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Sanctions against 'aggressors'– seven lessons

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Sanctions – 'restrictive measures' in official EU speak – are imposed to induce target countries or regimes to change a policy or action deemed unacceptable by the international community. States or regimes which have triggered wars, threatened the territorial integrity of other countries or committed crimes against humanity have recurrently been subject to such punitive measures.

Sanctions may involve trade and arms embargoes, asset freezes and restrictions on the activities of powerful individuals or companies, as well as bans on international financial transactions and investments. These can be accompanied by measures such as travel bans on senior representatives of a government or their close associates. Acting as negative incentives to induce targets to alter their reprehensible behaviour, sanctions have emerged as complementary instruments in a wider array of foreign policy tools.

This trend has gone hand in hand with rising global interdependence and the increasing relevance of normative principles such as the Responsibility to Protect (R2P). The sanctions imposed on Syria (2011) and Russia (2014) revived an old debate about the usefulness and impact of restrictive measures in international diplomacy. The jury is still out – hence the need to assess their track record.

The historical record

In the interwar period, the League of Nations played a key role in enacting sanctions against countries threatening international security, albeit with limited success. Such was the case with Mussolini's Italy after its invasion of Ethiopia (1935), but measures against Imperial Japan and Nazi Germany were equally weak and potentially counterproductive – as they were often portrayed by the targeted countries as acts of war.

After the Second World War, the role of supreme international 'sanctioner' was clearly attributed to the United Nations, but the Cold War soon gridlocked the Security Council in this respect – thus leaving the imposition and implementation of restrictive measures to leading major powers. Relevant cases in point were the US sanctions against Britain, France and Israel during the Suez crisis in 1956 and the US sanctions against the USSR after its invasion of Afghanistan in late 1979. But the US was not alone: the Arab League imposed sanctions against Israel during the 1948 war which led to the creation of the state, and China imposed sanctions against Vietnam after its invasion of Kampuchea (now Cambodia) in late 1978.

Since the end of the Cold War, restrictive measures have been deployed with greater frequency. The sanctions imposed on Saddam Hussein's Iraq – under the aegis of the UN – after its invasion of Kuwait in 1990 were comprehensive economic sanctions, which entailed major humanitarian costs. Yet the UN-sponsored 'oil-for-food' programme – introduced in 1998 to alleviate the suffering of the civilian population – was later criticised for giving rise to widespread corruption both inside and outside Iraq. International sanctions have since tended to shift from being comprehensive

to targeted (or 'smart'), focusing on individual leaders and organisations – mainly to punish human rights violations.

With threats to international security emanating primarily from intra-state conflicts, fragile or failed states and transnational terrorist networks able to carry out their operations regardless of state borders, sanctions policies have undergone a fundamental shift, targeting non-state actors as well. The UN doctrine of R2P, developed and conceptualised in the early 2000s, made sanctions part and parcel of a series of measures taken by the international community to punish the aggression of governments against their own citizens – as was the case with Libya and Syria in 2011, in spite of R2P arguably being operationalised only in the former.

Other actions have also become major justifications for the imposition of sanctions: nuclear proliferation, as in the case of Iran and North Korea, and terrorist activities, as in the case of al-Qaeda, Boko Haram or the Islamic State of Iraq and the Levant.

The lessons learned

Both historical precedents and academic comparisons indicate that the effectiveness of sanctions is, *per se*, rather limited. Statistical analysis covering the period since the First World War shows that between one fifth and one third of them have fulfilled their stated aims – and often only partially. While, in general, sanctions tend to fail, the body of evidence on successful ones available today provides some interesting insights.

1. Sanctions raise expectations as to what they can achieve, but such expectations need to be managed. In old-fashioned cases of inter-state conflict, sanctions were generally conceived as instruments to weaken the adversary's military capacity by blocking access to key resources and raw materials. But these measures were not expected to do the job of actually and ultimately winning the war. Sanctions, however, can become a useful instrument once a negotiation or peace process has begun, setting incentives for those responsible for the conflict to commit to a peace settlement.

2. Sanctions have frequently been followed by military action. This was the case in the former Yugoslavia, where sanctions were first put in place in 1992. Those measures initially failed to stop Belgrade and the various warring factions, but they were strengthened over time and used to reinforce the military action taken by NATO in the run-up to the Dayton accords of 1995/1996. Sanctions against Serbia were also part of the toolkit used by Western powers in the 1999 Kosovo war and after.

3. Sanctions also tend to be more effective – perhaps predictably – when there is broad international consensus on using them and when they are applied multilaterally and in a coordinated fashion. The greater international isolation and stigmatisation stemming from broadly endorsed international sanctions is believed to be a greater inducement for the targeted regime to change its behaviour and comply with the international community's demands.

4. Sanctions never work in isolation. In today's war contingencies, sanctions are most effective when they are embedded in a wider strategy involving diplomatic efforts to end violence, oust a war criminal and/or restore justice after major crimes against humanity have been committed. Some credible threat of military action is also often necessary to induce the desired effect. Sanctions are then used as a warning and inducement to change behaviour ahead of possible military action. Sanctions against Liberia and Sierra Leone in the late 1990s, for example, should not be seen separately from Britain's UN-backed military intervention, the establishment of a Sierra Leone Special Court, and policies to isolate and bring former Liberian president Charles Taylor to trial at The Hague.

5. Sanctions can be said to work better when their goals are limited, clearly articulated, and solely aimed at behavioural (not regime) change. Yet comparisons have shown that such behavioural change is easier to achieve with more pluralistic societies and democratic regimes (as in the Suez case). Restrictive measures aimed at authoritarian regimes have a lower success rate as they may induce a rally-around-the-flag effect and strengthen the powers that be, which are then in an ideal position to seize and redistribute at will the more limited resources stemming from the negative economic impact of sanctions (as in the case of Iraq).

6. Sanctions have costs. For an effective sanctions policy, addressing this issue politically is essential. The humanitarian costs of broad economic sanctions such as oil embargoes and comprehensive financial restrictions on the 'target' side can be dire and end up undermining their legitimacy and credibility. Dealing with the domestic losers of sanctions (through compensations and/or phase-in periods) is thus crucial.

7. Last but certainly not least, sanctions need to be properly implemented and closely monitored, as targets have strong incentives to circumvent them and can avail of a range of loopholes to do so.

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