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978-1-107-13421-8 - Targeted Sanctions: The Impacts and Effectiveness of United Nations Action

Edited by Thomas J. Biersteker, Sue E. Eckert and Marcos Tourinho

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Introduction

*Sue E. Eckert, Thomas J. Biersteker, and
Marcos Tourinho*

The use of targeted sanctions as a central instrument to address challenges to international peace and security has been a defining feature of UN Security Council practice since the end of the Cold War. The comprehensive sanctions imposed on Iraq following its invasion of Kuwait in 1990 exacted a heavy toll on the Iraqi economy, as well as its citizens. Reports concerning the death of 500,000 Iraqi children – a figure originating in a UNICEF report on infant mortality in sanctions-era Iraq – raised alarm among human rights groups and some Member States, and were used by Iraqi president Saddam Hussein to campaign against the sanctions. One effort to mitigate humanitarian consequences of the embargo, notably the Oil-for-Food Programme, was slow to be put into effect and did not always reach its intended beneficiaries. While arguments persist as to whether the severe consequences were Saddam Hussein's doing or a product of the sanctions alone, recognition of the significant humanitarian costs of the blunt instrument of comprehensive sanctions was nearly universal. The terrible price of the Iraqi sanctions created an enduring awareness of the negative effects sanctions can have on innocent civilians.¹

In view of the consequences and controversy over the Iraq sanctions, the UN Security Council decisively moved away from comprehensive sanctions. In fact, no new sanctions imposed by the United Nations since 1994 have included comprehensive economic measures. Rather, the Security Council adjusted the instrument to focus on individuals and entities responsible for the actions or behaviour posing threats to international peace and security or on economic sectors that support their proscribed activities. Commonly referred to as 'smart'² or targeted

¹ T. G. Weiss, D. Cortright, G. A. Lopez, and L. Minear, *Political Gain and Civilian Pain: Humanitarian Impacts of Economic Sanctions* (Lanham, MD: Rowman & Littlefield Publishers, 1997); J. Gordon, *Invisible War: The United States and the Iraq Sanctions* (Cambridge, MA: Harvard University Press, 2010).

² The editors use the term 'targeted' rather than 'smart' sanctions because it describes the measures in a less value-laden manner. Characterizing UN sanctions as 'smart', in

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sanctions, the Security Council has utilized this modified form of sanctions to limit the humanitarian impact with growing frequency – most often to address armed conflict and terrorism, but also to consolidate peace agreements, support peacebuilding, address unconstitutional changes of government, limit the proliferation of nuclear weapons, and most recently to protect civilians under the Responsibility to Protect. Targeted sanctions are directed at leaders, decision-makers, their principal supporters, or individual sectors of an economy or geographic regions, rather than indiscriminately at an entire population.³

Despite this turn to targeted measures and the move away from comprehensive sanctions, however, there has been only limited recognition of these developments in popular discourse, in most policy discussions, and in the scholarly community. The widespread perception remains that sanctions are harmful and invariably result in significant humanitarian costs. Most public treatments of the sanctions topic conflate the two types of sanctions, failing to distinguish between targeted and comprehensive measures, notwithstanding the passage of two decades since the United Nations last imposed comprehensive sanctions. To the extent that discussions within policy circles or deliberations among academic specialists address targeted sanctions, there appears to be a general assumption that targeted sanctions are normatively ‘better’ than comprehensive sanctions, simply because they must have less of a humanitarian impact, but not that they are necessarily more effective in achieving their purposes.

The continued lack of information surrounding UN targeted sanctions, the negligible appreciation for the change in the nature of the sanctions instrument over time, as well as an intuition that targeted sanctions are preferable in terms of policy outcomes in comparison to other alternatives are the principal reasons that the Targeted Sanctions Consortium (TSC) was formed. Notwithstanding more than twenty years of United Nations’ experience with targeted sanctions, until recently, there had been no systematic, comprehensive, comparative assessment of the instrument of UN targeted sanctions.

contrast to the previous practice of comprehensive sanctions as ‘stupid’, is overly simplistic and fails to elucidate understanding of the policy instrument in scholarly analysis. Although targeted sanctions can vary in their degree of discrimination (and may not in practice reach their targets), they necessarily select a limited portion of the population or economy as targets of the measures.

³ As Chapters 1 and 9 indicate, however, this does not mean that targeted sanctions do not produce any unintended consequences or humanitarian costs to the broader population. Depending on their specific design, they can do both.

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[More information](#)**Background to the Targeted Sanctions Consortium**

Due to the critiques of comprehensive sanctions against Iraq, and noting the increasing use of targeted sanctions, the Swiss government convened in 1998 and 1999 workshops of experts interested in refining UN targeted financial sanctions. The Interlaken Process, as it was called, proposed elements for effective financial sanctions, including recommendations for the design and implementation of targeted sanctions at the UN and national levels. The contributions of the Interlaken Process were consolidated in a manual developed by the Watson Institute for International Studies at Brown University in 2001, providing draft language for resolutions and identifying best practices for more effective targeted financial sanctions implementation. Following the Interlaken model, the German government led an effort to examine travel bans, aviation sanctions, and arms embargoes by the United Nations in 1999–2000, resulting in the Bonn-Berlin Manual. The Stockholm Process, sponsored by Sweden in 2001–2002, provided recommendations and a manual focused on the implementation of targeted sanctions.⁴ In each of these initiatives, important assessments of Security Council sanctions occurred, resulting in recommendations to ensure the improvement and continued viability of the targeted sanctions instrument. The principal authors of all three process manuals are involved in the Targeted Sanctions Consortium and have contributed chapters to this volume.

In spite of the gradual refinements and increased use of targeted sanctions by the UN Security Council, public and scholarly debates remained dominated by an assumption that ‘sanctions don’t work’. There was little systematic empirical information at the time upon which assessments of the impacts and effectiveness of UN targeted sanctions could be based. Important work had been conducted by Hufbauer, Schott, and Elliott,⁵ but their analysis included a mix of unilateral and multilateral measures, and the database they assembled contained both comprehensive and

⁴ The Interlaken Process resulted in the publication by T. Biersteker, S. Eckert, A. Halegua, N. Reid, and P. Romaniuk of *Targeted Financial Sanctions: A Manual for Design and Implementation* (Providence: Watson Institute for International Studies, Brown University, 2001). Available at: www.seco.admin.ch/themen/00513/00620/00639/00641/index.html?lang=en. The Bonn-Berlin Process manual was edited by M. Brzoska, *Design and Implementation of Arms Embargoes and Travel and Aviation and Related Sanctions: Results of the Bonn-Berlin Process* (Bonn: Bonn International Center for Conversion, 2001). The Stockholm Process manual was edited by P. Wallensteen, C. Staibano, and M. Eriksson, *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options* (Stockholm: Elanders Gotab, 2003).

⁵ G. C. Hufbauer, J. J. Schott, and K. A. Elliott, *Economic Sanctions Reconsidered*, 2nd edn (Washington, DC: Peterson Institute for International Economics, 1990); G. C. Hufbauer et al., *Economic Sanctions Reconsidered*, 3rd ed (Washington, DC: Peterson Institute for International Economics, 2007).

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targeted sanctions. While their research was considered definitive as to when sanctions in general might be expected to work, it did not specifically address targeted sanctions imposed by the UN Security Council. Without empirical information, it was impossible to draw conclusions about the impacts and effectiveness of those tools, as well as to ascertain whether and how targeted sanctions do indeed work. Lacking a systematic assessment, it was not possible to make policy recommendations to enhance the effectiveness of sanctions implementation. It was from this perspective regarding the importance of both informing the public debate and engaging with policy communities internationally that the TSC was formed.

Targeted Sanctions Consortium

From its inception, the purpose of the TSC was to conduct a comprehensive, systematic, and comparative assessment of the impacts and effectiveness of UN targeted sanctions, the first such initiative. Co-directed by Thomas J. Biersteker (The Graduate Institute, Geneva) and Sue Eckert (Watson Institute for International Studies, Brown University), and later joined by Marcos Tourinho (Fundação Getulio Vargas, São Paulo), who contributed in the research, database development, and the writing and editing of this volume, the TSC drew upon the expertise of more than fifty scholars and policy practitioners from around the world in an effort to investigate different aspects of targeted sanctions design, practice, implementation, and effectiveness.

Formally commenced with a workshop at the Graduate Institute in Geneva in October 2009, the TSC had three unique organizational features that characterized its formation and work. First, it was open to a broad range of international scholars addressing sanctions – a collective enterprise engaging formal theorists, constructivists, game theorists, quantitative analysts, and policy specialists. In an effort to draw on the interest and expertise of a growing number of scholars worldwide researching targeted sanctions, particularly younger scholars, the project directors reached out to academics working on related topics to invite their participation. In particular, efforts were made to include scholars across geographic regions. Eventually, participants from around the world comprised the TSC – from Africa, Asia, Europe, and North and South America. A list of participants in the Targeted Sanctions Consortium, from which all of the authors included in this book were drawn, is included in Appendix 4.⁶

⁶ Not all individuals listed in Appendix 4 continue as active TSC participants, as a number of practitioners in particular have rotated to other policy assignments. The results of the

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Second, in order to ensure that the research addressed policy-relevant questions and resulted in findings valuable for both academic and policy communities, the TSC engaged policy practitioners from the beginning in the design of the project and conduct of the research. In particular, UN officials (former or current at the time) and representatives of Member States involved in the implementation of sanctions participated, and constitute nearly half of the TSC membership. Most academic research endeavours, even those with policy aspirations, tend to produce a one-way ‘dialogue’ of policy prescriptions addressed to practitioners in a concluding chapter of a completed study, rather than engaging practitioners at the outset in the design of the research.

Third, the TSC research was organized not around individual country case studies which typified previous sanctions analysis, but by a conceptual approach focusing on cross-cutting themes – including political will, purposes, international norms, the interaction of sanctions with other policy instruments, implementation, and enforcement – facilitating comparison across cases. This thematic approach has been continued from the initial research design to the organizational structure of this book. The general method utilized by the TSC began with detailed narrative case studies of individual country sanctions regimes (some of which were authored by former policy practitioners), but the eventual research outputs transcended those case studies. The case studies were structured on a template common to all and were used as the basis for the construction of two new and original databases – one qualitative and one quantitative, as discussed below.

The first phase of the TSC project focused on defining the parameters of the project, its scope, and analytical approach. Based on the participation of both scholarly and policy participants, the group developed and refined the project design. Since the research involved a broad range of individuals throughout the world, a common framework of analysis was necessary. For these purposes, an international workshop on methods of evaluation was convened.⁷ Following a review of the state of the art of knowledge about the impacts and effectiveness of multilateral targeted sanctions, the workshop resulted in agreement on a general research framework. This included the use of sanctions episodes as a unit of analysis, broadening the purposes of sanctions beyond coercion or the change of behaviour also to include constraint and signalling, and

research and the analyses contained in this volume are, of course, independent of the official positions of the governments represented by the practitioners included in the TSC.

⁷ We are grateful for the support of the Swiss government for this workshop.

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determining elements to be addressed in each case.⁸ The TSC co-directors developed these conclusions into Terms of Reference (ToR) that established research methods, priorities, concepts, and elements to be addressed in each case.⁹ An electronic template based upon the ToR was also provided to facilitate the gathering of common information on each case of UN targeted sanctions.

TSC participants then engaged in original research on major UN targeted sanctions country regimes.¹⁰ During this phase, sixteen different teams comprised of both scholars and practitioners were commissioned to conduct research on the impacts and effectiveness of targeted sanctions in the most important country sanctions regimes. These were later expanded to include *all* UN targeted sanctions' country sanctions regimes in place while this book was being written: Al-Qaida, Angola, Central African Republic, Côte d'Ivoire, Democratic People's Republic of Korea (DPRK), Democratic Republic of the Congo (DRC), Ethiopia-Eritrea, Former Yugoslavia (1991–1996), Former Yugoslavia (over Kosovo), Guinea-Bissau, Haiti, Iran, Iraq, Lebanon, Liberia, Libya in the 1990s, Libya after 2011, Rwanda, Sierra Leone, Somalia, Sudan (1996–2001), Sudan (since 2004), and the Taliban. The common framework for analysis provided by the ToR helped to ensure consistency across cases and was refined over time.¹¹

Most researchers involved in writing the initial case studies met at a June 2011 workshop hosted by the Foreign Office in London for a preliminary comparative discussion of their research. The meeting, supported by the Foreign Office and the Federal Department of Foreign Affairs of Switzerland, discussed preliminary research findings on a

⁸ The concepts of sanctions episodes and multiple purposes of targeted sanctions are largely based on the analytical frameworks developed by Mikael Eriksson and Francesco Giumelli, respectively, as discussed in Chapters 1 and 2.

⁹ These elements included background context; determination of the beginning of episodes; identification of the principal purpose or purposes, different audiences signalled, and decision-making process; assessment of political will; relationship between UN sanctions and other international initiatives/actors; identification of principal episodes; assessment of implementation; identification of direct and indirect impacts, and principal unintended consequences; assessments of effectiveness; and identification and/or selection of paired counterfactual case(s).

¹⁰ We originally intended to conduct interviews with targets, but in practice this proved not to be feasible in most cases. The editors continue to view this particular aspect of inquiry important for future research, however, as discussed in Chapter 12.

¹¹ UN sanctions continually evolve – in three months from the end of 2013 through March 2014, two new sanctions regimes (CAR and Yemen) and an additional episode to the ongoing sanctions due to the situation in Libya were added. To ensure the TSC databases and assessments remain current, the project managers have committed to annual assessments and recoding. The research phase was conducted with the generous financial support from the governments of Canada, the United Kingdom, and Switzerland.

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thematic basis, thereby facilitating the comparative analysis of the sanctions cases. General categories of purposes, impacts, coordination challenges, interactions with other sanctions regimes, relationships to other policy instruments, design and implementation challenges, evasion, unintended consequences, and importantly, the effectiveness of UN targeted sanctions were examined across the range of cases. An attempt was also made to evaluate changes in effectiveness of targeted sanctions over time, to determine the degree of learning on the part of targets, states, and the UN.

Following a revision of each country case study, the editors began development of the TSC databases in August 2011 to synthesize and summarize the assessments of the impacts and effectiveness of UN targeted sanctions. They expanded, consolidated, and harmonized the rich case material received from research teams to construct comparable, qualitative, and quantitative data sets out of the research. Distinct episodes within each country sanctions regime constitute the core unit of analysis, and the database constructed includes a total of sixty-three case episodes for comparative analysis, with 296 variables for each case episode. Qualitative executive summaries of each country case were prepared by the editors and are available in *SanctionsApp* and in a forthcoming volume. They provide valuable précises regarding the background to each case of UN targeted sanctions, the rationale for the determination of episodes, a catalogue of the measures adopted, purpose(s) of the sanctions, unintended consequences, as well as a short-hand explanations of how effectiveness was assessed, and the contribution of the UN sanctions to the policy outcome.¹² The quantitative database will be accessible publically for use by scholarly and policy communities upon the publication of this book.

With the objective of disseminating the initial results of the research to policy communities, the editors produced *The Impacts and Effectiveness of UN Targeted Sanctions: A Guide for Policymakers on the Design and Implementation of Targeted Sanctions*, focused on practical lessons from the empirical research for the design and implementation of future United Nations targeted sanctions.¹³ With support from the Swiss government, the editors developed *SanctionsApp*, a smartphone application designed

¹² Because the qualitative data set provides such significant information in a readily assessable format, it will be published as a separate volume to this edited book.

¹³ The report was supported by the Government of Canada and released at a meeting hosted by the Mission of Canada to the United Nations on 27 April 2012. The material was updated to include six additional cases and improved evaluations of effectiveness in November 2013, published under the title *The Effectiveness of United Nations Targeted Sanctions*, available at: http://graduateinstitute.ch/internationalgovernance/UN_Targeted_Sanctions.html.

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to democratize access to critical information about UN targeted sanctions to Member States, the scholarly community, and to the general public. Created out of the TSC research, the app is updated regularly at the Graduate Institute, Geneva to ensure that the assessments remain current. *SanctionsApp* facilitates efficient access in real time to information based on the TSC data sets. The texts of hundreds of operational and other relevant paragraphs of UN targeted sanctions resolutions are accessible, and interactive filtering features based on the TSC's quantitative database are employed.¹⁴

The work of the Targeted Sanctions Consortium culminates with the publication of this volume, which provides state-of-the-art, empirically driven, information about a range of themes relevant to the study of UN targeted sanctions, with broader implications for the analysis of international sanctions in general. To produce the volume, individual chapter authors were invited to utilize the TSC qualitative and quantitative data sets to provide a comprehensive and comparative analysis of the entire universe of UN targeted sanctions regimes.

Acknowledgements and disclaimer

The editors wish to thank the participants of the Targeted Sanctions Consortium for their intellectual commitment to and enthusiasm for the challenges represented by UN sanctions. Some are self-professed 'sanctions-geeks', and all of them gave generously of their time to a project that has been years in the making.

In particular, special appreciation is reserved for those TSC research team members who authored chapters in this volume: Paul Bentall, Alix Boucher, Michael Brzoska, Rico Carisch, Andrea Charron, Caty Clement, Kimberly Elliott, Mikael Eriksson, Francesco Giumelli, George Lopez, Clara Portela, Loraine Rickard-Martin, and Peter Wallenstein. Most received only token honoraria, if that; and every one of them worked tirelessly to conform to high standards and expectations. While the process was demanding, we hope you are pleased with the outcome of our collective journey.

The editors also gratefully acknowledge the Governments of Switzerland, Canada, and the United Kingdom for their financial contributions in support of the research of the TSC. The effort would not have been possible without their assistance. It should be noted, of course,

¹⁴ Officially launched at the Swiss Mission to the United Nations in New York in June 2013, *SanctionsApp* is updated automatically for those downloading it. A Web-based version with regular Internet access was made available in October 2015.

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that the commentary and analysis contained in this book represent the views of the editors (or the chapter authors), and are not necessarily endorsed by any of the governments that have supported the TSC project. Two anonymous reviewers for Cambridge University Press provided unusually extensive and constructive comments that spurred us to strengthen the final manuscript, and we are grateful to John Haslam for his encouragement and support.

We also extend our sincere gratitude to the research and other assistants who spent countless hours searching for information, rechecking our coding, ensuring smooth and productive workshops, and generally doing whatever they could, above and beyond what was asked of them, to ensure the quality and rigour of the TSC project and related products. We appreciate the many efforts of Cecilia Cannon, Georg von Kalckreuth, Amber Khalid, Daniel Norfolk, Dominika Ornatowska, and Sandra Reimann in Geneva over the course of the past five years. In São Paulo, Camila Amaral and Thiago Kunis provided valuable support whenever needed. Harsh Bedi in Geneva saw to it that the manuscript was edited with consistency, accuracy, and care. Special recognition, however, goes to Zuzana Hudáková, who mastered the subject matter in record time, routinely challenged our thinking and assessments, and provided the highest quality research and analysis, painstakingly updating all of the data incorporated in the final manuscript. We thank her for her significant support and many intellectual contributions to this collaborative endeavour.

Mark Sawoski and Nancy Biersteker were exceedingly generous with their hospitality and company in the multiple coding meetings that took place over the course of three years between Little Compton, in the United States, and the village of Prayon in Switzerland.

Finally, it is important that we offer some caveats. While this volume is based on substantial analysis of both the qualitative and quantitative databases, it is important to acknowledge from the outset the inherent limitations of research on sanctions, including the TSC research and approach.

In the simplest of terms, each UN sanctions case is unique with incomparably complex dynamics. No two sanctions regimes are the same, and by definition, each episode is inimitable. The distinctive complexity of each, combined with the relatively small sample size for some categories, makes generalizations and causal inferences difficult. Thus, there are risks in overgeneralizing from such distinctive and unique cases. Moreover, UN sanctions are always combined with other measures and never applied in isolation (in all sixty-three TSC episodes). Isolating the contribution of UN sanctions to policy

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outcomes is the most difficult analytical aspect of the exercise. While we have attempted to be methodologically consistent and rigorous in our approach, ultimately databases represent thousands of semi-subjective judgements made by researchers.

The findings and recommendations contained in this book, while by no means the final word, hopefully contribute to a better understanding and assessment of the functioning and effectiveness of United Nations targeted sanctions, a critical instrument to maintain international peace and security.