



UNITED NATIONS
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UN Sanctions and Mediation Project

*UN Targeted Sanctions*¹

Targeted sanctions are applications of restrictive measures by a State, regional or international organization to coerce targets to change their behavior, constrain them from engaging in proscribed activities, and/or signal a violation of international norms. These measures include, but are not limited to, economic sanctions, and may be applied to States, individuals, non-State actors, sectors of activity, or regions of a country. Targeted sanctions differ from comprehensive sanctions in that they are discriminating policy measures. Rather than being applied on an entire country and its population (as are comprehensive sanctions) with resultant harmful humanitarian consequences, targeted sanctions are designed to affect only those relevant to its policy purposes.² Comprehensive sanctions have not been imposed by the UN Security Council since 1994 (in Haiti and the former Yugoslavia), and the last UN comprehensive sanctions (in Iraq) were lifted in 2003.

Targeted sanctions have been used for a wide range of policy objectives. Since the end of the Cold War, the UNSC has used them to address problems associated with armed conflict, counter terrorism, oppose non-constitutional changes of government, address challenges to nuclear non-proliferation and, in one instance, to protect civilians against mass atrocities. Yet, in the majority of cases (nearly 60%), the principal objective of the UNSC was to address problems associated with armed conflict, including efforts to cease hostilities, negotiate a peace settlement, enforce peace agreements, and support peace-building activities.³ Non-armed conflict sanctions cases might also be relevant to peace mediation, however, as in the efforts to prevent the escalation of violence following Guinea-Bissau's 2012 military coup.⁴

UN sanctions are never used alone (i.e. without the presence of some other policy instrument) and therefore should not be evaluated in isolation. They are almost always accompanied by diplomatic and mediation efforts (97%) and often used together with peacekeeping (62%) and the threat or use of force (62%). They are also almost always accompanied by regional and unilateral sanctions (90%), which often precede UN action (70%).⁵ Thus, rather than understanding sanctions as a simple sender/target relationship (as is the tendency in the literature), it is important to think about the interactive effects between sanctions measures and all other policy instruments used to achieve similar policy objectives.

One of the major challenges in evaluating the consequences of UN sanctions is differentiating them from the presence of other sanctions measures, typically unilateral coercive measures imposed by other states or by regional organizations. Targeted parties tend not to differentiate among the different senders of sanctions (many of whom legitimize their actions with reference to UN Security Council resolutions and their mandates). This can have implications for the reputation of the UN, particularly when its targeted sanctions measures are lumped together with other international sanctions and are not distinguished from the more comprehensive measures applied by other actors. This can complicate the environment for the mediators the UN sends to the region or those operating under UN auspices.

Although virtually all sanctions regimes today are targeted in some form – not only UN sanctions, but also unilateral coercive measures applied by the EU, the AU, and by the United States – it is becoming increasingly difficult to keep targeted sanctions targeted. While targeted UN measures are designed by Member States in New York, they are implemented at the national level, and often by private sector firms, particularly when it comes to targeted financial sanctions or insurance and shipping bans. Thus, the carefully targeted measures outlined in the text of a UN Security Council resolution may be broadened when they are translated into domestic law and subsequently when they are implemented at the level of individual firms.

While nearly all major financial institutions have expanded their compliance divisions in recent years, it is sometimes difficult for them to be certain about whether a particular transaction could benefit a sanctioned party, and thus a growing number have engaged in de-risking practices which effectively result in bans on all transactions with individuals and entities operating in a targeted country. This has implication for the claim that targeted sanctions remain restricted to those most responsible for the violation of international norms. It has also broadened their impacts to a much wider population particularly in countries undergoing civil war and those which contain groups engaged in the commitment of acts of terrorism either locally or globally. This can complicate the activities of mediators operating under the auspices of the UN, particularly if UN sanctions are broadly perceived as punitive measures adversely affecting a largely innocent civilian population.

Although most of the sanctions literature focuses on the extent to which sanctions are capable of coercing a change in the behaviour of a target, UN sanctions also send normative signals, both to targets and to other relevant populations. The role sanctions play in sending normative signals, whether in the form of attempts to reinforce a norm or to indicate a preference in the hierarchy of norms, is one of the least examined aspects of sanctions. Although virtually all UN sanctions resolutions make references to the violation of international norms, the texts of UN Security Council resolutions are not always clear, since they are sometimes based on a "calculated ambiguity" that leads to compromise wording and an ever-increasing list of demands on the target. Since UN authorized mediators are frequently engaged in negotiations with the very targets of these normative signals, their proposals for conflict resolution can be complicated by what can sometimes appear to be a contradictory list of requirements or an ever-increasing addition of new demands.

Endnotes

1. This section draws on a background paper commissioned by the SMP partners and written by Marcos Tourinho: Background Sanctions Paper, prepared for the UN Sanctions and Mediation Project, June 2017.
2. Thomas J. Biersteker et al., "UN Targeted Sanctions Datasets (1991-2013)," *Journal of Peace Research* (Forthcoming).
3. Biersteker, Eckert, and Tourinho, Targeted Sanctions: The Impacts and Effectiveness of United Nations Action.
4. Other objectives have been invoked as part of the rationale for the imposition of UN sanctions. Human rights concerns are routinely recalled, though never as the primary objective, and occasionally, the provision of humanitarian relief and management of natural resources have also been included in resolutions as additional rationales for sanctions regimes.
5. All of these statistics are derived from the TSC database developed by Biersteker, Eckert, and Tourinho and utilized in their book, Targeted Sanctions: The Impacts and Effectiveness of United Nations Action.