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**‘The role of targeted sanctions’**

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I plan to give a brief overview of Security Council sanctions; their evolution and mixed record of success; obstacles to effective implementation; and why it’s imperative that we do a better job of implementing sanctions.

Sanctions have the potential for being powerfully effective if properly implemented. However, effective sanctions implementation rests at the mercy of competing national agendas. In an ideal world, countries of the world would focus their goals on alleviating the suffering of humanity rather than economic imperatives. We do not live in an ideal world so we have to make the best of the tools we have, which are not in themselves ideal. And that’s what the international community has been doing for the past decade with the tool of sanctions: refining and honing a powerful tool into a sophisticated means of coercion, not punishment, but coercion, to bring about desired outcomes.

Sanctions avoid the costs of military action. When designed and applied effectively, sanctions can exert significant pressure on targeted states, individuals and entities and can help to bring parties in conflict to the bargaining table. The promise of easing or lifting sanctions can be the carrot by which cooperation is elicited.

Do sanctions work? Yes, under certain conditions, which we will come to in a moment. After the end of the cold war, sanctions provided a powerful tool for collective action. The devastating humanitarian impact of Iraq sanctions led the Security Council to rethink its approach to sanctions, and to focus on targeted sanctions in the form of:

- Financial assets freezes
- Travel bans
- Aviation sanctions
- Commodity boycotts
- Arms embargoes

In the early 1990s, the Security Council imposed comprehensive trade sanctions on Iraq, Haiti, and Yugoslavia. Selective sanctions on UNITA approached the level of a comprehensive trade embargo. All other Security Council sanctions cases have been partial and selective:

- Ten cases of financial restrictions in combination with other measures.
- Six cases of commodity boycotts, petroleum, diamonds and timber.
- Eleven uses of travel bans
- Sixteen cases of arms embargoes

Beginning in 1994, the Security Council imposed financial sanctions and travel bans on designated targets in Angola, Sierra Leone, Liberia, DRC, Sudan and Côte d'Ivoire, and in the case of Al Qaida and the Taliban.

Sanctions did not produce immediate or full compliance in any of these cases. In a number of cases they resulted in partial compliance or bargaining pressure. In approximately a third of the cases examined, sanctions led to partial progress in achieving Security Council objectives. These are not our own assessments. They are the work of eminent multilateral sanctions experts David Cortright and George Lopez, who estimate that:

- Iraq sanctions contained Iraq militarily.
- In Yugoslavia, sanctions exerted leverage on the Belgrade regime that led to the Dayton accord.
- In Libya sanctions were a central factor in the negotiations that eventually brought suspected terrorists to trial.
- In Angola sanctions combined with military and diplomatic pressures to weaken the UNITA rebel movement.
- In Liberia, sanctions denied legitimacy to the Charles Taylor regime.

A recent assessment of Côte d'Ivoire and Liberia, by Prof. Peter Wallenstein of Uppsala University, and colleagues, indicates that the arms embargoes on those countries have been somewhat effective.

Targeted sanctions apply pressure on specific decision-making elites. Commodity sanctions deny parties access to revenues that sustain conflict, such as:

- Oil embargoes against Iraq, Yugoslavia, Haiti, UNITA and the military junta in Sierra Leone.
- A timber embargo against Liberia.
- Diamond embargoes on UNITA in Angola, Sierra Leone, Liberia and Cote d'Ivoire.

Sanctions alone won't bring about the desired outcomes. But when combined with other initiatives, they can be an effective tool in the kit. Sanctions will not work unless they are properly implemented and monitored for compliance.

In theory, arms embargoes are an ideal form of targeted sanction. In practice, arms embargoes have been the least effective form of sanction, especially when imposed as stand-alone measures such as in Somalia, Rwanda, and in Ethiopia/Eritrea.

Small arms are the weapon of choice in Africa where most arms embargoes are in place. Some 500,000 people are killed each year by ¾ billion small arms in circulation. In some conflicts, up to 80% of casualties are caused by small arms. The world's black markets, like the world's legal markets have become increasingly globalized. It is difficult for sanctions monitors to keep one step ahead of cross-border mergers between airlines, offshore registration of fleets, crews and companies, false end user certificates, and bogus bills of lading.

To overcome the problems resulting from inadequate implementation of arms embargoes, the Security Council adopted a number of policy innovations. It made the language and technical terms used in resolutions imposing arms embargoes more precise. It called on Member States to criminalize violations of arms embargoes and to strengthen export control laws and regulations. In 2004, the Council granted mandates to United Nations peacekeeping forces in the DRC and Côte d'Ivoire to assist with the monitoring of arms embargoes on those countries.

Initiated in 1999 with the Angola sanctions committee, chaired by Amb. Robert Fowler of Canada, the Council created expert panels to monitor sanctions. Currently there are six panels, perhaps 30 mandates, and 100 reports. Panels exist for Côte d'Ivoire, the DRC, Al-Qaida/Taliban, Somalia, and Sudan.

Sanctions cases are becoming more complex. At the same time, there are more complex ways of evading sanctions. These panel reports detail increasing numbers of ways that determined violators can evade Security Council sanctions. In many cases, by the time arms embargoes are imposed the countries are awash in arms. The DRC and Côte d'Ivoire expert groups have noted that the countries have all the arms they need.

Listing (the designation of persons and entities as subject to targeted sanctions) can be very effective: it can cause personal hardship, which is to be expected given that these are coercive measures. Recent studies by Prof. Peter Wallensteen of Uppsala University and colleagues, show that listing has a restraining effect on the behaviour of persons placed on lists.

Another challenge to effective sanctions implementation comes from criticism about the accuracy and legitimacy of the target designation and delisting process. Some of the concerns highlighted are:

- The listing process
- Listing practices
- Granting of exemptions
- Definitions of exemptions
- Delisting process: lack of an adequate process
- And the lack of direct access

The same three countries that were instrumental in leading sanctions reform, Switzerland, Germany and Sweden (in conjunction with the Watson Institute at Brown University) have taken the initiative in this regard, to develop recommendations for the

Council. The idea was to counter challenges to the legitimacy of the Council by maintaining political support for targeted sanctions.

In 2006, the Council adopted resolution 1730 which contains a number of measures to address these concerns, including the establishment of a focal point system in the Secretariat to receive delisting requests directly from individuals.

UN sanctions policy has transformed since the 1990s from blunt, poorly monitored measures to measures targeted to decision-making elites, with minimal humanitarian impact and with monitoring by expert panel groups.

Sanctions are an extremely powerful tool at the disposal of the Council. But it is not enough for targeted measures to be imposed, while perpetrators are not designated, or are designated so late in the process that the people lose all hope.

The Security Council represents a beacon of hope to millions of suffering people around the world. The Council and the United Nations must not fail them. We must fulfill the promise of the Charter.

Timing is crucial. Sanctions came too late to save 800,000 precious lives in Rwanda. No doubt the SC had Radio Milles Collines in mind when in 2004 in resolution 1572, in para. 6 demanded that the Ivorian authorities stop all radio and television broadcasting inciting hatred, intolerance and violence, and requested UNOCI to strengthen its monitoring role in this regard.

In the same resolution, the SC also imposed a travel ban of persons who constitute a threat to the peace and national reconciliation process and other persons determined as responsible for serious violations of human rights and international humanitarian law, and other persons who incite publicly hatred and violence. Resolutions 1643 and 1727 reaffirmed its readiness to impose sanctions on such persons.

Resolution 1556 on Sudan in 2004 imposed an assets freeze and travel ban on individuals who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, and commit other violations of the Council's measures. The Security Council understands the potential of sanctions to avert massive human rights abuses.

I have the lists of persons and designated by the Côte d'Ivoire, DRC and Sudan sanctions regimes here. The Cote d'Ivoire and Sudan lists are very short. They are available on the Committee websites. A number of names were added to the DRC list last week. These lists include perpetrators who fit criteria established by the Council for their designation on the lists, including human rights abuses and violations of humanitarian law.

In 2004, on a day of reflection on the 1994 Rwanda genocide,

Former Secretary-General Kofi Annan launched an Action Plan to Prevent Genocide. In a speech to the Commission on Human Rights, the Secretary General noted that “we must all acknowledge our responsibility for not having done more to prevent or stop the genocide”. “Such crimes”, he said, “cannot be reversed; such failures cannot be repaired. The dead cannot be brought back to life.”

Sanctions can be effective as a preventive measure, and as a measure for conflict resolution, under the right conditions: when they are considered to be credible; when they are timely. Often pressure is exerted from all quarters to hold off on designating persons and entities, once sanctions are imposed, to allow space for the peace process. This is sometimes valid. Such postponement of action can also be interpreted as a lack of resolve on the part of the Council, Committee and international community as a whole.

When I visited Côte d’Ivoire with the Chairman of the Committee in 2005, sanctions were described by a variety of sources as a ‘toothless dog’, a threat without teeth.

Postponement can also abet the stalling tactics of targets, who become adept at making a move in the right direction when pressure is exerted, and backing off from compliance, when the pressure is off.

Sanctions can be effective when they enjoy the unity of purpose of those that impose the sanctions. Targets will exploit any perceived or real differences among the imposers of sanctions.

Sanctions can be effective when their goals are clear and legitimate; when they enjoy wide support and are thus effectively implemented. We’re not going to solve the problem of competing national agendas, but with more focus and concern for our common humanity sanctions can achieve their potential towards the important goal of enhancing peace and security.

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