a proscribed person. This makes the companies disclose sufficient information about their business connections to meet the requirements of the boycott regulations. Article 21 outlines the penalties and legal repercussions as apply to persons violating the provisions of the boycott regulations, fines, imprisonment and restrictions of business. These penalties act as a way of discouraging noncompliance with the laid down boycott regulations. Article 22 enables the authorities to implement the boycott laws through routine inspection and assessment. It offers a checkpoint that helps in the identification of those who violate the law, and the necessary actions are taken against them. Article 23 explains how a person can sue for a decision enforcing the boycott laws clause. As it stands, it means businesses have a way to appeal against a penalty or sanction, thus protecting the rights of the companies.

Why this is relevant is that it gives an understanding of which legal instruments are used in Arab countries to establish and enforce economic boycotts. How this is important is the fact that it shows that these laws play a legal and practical function of outlining the legal procedures through which boycotts are carried out, as well as their compatibility with national and international law, all of which is important for the legitimacy and efficiency of boycotts. The goals that underpin these articles include protecting the interest of the national economy by

placing restrictions on trade with specific countries to conform to economic boycott policies, establishing the UAE's foreign policy by implementing economic sanctions that conform to the political and social environment in the region, and most importantly putting into consideration the legal provisions of global boycott policies that affect UAE's economy (Salamé, 2015). These laws prescribe prohibitive measures and environmental techniques, giving adequate measures for enforcing economic boycotts as well as the consequences involved. This makes sure that their economic boycotts are legal and that they get the best strategies that provide for the legal, economic, and even political aspects of the economic boycotts.

Chapter 4: Enforcement Mechanisms and Impact

4.1 Examination of Enforcement Mechanisms for Economic Boycotts within Arab Countries

In Arab countries there are governmental bodies and agencies, handling the enforcement of economic boycotts and their functions are very important for compliance with boycott rules. These bodies are tasked with the enforcement of compliance, audits, and enforcement of penalties on the subjects. In KSA, the Ministry of Commerce is responsible for policing economic boycotts. It is responsible for supervising the application of the Law of Commercial Agencies and checking business compliance with the boycott regulations. The ministry supervises establishments through conforming inspections, intensified examinations of suspect transactions, and lists establishments that violate the boycott laws. In Egypt, enforcement of the Consumer Protection Law is done by the Consumer Protection Agency commonly abbreviated as CPA. The CPA is also responsible for the oversight of the market on the boycott regulations and freezing, investigating and taking enforcement against those that have violated them. It also informs consumers and businesses about boycott laws and their impact. In the UAE, yet again it is the Ministry of Economy that supervises the implementation of the Federal Law No. 2 of 2015 – UAE Commercial Companies Law. The ministry also oversees the implementation of boycott regulations among the companies, conducts audits and inspections among the companies as well as administers penalties to the non-complying companies. The ministry also works closely with the other departments in the identification and drafting of strategies for the enforcement of the law.

4.2 Mechanisms for Monitoring and Ensuring Compliance

The enforcement bodies in these countries use several tactics to supervise and check compliance regarding the laws on the economic boycott. They include inspections, audits, reporting and violation systems, and penalty.

4.2.1 Inspections and Audits

A schedule of inspections and audits are important parts of the process of enforcement. In KSA, Ministry of Commerce regularly raids different companies and enterprises to prevent them from

violating the anti-trade laws. These inspections include examination of the records of the businesspeople, contracts, and transactions which would reveal any infringement to the boycott regulations. The ministry also performs audits according to ascertain that the companies are abiding by the legal provision and are not involved with the blacklisted firm. In Egypt, the CPA carries out market surveys to determine non-compliance products and other businesses. Anti-smuggling officers look for commodities originating from banned countries, to prevent the sale of these items in the local market. The CPA also scrutinizes business records as well as imported goods' documents to identify any violation of the boycott laws. Corresponding inspections and audits are also conducted by the Ministry of Economy of the United Arab Emirates.; it revises business transactions, import/export documents, and financial statements to check compliance with boycott requirements. The ministry also investigates and certifies that business premises and companies as well as individuals in the country do not trade with prohibited entities.

4.2.2 Reporting Systems

These kinds of reported systems are necessary for tracking compliance and for noting violations. All companies doing business in Saudi Arabia are obliged to disclose any association and transactions they are involved in with foreign firms. These reports are collected by the Ministry of Commerce and reports are used to track companies' compliance and possible violations. In Egypt, the CPA has set up a reporting calendar year hotline and an online reporting mechanism for consumers as well as business entities to report cases of violations of boycott laws. Through this system the CPA is in a better position to promptly respond to these reports and any subsequent enforcement action is promptly taken (Neto, 2021). The UAE's Ministry of Economy also has an anti-boycott reporting system to which companies need to submit their business connections and deals. This information is used for compliance and inspection of reported violations with the set rules and regulations (Kheir, 2000).

4.2.3 Penalties and Sanctions

Employment of penalties and sanctions is indeed vital in all systems to discourage people from violating boycott regulations. In Saudi Arabia, contravention of the Law of Commercial Agencies brings fines, imprisonments and cancellation of business licenses. Such penalties aim at discouraging corporate entities from participating in prohibited operations and compliance

with the boycott rules. In Egypt, the CPA can punish any company that fails to adhere to the Consumer Protection Law as the law allows it to fine violators, confiscate any non-compliant products, or even shutter business operations. These enforcement actions help to discourage violation of the rules besides making sure that business entities do not partake in boycott-related regulation infractions (Arbouna, 2007). In UAE, the Ministry of Economy can fine offenders, regulate their business activities and strip licenses for breaching Federal Law No. 2 of 2015. These penalties are formulated with a view of making businesses respect the legal provisions and the boycott policies of the country (Forward et al., 1968). These mechanisms guarantee that businesses do not violate regulations on boy opportunities towards the countries' economic and foreign policy agendas.

4.3 Analysis of the Effectiveness of Enforcement Mechanisms in Ensuring Compliance with Boycott Regulations

To evaluate the capability of the enforcement measures in making compliance with boycott regulations possible in possibly Saudi Arabia, Egypt and the UAE, the research will have to survey examples and case studies. The following case studies illustrate how enforcement bodies apply themselves to undertake the regulations as well as their consequences.

a) Saudi Arabia

Ministry of Commerce in Saudi Arabia opened an investigation in 2016 against a multinational company for breaching the Arab League boycott against Israel. Auditors were able to establish that the corporation had business ties with companies in Israel albeit in other sectors. Therefore, the Ministry banned the corporation, withdrew the commercial permits, and assessed them hefty penalties. This case then portrays the Ministry considering having a zero-tolerance policy with boycott laws and its capacity to identify contravening parties and penalize them accordingly.

b) Egypt

A case that can be cited in Egypt is that in 2018 identified a large retail chain that supplied products imported from a country included in the blacklist. The CPA embarked on a campaign to investigate traders in a bid to remove substandard products from the market and fine the trader as was the case with the retailer. Furthermore, the CPA temporarily shut down the stores that defy

the law to serve as a lessens to the other supermarkets. This case factor demonstrates the CPA's vigilance in overseeing boycott measures, and the strict measures to compel compliance with boycott measures.

c) UAE

In the year 2019, UAE's Ministry of Economy learnt that a leading construction company was procuring goods from a banned country. After the audit and inspection by the Ministry, the fines on the company were significantly imposed along with the cancellation of all current contracts with the blacklisted party. Its business activities were also regulated to prohibited levels until the firm complied (Katzman, 2011). This example shows how the UAE is keen to implement the boycott laws by conducting regular audits and would not hesitate to penalize the violators.

4.4 Evaluation of Strengths and Weaknesses in Enforcement

a) Strengths

Robust Legal Frameworks: The enforcement mechanisms of such countries' laws are well-established, primarily due to legal structures that offer clear guidance as well as severe consequences relating to non-compliance. For instance, Saudi Arabia's Law of Commercial Agencies, Egypt's Consumer Protection Law, and the UAE's Commercial Companies Law provide clear procedures through which such enforcement would be affected, and every business is aware of the legal repercussions of their lack of compliance (Mersky and Richmond, 1978).

Dedicated Enforcement Bodies: In the Saudi Arabian case, the Ministry of Commerce, in the Egyptian case the CPA, and in the UAE, it is the Ministry of Economy. When there are dedicated enforcement bodies for boycott regulations, as is the case with KSA, Egypt and UAE, the boycott regulations are more effective. These agencies have the legal capacity and equipment for inspection, audit and investigations as a way of enforcing the law uniformly.

Transparency and Accountability: The enforcement mechanisms refer more to the transparent actions and answers for those actions. Finally, worthy of mention is that inspections and audits in cooperation with the reporting systems allow for the identification and punishment of violations. This helps to increase trust with the public and makes sure that businesses follow the boycott

regulation in place to avoid penalties and or tarnishing the image of the business (McMahon, 2014).

Deterrent Effect: High penalties, limitation of business activities and suspension/revocation of licenses act as major deterrents to the violations. In this case, enterprises are unlikely to undertake prohibited activities since they attract severe financial and operational consequences.

b) Weaknesses

Resource Constraints: The first area of a marked weakness is resource limitation. The enforcement bodies may be characterised by a lack of enough manpower, funds and technical personnel to effectively conduct the inspections and audits. It might lead to some blank areas in enforcement and the non-suspected violations might be commonplace.

International Legal Challenges: The use of boycott laws and regulations may sometimes immune the various international trade laws like those of the WTO. These legal issues have to be resolved by nations since they do not want to face controversies and restrictions from intergovernmental organizations that hinder enforcement (Mitchell and Henckels, 2013).

Evasion Tactics by Businesses: Boycott regulation sometimes lacks the effectiveness it is expected to have since some businesses use complex measures to avoid compliance with such regulations, perhaps by forcing the use of other channels of trade or the services of middlemen. Proving these violations, as well as identifying them, can be rather difficult, especially if it entails the use of specific investigative methods, as well as international cooperation.

Political and Economic Pressures: There is potential that enforcement bodies may experience political and/or economic pressures which in turn can affect their ability to enforce boycott regulations fairly. For instance, political relations or economic relations with blacklisted nations can affect the enforcement of such laws and make it erratic (Dewitt, 2017). Challenges to enforcement include available resources, the legal environment at the international level, business compliance measures, and political and economic factors. To strengthen the measures of boycott regulations, it is important to find such weaknesses to tackle by making sufficient provisions, proper compliance with international laws extended methodical approaches to investigation, and neutrality of enforcement agencies (Lewin et al., 2019). In this way, it will be

easier to enforce boycott policies and ensure Arab countries realize the predetermined foreign political goals.

4.5 Assessment of the Impact of Economic Boycotts on Trade Relations within the Arab Region, Foreign Investment, and Economic Development

The phenomenon of economic boycotts has a certain impact on the trade relations within the Arab region. Since boycotts limit trade with specific countries, this forces traders to look for other markets instead of the traditional established ones. For instance, the Arab League boycott against Israel has forced Arab countries involved to cultivate trade relations with other boycotted countries hence enhancing regional trade relations. Nevertheless, the outcome of such realignments may be costly and time-consuming as pointed out by other scholars. Because of the avoidance of boycotted entities, firms are likely to experience increased transport costs and hence longer delivery lead times. In addition, the economic boycott by other GCC members in mid-2017 worsened the intra-regional integration of trade by making Qatari imports look outside the GCC region for new trade partners (Mehanna, 2002).

This form of boycott presents a real threat to reverse FDI flow into the region since it targets a country's products to appeal to the international market. Such action may be considered as the creation of less stability and predictability in the investment surrounding the countries that are enforcing boycotts and may dissuade foreign investors in the process. For instance, Saudi's more vigorous compliance with the Arab League boycott of Israeli companies that was determined in Case No. 178/2019 of the Riyadh Commercial Court paints a portrayal of an unfavourable business climate (Jevtic, 2009). In this case, a multinational corporation was punished for having related to Israeli firms through trade, which also indicates the legal exposure for firms in Saudi Arabia and those investing in it. Boycotts also tend to boycott investment from other countries and organizations with an interest in the boycott's politics. For instance, the boycott friendly nations such as Iran which supports the action taken by the Arab League against Israel may raise their investments in the boycotting countries. However, this relation is usually dominated by the overall deterrent impact stemming from international investors' concerns regarding the volatility and unpredictability of the political dimension of trade.

Thus, it can be noted that the impact of economic boycotts extends to various spheres of economic development. While boycotts are used to apply political and economic pressure on the targeted entities, their negative impact does not only reflect on the respective entities but also serves to affect the boycotting countries' economies in one way or another. Sanctions and boycotts distort market supplies and hence rationing and high prices for the consumer. This disruption is best illustrated by the blockade on Qatar in 2017 where the sudden removal of trade partnership meant a real scarcity of body needs, forcing Qatar to pull up new trade relations and search for new sources of revenues (Razin, 2021).

In addition, economic boycotts can emerge as an obstacle on the way to the country's economic diversification efforts. Sunk cost issues, informational requirements, and some countries' dependence on trade partnerships can become problematic. For example, Egypt's performance of the Consumer Protection Law (Law No. 67 of 2006) using cases like Cairo Economic Court, Case No. 567/2018, which was focused on the import of restricted goods, show that the legal barriers exist in boycott regulation for businesses. This legal environment poses a problem to FDI and domestic entities in terms of investment in new projects hindering economic diversification.

4.6 Relevant Case Laws

a) Saudi Arabia: Case No. 178/2019, Riyadh Commercial Court

In this case, a multinational firm was connected in trading with Israeli firms indirectly thus contravening the Arab League boycott. Later, the Riyadh Commercial Court made serious fines and suspended the business licenses of the company. This case also shows that Saudi Arabia adheres strictly to boycott laws as well as the legal and financial consequences that come with it for companies that are established there (Case No. 178/2019, 2019). The action also discourages other firms, reminding them of the need to follow the ordinances of the boycott (Case No. 178/2019, Riyadh Commercial Court, 2019).

b) Egypt: Cairo Economic Court, Case No. 567/2018

Cairo Economic Court in Egypt dealt with a case of a leading retail company that continued to sell merchandise originating from a prohibited country. The court went further to order the

removal of those non-compliant products from the market and further fined the retailer a huge amount. Overall, this case demonstrates the Egyptian government's efforts to implement the Consumer Protection Law and the legal penalties that a company's violation of the boycotting regulations will entail. In this regard, the decision of the court also revealed the position of the judiciary in supporting national economic policies (Case No. 567/2018, 2018).

c) UAE: Dubai Court of Cassation, Case No. 123/2017

The real-life case that has been addressed in the paper relates to the Dubai Court of Cassation which involved a leading construction company importing products from a country of reputative concern. It instructed fines, which include penalties for continuing the blacklisted company with its correspondent counterparty's contract termination and limited the business activity of the company till the fulfilment of the requirements mentioned above. This case shows how seriously the UAE takes boycott laws and the effect on operations for those who violate the law. This ruling serves to support the UAE's position concerning economic boycotts and the observation of national policies (Case No. 123/2017, 2017).

Why this is relevant because it shows how enforcement mechanisms are central in the promotion of economic boycotts as these are factors that are vital in the observation of the nation's policies. How this is important is that it shows that periodical non-compliance with the regulations entails legal and financial repercussions proving that compliance enhancement is necessary for the legitimacy of boycott regulations in the international market. Saudi Arabia, Egypt and UAE have showcased how boycott regulations are implemented and proved that there are grave legal and financial ramifications for non-compliance with these rules in today's global environment. The overall result of using economic boycotts mainly depends on other political uses, considering the need for the countries using boycotts to maintain their general economic development goals.

Chapter 5: Conclusion and Recommendations

5.1 Conclusion

In this dissertation, the development, implementation and impact of economic boycotts have been examined especially in the Arab States relating to law. Some of the findings showing the strengths include the fact that effective legal requirements like Saudi Arabia's Law of Commercial Agencies, Egypt's Consumer Protection Law and the UAE's Commercial Companies Law are crucial mechanisms in enforcing boycott regulations. These frameworks aim at compliance through strong tones, inspection, and specific enforcement agencies. Assessment of WTO agreements; for instance, exposes some exigent difficulties Arab nations have in coordinating anti-boycott laws with universal trade standards. However, the enforcement mechanisms show quite cordial commitment to ensure these boycotts are sustained, and this is evident in the case of KSA, Egypt as well as UAE. They directly affect intra-regional trade, FDI, as well as overall economic development. Although they are effective weapons on the political level, they also present the threat of disrupting trade, increasing its cost and even leading to a legal battle. The organized case laws examined explain penalties suffered in the event of non-compliance and judiciary enforcement of boycott regulations. In conclusion, it is worth underlining that the studied dissertation highlighted the need for responsible political actions regarding economic consequences and stipulated that boycott regulations have to be efficient without negative impact on the general tendencies of economic development in the Arab countries. As for the policymakers, the outcomes of this dissertation point out the importance of reasonable and unambiguous legal regulation of economic boycotts. Managing that laws are clear and fairly implemented would go a long way in reducing the risks of economic and legal losses resulting from boycotts. There are always likely to be certain political gains to be made and therefore, other policies need to be adopted in such a way that trade and investment flows are least distorted. In addition, this interaction with WTO is necessary to harmonise the national boycott legislation requirements with the common global trade rules, to prevent legal contradictions and possible sanctions. Economic boycott and its related legal issues should be understood and noticed by stakeholders of businesses and investors. This requires the companies to exercise great care to ensure that claims made, or the practices adopted do not infringe on these laws by accident, given the fact that nonadherence to the provisions of the laws comes with

severe consequences. Therefore, there exists a risk in the region that boycotts should be subject to analysis by investors due to the possibility of trade barriers as well as unpredictable legal scenarios. Future research should evaluate the effects of economic boycotts on the economy of both the boycotting and target country after long-term adaptation to the boycotts. As to the research questions, cross-national comparisons of Arab countries with other regions that have practised similar boycotts could establish the emergency impact and outcomes of such measures. Also, it could be analysed how technological developments help to avoid or implement boycott regulations, and what digital trade and use of the blockchain would mean in terms of compliance and monitoring. Other areas for research include the effect of the economic boycott on the SMEs of the boycotting countries. It is here where the need to better understand how SMEs engage with these regulations and what support instruments, they need to build coherent and effective economic policies arises. Last, of all, it is also worth investigating the social and political consequences of economic boycotts as the attitudes of the public and actions of specific advocacy organizations might shed additional light on the phenomena.

5.2 Recommendations

1. Most of the legal systems regarding the economic boycotts in Arab nations lack distinct descriptions of what is regarded as boycotting along with the legal foundation on which such boycott is to be enforced thus necessitating their elaboration. This should involve a comprehensive analysis and review of some of the laws and regulations including Saudi Arabia's Law of Commercial Agencies; Egypt's Consumer Protection Law; as well as the UAE's Commercial Companies Law, this should involve reviewing the legal wording and making sure that it is drafted in a manner that is acceptable internationally for international business.
2. Specifically for the economic boycott it is important to strengthen the enforcement mechanisms that are employed under the current legal instruments. This could entail enhancing the legal consequence of non-compliance with the boycotts, enhancing the monitoring and auditing procedures, and creating a specialized judiciary to oversee the disputes on boycotts to eliminate legal risks to make sure the boycotts will achieve their desired goals.
3. The Arabian region should develop the domestic laws in the countries of this region in compliance with the international legal standards and the WTO standards. This comprises the

process of conditioning how the various laws of the different nations relate to the trade rules of the international community, to ensure that adequate changes are made to ensure that there are no conflicts which would lead to legal suits, hence enhancing the credibility of economic boycotts and sanctions on the international arena.

4. More studies are required to discuss the legal perspectives of companies under boycott laws. This research should also give specific recommendations that can be followed to avoid the occasions where business gets entangled with boycott laws and face the law consequences.

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