

**Sharpening International Sanctions:
Toward a Stronger Role for the United Nations**

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**A Report to the Carnegie Commission on Preventing Deadly Conflict
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Carnegie Corporation of New York established the Carnegie Commission on Preventing Deadly Conflict in May 1994 to address the looming threats to world peace of intergroup violence and to advance new ideas for the prevention and resolution of deadly conflict. The Commission is examining the principal causes of deadly ethnic, nationalist, and religious conflicts within and between states and the circumstances that foster or deter their outbreak. Taking a long-term, worldwide view of violent conflicts that are likely to emerge, it seeks to determine the functional requirements of an effective system for preventing mass violence and to identify the ways in which such a system could be implemented. The Commission is also looking at the strengths and weaknesses of various international entities in conflict prevention and considering ways in which international organizations might contribute toward developing an effective international system of nonviolent problem solving.

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Foreword

What are sanctions good for? Can they stop wars, force countries to respect human rights, or stifle state-supported terrorism? Can they prevent deadly conflict? The recent record of sanctions is a mix of successes and failures. Since the end of the Cold War, there has been a change in the role of sanctions in international relations in three distinct ways: First, sanctions have been used

more frequently; second, they are being imposed for a broader range of reasons than ever before; and third, the UN has become the principal laboratory for testing their strength and scope.

Prompted by the increased importance of multilateral sanctions, the Carnegie Commission on Preventing Deadly Conflict decided that an assessment of their current salience and ways of enhancing their effectiveness would be helpful to practitioners and scholars of international relations. We are grateful to Commissioner Donald McHenry for pointing out the need for such an assessment, for focusing attention on strengthening the UN's sanctions infrastructure, and for chairing the Commission's working group on sanctions. We are also grateful to John Strelau for his dedicated pursuit of these complex issues.

Usually the last resort before violence, sanctions are an essential tool of preventive action. The Commission discerns two categories of preventive action: alleviating risk factors when the danger of violence is imminent; and resolving root causes of violence. The first category includes such measures as identifying and strengthening moderate leaders, initiating formal negotiations, and imposing sanctions. The second category includes eliminating weapons of mass destruction, promoting democracy and economic development, and working to improve health and education.

The Commission believes that sanctions can prevent violence in four ways. First, they signal international disapproval of a government's behavior toward other countries or its own citizens. Second, they are a necessary early reaction. If the target ignores sanctions, then the international community is justified in moving to harsher measures. Policymakers may not be able to build sufficient political support for the use of force if they have not signaled disapproval first with softer measures such as sanctions. Third, sanctions limit a state's freedom of action and motivate the state to correct bad behavior. And fourth, sanctions take their toll: States burdened by economic sanctions suffer in the competitive global economy.

Sanctions have two important drawbacks: They often harm countries that trade with the target country, and they can hurt children, the elderly, and other vulnerable groups in the target country. These unintended effects arouse opposition to sanctions from third countries and calls for softening sanctions when civilians suffer. Sanctions focused exclusively on the offending leaders can avoid these difficulties. The report describes the use of one such measure, financial sanctions, such as freezing the assets of leaders. Financial sanctions are currently available only to the U.S. and other countries with the technology to track and identify international transactions. With new international understandings regarding their use, financial sanctions can become a potent, precise tool of multilateral diplomacy.

This study is one of several Commission-sponsored projects related to sanctions. David Cortright of the Fourth Freedom Forum is editing a set of case studies of the role of inducements -- often used with sanctions in a carrot-and-stick approach -- in preventing deadly conflict. Elizabeth Rogers of Harvard's John F. Kennedy School of Government has prepared a study of the use of economic sanctions specifically to prevent violence rather than reverse aggression or fundamentally resolve conflicts. An upcoming study of the business community and conflict prevention will also include a discussion of sanctions. The Commission will present its comprehensive view of the role of sanctions in its final report to be issued in fall 1997.

As the world becomes more economically interdependent, sanctions can become a sharper tool of preventive action. No longer an instrument of superpower competition, sanctions can be used by the community of nations to protest abuses and enforce norms of behavior between states and between governments and citizens. As this report points out, much hard work needs to be done to improve the effectiveness of UN-mandated sanctions. The difficulty of the task and the often frustrating work of forging a consensus among nations should not deter us from improving this alternative to violence. A solid institutional structure for sanctions will be a tremendous asset in the daily work of maintaining peace in the world.

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Acknowledgments

This report builds on the deliberations of the economic sanctions working group of the Carnegie Commission on Preventing Deadly Conflict. Chaired by Ambassador Donald McHenry, the working group addressed the increasing importance of economic sanctions in the post-Cold War world and the role of the UN in mandating and monitoring multilateral sanctions. The report reflects the working group discussions, interviews with other experts in the field, and a review of the literature. The report does not necessarily represent the positions of the members of the Commission or the many individuals who contributed to its findings.

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EXECUTIVE SUMMARY

The end of the Cold War and successful multilateral cooperation during the Gulf War led to a surge of United Nations-mandated sanctions. The Security Council imposed sanctions only twice between 1945 and 1990 but eight times between 1990 and 1994. In the two cases before 1990, Rhodesia and South Africa, the UN imposed sanctions to protest the denial of human rights and the domestic abuse of power within states rather than to counter traditional threats or acts of interstate aggression, as envisioned by the founders of the UN. Since the imposition of sanctions against Iraq in 1990, the Security Council has expanded the range of problems for which Chapter VII mandatory sanctions are justified: the use of force in the former Yugoslavia, Libya's support for terrorism, civil strife in Somalia and Liberia, genocide in Rwanda, the abrogation of democracy in Haiti, and renewed insurrection in Angola.

Sanctions generally serve three diplomatic functions. They send a signal of international concern to an offending state, seek to modify the unacceptable behavior of a state toward other states or against its own citizens, and warn of stronger actions to follow -- including the use of force. The power to impose sanctions remains the exclusive domain of national governments. The UN or other multilateral bodies can only authorize, not enforce, such measures. Sanctions only reflect international norms, they do not create them. They can, however, significantly affect the credibility of international norms. Indeed, the more sanctions become a regular and effective instrument, the greater should be their deterrent value as a tool of conflict prevention in dealing with potential aggressors or oppressors.

This report focuses on the feasibility and logic of stronger commitments by governments to use multilateral sanctions. It begins with a brief survey of international trends that will affect sanctions regimes in at least three ways:

- Greater international cooperation will be required if sanctions are to be effective in an increasingly open and integrated global economy.
- The unprecedented and continuing diffusion of power within and among states means that the diplomatic consensus required to ensure the effectiveness and legitimacy of sanctions will be increasingly difficult to forge and sustain.
- Proponents of sanctions will have to take much greater care in designing and applying graduated sanctions if they are to gain maximum international support in minimum time, e.g., financial sanctions aimed at isolating and punishing leaders deemed most responsible for the offending behavior.

The report does not attempt a comprehensive evaluation of prior sanctions regimes. Rather, it summarizes and compares sanctions mandated by the UN since 1990 and draws ten lessons:

- Most countries do not have the necessary legal and operational structures in place to impose sanctions, nor does the international community have an adequate multilateral coordinating mechanism at the UN or elsewhere to organize and implement sanctions quickly and effectively.

- Sanctions mandated since 1990 typically have lasted longer and been less successful, more costly, and more complex than their proponents had hoped, but they are widely perceived to have played an important role in at least one major case, influencing Serbia's decision to support the Dayton Peace Accord for the former Yugoslavia.
- By creatively interpreting "threats to international peace and security," UN sanctions have been aimed increasingly at preventing or resolving internal conflicts, thereby giving practical expression to a rapidly growing body of international law that is moving from state-to-state security to protecting the rights of people within states. In such cases sanctions also appear to have given encouragement to those opposing the abuse of power within a state, and who have or could assume responsibility for most of the remedial work.
- The imposition of sanctions also has helped to counter the problem and perception of impunity, especially individual impunity. Sanctions targeted to the privileged leaders who benefit the most from oppression or aggression are no longer able to hide behind the cloak of sovereign immunity and become candidates for eventual prosecution. In the event that a war crimes tribunal or a permanent criminal court is established, prosecution becomes the logical extension of such targeted sanctions.
- There is a growing conservative opposition to UN Security Council-mandated sanctions among the UN's majority of small states that fear an erosion of sovereign protection, and from China and other authoritarian governments hostile to foreign criticism of their domestic human rights policies. Recent decisions by central African states to impose sanctions against neighboring Burundi in an effort to restore civilian rule following the military coup on 9 July 1996, and the strict new sanctions that West African states imposed against Liberia in August 1996 in an effort to resolve that civil conflict may suggest that sanctions conceived and imposed by states within a troubled region may enjoy greater authority and legitimacy than those mandated by the UN Security Council.
- Damages that sanctions have wrought on states other than the target, and on innocent civilians within target countries, have aroused widespread humanitarian concern and have become rallying points for UN members who wish to limit the intrusiveness and scope of sanctions and for those who want to limit the powers of the Security Council.
- Rising demands for the establishment of special funds and other mechanisms to compensate states and peoples unintentionally hurt by sanctions have been generally rebuffed by the wealthy nations, which has further undermined the prospects for consensus regarding when, where, and how to impose sanctions.
- Setbacks in peace operations due in part to ill-considered and underfunded mandates have also strengthened the hands of those in the UN who are critical of any new "half-measures," including sanctions, that might further damage the UN's credibility.
- Sanctions operations need more and better-trained staff members. The UN's current financial crisis precludes these badly needed improvements.
- The U.S., whose leadership has provided the essential vision, strategy, and military backing for UN sanctions, has become more reserved in the mid-1990s and is hugely delinquent in paying its financial obligations to international institutions. None of the other major powers appears ready to provide the vision and to lead consensus-building efforts within the Council, which further weakens the prospects for collective action.

Drawing on this background assessment, the report considers efforts within the UN to improve capabilities to help governments carry out sanctions and deal with the politically contentious issue of assisting third countries and innocent civilians who suffer the effects of sanctions aimed

at others. Findings are mixed regarding the current capacity and prospects for strengthening national and international sanctions structures:

- In the cases of Iraq and the former Yugoslavia, governments demonstrated new capabilities to undertake comprehensive UN-mandated sanctions. Difficult terrain and a diverse array of players with conflicting interests in the Balkans conflict necessitated a complex and expensive network of Sanctions Assistance Missions (SAMs) that set new standards for professional monitoring and coordination through UN headquarters in New York. Yet in both cases the processes of granting UN humanitarian waivers became congested and corrupt, and there were widespread weaknesses in the ability or will of national governments to enforce these measures. Overall, however, no other sanctions regimes have enjoyed the breadth and intensity of support from the major powers and none of the emerging problems, such as Nigeria, is likely to generate similar commitments.
- UN-mandated sanctions since 1990 have all been weakened to varying degrees by slow or inadequate legal monitoring and enforcement capabilities of governments close to the problem whose support is essential for success. Whether or not these governments would have been willing to use such capabilities had they been available is beside the point. The international interest in the use of sanctions *and* the widespread deficiencies in the capacity to impose sanctions suggest that there be a concerted effort to develop "model" national sanctions legislation, procedures, and structures. These could then be adapted to suit particular problems and circumstances. But in the event that the Security Council mandates an arms embargo, a freezing of assets, or trade sanctions, all member governments would at least have a clear outline of steps to follow and could more quickly weigh the costs and benefits of compliance.
- The report's assessment of UN sanctions structures and procedures also revealed many internal shortcomings in responding to Security Council mandates. While some governments do not want any strengthening of the UN's capacity, particularly if this requires additional resources, the UN needs to be better equipped to fulfill its role in carrying out Security Council mandates and to respond to requests from other members who seek assistance in carrying out and adjusting to the effects of sanctions. In January 1995 the secretary-general proposed a five-point plan for improving the UN's capacity to assess the feasibility of likely sanctions, monitor their implementation, measure impact, ensure delivery of humanitarian assistance, and explore ways of helping nontarget member states hurt by sanctions. There is little political support among key members or progress in meeting these concerns. These issues are of sufficient material and political concern to member governments that they should be addressed as part of the broader UN reform efforts now under way.
- There appears to be a growing consensus within the UN that sanctions should be more narrowly focused at specific leaders responsible for the situation that has caused the Security Council to take action. The freezing of assets and other financial sanctions fit this category. Recent advances in intelligence gathering and communication have greatly increased the feasibility of such measures, at least for the United States and a few other technologically advanced countries. But there is no international consensus as to when and how to use financial sanctions as part of broader strategies to promote collective security. Any serious effort to strengthen national and UN sanctions structures and procedures should include developing a broader international awareness and agreement regarding the use of financial sanctions.
- Alleviating the damage that sanctions can cause in third countries and among innocent civilians in the target country has become more than a financial issue for many UN members. As resentment grows over the privileges enjoyed by the Security Council's five permanent members, who can mandate sanctions against others but veto any directed at them, demands

for compensation for nontarget countries hurt by sanctions has become another way to challenge the Council's lack of accountability. It has also become a point of contention between rich and poor countries at a time of declining development assistance and growing international inequities. In December 1994 the General Assembly requested the secretary-general to report on what could be done under Article 50 to alleviate the economic problems confronting states as a result of Chapter VII sanctions. But after much study and debate, General Assembly Resolution 50/51 on this subject, approved in January 1996, reveals almost no progress. Until this matter is resolved, either by more effective targeting of sanctions or by providing compensation to the injured, the authority and legitimacy of future sanctions regimes will be degraded.

A UN Collective Measures Committee should be formed to build support for upgrading sanctions structures and procedures. Such a committee was mandated by the General Assembly in 1950 and during its two-year life offered many constructive recommendations that are still pertinent. A reconstituted Collective Measures Committee might initially address a five-point agenda: implementing the secretary-general's recent proposal for a new sanctions mechanism within the UN Secretariat; building national capacities to impose, monitor, and enforce sanctions; cooperating with regional organizations, the international business community, and nongovernmental organizations; combining sanctions with other preventive measures, including inducements and the threat of military action; and studying the value and limitations of financial sanctions. The report also suggests terms of reference and a structure for the committee and describes how it would operate. While this proposal will likely be resisted by governments opposed to strengthening or expanding the UN's capabilities, the committee could serve as an important forum for increasing the legitimacy of sanctions and for informing member governments of practical ways to improve the effectiveness of sanctions.

Sharpening International Sanctions

1. Background

"The work, my friends, is peace: More than an end to this war, an end to the beginnings of all wars. Yes, an end forever to this impractical, unrealistic settlement of the differences between governments by the mass killing of peoples." So wrote Franklin D. Roosevelt on April 11, 1945, the day before he died.¹ In Roosevelt's vision the United Nations would prevent the beginnings of wars. For nearly 50 years the UN contributed to moderating the global rivalry between the United States and the Soviet Union, but nuclear deterrence, not the UN, became the fulcrum of international order. Now that the Cold War is over, governments face historic decisions about whether, when, and how to use the UN as an instrument for preventing deadly conflict.

As originally conceived, the UN's primary mission was to prevent wars of aggression between states, not the wars within states that are so prevalent today. Governments interested in resolving civil conflicts and preventing their escalation or proliferation have attempted to use the UN in ways that have been fraught with difficulties. International economic sanctions have featured prominently in these collective efforts. As an alternative to the use of military force, Western powers have repeatedly sought to use economic sanctions in response to important but nonvital threats to their national interests and values. Although the record raises many troubling questions

about the efficacy of sanctions, the positive role that they appear to have played in 1995 in pressuring the Serbian government to support the Dayton Peace Accords and ending the war in Bosnia has fueled hopes that sanctions can be used to meet similar challenges in the future. This report seeks to give context and content to these hopes.

UN principles prohibiting the threat or use of force except in self-defense are at the heart of the Charter's provisions for collective security. Unlike the League of Nations Covenant, which also espoused these principles, the UN Charter became the first treaty to authorize and establish procedures for the imposition of economic or military sanctions.² When the Security Council determines, under Chapter VII, Article 39, of the UN Charter, the "existence of any threat to the peace, breach of the peace, or act of aggression," mandatory actions can be authorized under Articles 41 and 42 that apply to all members of the UN.³ Article 41 authorizes "complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations." Should these measures prove to be inadequate, Article 42 allows "such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security."

Use of these powers has been rare. As there is no higher authority than the national governments who signed the Charter, the powers that governments have granted the UN are not instruments of law enforcement but only provisions for their collective security. Major military action by the UN has occurred only twice since its creation: in Korea and Iraq. Both were carried out primarily by one nation, the United States, with UN authorization.

UN economic sanctions were used only twice during the Cold War: against Rhodesia (1966-1979) following the white minority's unilateral declaration of independence, and against South Africa (1979-1994) when Britain and the U.S. finally yielded to growing international pressures and joined a Security Council majority in imposing a comprehensive arms embargo. In the case of South Africa, more important sanctions were applied when the U.S. Congress overrode a presidential veto and in 1986 passed the Comprehensive Anti-Apartheid Act. This action, together with similar ones by South Africa's major economic partners in Europe, is widely credited with persuading the white minority to relinquish power peacefully. Then, with the end of the Cold War, there was a sudden surge in UN economic sanctions: Iraq (1990-), the former Yugoslavia (1991-95), Libya (1992-), Haiti (1993-94), Liberia (1992-), Somalia (1992-), UNITA in Angola (1993-), and Rwanda (1994-95).

The infrequent use of sanctions regimes by the UN prior to 1990 reflects at least three realities. One is Article 2.7 of the Charter, which precludes UN intervention in "matters which are essentially within the domestic jurisdiction of any state." While this principle does not preclude the application of the enforcement measures under Chapter VII, those advocating the use of economic or military sanctions must make the case that the potential or current conflict is a threat to international peace and security. Overriding Article 2.7 by determining that severe human rights abuses within states, notably Rhodesia and South Africa, constitute a threat to international peace and security ranks as one of the major developments of twentieth century diplomacy.

A second limitation is the need for major-power consensus within the Security Council to authorize mandatory sanctions. During the Cold War this was nearly impossible. The Soviet

Union opposed any sanctions that would serve Western interests, while the U.S. and its allies resisted calls from the Soviet bloc and Third World countries for economic sanctions, most often against South Africa and Israel.

Third, the record of economic sanctions has not been encouraging. The most comprehensive and authoritative worldwide survey of the 116 attempts to use economic sanctions for foreign policy goals between 1914 and 1990 shows successful outcomes -- to which sanctions contributed at least modestly -- in barely one-third of the cases, where success is defined as achieving the primary stated goal of the sanctions.⁴ Such judgments about the success or failure of these earlier efforts in persuading a target government to change its policies by withdrawing or threatening to withdraw economic relations are still controversial because of the complex and unique interplay of domestic and foreign interests in each case.⁵ The United States took a leading role in imposing about 70 percent of the sanctions during this period, acting alone in approximately one-third of the cases. Collective sanctions make up less than 12 percent of these sanctions cases; the rest were either unilateral actions or noninstitutional ad hoc coalitions.⁶

The new consensus that has enabled Security Council sanctions to proliferate since 1990 will be difficult to sustain. Differences among the Council's permanent members over where and when to use sanctions are becoming more pronounced, with China and some nonpermanent Council members, the smaller developing countries, opposed to UN intervention in the internal affairs of states. There is a growing restiveness among the UN's majority over the disproportionate power enjoyed by the five permanent members, particularly as their dominant post-World War II and Cold War roles in world affairs continue to decline.

Moreover, in a UN of 185 members, sanctions are a prerogative of the powerful few. Weak states not only lack the means to sanction strong states, but the Security Council veto power of the permanent members ensures that Article 41 and 42 will never be used against any of the major powers. This issue of fairness has been raised most vigorously by those countries that are not the targets of the sanctions but who, as neighbors or trading partners of the target, have been hurt by the sanctions to a greater degree than the U.S. and sanctions proponents. Yet, as the smaller powers that make up the UN's majority are quick to point out, they have little or no say in the decision to apply sanctions. These attitudes, and the spreading belief that sanctions have not achieved their ostensible objectives and are merely cynical ploys by major powers to appear to be "doing something" at minimal cost, are further undermining the UN's authority and making effective collective actions all the more difficult. Departing from this brief background, this report proceeds in four parts:

- **Emerging International Trends That Affect the Use of Sanctions** -- Describes the changing nature of the international strategic, political, and economic environment affecting the use of Chapter VII economic sanctions.
- **Sanctions Innovations of the 1990s** -- Highlights the different purposes, strategies, and techniques of post-Cold War sanctions -- and their mixed record, which undermines the authority and legitimacy of UN actions among member governments not party to these decisions and among publics of countries that are on the Security Council, most importantly the U.S.
- **Secondary Effects of Sanctions Regimes** -- Notes the undesired consequences of sanctions on nontarget states. These consequences not only raise difficult humanitarian and moral dilemmas

but also further undermine the authority and legitimacy of UN collective actions in the eyes of many other governments and influential segments of public opinion within those countries.

- **Improving UN Sanctions Capabilities** -- Suggests ways to improve the UN's capacity to anticipate and manage sanctions regimes; to enhance cooperation within the UN system, regional organizations, national mechanisms, and nongovernmental organizations; and to achieve better coordination with military force, economic or other incentives, diplomatic persuasion, media campaigns, and other policy tools. Special attention is given to the secretary-general's proposal for a sanctions mechanism. The report concludes with a proposal to recreate a Collective Measures Committee, similar to the one approved by the General Assembly in 1950 that produced a two-year study suggesting ways to improve the effectiveness of sanctions.

All key sanctions decisions will most likely remain the preserve of sovereign governments whose foreign policy goals and priorities reflect national interests that may not be compatible or reconcilable. These decisions range from whether or not to apply and abide by sanctions to their specific nature, scale, and duration. Gaining the necessary consensus to impose and sustain sanctions will therefore continue to be a function not of laws but of the political will of governments. This report examines the main structural and procedural impediments to success and how they might be overcome. Because Security Council action may be unlikely in response to situations of growing international concern, the report identifies alternative multilateral approaches that could be strengthened as tools of conflict prevention.

Sharpening International Sanctions

2. Emerging International Trends That Affect Sanctions

- [From Security to Stability](#)
- [From Economic Interdependence to Political Interdependence](#)
- [From States' Rights to Human Rights](#)
- [From Unilateral to Multilateral Sanctions](#)
- [From Democracy within States to Democracy among States](#)

Since the founding of the UN in 1945, far-reaching strategic, political, and economic changes have redefined the environment in which the purposes of sanctions are decided. While the world will continue to be organized politically into nation-states, the demands on sovereign governments far exceed their capacity to respond effectively. From above, powerful centripetal forces of global economic integration, abetted by the information revolution, operate largely beyond government control. From below, old and new political forces are challenging domestic authority in many countries. Potent demands for self-determination by ethnic and other minority groups are compounded by demands from all segments of society for greater economic growth and personal security. In response, more and more governments have been willing to relinquish control over state enterprises and to allow markets to operate more freely. To a somewhat lesser extent, there has been a clear trend toward greater political freedom and democracy. Yet the role of governments in establishing the rule of law and in reconciling conflicting interests in both domestic and foreign affairs is growing more important, complex, and onerous -- as the use of international sanctions illustrates.

In dealing with the interplay of these forces, governments are struggling to strike new balances in at least five areas that affect sanctions as instruments of collective preventive action:

- Security and stability
- Economic and political interdependence
- States rights and human rights
- Unilateral vs. multilateral actions
- Democracy within and among states.

FROM SECURITY TO STABILITY

Recent shifts in the geopolitical landscape open the possibility for governments to experiment with conflict prevention policies that do more than deter and reverse aggression; these policies constitute positive measures to create conditions conducive to peaceful cooperation. The competition between Marxism and capitalism is no longer a divisive factor in world politics. Most governments appear to be less interested in maximizing or even balancing power internationally than in solving problems that could alter the domestic balance of power and limit the scope and duration of their authority at home.

Remarkably, none of today's major powers directly threatens the others. Consolidating this peace, in the face of many conflicting interests and domestic uncertainties, is the great strategic challenge of the post-Cold War era. For the moment, major powers are primarily concerned with issues of internal governance and economic growth. Rather than maximizing power to ward off external threats, these states seek a stable international environment conducive to expanding trade, foreign direct investment, and dealing with difficult domestic issues. To the surprise of nearly everyone, the last great empire, the Soviet Union, dissolved peacefully. The most successful nations -- the United States, Japan, and members of the EU -- have finally overcome centuries of war and fragile power balances to forge a community within which war is unthinkable. Cooperation among the major powers in the use of sanctions to support the core principles of the UN Charter could contribute significantly to a new world order.

Meanwhile, since 1945 the number of sovereign states that make up the UN has jumped from 51 to 185, and with few exceptions, even the weakest among them does not fear external aggression. The world's major powers not only pursue peaceful relations with each other, but they also have ceased testing each others' resolve and capabilities through surrogates in regional conflicts.

Although the security of states has improved, the insecurity of people within them paradoxically appears to be rising. Around the world, concerns about personal security, whether as a result of economic and technological change; the abuse of power within states, which threatens ethnic, religious, or other forms of cultural identity; or a variety of other real or perceived vulnerabilities are challenging governments and may pose insidious, cumulative threats to regional and world order.

There are currently few visible markers for governments seeking the road to stability abroad and security at home. The use of sanctions to deal with problems within states (e.g., Haiti, all of the

cases in sub-Saharan Africa, and postwar Iraq) indicates how governments may seek to adapt the UN as an instrument of foreign policy, including developing regional and ad hoc cooperative arrangements to solve these problems.

FROM ECONOMIC INTERDEPENDENCE TO POLITICAL INTERDEPENDENCE

Interdependence among nations has increased sharply in the past half-century, limiting the capacity of major powers to isolate even the smallest power. Big countries could shut down the economies of their smaller neighbors (e.g., South Africa's embargo of tiny Lesotho to reverse a military coup or the brief U.S. quarantine of Cuba during the missile crisis). But such actions are extremely rare. International norms and diverse countervailing political, economic, or strategic interests restrain the powerful from unilaterally intimidating the weak without the UN's permission or at least the tacit approval of the international community.

Global economic trends reinforce this restraint. For example, lending and borrowing across national frontiers through banks has been surging upward at 23 percent a year since the mid-1960s.⁷ As late as 1975, two-thirds of the world's workers were largely cut off from international markets by protectionism and central planning, but by 2000 more than 90 percent of the world's labor force will be working in countries with strong links to the global economy.⁸ This globalization of economics has spawned a rapidly spreading global elite with shared economic and political stakes in each other's domestic stability, due process, and rule of law. Instability, after all, now threatens to scare off foreign investment and hurt trade and thus threatens jobs and economic growth that help governments stay in power.

Developing countries, primarily the ten "big emerging markets" (BEMs) in Asia, Latin America, Central Europe, and southern Africa are expected to contribute nearly 75 percent of world growth in GNP between now and the early decades of the twenty-first century.⁹ These foreign direct investment and trade surpluses are essential for difficult transitions out of poverty and to robust market economics. Meanwhile, the rich countries with aging populations, Europe, Japan, and the U.S., will depend increasingly on the large rapidly developing nations for markets. It will be in the ten politically unstable big emerging markets that preventive diplomacy for the major powers will become increasingly vital in coming decades for global growth and prosperity.

This growing economic and political interdependence between the highly industrialized democracies and the large and rapidly changing emerging economies, such as China, India, Indonesia, and Brazil, is sowing seeds of common interests in maintaining international stability and fostering reliable international norms. Reaching agreements to apply sanctions, as an alternative to armed intervention, to help ensure stability will be an important measure of converging North-South interests.

Bridging long-standing differences over whether and when to impose sanctions, particularly in response to violations of human rights within states, will likely occur only gradually over many decades. Prospects for reaching consensus for sanctions could improve, however, if proponents

were able to verify the alleged wrongdoing, identify those within the state most responsible, and propose limited and carefully targeted measures to fit the misdeeds.

Increasing interdependence makes comprehensive and unilateral measures more difficult to undertake and sustain. These same economic and political trends, however, may render leaders of offending countries more vulnerable to financial sanctions that freeze foreign assets and block international financial transactions. These measures were used in the cases of Haiti and the former Yugoslavia and have great potential.

FROM STATES' RIGHTS TO HUMAN RIGHTS

The UN was formed to establish a collective security system that would correct the principal deficiency of the League of Nations (Article 16), which merely gave individual states the opportunity to impose sanctions against an aggressor state with or without the support of others. By contrast, Article 41 of the UN Charter provides that the Security Council can impose sanctions on an aggressor state and that all other member states will be obliged to implement those sanctions. Unexpectedly, throughout the Cold War, UN sanctions were not used to prevent aggression -- the founders' main concern -- but to alter the balance of power within two states: Rhodesia and South Africa.¹⁰ These actions reflected a growing international recognition that the severe denial of human rights anywhere threatens to erode respect for these rights everywhere.¹¹

Ironically, the major western powers that were so often accused by the developing countries of wrongly interfering in internal affairs staunchly resisted using economic sanctions to challenge racism and other human rights abuses in southern Africa that affronted their own most cherished values. Instead, large majorities of the General Assembly eventually succeeded in inducing the Security Council to agree that the perpetuation of white minority rule posed threats to international peace and security sufficient to justify the imposition of collective sanctions. Although in the case of South Africa these measures amounted only to an arms embargo, the precedent has proven to be important. Military aggression could no longer be considered the sole trigger for the exercise of the Security Council's sanctions powers under Article 41, which overrides the principle of noninterference in Chapter II, Article 7.

The justification for treating the abuse of power within states as a threat to international peace was developed in Secretary-General Boutros Boutros-Ghali's August 1992, *An Agenda for Peace*, a special report requested by the first-ever heads of government meeting of the UN Security Council. In the report's introductory overview, the secretary-general links domestic peace to world order: "If every ethnic, religious or linguistic group claims statehood, there would be no limit to fragmentation, and peace, security and economic well-being for all would become ever more difficult to achieve."¹² Declaring that the "time of absolute and exclusive sovereignty has passed," Boutros-Ghali went on to emphasize the importance of the respect for human rights and democratic principles as the essential antidote to the tendency toward fragmentation. In short, the internal character of states has become a legitimate international concern that is no longer tied to Cold War ideological alignments.

This is not idealism but democratic realism in which reports of human rights abuse become an early-warning signal of deepening factionalism and violence. If allowed to proliferate unchecked, such forces of fragmentation could undermine the UN system. This finding by the secretary-general has not been openly challenged by any of the major powers or members of the nonaligned movement. Although there is much disagreement over the degree and nature of international intrusiveness necessary to protect basic human rights, *An Agenda for Peace* points to what could become the strategic justification for strengthening both the UN's capacity to undertake sanctions and less comprehensive measures by regional and ad hoc coalitions.

Post-1990 sanctions activity reflects a willingness among the growing community of democratic and democratizing nations to accept a Security Council determination that under Chapter VII, internal violence and severe human rights abuses constitute a "threat to peace." These nations have also committed to at least minimal concerted actions in support of global norms rooted in the Universal Declaration of Human Rights. In the view of one sanctions expert, this reflects a general broadening of the applicability of sanctions from traditional geopolitical concerns to issue-based politics.¹³ Sanctions will still have salience in reacting to geopolitical threats or acts of territorial aggression, but they are also gaining acceptance and legitimacy as an instrument for dealing with a new agenda of extraterritorial concerns, such as human rights, the environment, terrorism, and other criminal behavior affecting the security of citizens.

FROM UNILATERAL TO MULTILATERAL SANCTIONS

Episodes of unilateral economic sanctions date back at least to the ancient Greeks, but in today's integrated, open global economy their utility in affecting bilateral relations is increasingly questionable. The experience of the world's most powerful and frequent user of sanctions, the United States, is instructive. Immediately after World War II, the U.S. enjoyed an unprecedented capacity to exert economic leverage, accounting for 50 percent of world production. Yet its principal adversary, the Soviet Union, was committed to an economic strategy of central planning and autarky that not only made it largely immune to sanctions but also provided resources sufficient to compensate most other countries that the U.S. might want to sanction. Today, most nations, including Russia, are open to foreign economic pressures, but the U.S. share of world production has slipped below 20 percent, and its unilateral capacity to isolate others is more constrained than ever. U.S. sanctions against such comparatively weak states as Cuba, Vietnam, Libya, and Iran are undertaken primarily for domestic political reasons and with little expectation of any near-term change in the target regime or its basic policies.

Washington, along with most everyone else, has learned important lessons about the efficacy of sanctions in the post-Cold War era. The most important is that the broader the international support, the more likely that the regime will be effective. This lesson was dramatically demonstrated by U.S. success in mobilizing multilateral support to counter Iraq's invasion of Kuwait. The Bush administration rightly understood that gaining UN Security Council backing was both a domestic and an international necessity. The arduous, inventive, and ultimately successful effort to forge a united front against Iraq confirmed the importance of multilateralism

to a degree that practically rules out unilateral options for achieving similar foreign policy objectives in the future. ¹⁴

But the brief post-Gulf War surge in UN-mandated sanctions also reconfirms that achieving multilateral consensus is rarely a simple political process. Full-scope sanctions, such as those used against Iraq and the former Yugoslavia, are the most difficult, especially if the goal is to change a regime or a government's national security policies. Even very limited goals and measures entail complex multilateral bargains that can be hard to reach and sustain. Typically, the higher one goes on the sanctions ladder -- from restricting arms trade, sports and cultural exchanges, foreign travel, and technical and other forms of assistance to full trade sanctions -- the greater the obstacles to reaching a consensus. Proponents of sanctions have to decide whether to aim for the toughest measures or the broadest possible international backing. Each case depends, of course, on which country happens to be the target, where it is located, its current friends and adversaries, and the nature of the purported offense (e.g., human rights abuses, drug trafficking, terrorism, other criminal behavior, or threats and acts of military aggression). In general, however, the U.S. and other leading sanctions activists have discovered that the effectiveness of these measures is much more a function of the size and the nature of the coalition that supports such measures than of the particular actions taken.

FROM DEMOCRACY WITHIN STATES TO DEMOCRACY AMONG STATES

The pattern of collective action has been one of major liberal democracies spearheading sanctions regimes against medium and small states whose domestic or international behavior they find reprehensible. Yet within the UN, these same powers have been understandably reluctant to relinquish or dilute their predominant power in Security Council policymaking, even though more and more UN members are themselves becoming democracies and are assuming greater financial and other responsibilities in the organization. This so-called "democratic deficit" can be especially grating on members when the Security Council mandates sanctions that pass along the greatest risks and burdens for carrying them out to the UN's weakest members -- who had little or no say in the decision.

Exacerbating these tensions is the diffusion of power that began shortly after the UN's founding and has accelerated with the end of the Cold War. Three of the permanent Security Council members have lost nearly all their imperial reach and are struggling to retain some degree of leadership over loose coalitions based on residual ties to those they once dominated: Britain through the Commonwealth, France through *La Francophonie*, and Russia through the Commonwealth of Independent States. China, probably the only challenger to the post-Cold War status quo on the Security Council, is essentially a regional power. Only the U.S. might presume to think and act as a global power but, as noted elsewhere in this report, appears increasingly hesitant to do so. Meanwhile, global economic powers (Germany and Japan) and several emerging regional powers (e.g., Brazil, India, Indonesia, and South Africa) are showing increasing impatience with the current distribution of power within the UN Security Council. ¹⁵ At a time when citizens nearly everywhere are pressing for a greater say in national governance, it is only natural for their governments to seek, in turn, fairer representation in the UN.

Concerns about "fairness" and double standards in the application of sanctions extend well beyond financial costs. For example, most UN members condemn Libyan support of terrorism, but many also worry that the precedent of using collective measures to extract nationals from a UN member might someday be invoked to infringe on their own sovereignty. Moreover, the U.S. and the other major powers would never allow such an intrusion into their judicial systems, whatever the reasons.

China and Russia are already showing signs of resistance to Security Council activism in the use of sanctions in defense of human rights and other abuses of domestic power, albeit for somewhat different reasons. Beijing clearly wants to ensure that its domestic human rights policies do not become the subject of international debate, even though it retains the insurance of a Security Council veto. Russia, which has been much more open to human rights concerns, has increasingly taken the position that future sanctions resolutions and actions must clearly spell out the conditions for lifting sanctions and that once these conditions are met, sanctions will be removed. This is part of a growing debate within the UN over allegations that conditions for removing sanctions become more onerous as each demand is fulfilled. Such unresolved contentions will inhibit the development of the UN's authority and legitimacy to undertake collective action to help solve a growing list of intrastate and regional problems.

All five areas where political balances are shifting influence the current dynamics of Security Council behavior. On the positive side, they open the way for unprecedented efforts of collective action in response to civil strife, failing states, human rights abuses, and unforeseen, complex emergencies. Such expansive interpretations of what constitute threats to the peace under Article 39 were unforeseen, and the long-term effects of these decisions are also uncertain. Despite the end to the ideological divisions that so constrained the Security Council and the UN until 1990, there is as yet neither an agreed doctrine beyond the broad language of the UN Charter nor adequate institutional infrastructure to support international sanctions. As Abram and Antonia Chayes note in a study of international sanctions:

There is no unified conception of the importance of these issues, or whether and how to intervene. The debate is played out in an "N - party game," not only among states and within alliances but also in internal domestic negotiations taking place in all major capitals. Awareness of cost and risk is heightened by the greater uncertainty that intervention will produce a successful outcome. Because these cases do not seem to present life-or-death consequences for the international system . . . they are unlikely to offer a route to simple or routine enforcement of established norms. ¹⁶

Developing the capacity to render sanctions regimes more disciplined and effective on the basis of the precedents to date will require much time and political energy, as the cases below illustrate. It will also require a more central role for the UN in the planning and coordination of such operations, although for reasons referred to elsewhere in this report, many member states are currently opposed to such a strengthening of the UN Secretariat. Before examining ways of enhancing the UN's capacity to assist in carrying out whatever sanctions commitments the Security Council chooses, a few highlights of recent cases and their effects are offered as further background.

3. Sanctions Innovations of the 1990s

- [Iraq](#)
 - [Yugoslavia](#)
 - [Libya](#)
 - [Haiti](#)
 - [Liberia, Somalia, Rwanda, and the UNITA Faction in Angola](#)
 - [Sanctions as an Instrument of Preventive Diplomacy: The Nigeria Case](#)
-

The coincidental end of the Cold War and Iraq's aggression against Kuwait opened the way for experimenting with multilateral policy instruments, including economic sanctions. The sudden increase in Security Council decisions to invoke Article 41 of Chapter VII over the past five years was based on neither doctrine nor precedent and reflects not international law but the minimal consensus that was politically possible in each case. In light of the many differences of national interests and priorities, Security Council agreements to create seven sanctions regimes between 1990 and 1993 stand as a remarkable -- indeed unprecedented -- streak of successful multilateral diplomatic achievement, even though the momentum for such cooperation now ebbs, and the effects of these sanctions have been, for many advocates, disappointing.

Security Council decisions to apply mandatory collective sanctions have been necessarily ad hoc, and the regimes against Iraq, the former Yugoslavia, and Haiti are quite different in nature from the arms embargoes against Liberia, Rwanda, and Somalia. All of these nonbinding precedents, however, are likely to exert singular and cumulative effects on future debates and decision making. Because the cases are few and quite diverse, efforts to extrapolate general policy guidelines, much less legal principles, are of doubtful value. Scholars may one day conclude that in the early 1990s, to paraphrase Justice Oliver Wendell Holmes's famous aphorism, hard sanctions cases made bad sanctions law.

The following highlights of recent applications of Article 41 mandatory sanctions illustrate the adaptability of the UN Charter in response to rapidly changing circumstances. But they also point to the need for internal reform of UN sanctions machinery, although with little guidance as to how that machinery might better be used.

IRAQ

Iraq's invasion of Kuwait on August 2, 1990, was a classic case of aggression for which the Security Council was created. Within 24 hours, the Security Council had condemned the invasion and four days later it voted to impose, at the insistence of the United States, the most comprehensive, rapidly applied sanctions regime in the history of the UN.¹⁷ The sanctions prohibited all trade and financial transactions with Iraq and Kuwait, froze the overseas assets of both countries, and set up a sanctions-monitoring committee. In contrast with the two earlier

Chapter VII sanctions against Rhodesia and South Africa, the Council moved quickly and substantially. Prior to the invasion of Kuwait, however, neither the U.S. nor other powers had attempted to impose preventive sanctions in the face of the growing Iraqi threat.¹⁸

Although member governments may have initially viewed the meaning of the Iraqi sanctions differently, their collective decisions were consistent with the vision of the UN's founders. Sanctions were part of a coherent strategy to shock the Iraqi economy, to establish the case for more forceful action if Iraq did not withdraw from Kuwait, and to lay the groundwork for the longer-term objectives of demilitarizing Iraq and securing assets that could eventually compensate those who would claim damages from the invasion period.

Over the next six months, the U.S. assembled both a multinational military capability and the international and domestic political support to reverse the Iraqi invasion by force. Initially, the U.S. maintained that no further Security Council action was necessary to authorize military sanctions against Iraq on the grounds that the Security Council was acting in collective self-defense of Kuwait, at Kuwait's request, under Article 51 of the Charter.¹⁹ To ensure the necessary political support from other governments, including Iraq's ally, the Soviet Union, and to quiet domestic criticism, the United States launched a strenuous diplomatic campaign to secure the support of the UN and further the Security Council mandate authorizing "all necessary means" to restore peace and security in the area.²⁰ Following a grace period, which the U.S. allowed as a concession to those on the Security Council who were reluctant to authorize military action, the U.S. began a month-long bombing campaign followed by a four-day ground campaign that defeated the Iraqi army and prompted President George Bush to announce a cessation of the UN-mandated military operations on February 28, 1991.

After more than five years, it is still impossible to reach a definitive judgment of the role that sanctions played in affecting Iraqi behavior. Their ostensible purpose—to force a prompt withdrawal from Kuwait—was not achieved, but critics complained that they were not in place long enough before military force was used. Sustaining sanctions after the war has been of undeniable value over the past five years. First, sanctions have pressured Iraqi compliance with UN programs to inspect for and eliminate weapons of mass destruction. By mid-1995, UN inspectors confirmed that, with the important exception of biological weapons, Iraqi capabilities in weapons of mass destruction had been eliminated, although this determination had to be qualified a few months later in light of new disclosures by the prominent Iraqi defector, Hussein Kamel. Second, sanctions backed by U.S. military power appear to have helped secure access for foreign military forces and humanitarian agencies to protect the Kurdish minority in the north and to achieve the demilitarization of Iraq. Third, there can be little doubt that sanctions have denied Saddam Hussein the resources to rebuild his military and thus have contributed significantly to preventing further deadly conflict.

The Iraqi case has shown, however, that economic sanctions alone are insufficient, even after military defeat, to achieve Security Council objectives. The deployment of U.S., British, and French troops in northern Iraq shortly after the Gulf War was necessary to protect Kurdish refugee camps that had been set up by the International Committee of the Red Cross and various private agencies. President Bush also felt compelled to order air attacks against radar sites that were threatening the UN's no-fly zone, which protected Shiite minorities in southern Iraq. The

Clinton administration directed a cruise missile attack on Iraqi intelligence headquarters in response to Iraqi obstruction of the UN Special Commission and an alleged assassination threat against former president Bush.

Sustaining the sanctions regime against Iraq is becoming difficult. Russian and Chinese discomfort was evident when the U.S. and Britain were pressing for UN support for a protection force for the Kurds: The precedent of deep involvement in the internal affairs of a UN member could one day work to their disadvantage. Increasingly vocal Chinese concern that the UN's noninterference principle (Article 2.7) not be further weakened resonates with many other developing countries. Worldwide, over 900 million people belong to some 233 increasingly assertive groups who have either experienced systematic discrimination or have taken political action to assert their collective interest against the states that claim to govern them.²¹

Other potential cracks in the sanctions regime against Iraq are the result of concerns that economic sanctions are having grave humanitarian consequences for innocent civilians. Iraqi officials have mounted a vigorous campaign to draw attention to the suffering among children and the elderly in an effort to gain unilateral support for lifting sanctions.

The Security Council responded to these concerns with Resolution 986, adopted in April 1995, which permits Iraq to sell up to \$1 billion of oil every 90 days under UN supervision to buy humanitarian supplies for Iraqi civilians while sanctions remain in place. Iraq resisted the terms of UN supervision for more than a year and lobbied strenuously for less oversight. Despite credible reports that the Iraqi military and elite were diverting and hoarding food and other essential commodities allowed into the country under humanitarian waivers,²² by the end of 1995 Iraqi diplomacy had succeeded in gaining greater support for the easing of sanctions. Senior members of the Saudi royal family, for example, asserted that the embargo appeared to be reinforcing Saddam Hussein's hold on power while starving the Iraqi people.²³ Meanwhile, European commercial interests and governments appeared increasingly eager to reestablish economic ties with Iraq and wanted to see Resolution 986 implemented.²⁴

On May 20, 1996, agreement was finally reached with Iraq to carry out the terms of Resolution 986. Three-and-a-half months later, as arrangements for the first exchange were nearly complete, the Iraqi army entered the UN-mandated Kurdish safe haven in northern Iraq, which provoked an indefinite suspension of the May 20 agreement. Once again, Saddam Hussein had reignited international support for the six-year-old sanctions regime. This allowance for the sale of oil to finance essential imports offers an important test of a growing international consensus about the need to target sanctions more carefully to influence the behavior of those most responsible for acts condemned by the UN. Although in the Iraqi case sanctions have been challenged repeatedly by Saddam Hussein, they have remained in effect for over five years. The speed and comprehensiveness with which these measures were applied has not been matched under subsequent Security Council mandates, most notably the sanctions that sought to prevent further mass violence in the former Yugoslavia.

YUGOSLAVIA

The collapse of Yugoslavia coincided with the breakup of the Soviet Union, but it became much more violent. Initially, the rising tensions in Yugoslavia were regarded by the U.S. and other members of the Security Council as essentially a regional problem for Europeans to resolve. In June 1991, with the republics of Croatia and Slovenia bidding for national independence and with the likelihood that such acts would ignite ethnic civil war with the Serbian majority, the Conference on Security and Cooperation in Europe (CSCE)* attempted to play a mediating role.

The CSCE ministers, at a meeting in Berlin on June 21, 1991, took the unprecedented action of involving the CSCE directly in the internal affairs of one of its members. At this stage, the ministers preferred incentives to sanctions. The CSCE called for a peaceful resolution of differences, the protection of human rights, and the continuation of the Yugoslav federation, and it held out the prospect of substantial economic assistance from Europe and America if these conditions were met. ²⁵

Within a week, the Croatian and Slovenian parliaments voted for independence, and immediately war began, first briefly between Slovenians and the Serbian-dominated Yugoslav National Army and then in earnest between Croatia and Serbia. While the Europeans wanted to retain the initiative in attempting to resolve the Yugoslav crisis, they were divided by conflicting loyalties to the antagonists and over how deeply to become engaged. Russia had long-standing close ties to Serbia, as did France and Britain, while Germany and Italy had ties to Croatia and Slovenia. In the summer of 1991, the Russians blocked further involvement by the CSCE, apparently worried that it was becoming too intrusive -- and in ways not in Serbia's interests. They were also preoccupied with their own internal problems, marked by the August 1991 abortive coup against President Mikhail Gorbachev.

The European Community (EC) ²⁶ sought to fill the gap left by the CSCE by naming Lord Peter Carrington of the UK as special envoy to mediate the crisis. Armed only with diplomatic persuasion, he had intermittent success in bringing the parties together for talks, but the fighting worsened. Neither the Europeans nor the Americans wished to engage the UN. Europe sought to show regional leadership, while Washington was preoccupied with maintaining UN pressures against Iraq, and with the deteriorating situation in Moscow. Also, the U.S. felt China might veto any effort to involve the UN in Yugoslavia's internal affairs. UN involvement at this stage was regarded, in the words of U.S. secretary of state James Baker, as an "unnecessary complication." ²⁶

But amid growing reports of mass murder and civilian casualties, and with the Carrington effort flagging, pressures for UN action intensified. In September 1991 the Security Council voted, at the request of France and Austria, to impose an arms embargo on all factions. ²⁷ These sanctions locked in a huge military advantage for the Serbs, but this action had broad support among UN members, including the nonaligned nations that would eventually lobby hard for lifting the embargo once Serb guns began bearing down on Bosnia.

Toward the end of 1991, the U.S. and members of the European Community decided at their Hague summit to toughen the arms embargo and impose economic sanctions, including freezing

the foreign assets of the Belgrade government. The effectiveness of these limited sanctions-and subsequent UN actions -- appears to have been undermined by divisions within the Atlantic community. A major issue of contention was over whether, when, and under what conditions to grant recognition to the republics of the former Yugoslavia. On December 23, 1991, Germany unilaterally recognized Croatia and Slovenia. Other NATO members had argued strongly against such a step until all of the republics had agreed to the terms for peacefully and fairly dissolving Yugoslavia. But Germany successfully pressured the rest of the European Community to agree on January 15, 1992, to recognize Croatia and Slovenia. Bosnia-Herzegovina was recognized later in the year. By removing the "carrot" of diplomatic recognition, the "stick" of sanctions became less effective as a means of ensuring the peaceful devolution of power in the former Yugoslavia.

On November 2, 1991, the UN Security Council approved a special envoy to try to resolve the war between Serbia and Croatia, and the secretary-general named former U.S. secretary of state Cyrus Vance to the position. Despite tensions among the major powers over the recognition issue, a joint EC-UN negotiating process quickly emerged. The UN special envoy introduced an important new element in the bargaining process: He had a pledge from the Security Council of 14,000 peacekeeping troops. For different reasons, both Croatia and Serbia were interested in halting the war, and in March 1992 a UN Protection Force (UNPROFOR I) deployed in Croatia to keep a fragile peace. UNPROFOR I was able to maintain this uneasy peace for three years before Croatia forcibly retook the Serb-controlled area of Krajina in 1995 and demanded the withdrawal of UN forces. The 1992 Serbian-Croatian cease-fire did not, of course, stop the war in the former Yugoslavia. The cease-fire and the international recognition granted to Bosnia-Herzegovina opened the way for an even bloodier round of war as the Serbs attacked the Bosnian Muslims.

As the crisis worsened in Bosnia, with intensified mass killings of Muslim and Croat civilians by the better-armed Bosnian Serbs, the focus of international attention shifted to providing humanitarian assistance. The Bosnian Serbs thwarted this assistance, with the complicity of the government in Belgrade, which prompted consensus in the CSCE on May 12, 1992, to take the unprecedented -- if largely symbolic -- step of suspending Yugoslavian membership. Two weeks later, at a large international conference in Lisbon on aiding the states of the former Soviet Union, Bosnia dominated much of the corridor talk, and applying full mandatory UN economic sanctions against Serbia gained support. The Russians, despite their historical relations with Serbia, apparently could now see negative parallels between ethnic conflict in Bosnia and their own domestic difficulties, and they became much more supportive of stronger nonmilitary measures.²⁸

Shortly after the EC decided to impose tighter economic sanctions, the Security Council, on May 30, 1992, by a vote of 13-0 (with China and Zimbabwe abstaining), approved a complete economic embargo on the Federal Republic of Yugoslavia (FRY), i.e., Serbia and Montenegro.²⁹ The resolution imposed an economic blockade under Articles 41 and 42 of the Charter, broke all scientific, cultural, and sports ties, and cut diplomatic ties to Belgrade.³⁰ The U.S. sought to strengthen these measures by calling for a multilateral naval blockade of ports, including an expanded U.S. naval presence in the Adriatic, cutting the oil pipeline into Serbia from Romania, and a demonstrated "willingness to conduct multilateral air strikes as necessary to create

conditions for delivery of humanitarian relief." ³¹ All three proposals ran into implementation problems. The third, air power, was especially controversial but might have helped to restrain the Bosnian Serbs and to reinforce the effects of sanctions against Belgrade, as occurred following the major and sustained air strikes carried out in 1995, albeit under very different political and military conditions.

In retrospect, UN efforts to bring peace to the former Yugoslavia appear to have been seriously compromised by the failure of member governments, particularly those on the Security Council, to mandate a workable strategy to integrate economic pressures with the use of military force against the government in Belgrade and the Bosnian Serbs. Economic sanctions were, in the view of the EC envoy throughout most of the crisis, Lord David Owen, "applied far too slowly on the FRY (Serbia and Montenegro) and were soon ineffective -- in the main because Serbia had a virtually open border with Macedonia and Albania, both of which developed a thriving black market business, particularly in breaching oil sanctions." ³² Lord Owen also believes that financial sanctions should have been applied against Belgrade as early as May 1992, rather than in April 1993. ³³ Economic sanctions against the FRY would eventually prove to be a potent instrument. By 1995, they had brought that economy to near collapse and, as noted below, they are widely credited with helping to bring about the Dayton Peace Accords. But their full potential as an instrument of preventive action was not tested by the Security Council.

Security Council reluctance to use military force in response to the most immediate problem in the spring of 1992, aggression of Bosnian Serbs against Bosnian Muslims, proved far greater than their willingness to use economic sanctions against Belgrade. None of the major powers, and especially the U.S., was willing to mount a peace-enforcement operation, particularly if this entailed the deployment of ground forces. Rather than confront the Bosnian Serbs directly, the UN Security Council approved a series of unprecedented half-measures that placed the UN in the awkward -- at times highly dangerous -- position of trying to establish safe havens in Bosnia where civilians could be fed and protected.

Beginning in August 1992, some 7,500 military personnel, primarily from France, Britain, Spain, and Canada, were deployed as UNPROFOR II. In contrast with UNPROFOR I, which was operating in Croatia, UNPROFOR II had no peace accord to monitor. This was not a traditional Chapter VI peacekeeping force: It was an improvised Chapter VII operation with rules of engagement that were -- certainly from the perspective of soldiers in the field -- highly problematic. They were in Bosnia to protect civilian populations, but there was no clear guidance about what to do when confronted with atrocities in progress or civilians under fire.

As is the case for all peacekeepers, the troops of UNPROFOR II could "shoot when shot at," but the threats to their safety and to their mission went far beyond those of traditional Chapter VI peacekeeping operations. Moreover, they could not establish control over their region as U.S.-led forces did in northern Iraq, because until early 1994 there was at best only brief consensus within and between the Security Council and NATO supporting the use of airstrikes against the Serbs. There were many threats to use force, particularly from Washington. But with the Europeans fearful that airstrikes would only provoke the killing of their peacekeepers and with the U.S. unwilling to participate in ground operations, these threats were taken seriously only briefly by the Serbs until it was clear that they would not be carried out.

For three years, the UN performed heroically in striving to protect humanitarian operations effectively held hostage by the more heavily armed and aggressive Bosnian Serbs. Absent military power against the Bosnian Serbs and a credible, well-integrated, mutually reinforcing strategy of economic sanctions against the FRY, the UN's special envoy and the EC representative were -- like the peacekeepers -- operating under a terrible handicap. For most of this period, Owen and Vance led negotiating efforts.³⁴

Sanctions were not quick, sharp, or tight enough to restrain FRY support for Bosnian Serb aggression, but they did have a huge impact on the Serbian economy and society. Owen believes that, despite their inadequacies, sanctions had already begun to weaken the resolve of FRY leaders by the spring of 1993.³⁵ Inflation skyrocketed and agricultural supplies and fertilizers virtually disappeared, as did fuel, spare parts, and supplies for all industries. At the close of 1993, an estimated 80 percent of the population had fallen below the poverty line, as production dropped and unemployment continued to spread.³⁶ To monitor sanctions, the UN and the EC cooperated in establishing and maintaining a network of sanctions assistance missions (SAMs) of unprecedented scale, aided by a communication and cooperation center (SAMCOM) in Brussels, both of which are described in the next section. Lacking adequate enforcement capabilities, however, this extensive monitoring neither cut off the flow of goods nor prevented their inevitable reallocation to the ruling elite and military in Serbia.³⁷

After four years of conflict, the combination of NATO air attacks on Serb-held areas of Bosnia and cumulative deprivations caused by sanctions against Serbia proper appear to have brought Serbian leader Slobodan Milosevic to the bargaining table with Bosnia and Croatia in Dayton, Ohio. Of course, the poor, young, and elderly inevitably suffered far worse deprivation than did Serbia's elite under the belated and blunt application of full-scale economic sanctions. But, just as in South Africa during the 1980s, the economic and political future of Serbia's rulers had finally begun to look bleak. President Milosevic knew that without access to foreign capital he could no longer get vitally needed credits to finance trade, much less badly needed investment. It is also likely that Croatia's relative prosperity and growing ties to Western Europe may have indirectly contributed to Belgrade's growing sense of isolation and thereby enhanced the psychological impact of sanctions on Serbia's leaders. Following the signing of a peace treaty in Paris, President Bill Clinton declared plausibly that sanctions "virtually broke Serbian resolve" and that the threat of their resumption would be a major element in ensuring the success of the peace agreement.³⁸

Among all of the recent cases of UN sanctions, the Yugoslavia experience illustrates the difficulties of assembling and maintaining a coalition of governments willing to take decisive preventive actions when important but less-than-vital interests are at stake. Although the Security Council declared the Yugoslav crisis to be a threat to international peace and security, the members clearly were unprepared to take decisive action. The human and material costs of failing to do so have been enormous. There is much anecdotal evidence of leakage, with both huge profiteering for some and financial ruin for others in the neighboring states. A better accounting of these effects and the creation of new ways for eliminating the excesses will be necessary for building international support for future sanctions.

LIBYA

The threat to international peace and security in the case of Libya was not a case of overt military aggression against another state, nor did it involve a civil war or an internationally condemned, illegitimate government as in South Africa or Rhodesia. Rather, it was Libyan leader Mu`ammar Gadhafi's support for terrorism that was deemed the threat to international peace and, in particular, Libya's refusal to hand over to foreign jurisdiction two of its citizens who had allegedly been involved in placing a bomb on the U.S. civilian airliner that blew up over Lockerbie, Scotland.

The partial sanctions that were imposed in March 1992 were not comprehensive, as were those against Iraq and the former Yugoslavia, but consisted of an arms embargo and a ban on the sale or supply of aircraft, aircraft components, engineering and maintenance services related to aircraft, and any services or products for the construction of airfields and related facilities and equipment.³⁹ The Security Council set up a sanctions-monitoring committee and required UN states to reduce their diplomatic representation in Libya and Libyan representation in their countries.

The Security Council tightened these sanctions in November 1993, but they continue to exclude oil, oil products, and agricultural commodities.⁴⁰ The U.S., which has had fairly comprehensive unilateral sanctions against Libya since 1986, has frozen assets and refuses to buy oil or to allow U.S. foreign investment in Libya. But Europeans are not parties to these sanctions, and Libya continues to sell around \$10 billion of oil annually. The U.S. is attempting unilaterally to pressure its European partners and other nations to curtail further dealings with Libya by imposing secondary sanctions. Under the Iran and Libya Sanctions Act of 1996, the U.S. will impose economic sanctions against foreign companies whose new investments in gas and oil development in Libya total more than \$40 million in a year, or who export to Libya goods or technology which the U.S. deems would help Libya acquire weapons, contribute to the development of oil and gas, or boost Libya's aviation capabilities. It is too soon to know whether this internationally controversial action by Washington will have any discernible impact on Libya's behavior. All sanctions thus far have failed to force either a change of regime in Tripoli or the release of those allegedly responsible for the bombing over Lockerbie.

Despite continued oil revenue, three years of sanctions have hurt the Libyan economy, contributing to an unemployment rate of around 30 percent. Tripoli has attempted to turn this problem into political leverage by claiming that deprivations resulting from sanctions might force it to expel more than one million migrant laborers, including 500,000 from Sudan, 300,000 from Chad, 250,000 from Mali, and 30,000 Palestinians.⁴¹ There are no plans to lift or tighten the sanctions regime, however. The case of Libya appears to be an indefinite standoff.

HAITI

The justification for imposing sanctions against Haiti is reminiscent of the action taken against Rhodesia; in both countries, an illegal seizure of power and severe human rights abuses were

deemed a threat to international peace and security. UN involvement in Haiti dates back to February 1990, when, together with the Organization of American States (OAS), the UN monitored that country's first free election. When the new president, Jean-Bertrand Aristide, was deposed by military coup seven months later, the OAS under U.S. prodding, rather than the UN, took the lead in imposing sanctions and a trade embargo (exempting humanitarian aid). The Europeans failed to go along with the embargo, and the Bush administration quickly backtracked, exempting assembly-for-export operations.

The Clinton administration looked more favorably upon Aristide than had the Bush administration and began more vigorous efforts toward his reinstatement. When these efforts failed, the U.S. sought a Security Council resolution under Chapter VII, ordering a worldwide ban on oil shipments to Haiti, an arms embargo, and a freeze of Haitian assets abroad. These measures were lifted after the signing of the Governors Island Agreement, which was expected to provide a return to democracy. They were reimposed, however, when the military regime failed to comply with the terms of the Governors Island Agreement, and the U.S. began a more vigorous targeting of its sanctions by freezing the assets and revoking the visas of Haiti's military leaders. During the next several months, the situation further deteriorated as the greatest hardship from the embargo appeared to fall upon Haiti's poor, an issue that will be examined in the next section of this report. Meanwhile, the military rulers and business elite appeared to remain well off.

When the Haitian military expelled all UN and human rights monitors in July 1994, the Security Council, at the insistence of the United States, authorized U.S. military intervention. A last-minute mediation effort averted forceful invasion, but a U.S. contingent of 20,000 troops helped to ensure stability until the return of President Aristide and then turned over responsibility to a UN peacekeeping force in March 1995.

It is still too soon to know what role, if any, sanctions played in achieving a return to democratic rule in Haiti. But if they are considered together with the other instruments, notably the eventually credible threat of force plus such "incentives" as guaranteeing the safe passage into exile of Haiti's military rulers and agreeing to pay rent on properties left behind, economic sanctions -- especially the freezing of assets and the halting of external financial transactions -- probably played a role in facilitating the peaceful restoration of democracy.

One legacy of the Haitian experience for the UN is that it fueled a growing debate among UN members about the need and feasibility of targeting sanctions more carefully toward leaders. It also demonstrated that for sanctions to be effective, they need to be reinforced by a credible and timely threat to use force in the event of noncompliance.

LIBERIA, SOMALIA, RWANDA, AND THE UNITA FACTION IN ANGOLA

The humanitarian rationale for applying collective sanctions in each of these four cases was basically the same: all involved the collapse of internal order with factional fighting and mass civilian deaths. The sanctions were limited primarily to arms embargoes. Given their poverty and

the undeveloped ties of these targets to the international economy, the elements for full-scale sanctions regimes, such as those imposed on Iraq, the former Yugoslavia, and Haiti, were not present.

LIBERIA

Although the Security Council imposed a comprehensive arms embargo on Liberia in November 1992, this was nearly three years after the outbreak of mass violence between the National Patriotic Front of Liberia and United Liberation Movement of Democracy.⁴² Rather than turn to the United Nations initially, the Economic Community of West African States (ECOWAS) took the lead in attempting to bring about a peaceful resolution of the Liberian conflict in 1989. This was the first time an African subregional organization had taken a direct peacekeeping role in an African civil war. Since 1989, the UN's role has been to support the activities of ECOWAS. Nigeria and Ghana have played a central role in what has been an underfunded and often poorly run peacekeeping operation, but one that eventually led to an agreement in August 1996 among the warring factions to support establishment of an interim government in advance of new national elections early in 1997.

SOMALIA

In response to rising clan violence, the complete collapse of government authority, and the specter of mass starvation, the Security Council passed an arms embargo under Chapter VII in January 1992. This was of little consequence, as Somalia had previously been flooded with massive military assistance -- first from the Soviets, then from the Americans. But related UN efforts to mediate an end to the clan violence did yield a precarious cease-fire, and in April the UN authorized a peacekeeping force of 3,500 troops (UNOSOM). However, the UN succeeded in raising only 500 troops, who were then unable to move much beyond the barracks at Mogadishu's airport.

As the situation worsened dramatically toward the end of the year, with food piling up on the docks and over 1.5 million Somalis facing starvation, the U.S. offered to send a force of 30,000 troops to ensure that this food was delivered. In yet another extraordinary interpretation of Chapter VII, the Security Council authorized the use of all necessary means to establish a secure environment for humanitarian relief operations in Somalia.⁴³ Between December 1992 and March 1993, the U.S. troops managed to head off massive starvation and created sufficient security to allow a reconciliation conference to begin among the major clans.

When the U.S. relinquished its role to an 18,000-strong UN force (UNOSOM II), the Security Council extended the mandate under Chapter VII beyond establishing a secure environment for relief to include "peace enforcement." In early June 1993, 23 Pakistanis were killed in an ambush, and another 54 Moroccans, Nigerians, Pakistanis, and others were killed in further engagement -- the largest UN loss since the Congo operation in the early 1960s. The UN, with strong backing from the U.S., responded by trying to capture General Mohammed Farah-Aidid, the leader of the clan that was believed to have killed the Pakistanis. This campaign suddenly collapsed when, on October 3, 1993, Aidid's forces ambushed a group of U.S. soldiers, killing 18

and wounding 78. The U.S. withdrew all its troops within six months, and in March 1995 the UN withdrew with no peace settlement on the horizon.

The Somalia sanctions regime suffered from a combination of weaknesses that are becoming increasingly and painfully familiar for the United Nations. Although the degree of local violence was extreme, and therefore very dangerous for UN personnel, the UN had no local government with which to work; instead, it had to deal with a myriad of well-armed factional leaders of questionable authority and no apparent legitimacy, and it had no cooperation from regional players to enforce the embargo. The mission was unclear and subject to change, and there were sharp differences in policy between the U.S. and UN representatives. Domestic support in the U.S. for the Somalia operation, beyond the strict humanitarian mission, had never been developed and solidified.

The Somalia experience demonstrated that the U.S. and the UN could withdraw from a complex emergency without being drawn into an ever-deepening quagmire, although the experience certainly did not help the UN's credibility. It also undermined U.S. domestic support for the UN even though the ill-fated mission by the U.S. soldiers was designed and executed by the U.S. Ironically, the U.S. withdrawal from Somalia is widely believed to have significantly increased the costs of managing the Haiti crisis, because the military rulers were emboldened to resist more aggressively U.S. and UN efforts at preventive diplomacy.

RWANDA

The failure in Somalia and the travails in the former Yugoslavia also inhibited preventive action in the deteriorating tribal conflict in Rwanda. By the time this conflict had become a matter of international public concern, in mid-1994, between 500,000 and one million mostly Tutsi had been slaughtered by Hutus, some two million of whom then fled to neighboring countries as well-armed Tutsi exiles invaded from Uganda and seized control. Amid this terrible violence there was very little interest outside the poorly equipped African nations to provide personnel for Chapter VII military operations.⁴⁴ The standard, mandatory arms embargo was imposed by the Security Council soon after the fighting broke out, but it was inconsequential. For the most part, the UN efforts and those of national and private voluntary organizations have focused on alleviating the humanitarian crises in the refugee camps on the border of Rwanda and in Zaire.

ANGOLA

This civil war is a legacy of the Soviet-U.S. rivalry for regional influence, which precluded UN involvement. With the end of the Cold War and the withdrawal of both Cuban and South African forces from Angola, a cease-fire was declared between the incumbent government, the Popular Movement for the Liberation of Angola (MPLA), and the insurgent National Union for the Total Independence of Angola (UNITA), and UN-supervised elections were held in September 1992. Under a winner-take-all arrangement, the MPLA emerged victorious and UNITA soon reverted to its guerilla campaign.

The Security Council finally took action under Chapter VII in September 1993, when it imposed an embargo on arms and related material, military assistance, and petroleum and petroleum

products.⁴⁵ The embargo was specifically targeted at UNITA. This was only the second time that the UN had targeted sanctions at an internal faction; the previous target had been the Khmer Rouge in Cambodia (although in this case it was the General Assembly, not the Security Council, that took the action). Such regimes can work only with the cooperation of the central government and the surrounding regional states, and if the rebels control defined territory. Such conditions obviously were not present in Liberia, Rwanda, or Somalia. In Angola, however, sanctions against UNITA appear to have had a positive effect, although three other events were important factors bearing down on UNITA: the May 1993 decision by UNITA's long-standing ally, the U.S., to recognize the government in Luanda; the cutoff of support from South Africa; and the increased military pressure from the Angolan government. In November 1994, a UN-brokered peace accord was signed, which by early 1996, appeared to be holding.

SANCTIONS AS AN INSTRUMENT OF PREVENTIVE DIPLOMACY: THE NIGERIA CASE

Severe human rights abuses and the failure to restore democracy in Nigeria have prompted several governments to explore ways to show their disapproval of the behavior of that country's military rulers and to press for a change in domestic policies that they believe would reduce the risk of another costly humanitarian disaster. Initial actions against Nigeria were rhetorical and diplomatic, illustrating once again the difficulties of forging a consensus for international sanctions in the case of a failing state along with a spreading recognition that how a government treats its own citizens is a legitimate matter of international concern.

Signs of a potential crisis in Nigeria have been intensifying since the military government refused to accept the results of its own carefully scripted national elections on June 12, 1993: The results would have ended military rule. The execution of nine Ogoni political activists on November 10, 1995, suddenly raised the level of international alarm.⁴⁶ The killings took on greater political significance because they occurred just as the leaders of 48 Commonwealth countries were reviewing the Nigerian situation at a summit in Auckland, New Zealand. Events since then reveal the obstacles -- but also some surprising openings-to mobilizing multilateral preventive action, including sanctions against Nigeria.

The dramatic flaunting of international norms by Nigeria's military ruler, General Sani Abacha, in ordering the executions prompted President Nelson Mandela of South Africa to call for an oil embargo and the Commonwealth heads of government, with the exception of the military rulers of the Gambia, agreed to suspend Nigeria from the Commonwealth.⁴⁷ Both the call for a boycott by an African leader and the suspension of Commonwealth membership were unprecedented.

Other public criticism quickly followed. At a summit meeting in the Republic of Benin on December 4, 1995, the leaders of the 47 francophone countries, *La Francophonie*, pledged to play a "full part in conflict prevention" and called for the restoration of democracy and the rule of law in Nigeria. Reflecting the cautious approach typical of Nigeria's neighbors, the leaders stopped short of recommending any measures that would further isolate Nigeria's military rulers.

Ninety-eight members of the UN General Assembly's Third Committee passed a nonbinding resolution, also in December, condemning Nigeria and calling on the UN Human Rights Commission to "give urgent attention" to the situation in Nigeria.⁴⁹ Twelve countries voted against the resolution -- ten from Africa plus China and Iran -- with 42 abstentions. Four African countries cosponsored the resolution, despite a call from the secretary-general of the Organization of African Unity, Salim Ahmed Salim, to oppose any international "campaign to isolate Nigeria."⁵⁰

The willingness of so many states, particularly African countries, even to acknowledge that Nigeria's domestic turmoil is of legitimate international concern is a significant development in regional and international politics. Full trade sanctions, however, will likely remain a distant option. Security Council action on Nigeria has been ruled out for now. The Chinese have indicated that they would veto any attempt to mandate Chapter VII measures.

Nigeria is a huge country -- it makes up 20 percent of the population of Africa -- and is therefore difficult to sanction. Its current military rulers enjoy a preponderance of power and ironically are major sponsors of peace operations in Liberia and contributors to UN peacekeeping elsewhere. Nigeria produces two million barrels of low-sulphur oil annually, nearly half of which goes to the U.S. In March 1996, there were reports of a U.S. appeal to other industrialized countries to join it in banning all new foreign investment in Nigeria and in freezing Nigerian leaders' financial assets.⁵¹ American officials talk about the possibility of an oil embargo, but there have been no moves to act unilaterally. For now, the Clinton administration appears reluctant to add Nigeria to the list of other oil producers that it is boycotting: Iran, Iraq, and Libya. American corporations with stakes in Nigeria are strongly opposed to sanctions, and in December 1995 Royal Dutch/Shell signed a new contract for a \$3.8 billion natural gas project, the biggest single investment ever made in Nigeria.

Meanwhile, the Commonwealth has launched a political process to press for change in Nigeria, in a fashion somewhat analogous to the role that the OAS has recently played in condemning military takeovers in Latin America and mobilizing collective actions in support of human rights and democracy. An eight-member Commonwealth Ministerial Action Group** met in London in December 1995 and reviewed developments in Nigeria, along with the problems associated with military rule in Sierra Leone and Gambia. The group did not recommend additional measures but merely welcomed the actions of individual countries and the EU to embargo arms, suspend sports and cultural contacts, and curtail foreign assistance.⁵² They agreed to meet again in April 1996 to review the results of a ministerial mission to Nigeria by five of their members (Ghana, Jamaica, Malaysia, New Zealand, and Zimbabwe). Others in the Commonwealth, notably Canada, have argued for tougher sanctions and have tried to win international support for an oil embargo, but they continue to be disappointed by the meager actions.⁵³

General Abacha has steadfastly refused to allow the Commonwealth group to visit Nigeria. He effectively deflected this initiative and efforts to promote stronger action within the UN, by writing to Boutros Boutros-Ghali to request the UN to send a fact-finding mission to Nigeria to examine the trial and execution of the Ogoni activists and the commitment to restore civilian rule by October 1988. The mission completed its work in Nigeria and reported back to the UN in late April.⁵⁴ It found serious transgressions of human rights in the trial and execution of Ken Saro-

Wiwa. But the UN team also concluded that General Abacha was sincere in his commitment to restore civilian democratic rule and that sanctions against Nigeria at this stage would be unhelpful and retard the progress toward the return to democracy.

Immediately following the release of the UN report, the Commonwealth Ministerial Action Group acknowledged that it would not be allowed to visit Nigeria but it had accepted an offer from General Abacha to send a delegation to meet with them.⁵⁵ The main result of this meeting, which convened in London in late June, was a decision by the Action Group to continue to hold the issue of sanctions in abeyance until the Commonwealth's September 1996 meeting and to continue its dialogue with the Nigerian government.⁵⁶ Nigerians proclaimed the meeting a "diplomatic coup."⁵⁷

Scenarios for Nigeria range from the successful implementation of the Abacha plan to restore civilian rule over the next three years to a descent into chaos that could become one of the most complex emergencies of the post-Cold War era. In February 1996, the U.S. mission to the United Nations released its annual assessment, *Global Humanitarian Emergencies, 1996* prepared by the Central Intelligence Agency. Nigeria topped the list of possible emergencies in the year ahead and the report warned that widespread ethnic or religious-based violence could erupt, creating millions of internally displaced persons and refugees.⁵⁸

Should the worst case occur, there appears little chance that the international community would make available the resources to meet the humanitarian and security needs of the 100 million people who could be at risk. In theory, the use of preventive sanctions and other measures to press General Abacha to move toward the restoration of democracy would seem a prudent intervention. Yet, at the time this report was written, the prospects for such preventive action were very low.

The cases just summarized reveal the new latitude the Security Council allowed itself in determining under Article 39 exactly what constitutes "the existence of any threat to the peace, breach of the peace, or act of aggression" in the post-Cold War era. The decisions to declare a particular problem a threat to international peace came out of political bargains that usually had to be struck quickly and under urgent conditions. The process cannot be compared with reaching a treaty agreement, which has to be carefully negotiated, with implementing legislation prepared well in advance. Sanctions resolutions under Article 41 of the Charter are binding from the date stipulated by the Security Council, often with immediate effect, on all member governments of the United Nations. Consultation is necessarily somewhat haphazard, even with those most seriously affected among UN members not on the Security Council. Depending upon the nature of the target and measures under consideration, this reality can generate further international tensions.

As sanctions regimes proliferate and their intended and unintended consequences accumulate, political pressures to change the way sanctions regimes operate appear to be intensifying in many capitals and at UN headquarters in New York. The following section highlights some of the

issues in these debates. The concluding section suggests that the UN's capacity for dealing with these issues can be strengthened.

* In December 1994, the 53-member CSCE was renamed the Organization for Security and Cooperation in Europe (OSCE).

Ü After December 1993, the European Community became the European Union.

** The eight are: New Zealand (Chair), Canada, Ghana, Jamaica, Malaysia, South Africa, the United Kingdom, and Zimbabwe.

Sharpening International Sanctions

4. Secondary Effects of Sanctions Regimes

- [Compensating Third Countries](#)
 - [Protecting Innocent Civilians](#)
-

As noted above, sanctions may have unintended but severe effects on innocent third countries or the poor and elderly in target countries. The UN has considered several ways to compensate third countries and protect vulnerable civilians.

COMPENSATING THIRD COUNTRIES

Prior to the comprehensive sanctions regime against Iraq that began in 1990, compensation claims by third countries for damage to their economies had not been a major issue. During the previous four decades the only notable claim came from Zambia for losses resulting from sanctions against Rhodesia. Zambia received some increases in foreign aid to compensate for the hardship but far less than the losses incurred. As for South Africa's neighbors, until the mid-1980s none of the major powers was prepared to implement comprehensive economic sanctions, and commerce in the region flourished.

The campaign to isolate Iraq, a major oil producer, was seen by the U.S. and its allies as much more urgent than the campaigns against Rhodesia and South Africa: They pressed vigorously for full and universal adherence to the Security Council mandate, including passing a resolution authorizing "secondary sanctions" against any country that failed to abide by the regime. Twenty-one states from all geographic regions, most of them poor and dependent on oil imports and/or remittances from their nationals working in the Gulf, appealed to the Security Council for financial assistance.*

The West's response to these appeals was mixed. The Gulf Crisis Financial Coordination Group, which the U.S. organized to fund the military campaign, eventually provided assistance to the front-line states, notably Egypt, Jordan, and Turkey. Most others affected did not receive assistance, and at least one, Yemen, was punished by Saudi Arabia and the U.S. for its support of Iraq. The Saudis increased oil production substantially to dampen the price effects of sanctions against Iraq, and the international financial institutions provided some additional compensatory lending.

In the UN Charter, the process for dealing with third-party hardship is modest.⁵⁹ "Action with Respect to Threats to the Peace," Chapter VII, Article 50, stipulates

If preventive or enforcement measures against any state are taken by the Security Council, any other state . . . which finds itself confronted with special economic problems arising from the carrying out of those measures, shall have the right to consult the Security Council with regard to a solution to those problems.

The article grants a member the right only to consult with the Security Council, although "special economic problems" is broad enough to cover almost any conceivable grievance that a member might raise. In the Iraq crisis the number of appeals was so large and unprecedented that the Council referred them all to the Iraq Sanctions Committee.

Most sanctions regimes established by the Security Council have special committees to assist member governments to implement the sanctions, to monitor compliance, and to provide the Council with periodic status reports. As these are subsidiary organs of the Council, all fifteen Council members have a representative on each sanctions committee. Decisions are taken by consensus, which means that any member can block action, and all deliberations are held behind closed doors "so that reports of violations can be investigated without states being publicly tarnished as violators."⁶⁰ All sanctions committees are served by a staff of around 20 (including about a dozen sanctions specialists) that make up a branch of the Subsidiary Organs Secretariat within the UN Secretariat. The sanctions branch is stretched very thin. Just for Iraq, for example, the branch serviced more than 100 meetings in 1994 and processed over 6,000 requests for sanctions exemptions for consideration by the committee.

Regarding the requests for compensation from the 21 states that claimed injury from the Iraq sanctions, the UN Secretariat lacked the competence, the committee lacked the consensus, and both lacked the authority and the means to take substantive action. The committee took the view that it was not an economic body and merely gathered all the petitions and published them with a standardized statement calling on UN members to provide voluntary assistance. Some aid eventually flowed, but it was based less on need than on the foreign policy priorities of individual donor countries, once again highlighting the disparity between those who control mandatory sanctions decisions and those most burdened by their effects.

In the case of Yugoslavia, seven neighboring countries appealed for help, and Uganda submitted a claim for the loss of a large road construction project that had recently been abandoned. The Security Council followed the Iraq precedent and passed the requests along to the sanctions committee. Again, assistance was widely criticized in the region as inadequate and arbitrary.

Article 50, of course, grants a right only to consult with the Security Council as a *result* of hardship arising from the sanctions and makes no provision for prior planning or "preventive consultations."

The terms of the Chapter VII sanctions are mandatory for UN members, so a state found to be in noncompliance with the regime would have no claim to compensation. The Sanctions Assistance Missions that surrounded the former Yugoslavia closely monitor all cross-border movements, and while they lacked the power to shut off the persistent and extensive smuggling, they have provided the Sanctions Committee with ample reason to question the validity of compensation claims.

Boutros-Ghali has attempted to deal with the rising dissatisfaction among countries directly affected by sanctions and the broad sympathy that this problem has aroused among many UN members. He raised the issue in his 1992 report, *An Agenda For Peace*, and again in his 1995 *Supplement to An Agenda for Peace*, urging that the Security Council devise measures involving the international financial institutions to assist countries affected by sanctions regimes. He argued the need for compensation both in terms of fairness under Chapter VII, but also as a safeguard for ensuring long-term compliance with mandatory sanctions.⁶¹ Historically, the World Bank has been reluctant to appear as the handmaiden to UN peacekeeping or other political operations. In the case of requests to help alleviate the impact of sanctions on third parties, bank officials have insisted on making their own determination and to responding -- if at all -- within the framework of existing bilateral agreements. Recently, however, the World Bank's new president, James D. Wolfensohn, has indicated a fresh interest in cooperating more closely with the UN in conflict prevention and reconstruction.

At the same time, efforts in the General Assembly to introduce a resolution that would call for the establishment of a trust fund, partly financed through assessed contributions and managed by the Security Council, to compensate on a "nondiscriminatory" basis, have been stymied. These proposals included calls for the establishment of permanent mechanisms for consultation and other forms of support, such as supplying goods and services no longer available from the embargoed state, facilitating favorable commodity purchase agreements, and providing compensatory adjustments of international tariffs.

The major Western powers objected to the proposal on the grounds that it would restrict the freedom of the Security Council to act and would be too expensive for them. In September 1993 the General Assembly adopted a much weaker resolution that invites the Security Council to strengthen its consultative process with states "likely to be affected by the implementation of sanctions" and to consider remedial measures involving international financial institutions such as voluntary funds, additional credit lines, and exports from and investments in affected states.⁶²

In December 1994 the General Assembly again invited the secretary-general to submit a report on what could be done under Article 50 to alleviate the economic problems confronting states as a result of sanctions under Chapter VII. The secretary-general submitted his report in August 1995, and it became the basis for another five months of intensive negotiations among member states.⁶³ The resulting General Assembly resolution merely papered over a growing divide between rich and poor nations over the means for determining and paying for the unintended

costs of sanctions.⁶⁴ The resolution underlined the importance of consultations under Article 50 and invited the Security Council to "consider appropriate ways and means for increasing the effectiveness of its working methods and procedures applied in the consideration of the requests by the affected countries for assistance. . . ." The resolution also requested the secretary-general "within existing resources" to improve support of the Security Council by collecting information and analyzing the impact of sanctions, advising the Council -- at the latter's request -- on response options, compiling information on the amount of international assistance flowing to affected states, and exploring "innovative and practical measures of assistance . . . with relevant institutions and organizations inside and outside the United Nations system." In effect, the issue of third country hardships is moot and is unlikely to resurface again until the Security Council decides to mandate a major new sanctions regime.

PROTECTING INNOCENT CIVILIANS

In addition to the hardships that sanctions may cause in neighboring states, even more pressing humanitarian and moral issues have been raised by the plight of innocent civilians, especially children and the elderly, in countries that are the targets of comprehensive sanctions. This issue came to prominence during the sanctions campaign against South Africa. As the U.S. and European countries began in the 1980s to apply more comprehensive and effective sanctions, including the refusal of banks either to offer credit or help raise foreign capital, the South African government and business community undertook an international public relations campaign claiming that those most seriously affected by sanctions were the poor and underemployed or unemployed workers. The campaign failed because the South African economy remained relatively robust until the financial crisis of the mid-1980s and, more importantly, because leaders of the exiled African National Congress, as well as credible antiapartheid activists inside South Africa, consistently called for tighter sanctions.

The plight of the innocent in Haiti posed special problems for the U.S. By late 1993 there were news reports that up to 1,000 children a month were dying as a result of the sanctions regime while the ruling military junta and its wealthy allies appeared to be largely unaffected.⁶⁵ With Haiti's annual per capita income only \$360 before sanctions, media reports that the country's desperately poor were at acute risk gained instant credibility, although the accuracy of these reports was strenuously challenged by U.S. and Canadian officials who were monitoring the impact of sanctions on villages and in urban areas across Haiti. The impact of these news reports on American and international public opinion, however, may have contributed to Washington's willingness to move ahead with more forceful measures. Three years after it began, the crisis was resolved quickly and decisively with military force, economic incentives, and political pressures targeted at those individuals most responsible for the imposition of military rule.

The issue of civilian suffering continues to challenge supporters of Iraqi sanctions, particularly the U.S. and the UK, who appear determined to maintain maximum pressure until Saddam Hussein either leaves or is removed from power. A much discussed study by the UN's own Food and Agriculture Organization quoted estimates by a Harvard School of Public Health researcher that upwards of 560,000 Iraqi children have died as a result of UN economic sanctions since the

end of the Gulf War in 1991. The study and many of the subsequent editorials urging the UN to soften the impact of sanctions failed to address the main intervening variable on the issue of child mortality, the Iraqi government's inadequate monitoring of the importation and distribution of humanitarian assistance.⁶⁶

Humanitarian exemptions are allowed under most UN sanctions regimes. A major task of UN sanctions committees is to review specific requests to exempt individual shipments of goods to the target state for humanitarian reasons. Each committee receives terms of reference or guidance from the Security Council as to what materials qualify for exemption. The volume of requests in the case of Yugoslavia jumped from 2,000 in 1992 to 18,000 in 1993, and then to 34,000 in 1995.⁶⁷ A long-time UN sanctions branch employee estimates that in 1994 the Yugoslavia Sanctions Committee approved goods worth more than \$30 billion, while the EU's monitoring agent, SAMCOM, reported that barely 2 percent of the goods reached their approved destination.⁶⁸ Obviously, humanitarian waivers have developed into a useful tool for companies that want to circumvent the sanctions. But while the committees have become lax in issuing waivers, most countries lack the means to investigate and prosecute violators, and those countries with substantial trade at stake are unwilling even to try.

Despite these weaknesses, some important lessons are clear about managing the flow of legitimate humanitarian aid, at least in the case of the former Yugoslavia, where comprehensive sanctions and extensive monitoring arrangements were eventually in effect. According to one analyst, the performance of SAM personnel improved dramatically once they were able to work out arrangements with the main nongovernmental relief organizations to seal cargoes as they were loaded on trucks deep in neighboring countries and then to verify upon arrival in the sanctioned area that these "seals" had not been disturbed.⁶⁹ Improved cooperation between nongovernmental organizations and the UN may be one of the keys to limiting the unintended suffering caused by sanctions regimes.

* Bangladesh, Bulgaria, Czechoslovakia, Djibouti, India, Jordan, Lebanon, Mauritania, Pakistan, Philippines, Poland, Romania, Seychelles, Sri Lanka, Sudan, Syria, Tunisia, Uruguay, Vietnam, Yemen, and Yugoslavia.

Sharpening International Sanctions

5. Sharpening UN Sanctions Capabilities

- [A New Mechanism?](#)
 - [Recalling the Collective Measures Committee of 1951-52](#)
 - [Agenda of a Second Collective Measures Committee](#)
 - [Organizing a Second Collective Measures Committee](#)
 - [Mandating and Managing a Second Collective Measures Committee](#)
-

Historians may one day conclude that the UN actions initiated during the 1990-91 Gulf War mark the high point of post-Cold War cooperation among the major powers. But even in this case of overt military aggression against a UN member, there has been controversy over the purposes, extent, and duration of economic sanctions. As noted above, the prospects for collective action in response to the abuse of power within states -- currently the most frequent source of mass violence -- have diminished. Yet such abuse and the risks that it could escalate or spread continue to generate calls for economic sanctions from concerned governments and their publics. Reinforcing this tendency is the reluctance of governments to use military force and to seek alternative measures where important but nonvital threats to their interests or values appear to be growing. If the utility of sanctions as an instrument of multilateral diplomacy is to be improved, whether for the traditionally accepted purposes associated with interstate war or to meet the less direct threats arising from failing or failed states, a new consensus within the UN is needed about when, where, how, and for what purposes sanctions will be used.

Sanctions debates and actions within the UN are constrained by several factors that will not be easily overcome. First, within the Security Council and among the broader UN membership, there is very little agreement about what constitutes a threat to international peace and security under Article 39 of the Charter, especially when problems are within member states. China is particularly sensitive about such issues and appears increasingly inclined to veto any measures that purport to override the UN's principle of noninterference in the internal affairs of member states (Article 2.7). In general, consensus is easier to reach when the proposed sanctions are very limited -- notably arms embargoes -- and the target state has few friends and is relatively weak.

A second and related factor, noted earlier, is the eroding authority and legitimacy of Security Council actions among UN members. In part, this is simply a reflection of post-Cold War political realities; the Permanent Five no longer represent large and relatively cohesive blocs of states. This declining respect may eventually be reversed by a restructuring of the Council's membership, but this and other reforms will not be effected quickly or easily. In the meantime, it is safe to assume that, except in the case of naked external aggression, pressures to delay the initiation of sanctions and then limit their scope and duration will continue to grow stronger.

An absence of strong leadership from one or more of the major powers, most notably by the United States, in support of UN sanctions is a third limiting factor. The importance of leadership by the U.S. was again demonstrated in the case of Iraq and, to a lesser degree, in the latter stages of the Bosnian conflict. In general, however, the U.S. has been decidedly more hesitant to assume UN leadership since the Gulf War and after the loss of 18 soldiers in Somalia. Despite several recent diplomatic initiatives by the U.S. in Haiti, Northern Ireland, the Middle East, and Bosnia, the Republican majority in Congress generally holds a view of the UN that is as negative as any since the organization's founding. At the UN's fiftieth anniversary celebration in San Francisco last year, not one Republican member of Congress participated, a sharp contrast with the strong bipartisan delegation that attended the founding convocation.

Two-thirds of the American public continue to view the UN positively, but the political initiative lies with Republican conservatives who claim that the organization operates beyond U.S. control and that U.S. interests are best pursued through other channels.⁷⁰ The effects of partisanship in the U.S. not only constrains U.S. leadership in the UN, but also has stymied all efforts to get the

U.S. to pay its UN assessments. The failure of the U.S. to meet its dues is precipitating a financial crisis in the UN that has become another important limitation on any attempt to reform the UN's capacity to support sanctions or any other operations.

The amount of money the U.S. owes the UN is tiny when compared with the U.S. defense budget of around \$260 billion, a sum equivalent to about one-third of the world's total military expenditures in 1995. But Washington is responsible for over \$1.3 billion of the \$3.1 billion owed to the UN for its regular and peacekeeping operations. This delinquency has created the worst cash-flow crisis in the UN's history and may force a suspension of some UN operations in 1996.⁷¹ The UN owes 62 countries for troop and equipment costs expended during peacekeeping missions. The travel of UN personnel has been sharply curtailed, and various other normal operations have been restricted. There is understandably very little enthusiasm in New York for undertaking any new activities that might further burden the UN's precarious finances.

Finally, the practical problems of initiating, monitoring, and enforcing economic sanctions have become glaringly apparent to professionals within the UN and national governments. These problems have raised fears that, unless political leaders are willing to invest in much tighter measures, any more half-hearted sanctions will further undermine the UN's credibility and authority. Commodity transactions illustrate the practical problems to be overcome: The British government may gain a UN Sanctions Committee waiver for a company in London to export sugar to Iraq, but the company can give the trade to a second company in the Azores that could hire a Brazilian exporter, who might ship it to the port of Aqaba for transport by a Jordanian firm to Iraq, all with financing from the Swiss branch of an Arab bank.⁷² Six countries are involved, but only one, Britain, has any contact with the Sanctions Committee.

The elaborate and expensive monitoring system, SAM/SAMCOM, which Western governments established for tracking goods into and out of the former Yugoslavia, shows that, with enough resources, the flow of goods can be monitored even under very difficult geographic and political circumstances. The first three SAMs -- in Bulgaria, Hungary, and Romania -- started in October 1992 along with the SAMCOM in Brussels. Additional SAMs were located in Albania, Croatia, Macedonia, and Ukraine, and, by mid-1995, the network was staffed by approximately 250 professionals.⁷³ Even so, many commodities continued to flow into the target area because of weaknesses in local enforcement and an exemptions process in New York that was undermined by its inability to deal with the quantity of requests or political pressures from member governments for import waivers.⁷⁴ As noted in the concluding section below, these experiences are causing some sanctions proponents to urge an abandonment of trade embargoes in favor of financial sanctions, assuming that the political will exists to render them effective.

The United Nations Secretariat cannot deal with the political factors that constrain the use of sanctions as a tool of multilateral diplomacy. The Secretariat not only has no control over the nature, terms, and timing of a sanctions regime, but effective local monitoring and enforcement remain under the control of national authorities. There are, however, ways that the UN could improve the environment in which governments debate and decide on these collective measures. By reducing some of the practical problems that have undermined the administration of recent sanctions, the Secretariat could encourage governments to deal more forthrightly with other outstanding issues. Secretary-General Boutros-Ghali began this process when he proposed in his

January 1995 *Supplement to an Agenda for Peace* that a new mechanism be created in the Secretariat to carry out five sanctions-related functions.

A NEW MECHANISM?

The five functions in Boutros-Ghali's proposed sanctions mechanism include

1. Assessing, at the request of the Security Council and before sanctions are imposed, the potential impact of the sanctions on the target country and on third countries
2. Monitoring application of the sanctions
3. Measuring the effects of the sanctions to enable the Security Council to fine-tune them with a view to minimizing unintended suffering
4. Ensuring the delivery of humanitarian assistance to vulnerable groups
5. Exploring ways of assisting member states that are suffering and evaluating claims submitted by such states under Article 50. ⁷⁵

The mechanism would give special emphasis to the problem of negative economic side effects. This reflects several of the secretary-general's immediate concerns about deflecting growing criticism among UN members of the Security Council's use of sanctions, highlighting the plight of developing countries, reiterating the case for greater UN influence with the Bretton Woods institutions, and opening the way for the UN's humanitarian and development officials to play a larger role in advising sanctions operations. ⁷⁶ Boutros-Ghali had hoped to present this proposal to the January 1995 Second Security Council Summit that was to have focused on the UN's development agenda, but the summit was not held.

When the proposal was circulated, it received a cool response from Security Council members, in part because of the implied need for additional financial resources. But among the UN's majority, where pressures for more transparency in sanctions policy and implementation, more careful targeting, and assistance for the unintended victims continue to build, the reaction was more positive. Two recent private studies of UN issues by distinguished international panels proposed similar changes in sanctions-regime management. ⁷⁷ Amid these political cross-currents, the first three functions of the proposed mechanism are likely to attract the broadest support, including members of the Security Council.

Strengthening the sanctions planning function is the first challenge. Typically, a Security Council mandate has to be composed with great haste after aggression or other extreme acts of violence have occurred. When the Security Council finally agreed to mandate a stricter arms embargo on South Africa in 1977, it gave the Secretariat seven months to prepare implementation reports. But when the U.S. and its allies decided that they urgently wanted comprehensive sanctions against Iraq, the Council gave the Secretariat only 30 days to report on implementation. Similar deadlines were applied for Libya and Yugoslavia. During this period, each member of the UN is required to set up its own sanctions implementation program. Each state has its own constitutional and political process, and many do not have specific enabling legislation. While time is a key factor in imposing an effective sanctions regime, so too is uniform and consistent implementation. The UN does not now have the means to work quickly and effectively with the Council and member governments in preparing the way for sanctions implementation.

Any formal planning for a sanctions contingency requires a request from the Security Council. Such requests have been rare and controversial, particularly since the Security Council must interfere in the internal affairs of a member state to carry out the requests. There is also debate about the effects of acknowledging that contingency planning is under way. This could cause the target to take defensive measures that could limit the sanctions initially. It might serve, however, as an instrument of preventive diplomacy, warning the target of the consequences of rule breaking. Yet there does seem to be a growing international consensus about the need for the Secretariat to be better prepared for Security Council decisions to mandate sanctions.

One step the Secretariat could take would be to adopt a recent suggestion from the Australian and Dutch governments to circulate a questionnaire to all member states eliciting the details of their structures and processes for imposing and implementing sanctions.⁷⁸ On the basis of this survey and in consultation with the Security Council and member states, the Secretariat could develop "model" sanctions resolutions. Although every sanctions regime has its own unique aims and characteristics, there would be value in having standard language agreed to in advance that could be modified where appropriate for imposing and enforcing arms embargoes, the freezing of assets, and trade sanctions. If such model language existed, this could facilitate a more rapid response in the event of a Security Council mandate. Member states would also have a much better sense of what is required because model provisions might encourage them to put in place the necessary national legislation and structures to prepare for sanctions contingencies. This process, in turn, could inform the UN's internal planning processes and guide any efforts to upgrade the UN's sanctions infrastructure. Finally, the survey of national capabilities and the development of model sanctions programs could be useful to national and international donor agencies interested in providing countries with technical assistance programs to improve their sanctions capabilities.

Another step that would help the Secretariat to set priorities for working on possible new contingencies with the appropriate governments would be greater systematic use of the crisis early warning capabilities of other organizations. Some recent products that reflect such capabilities are: *State of World Conflict Report, 1994-1995*, published by the Carter Center in Atlanta, Georgia; *The State of the World's Refugees 1995, In Search of Solutions*, published by the United Nations High Commissioner for Refugees; and *Global Humanitarian Emergencies, 1996*, the unclassified U.S. intelligence assessment of likely emergencies over the coming year, which was noted earlier.

Inside the UN Secretariat, an analytic strategy is needed to inform decisions whenever new sanctions contingencies appear likely. It is clear from the cases presented earlier in this report that the analytic approach should comprise at least three elements. First, there should be a rigorous assessment of probable cause. As reports of human rights abuses or threatening behavior toward other states are received, the Secretariat needs to carefully analyze them, drawing from a variety of government, nongovernment, and regional organizations and media sources. Increasingly, such analysis is likely to require close inspection of those actors within a problem state who appear to be most responsible for the offensive behavior. Such information will be especially helpful if the Security Council calls for financial sanctions and other limited measures that are targeted at key elites; the information should help to ensure minimum risk to the innocent and economically most vulnerable people. The growing acceptance of regional

assessment teams, such as the important and highly intrusive work of the OSCE High Commissioner for National Minorities, the independent human rights organizations, and the UN's own representatives, can be drawn upon for this purpose.

As early warnings of particular sanctions contingencies intensify, there will need to be more focused analyses of the strengths and weaknesses of the likely target state. A first priority is the nature of the target's economy by sector, (e.g., presence of natural resources, extent and type of military expenditures, effect of investments, and extent of fiscal and monetary health). To assist the UN, the Secretariat must have access to the vast statistical and analytic resources of the World Bank and the IMF. This material can inform debates and help achieve consensus on the instruments and priorities of embargoing exports, banning imports, instituting financial measures, and suspending special relations, such as cultural and sports exchanges. A related task should be to map the target's economic relations with other states. In the modern global economy no state is entirely self-reliant, and most have complex interdependent economic relations in their regions and beyond. Understanding a target's vulnerability and the impact that sanctions would have on others is vital to designing sanctions regimes.

Finally, the Secretariat needs a clear sense of the changing nature of the target's societal and political structures. This should help identify both the pressure points within and surrounding the leaders, as well as the risk that sanctions will cause severe hardship among the poor. While analysis and judgments about the resilience and vulnerability of regimes and the attitudes and influence of religious, business, media, and other elements of civil society are necessarily imprecise, this information can be as vital as economic information in informing sanctions strategy. In an era of modern communications and information sharing, the UN Secretariat should have the staff and technology to facilitate easy access to and cooperation with the legions of scholars and regional specialists in universities and think tanks around the world, many of whom might volunteer to help inform UN assessments. The judgments of outside experts should lend greater transparency and legitimacy to sanctions operations, even if they also prompt complaints of bias, as has already happened with evaluations of the impact of sanctions on innocent civilians in Iraq and elsewhere.

This analytic work would be helpful to the Security Council in at least three ways. First, it would help eliminate ambiguity in drafting the sanctions resolution by informing all concerned about exactly what is being done and why. Second, it would allow the drafters to achieve greater clarity about what is being demanded of the target state. And, third, it would facilitate greater clarity in defining the scope of the specific obligations expected from member governments who are mandated to support the sanctions regime. Security Council members often must leave mandates vague or ambiguous to reach consensus. The costs of doing so can, in retrospect, be enormous, as target's find that they can act with impunity, the conflict escalates, and complex emergencies result. Governments contemplating the imposition of sanctions, especially the U.S. and its allies, have come to appreciate these risks and appear disposed to support efforts to ensure greater precision in the design of sanctions regimes.

Improving the clarity of language in sanctions also would help to make them more effective. The current practice typically draws on the language used in previous resolutions, and despite the intrusion of political and practical considerations requiring that each regime be tailored to fit a

particular target, precedents are important to the process. A related problem is the lack of institutional memory in the UN with regard to previous regimes, including records describing why sanctions resolutions were framed in particular ways and what specific and general lessons accrued. There is a high rate of turnover among diplomats assigned to sanctions committees: Two-thirds of the Security Council are nonpermanent members, and staff within the Secretariat frequently change jobs. Building institutional memory and developing standard operating procedures for preparing sanctions resolutions would reduce the "reinvention" problem that slows the process and leads to confusion in New York and among member governments.

During the campaigns against Iraq and the former Yugoslavia, the current structures and staffing of the UN Secretariat were ill-prepared to handle the surge in demand for monitoring, evaluating, and servicing requests for sanctions waivers. There are many dimensions to this problem, including the understandable desire among some countries near sanctions targets to mitigate their economic and political risks by seeking substantial exemptions. If several sanctions regimes are under way simultaneously, there often are instances of countries bargaining for each other's support of requests for exemptions from different sanctions committees.

The UN's capacity to monitor the performance of member states is grossly inadequate. The Security Council cannot deal directly with national violations, except by pressing governments to act and perhaps by publicizing shortcomings. Such diplomatic efforts often raise sensitive political issues, particularly when there are ambiguities in the sanctions resolution. When tracking trade flows, UN sanctions committees have to rely on others, such as the Sanctions Assistance Missions around the former Yugoslavia. New York does not have the means for detecting and investigating sanctions violations. Too often, the only way around this problem is to ignore violations or add to the list of exempted materials. The UN's capacity to comprehend and deal with financial sanctions is much weaker than with commodity sanctions because financial measures are legally and technologically much more complex.⁷⁹ On the politically sensitive matter of the humanitarian impact of sanctions in the target country, the UN must also depend heavily on the intelligence of others. But even this may be insufficient, as in the case of Haiti, where there is still disagreement among observers as to the degree to which sanctions affected the poor.

Although sanctions resolutions request regular reporting by UN member states, only a small number provide the information. This leaves large gaps in the UN's knowledge about the practice, implementation, and effectiveness of regimes. A regular and uniform reporting system obviously would be desirable. Some states may be reluctant to participate for political reasons, even if they have or would be willing to invest in the capacity to monitor and enforce their citizens' adherence to a sanctions regime. In the event that the Security Council mandates sanctions, improving planning and monitoring by the Secretariat could help to engage earlier those states willing to cooperate. During most sanctions regimes, there are states that choose either to violate or not to prosecute those who violate. In such cases, there is bound to be resistance to efforts that would increase transparency and accountability.

A few governments have provided the UN with technical expertise, computers, and other necessary equipment, but there is a political and bureaucratic sensitivity in the Secretariat to opening the door to large numbers of seconded national customs officials or other officials to

fulfill the UN's operational responsibilities. Close cooperation between the UN and U.S. customs officials worked in the case of Haiti, but widespread regional and international acceptance of the need for action and for a special U.S. role made this case exceptional.

A far more promising arrangement has been the external assistance provided by Western countries to the SAM/SAMCOM monitoring of the sanctions against the former Yugoslavia. This large and highly professional international operation implicitly highlights the UN's weaknesses, but such arrangements will likely be necessary for the foreseeable future. The Yugoslav case, by demonstrating the level of effort required for a credible and reasonably effective regime, will likely reinforce the reluctance of Security Council members to push for future Chapter VII collective actions.

Increasing the size and professionalization of UN sanctions staff is imperative. As noted earlier, there are currently less than a dozen sanctions officers with the necessary training and experience in law, economics, intelligence analysis, and other fields pertinent to sanctions operations. Most of the professional personnel in the sanctions branch are diplomats with generalist credentials who have been seconded from their governments. Contrary to allegations of a bloated UN bureaucracy, this small cohort pales when compared with the 50 sanctions experts in the U.S. Treasury's Office of Foreign Assets Control, the 24 State Department officers working on policy-based sanctions, and the numerous others who deal with sanctions at the Commerce Department.

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Human resource development within the UN must allow for both ongoing demands for more comprehensive planning and analysis for contingencies and meeting the surge capacity required to service new sanctions committees. In the cases of Iraq and the former Yugoslavia, staff was not able to keep pace with requests for waivers. One option for alleviating the pressure would be to constitute sanctions committees with independent commissioners acting in their individual capacities who would bring an infusion of badly needed expertise.⁸¹ Given the bureaucratic and financial constraints of the UN, however, one or more interested governments probably would have to lobby hard to develop new procedures and means to recruit, compensate, and provide office support for the commissioners.

Closer cooperation among UN departments and specialized agencies allowing for more flexible use of personnel to manage sanctions regimes might also be possible. But this would require further reforms in the recruitment and retention of sanctions-related expertise, the introduction of interdepartmental sharing of staff, and a reallocation of positions to the sanctions function, all of which is especially difficult in a period of overall staff retrenchment at the UN.

The third function of Boutros-Ghali's proposed sanctions mechanism -- enabling the Security Council to make midcourse adjustments in sanctions regimes to maximize their political impact and minimize unintended suffering -- would entail major new responsibilities for the UN and raise a host of difficult political problems for the Security Council's internal workings and the Council's relations with the rest of the UN. But the secretary-general's proposal also reflects a fundamental reality: Sanctions regimes drag on much longer than the drafters of the UN Charter envisioned. Sustaining them inevitably requires adjustments, but reopening Security Council

deliberations risks losing a formal consensus that in practice may have ceased to exist and thus opens the way for a complete breakdown in the regime.

Over time, pressures will build to adapt a particular sanctions regime to changes in the target's behavior (whether better or worse), to the amount of civilian suffering, to the hardship effects on neighboring states, and to shifting political support for the sanctions regime among the coalition partners and domestically among key partners. The behavior of nonstate actors, including international business, nongovernmental organizations, or the media, may also prompt necessary adjustments. Finally, it may become imperative to adjust the terms of a sanctions regime to complement better the application of other policy instruments, such as the threat or use of force or various diplomatic initiatives. A good example of this was the interplay of sanctions and the use of force in pushing Serbia toward a peaceful settlement of the Bosnian conflict.

Former Australian foreign minister Gareth Evans suggested an approach to sanctions that is different from the normal practice of maintaining maximum pressure until full compliance is achieved.⁸² He proposed unbundling sanctions and lifting them incrementally in response to good behavior. He notes that this was introduced with some apparent success during the final stages of the antiapartheid campaign against South Africa. More recent examples include the UN-OAS plan for the incremental lifting of sanctions against Haiti in response to specific steps toward the restoration of democratic rule, and, somewhat differently, the UN-EU efforts in the Bosnian crisis. In Iraq, the UN has offered a series of quid pro quos, allowing oil to be sold in order to import food, but, until early 1996, Baghdad maintained that the UN's requirements for overseeing distribution and other controls would be an infringement of Iraq's sovereignty. Every change in a sanctions regime, whether tightening or loosening the terms, has to go back to the Security Council and risks being vetoed.

The Evans approach assumes that a substantial package of sanctions is already in effect, as in the cases of Iraq or the former Yugoslavia. But in situations when problems pose less of a direct threat to international peace and security than overt aggression, governments usually want to proceed incrementally, starting with small measures to ensure the widest possible international support and then escalating to harsher measures if necessary. The growing interest in targeting more carefully the alleged wrong-doers within states reflects a preference for escalation. Also, once a sanction has been lifted it can be very difficult to achieve a consensus to reimpose it, especially if the target's renewed misbehavior is sufficiently ambiguous to elicit plausible alternative explanations. But Evans's suggestion avoids appeasement, giving incentives to a state "not to do wrong" as a crisis begins. Instead, it rewards good behavior.

Governments that strongly support the UN, such as Australia, Canada, and the Netherlands, among others, are poised to promote concerted efforts to enhance the UN's sanctions capabilities. Rising frustrations over the shortcomings of recent sanctions campaigns and the absence of strong leadership from the U.S. and the other major powers may have opened the way for an initiative by a group of smaller concerned states, provided that they can mobilize broad support among the other members and at least tacit support from the Security Council.

As a first step, interested member states should consider ways to build political consensus among UN members for a still-to-be determined package of structural and procedural reforms. These

reforms would enable the UN Secretariat to respond more quickly, efficiently, and effectively, in concert with all relevant countries, should the Security Council mandate economic sanctions. There is a precedent for such an effort to improve UN sanctions capabilities that could be adapted for today's needs, the Collective Measures Committee.

RECALLING THE COLLECTIVE MEASURES COMMITTEE OF 1951-52

Many of the difficulties associated with UN sanctions are not new. Forty-six years ago, a major assessment of ways to improve UN sanctions regimes was requested by the General Assembly at the instigation of the United States as part of the "Uniting for Peace Resolution" of November 3, 1950, authorizing UN operations in Korea. A 14-nation group was formed, known as the Collective Measures Committee,* and issued two reports in 1951 and 1952. Recommendations included steps for mitigating both the damage to countries adjacent to the target state and the humanitarian consequences within the target state and steps for improving monitoring and enforcement nationally and internationally.⁸³

Little came of the Collective Measures Committee's recommendations because of the Cold War. The resolution establishing the committee had been approved during the 1950 boycott of the UN by the Soviet Union. Any prospects for significantly strengthening the UN's sanctions capabilities became moot once the Soviets returned to the Security Council. Similar resistance will not crop up today, despite the deepening divisions within the Security Council over the use of sanctions. Discussions about resurrecting the Collective Measures Committee could proceed on the basis of the same three core working assumptions that guided deliberations in 1951-52

- Detailed blueprints for imposing sanctions are impossible. Coordinating machinery for collective measures should be dealt with in connection with each case. As no two situations will be identical, procedures should be flexible.
- Economic sanctions should be seen as one policy tool among several, including political and/or military collective measures.
- The effectiveness of any sanctions regime as an instrument of conflict prevention will be a function of political will. To quote the 1951 report: "The more probable it is that collective action will be resolute and effective the less probable it is that there will be resort to force. . . . No amount of ingenuity or refinement in the measures and no elaborate machinery for their administration will compensate for half-hearted commitment to the task by participating countries."

* Australia, Belgium, Brazil (Chair), Burma, Canada, Egypt, France, Mexico, Philippines, Turkey, United Kingdom, United States, Venezuela, and Yugoslavia.

AGENDA OF A SECOND COLLECTIVE MEASURES COMMITTEE

The main purpose of a reconstituted Collective Measures Committee would be to build sufficient political consensus for improving the UN's sanctions infrastructure and its ability to work with member governments responsible for monitoring and enforcing Security Council resolutions.

There will likely be resistance from some member governments, notably Western powers that consistently oppose the establishment of any new structures within the UN, and those governments hostile to any attempt to strengthen the international community's capacity to impose multilateral sanctions. But as an off-the-record comment by one thoughtful diplomat suggests

The real value of reviving the Collective Measures Committee would lie in increasing the legitimacy of sanctions, given the increasingly unrepresentative character of the Security Council. Even if the Committee made few changes in the way sanctions are considered and applied, it could help to increase the sense of "ownership" of sanctions by the wider international community, and to rebalance a UN in which the rich one-sixth of the world still tends to think it can call the shots for the poorer five-sixths.

The Committee should sidestep more fundamental questions about when and where sanctions are to be used. Under the UN Charter, only the Security Council has the authority to decide which international norms have been violated and the seriousness of the threat to international peace and security. The Charter neither defines these threats nor does it prescribe penalties. The Council can reach such determinations only through political negotiations, case by case. As noted above, the interests and norms affecting such decisions have changed considerably in 50 years, and no doubt further changes would follow any reforms in the Council's membership.

For now, any mandate for a new Collective Measures Committee should be realistically limited to seeking the removal of the structural obstacles to implementing sanctions resolutions and to proposing ways to improve the chances that sanctions will succeed. An initial program of work for the Committee might cover five topics: improvements within the UN Secretariat, national capacity building, encouraging cooperation with other actors, combining sanctions with other measures, and financial sanctions.

IMPROVEMENTS WITHIN THE UN SECRETARIAT

The committee might begin by reassessing the conclusions and recommendations of the original Collective Measures Committee, the secretary-general's proposal for a new sanctions mechanism, and the lessons learned from sanctions regimes since 1990. Such an exercise would help the committee to set priorities and offer recommendations that are politically feasible and affordable. As noted above, sanctions committee structures and procedures have not been able to deal with the proliferation of sanctions actions and have been particularly ineffective in handling the huge number of requests for exemptions from sanctions against the former Yugoslavia. Initial efforts to improve coordination among the three major departments concerned with complex emergencies, Political Affairs, Humanitarian Affairs, and Peacekeeping Operations, have not gone well; they were hurt in part by the financial crisis that -- among other cutbacks -- forced closure of a new sanctions planning and policy unit.

NATIONAL CAPACITY BUILDING

Experience since 1990 has shown that governments are as ill-prepared as the UN Secretariat for quickly carrying out sanctions. In some cases, the political will has been lacking, but more often the shortcomings are structural. To implement mandated sanctions typically requires national

legislation, adapting or creating monitoring measures, and resources for enforcement. Few governments beyond the United States and a handful of other highly industrialized countries have such capabilities. The Collective Measures Committee could develop a workable strategy for helping governments acquire the means to better implement sanctions.

A first step might be to carry through with a proposal made by Australia and the Netherlands to survey national structures and develop a database for implementing sanctions. Second, the committee could work with the Secretariat to design "model" national sanctions legislation and structures, along the lines noted above, so that when a new regime is mandated by the Security Council, it can be implemented quickly. Standard guidelines for creating and maintaining national monitoring and enforcement measures might also be devised.

As sanctions regimes have become increasingly complex, technologically, juridically, and administratively, the gap between the national capabilities of industrial and poor countries, who are often closest to the target state, appears to be widening. Such capabilities include the needs to monitor communications, conduct all-weather, full-time border surveillance, interdict transactions, and carry out other activities. Moreover, the number of countries whose political and practical cooperation is required to make sanctions effective is, in many cases, large and diverse.

Therefore, another step that the committee might consider would be to sponsor a sanctions training facility for public officials, particularly from developing countries, to increase their understanding of sanctions laws, monitoring, and enforcement. Even if these countries do not have the resources to develop the technologically sophisticated monitoring and interdiction capabilities of industrialized countries, they should be aware of these capabilities. On a much smaller scale, this facility might be akin to the World Bank's Economic Development Institute. Alternatively, the committee could encourage more bilateral training and exchange programs, as now regularly occurs among military and police establishments.

ENCOURAGING COOPERATION WITH OTHER ACTORS

More and more, the UN needs the help of nonstate actors to carry out its missions. The Collective Measures Committee could assess and suggest ways for the UN to forge closer links with

- **Regional Organizations.** The complex and difficult joint efforts by the UN and European organizations in the case of sanctions against the former Yugoslavia deserves a careful appraisal to inform future decisions about the appropriate division of labor in applying multilateral sanctions.⁸⁴ A more recent experiment, the sanctions regime that a group of African leaders have imposed to pressure the military government of Burundi to reinstate Parliament and lift a ban on political parties, is another major precedent. Despite the traditional reluctance of African leaders to address the domestic affairs of another state, the OAU sponsored a summit of the leaders of Cameroon, Ethiopia, Kenya, Rwanda, Tanzania, Uganda and Zaire (along with representatives of the EU and the U.S.) on July 31, 1996; they decided to cut oil supplies and air links to Burundi.⁸⁵ A few days later, members of the Economic Community of West African States (ECOWAS) also took the lead in applying more comprehensive sanctions against Liberia than those mandated by the UN in an effort to secure a negotiated solution to that terrible and

seemingly interminable civil war. The committee could usefully monitor these and other efforts, including implementation of any plans to allow for humanitarian exemptions, to inform its recommendations on training, capacity building, and procedures.

- **International Financial Institutions.** As noted earlier, the UN Secretariat has encountered difficulties when it has sought to enlist the help of the World Bank in gathering information on a target's economy or on the impact that sanctions may be having on the economies of neighboring countries, and -- more importantly -- in coordinating financial relief packages for nontarget countries hurt by sanctions. The committee could assess the barriers to cooperation, including any relevant reservations among the bank's major shareholders. Under its new leadership, the World Bank is showing increased interest in assisting reconstruction and reconciliation in failed states and in helping prevent conflict. If the Security Council decides to threaten or impose sanctions as an instrument of preventive diplomacy, coordination with regional and international financial institutions could increase the impact and precision of these efforts.
- **International Business.** The interests of governments and private business frequently have diverged over the use of economic sanctions and, in general, there has been very little prior or ongoing consultation. Yet, as foreign direct investment and international trade have dramatically expanded in recent years, the international business community has become deeply knowledgeable about the conditions that could produce international pressures for sanctions, the likely impact of sanctions, and ways to render them more effective. At a minimum, business leaders need to be consulted closely about ways to limit the damage to nontargeted private-sector enterprises that can be an important lobbying group against the offending government and that may have a vital role to play in postconflict reconstruction and development. The Collective Measures Committee might weigh the costs and benefits of a UN international business advisory group on sanctions.
- **Nongovernmental Organizations.** With the end of the Cold War and proliferating complex emergencies, there has been a rapid expansion of UN cooperation with nongovernmental organizations (NGOs) involved in humanitarian relief, human rights, and development activities. The committee could establish an NGO advisory group, with the help of the International Council of Voluntary Agencies in Geneva, to consider what new mechanisms and procedures are needed for dealing with those aspects of sanctions of special concern to NGOs, such as the humanitarian impact on civilian populations within target states. For example, to avoid the corruption of the humanitarian waivers process that undercut sanctions against Iraq and the former Yugoslavia, the sanctions committees could grant institutional waivers to major NGOs (e.g., CARE, Save the Children, or Oxfam) to allow them to conduct verifiable humanitarian operations without the need to exempt specific commodity shipments. When analyzing ways to improve UN sanctions planning and analysis infrastructure, the committee should consider the potential contributions of NGOs in early warning and unofficial "track II" conciliation efforts.

COMBINING SANCTIONS WITH OTHER MEASURES

Too often governments risk discrediting sanctions as a tool of conflict prevention by delinking them from other types of sanctions and incentives. Britain's ruling out of the use of force when it imposed economic sanctions on its former colony of Rhodesia is a classic example. More recent experiences in Iraq, Haiti, and the former Yugoslavia confirm the need to complement economic sanctions with the threat or use of collective military force.⁸⁶ Another element of any preventive strategy can be a conditional offer of economic assistance and a threat to withhold these funds.⁸⁷

The Collective Measures Committee could develop "operating principles" or "guidelines" for the use of sanctions to enhance their prospects for effectiveness in combination with other mechanisms. Discouraging the misuse of sanctions as a symbolic protest, when the political will for more forceful action is lacking, could be one of the committee's most important undertakings.

FINANCIAL SANCTIONS

The committee could usefully focus wider international attention on the range of financial sanctions. These include freezing the foreign deposits and other assets of the offending government, key businesses, political elites, and/or individual citizens; barring access to foreign loans from banks and other financial institutions; tightening conditions on debt repayment; cutting off international trade financing; and suspending conversion of the target country's currency. Recently, there has been growing interest in, but very little understanding of, these measures.

The financial sanctions that command the widest interest are those that can be specifically targeted at the overseas assets, companies, and pet projects of those individuals or groups in a target country that the international community deems most responsible for a state's offending behavior. In this way, sanctions can be carried out with less risk of harm to innocent civilians locally and to neighboring states that often suffer severe hardships when comprehensive trade sanctions are imposed. Financial sanctions also can be easier to administer than trade sanctions. Against a country as difficult to embargo as Yugoslavia, for example, denying Serbia trade financing and limiting trade sanctions to one or two strategic commodities could have been much more cost-effective than the huge network of sanctions assistance missions.

In some cases, financial sanctions can have the same blunt effects on an economy as a trade embargo, particularly if a country is heavily dependent on vital imports, as is Iraq. In other cases, financial sanctions work well in combination with the embargoing of a commodity, usually oil, as might have worked in the case of Haiti. Financial sanctions can deny a country the capacity to finance trade and force it to trade strictly on a cash basis. This can have a powerful impact on the behavior of leaders while allowing a cash-and-carry traffic in essential consumer products to continue. Financial sanctions apparently influenced Serbia's leaders prior to the start of the Dayton peace process.

The successful imposition of financial sanctions, especially the freezing of foreign assets, requires quick, decisive action to be effective and to prevent the target from moving funds and enlisting the cooperation of banks and governments that are unwilling to make such disclosures. Identifying and tracking the financial flows of individuals is becoming easier with the development of sophisticated name-recognition computer software, which the U.S. government has deployed effectively against individuals and companies involved with drug trafficking. The U.S. also has state-of-the-art communications monitoring and decoding capabilities that can be used in support of financial sanctions. Because the U.S. dollar remains the world's leading reserve currency, dollar-denominated transactions, such as oil sales, are usually settled through U.S. financial institutions, and the U.S. has the legal instruments and administrative structures to act quickly after a presidential directive to impose financial sanctions. These capabilities are available to no other government.

Gaining the cooperation of other states and their central banks in implementing financial sanctions has been problematic, even among G-7 allies. Adding financial sanctions to the "toolbox" of collective measures under the authority of the UN obviously is a far greater challenge. In the cases of Haiti and the former Yugoslavia, the UN resolutions mandated such actions, but their implementation was late, and they were much less effective than they might have been.⁸⁸ As popular support grows for international norms prohibiting severe human rights abuses, the military overthrow of democratically elected governments, and other forms of repression, it may become easier politically for the U.S. and other advanced economies to apply financial sanctions sooner, in ways that de facto are widely accepted as legitimate.

The Collective Measures Committee could work with U.S. experts to broaden international understanding of what is required to make financial sanctions effective. Operationally, financial sanctions require primarily the cooperation of the major hard currency countries. Politically, they require wider international support if the threat to escalate to more severe penalties -- including military force -- is to be credible to the target. The committee could sponsor workshops on financial sanctions and the technological advances that could make them even more effective. Familiarizing potential target states on the full range of financial sanctions might serve as an early warning, particularly if the committee can show that finding safe places for assets is likely to become increasingly difficult.

ORGANIZING A SECOND COLLECTIVE MEASURES COMMITTEE

Leadership in building a political consensus among UN members for a fresh, far-reaching, and forward-looking effort to improve multilateral sanctions capabilities should not come from the major powers. None of the Security Council's five permanent members appears seriously interested, nor would they wish to exacerbate existing divisions in the Security Council over the use of sanctions or spark stronger pressures to weaken their dominance over decisions to mandate sanctions. The U.S., in particular, should not attempt to lead a UN sanctions reappraisal, even though it should be part of any reform effort, has been in the vanguard of post-1990 sanctions resolutions, and has the most developed national monitoring and enforcement capabilities. By 1996, however, U.S. advocacy of UN reform is increasingly resented among other members, including close allies, because the U.S. refusal to pay its dues has brought the UN to the brink of insolvency and risks a shutdown of UN operations.

Better candidates to explore the feasibility and build a broad base of political support for a new Collective Actions Committee can be found among the ranks of the strongly pro-UN group of smaller established democracies. Countries such as Australia, Canada, the Netherlands, Norway, and Sweden, among others, enjoy several comparative advantages for exploring options and promoting actions to strengthen the UN's sanctions infrastructure.

First, these smaller established democracies have been deeply and constructively involved in UN affairs since the organization's founding in 1945. For example, 1 percent of Norway's population has served in UN peacekeeping operations. Second, they pay their UN assessments fully and usually on time, and they have a long tradition of also generously providing large additional

voluntary contributions to other UN programs. Third, they enjoy broad respect among the other members. Each exemplifies the high ideals of the Charter, is a strong democracy with a market economy, has close ties to Western powers on the Security Council, has been among the largest per capita providers of development assistance, and is active in helping countries in transition to market economies. None was, or can ever be, a hegemonic power.

Fourth, the smaller established democracies have a wealth of diplomatic experience and resources. They have sufficient resources, modern means of global communications, a highly educated public, stable political and strong bureaucratic support structures, and an extensive and efficient foreign service to support this initiative. Finally, as small powers deeply integrated into the world economy, they have an obvious vital national interest in sustaining and strengthening the United Nations, a fact well recognized by large majorities of voters in these countries.

Any of the smaller established democracies might take the lead in organizing the committee, but it would help to have a large group of these like-minded states involved at the start. They could then proceed to widen the circle by drawing other countries into the group. The size of the original committee, 14 countries, seems about right. Finding the right political balance is always a challenge, especially if the committee must push for significant and sometimes controversial changes in the UN Secretariat and in its relations to regional and national authorities, NGOs, and other nonstate actors who can contribute to making sanctions more effective.

A group of 16 countries that are strong UN supporters was convened by then Swedish prime minister Ingvar Carlsson shortly after the UN's fiftieth anniversary session in 1995.* The group considered ways of implementing the recommendations of the Commission on Global Governance, which Carlsson had cochaired with former Commonwealth secretary-general Shridath Ramphal. The report of the commission, *Our Global Neighbourhood*, contains UN reform proposals that deserve closer study, including a recommendation for a more precise and targeted approach to sanctions.⁸⁹ This might be a useful starting point for the Carlsson group to consider the feasibility and potential utility of a General Assembly resolution calling for a new Collective Measures Committee.

The Carlsson group has the advantage of including countries that might be called "sanctions activists" (e.g., Australia, Canada, the Netherlands, and Sweden) as well as "sanctions conservatives" (e.g., India and Indonesia). It also includes Brazil, the chair of the first Collective Measures Committee. Missing from the Carlsson group are the major powers whose support for any significant sanctions regime is absolutely critical, notably Britain, France, Germany, Japan, and the U.S. It is difficult to imagine a relevant Collective Measures Committee without the active involvement of the U.S.

* The "Group of 16" are Australia, Brazil, Canada, CÔte d'Ivoire, Ireland, the Czech Republic, Egypt, India, Indonesia, Jamaica, Japan, Mexico, Korea, South Africa, the Netherlands, and Sweden.

MANDATING AND MANAGING A SECOND COLLECTIVE MEASURES COMMITTEE

Like the first Collective Measures Committee, a second committee should be mandated by the General Assembly. It would thus have the legitimacy of backing by the entire membership, although negotiating the composition of the committee would be difficult and could seriously limit the nature and scope of its agenda (even though its recommendations would be nonbinding). The Collective Measures Committee's report would presumably go to the UN General Assembly's First Committee for action. Another option would be the formation of a Security Council Study and Review Group on Sanctions, along the lines of the group that Egypt recently proposed to deal with the UN's role in arms control and disarmament. A third option would be to convene the committee under the joint auspices of the General Assembly and the Security Council, an approach that a Yale University study of UN reform suggested for dealing with arms control and disarmament issues.⁹⁰ Finally, there is the example of the outside Efficiency Board established by the UN's under-secretary-general for administration, Joseph Connor. It is staffed by a group of professionals primarily seconded by national governments and is formulating ways to reform the UN's management.

Hopes that a Collective Measures Committee might be possible and could achieve practical results are bolstered by the progress thus far of a much larger and potentially unwieldy "Open-Ended High-Level Working Group on Strengthening the United Nations System" that was established by the General Assembly last fall to run for a year. It includes all 185 members of the UN and is studying ways to improve the operations of the Secretariat and the General Assembly. The group is formally chaired by the president of the assembly but is actively led by the cochairs, India and New Zealand. It enjoys strong support from the United States.

The work of a Collective Measures Committee could draw on and complement the findings of the working group, and it could borrow some management lessons. The working group is funded by a modest independent trust fund of about \$400,000 to which Cyprus, Germany, India, the Netherlands, New Zealand, Norway, and the Republic of Korea have contributed. (The U.S. initially pledged to contribute but, as in so many other areas of UN activity, had difficulty fulfilling its pledge.) A small staff of three to four professionals is led by American Edward Luck and has had the freedom to draw on the previous and related work of governments, international organizations, nongovernmental organizations, and others. The combination of a talented staff, the active and constructive participation of many interested UN members, and very effective leadership by India and New Zealand have made this group more productive than most expected.

If a group of concerned states is willing to call for resurrecting the Collective Measures Committee, it should seek a broad mandate. This would allow ample scope for reaching beyond the UN in developing recommendations for improving the UN's capacity to support economic sanctions mandated by the Security Council and for devising ways to enlist the help of intergovernmental and nongovernmental actors to make sanctions more effective. Sharpening international sanctions as an instrument for multilateral preventive diplomacy and conflict resolution will take time and can proceed only incrementally as political support accumulates and norms of intervention adapt to new realities and changing state interests. In undertaking this mission, those involved in the Collective Measures Committee would do well to recall President John F. Kennedy's words to the General Assembly over 30 years ago:

Peace is a daily, a weekly, a monthly process gradually changing opinions, slowly eroding old barriers, quietly building new structures. ⁹¹

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NOTES AND REFERENCES

1. Draft of a speech for Jefferson Day. See James MacGregor Burns, *Roosevelt: The Soldier of Freedom* (New York: Harcourt Brace Jovanovich, 1970), p. 597.
2. Abram Chayes and Antonia Chayes, *The New Sovereignty* (Cambridge, MA: Harvard University Press, 1995), Chapter 2, "Treaty-Based Military and Economic Sanctions," p. 35.
3. Margaret Doxey, personal communication, December 7, 1995. Articles 39 and 41 can be decoupled, as happened in the case of the Argentine invasion of the Falkland Islands. Britain did not seek sanctions as a follow-up to the determination that a breach of the peace had occurred.
4. G.C. Hufbauer, J.J. Schott, and K.A. Elliott, *Economic Sanctions Reconsidered: History and Current Policy*, 2nd ed. (Washington, DC: IIE, 1990). Chapter 5, "Conclusions and Recommendations." This study does not include sanctions after 1990, although an updated version of *Economic Sanctions Reconsidered* is in preparation. In addition, the Council on Foreign Relations will sponsor a study group on post-Cold War sanctions that will be directed by Richard Haass.
5. R.N. Cooper, untitled address to International Institute of Strategic Studies, September 1994, on economic sanctions and incentives includes a critique of Hufbauer et al.
6. Hufbauer, et al., *Economic Sanctions Reconsidered: History and Current Policy*, Introduction.
7. H.J. Aaron, R.R. Bryant, S.M. Collins, and R.Z. Lawrence, "Preface to the Studies on Integrating National Economies," in A. Krueger, ed., *Trade Policies and Developing Nations* (Washington, DC: Brookings, 1995).
8. World Bank, *World Development Report* (Washington, DC: International Bank for Reconstruction and Development, 1995), p. 1.
9. The ten "Big Emerging Markets" identified by the U.S. Department of Commerce are: China (including Taiwan and Hong Kong), India, Indonesia, Brazil, Mexico, Turkey, South Korea, South Africa, Poland, and Argentina. J. Stremlau, "Clinton's Dollar Diplomacy," *Foreign Policy*, No. 97, Winter 1994-95.
10. See: M.P. Doxey, *International Sanctions in Contemporary Perspective* (New York: St. Martin's Press, 1987), Chapter 9, "The Case of South Africa."
11. Chayes and Chayes, *The New Sovereignty*, p. 47.

12. Boutros Boutros-Ghali, *An Agenda For Peace*, Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, A/47/277-S/24111, 17 June 1992, para. 17.
13. George Lopez, personal communication, December 17, 1995.
14. For a detailed account of this diplomatic campaign see: James A. Baker III, *The Politics of Diplomacy* (New York: Putnam, 1995), Chapter 16, "Building the Coalition."
15. Jose E. Alvarez, "The Once and Future Security Council," in *Order and Disorder After the Cold War*, A Washington Quarterly Reader, Brad Roberts, ed. (Cambridge, MA: MIT Press, 1995), pp. 413-428.
16. Chayes and Chayes, *The New Sovereignty*, p. 48.
17. United Nations Security Council Resolutions 660, 661, and 666.
18. B.W. Jentleson, *With Friends Like These: Reagan, Bush, and Saddam, 1982-1990* (New York: Norton, 1994).
19. See: D.E. Reuther, "UN Sanctions Against Iraq," in D. Cortright and G.A. Lopez, (eds.) *Economic Sanctions* (Boulder: Westview, 1995), and Chayes and Chayes, *The New Sovereignty*, "Iraq," pp. 39-40.
20. United Nations Security Council Resolution 687.
21. T.R. Gurr, *Minorities at Risk* (Washington, DC: United States Institute of Peace, 1993), "Summary and Implications," p. 315.
22. See: J. Dreze and H. Gazder, "Hunger and Poverty in Iraq," *World Development* 20, No. 7 (1992).
23. Youssef M. Ibrahim, "Saudi with Key Role in War Calls for End to Iraqi Sanctions," *New York Times*, December 14, 1995, section A, p. 3, late edition. Quotes Prince Khalid bin Sultan, a nephew of King Fahd and son of Saudi Arabia's Defense Minister.
24. See: Eric Rouleau, "The View from France: America's Unyielding Policy Toward Iraq," *Foreign Affairs*, Jan./Feb. 1995.
25. For a brief report of the CSCE Berlin ministerial meeting and the immediate reactions of the six leaders of the Yugoslav republics, see: Baker, *The Politics of Diplomacy*, pp. 478-84.
26. *Ibid.*, p. 638.
27. United Nations Security Council Resolution 713.

28. Baker, *The Politics of Diplomacy*, p. 647.
29. United Nations Security Council Resolution 757.
30. United Nations Security Council Resolutions 752, 757, 787, and 820.
31. Baker, *The Politics of Diplomacy*, p. 649.
32. David Owen, *Balkan Odyssey* (London: Wellington House, 1995), p. 363.
33. *Ibid.*
34. Lord Owen details this arduous diplomatic campaign from the autumn of 1992 until he stepped down in the spring of 1995. His memoirs are supplemented with television footage, sound, pictures, and detailed documentation on CD-ROM.
35. *Ibid.*, p. 125.
36. Sonja Licht, "The Use of Sanctions in Former Yugoslavia," in D. Cortright and G.A. Lopez, eds., *Economic Sanctions*, pp. 153-160.
37. In a lengthy memorandum to the EC foreign ministers dated July 22, 1994, Lord Owen noted that two-way traffic across the Serbian-Macedonian border exceeded 2,000 trucks and 450 railway wagons per week, which prompted him to call for a tightening of sanctions, and adequate compensation for the financially strapped government of Macedonia. If this failed to persuade the FRY to act against the Bosnian Serbs, he urged withdrawal of UNPROFOR from both Croatia and Bosnia-Herzegovina and the use of force-lifting the arms embargo against Bosnia-Herzegovina and air strikes against the Bosnian Serbs. Owen, *Balkan Odyssey*, pp. 288-89.
38. Bill Clinton, interview by Wolf Blitzer, *CNN*, December 14, 1995.
39. United Nations Security Council Resolution 748.
40. United Nations Security Council Resolution 883.
41. "UN Sanctions Prompt Gadaffi To Send Home 1M Africans," *Financial Times*, October 19, 1995.
42. United Nations Security Council Resolution 788.
43. United Nations Security Council Resolution 733.
44. United Nations Security Council Resolutions 812 and 846.
45. United Nations Security Council Resolution 864.

46. "Nigeria Foaming," *The Economist*, November 18, 1995.
47. *Communiqué*, Commonwealth Heads of Government Meeting, Auckland, New Zealand, November 10-13, 1995.
48. Nicholas Phythian, "Francophone Summit Urges Democracy in Nigeria," *Reuters*, December 4, 1995.
49. "UN Body Condemns Nigerian Executions," *Reuters World Service*, December 15, 1995.
50. "OAU Backs Nigeria's Military Rulers," *Deutsche Presse-Agentur*, December 7, 1995.
51. Paul Lewis, "U.S. Seeking Tougher Sanctions to Press Nigeria for Democracy," *New York Times*, March 12, 1996, section A, p. 1.
52. *Concluding Statement*, First Meeting of the Commonwealth Ministerial Action Group on the Harare Declaration, Marlborough House, London, December 18-20, 1995.
53. For example, in a rare display of cross-party agreement, Canada's Parliamentary Standing Foreign Affairs Committee on December 14, 1995, called on the government to "take a strong leadership role in coordination of an enforceable oil embargo against Nigeria with the United States of America, the European Union and other partners to stop the military terror in Nigeria. . . ." Legislation to tighten more limited sanctions-not including an oil embargo-has also been proposed or passed in the U.S. and several European countries, and there is a growing movement among human rights and other public interest groups to press their governments for full sanctions against Nigeria.
54. *Report of the Fact-Finding Mission of the Secretary-General to Nigeria*, April 23, 1996, United Nations, established pursuant to UN Resolution 50/199 adopted by the General Assembly on December 22, 1995. The mission comprised: Justice Atsu-Koffi Amega of Togo, Justice V.S. Malimath of India, and John P. Pace from the office of the UN Commissioner for Human Rights.
55. Commonwealth Ministerial Action Group: *Concluding Statement*, Marlborough House, London, April 23, 1996.
56. David Ljunggren, "Nigeria Spared Commonwealth Sanctions for Now," *Reuters*, June 25, 1996.
57. "Nigeria's Diplomatic Coup in Commonwealth Group," text of report by NTA TV, Lagos, June 28, 1996.
58. *Global Humanitarian Emergencies*, 1996, February 1996, pp. 17-18. Copies may be obtained by telephoning the ECOSOC section of the United States Mission to the United Nations at (212) 415-4275.

59. See: Gian Luca Burci, "The Indirect Effects of United Nations Sanctions on Third States: The Role of Article 50 of the UN Charter," *African Yearbook of International Law*, 1995, pp. 157-171.

60. Andrew Yarrow, "United Nations Sanctions Committees," Carnegie Commission on Preventing Deadly Conflict, unpublished working paper, May 1995.

61. Boutros Boutros-Ghali, *Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the 50th Anniversary of the United Nations*, A/50/60-S/1995/1, January 3, 1995, p. 27.

62. United Nations General Assembly Resolution, 47-120B.

63. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, *Implementation of the provisions of the Charter of the United Nations related to assistance to third states affected by the application of sanctions under Chapter VII of the Charter, Report of the Secretary-General*. A/50/361, August 22, 1995.

64. A/Res/50/51, 29 January 1996.

65. Howard W. French, "Study Says Haiti Sanctions Kill Up to 1,000 Children a Month," *New York Times*, Nov. 9, 1993, section A, p. 1.

66. See for example, "Health Effects of Sanctions on Iraq," editorial, *The Lancet*, 346 (8988), December 2, 1995, p. 1439.

67. Typically, the committees receive notification of shipments of medical supplies and foodstuffs. In the case of Haiti, the committee deals with issues of humanitarian relief by international organizations and nongovernmental organizations. The Libya committee dealt with issues of medical evacuations in addition to humanitarian imports of medicines and foods. Yarrow, "United Nations Sanctions Committees" (see [note 60](#)).

68. *International Report*, "The Conlon Report: The Trouble with Sanctions," Vol 1/No. 62, June 27, 1995.

69. George Lopez, personal communication, December 17, 1995.

70. A U.S. public opinion poll taken December 1-3, 1995, for the United Nations Association of the United States of America revealed UN performance ratings at an historical high, with 54 percent saying the UN is doing "a good job." UNA-USA Press Release, December 7, 1995. For a fuller assessment of the U.S. public's view of the UN see: Steven Kull "What the Public Knows That Washington Doesn't" *Foreign Policy*, No. 101 (Winter 1995-96). For a description of how U.S. politicians continue to successfully exploit the UN's shortcomings for partisan advantage see: Jeremy D. Rosner, "The Know-Nothings Know Something," *Foreign Policy*, No. 101 (Winter 1995-96).

71. John Stremlau, "Stifling The UN Shortchanges U.S.," *Christian Science Monitor*, April 23, 1996, and "'Beggar Thy Neighbor': The Politics of UN Insolvency," August 1995, unpublished report to the Carnegie Commission on Preventing Deadly Conflict.
72. *International Report*, "The Conlan Report," (see note 68).
73. Richard Vork, "The EU/OSCE-Sanctioned Assistance Missions and SAMCOM: Implementation of the United Nations Sanctions Against the Federal Republic of Yugoslavia (Serbia and Montenegro) and Those Areas of Bosnia-Herzegovina Held by Bosnia Serb Forces," 1995.
74. Paul Conlon, "Sanctions Infrastructure and Activities of the United Nations: A Critical Assessment," unpublished draft report to the Carnegie Commission on Preventing Deadly Conflict, August 31, 1995.
75. Boutros-Ghali, *Supplement to An Agenda for Peace*, para. 75.
76. Conlon, "Sanctions Infrastructure," p. 21.
77. *The United Nations in Its Second Half-Century*, A Report of the Independent Working Group on the Future of the United Nations, (New York: Ford Foundation, 1995), pp. 23-24. *Our Global Neighbourhood, The Report of the Commission on Global Governance* (Oxford, UK: Oxford University Press, 1995), pp. 106-108.
78. *UN Sanctions as a Tool of Peaceful Settlement of Disputes*, Non-Paper by Australia and the Netherlands, prepared for the UN-Congress on Public International Law, New York, 13-17 March 1995, unpublished.
79. Conlon, "Sanctions Infrastructure," p. 17.
80. Andrew Yarrow, "Office of Foreign Assets Controls (U.S. Treasury)" and "The State Department's Role and Concerns about Sanctions," unpublished draft reports to the Carnegie Commission on Preventing Deadly Conflict, May 1995.
81. Conlon, "Sanctions Infrastructure," p. 23.
82. Gareth Evans, *Cooperating for Peace* (St. Leonards, Australia: Allen & Unwin, 1993), Chapter 9.
83. *Report of the Collective Measures Committee*, General Assembly Officials Records Succession, A/1891, New York, 1951 and A/2215, 1952.
84. For an excellent survey of the relative strengths and weaknesses of regional security arrangements see: Charles Van de Donckt, *Looking Forward by Looking Back: A Pragmatic Look at Conflict and the Regional Option*, Policy Staff Paper No. 95/01 (Ottawa, Canada: Department of Foreign Affairs and International Trade, September 1995).

85. "Africans Vote for Sanctions Against Coup in Burundi," *New York Times*, August 1, 1996.
86. See, for example: Daniel J. Kaufman, *The Role of the Military in Preventing Deadly Conflict*, Report to the Carnegie Commission on Preventing Deadly Conflict, forthcoming.
87. See, for example, Melanie H. Stein, "Conflict Prevention in Transition Economies: A Role for the European Bank for Reconstruction and Development?" in Abram Chayes and Antonia Chayes, *Preventing Conflict in the Post-Communist World: Mobilizing International and Regional Organizations* (Washington, DC: Brookings, 1996).
88. Kimberly Ann Elliott, *Towards a Framework for Multilateral Sanctions*, paper prepared for the Carter Center Conflict Resolution Program, March 25-26, 1996.
89. *Our Global Neighbourhood, The Report of the Commission on Global Governance*, Chapter 5, "Reforming the United Nations," pp. 225-302.
90. *The United Nations in Its Second Half-Century*, a report of the Independent Working Group on the Future of the United Nations (see note 77).
91. John F. Kennedy, speech to the UN General Assembly, September 20, 1963.

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