



Forum: Economic and Social Council
Question of: Deliberating the efficiency of sanctions as conflict mitigation measures
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I. Description of the Issue

International sanctions have become a key element in contemporary international relations over the past decades. They are frequently used as an alternative to armed forces in order to enforce multiple goals such as behavioral change.

Even though being the most well-known ones, sanctions are not limited to trade embargoes but include a broad range of enforcement options. The most common measures applied are arms embargoes, economic sanctions or diplomatic sanctions.

Sanctions can also target individuals, groups or entities and are not necessarily addressed at countries. These contain e. g. asset freezes or travel bans.

Sanctions usually are designed to avoid military intervention to save lives, however, especially economic sanctions often come with side-effects for the local civilian population because a tighter economic situation often leads to worsening living conditions.

Russia's military intervention in Ukraine and the many rounds of sanctions that have been imposed by the West since then (the United States, the European Union, etc.) have revived the debate on sanctions. Can sanctions even push governments to change their policies?

And in an increasingly globalized world, how easy can sanctions be undermined?

The adverse consequences for the sender country also need to be considered, when taking action.

This leads to the question: How efficient are sanctions nowadays?



II. Definition of Key Terms

Sanctions

Measures taken by countries or organizations imposing restrictions on activities that relate to particular countries, themes of conduct, goods and services, or persons and entities without involvement of armed forces. ^{6,7}

Targeted Sanctions

These sanctions aim at specific individuals or entities, e.g. by employing a blockage of assets or prohibition of economic transactions to prevent humanitarian fallout resulting from broad-brush sanctions.

Sender

Country/government imposing the sanctions.

Target

Person, country, entity, group, etc. on which the sanctions have been imposed on.

Economic Sanctions

Economic sanctions include restrictions in the trade, defence, technology, finance, transport and energy sectors. These restrictions can be implemented in form of sanctions on supply, import, service, commercial activity, transit and transportation. ^{4, 5, 7}

Diplomatic Sanctions

The measures identified as diplomatic sanction are interruption of diplomatic relations or the recall of diplomatic representatives. However, these measures complicate communication and peacefinding and therefore have to be considered carefully. ⁴

Collective Security System

Collective security is an instrument to prevent wars. States connect in a multilateral security arrangement, in which an aggressor against one state is considered the aggressor against all other states, which will act to repel the aggressor.



Arms Embargo

A set of sanctions prohibiting either trade solely with weaponry or also with dual-use technologie, for example trucks, computer chips, software and fuels.

III. Background information

Throughout most of modern history, economic warfare in form of naval blockade have been used as instruments to weaken the enemy. In an increasingly interconnected, globalized world, sanctions soon came into the focus of governments. The horrors of World War I illustrated the need for an alternative to armed conflict and economic sanctions were more seriously considered.

In the following years, they were consequently incorporated as a tool of enforcement in the national and collective security systems.

After the end of the cold war, the UN Security Council frequently authorized sanctions to quell civil wars and national strife, especially in African countries, Yugoslavia and Iraq. After North Koreas first nuclear test in 2006 and the tests following the next years, the Security Council and numerous countries reinstated various sanctions, which initially focused on arms embargoes but were expanded to luxury goods, financial assets, banking and trade and travel.

Major powers, foremost the United States, continue to to deploy unilateral economic sanctions. However, due to the major adverse consequences on the general population, targeted sanctions gain popularity.

Furthermore weaken targeted sanctions the sender countries economy less than “normal” sanctions would do. In case, the target is a multinational organization, targeted sanctions are also the best choice.

Although these seem like the solution, they can not always be applied as specific persons or entities can not always be identified or have a representative role in the government, in which case the country as a whole will be sanctioned.

Another point is, it is in the nature of sanctions that they mostly are implemented by economically strong countries or organizations, against weaker ones, and although the latter may be able to get supply chains to topple, all the more in the future through globalization, they are often less able to compensate the economic fallout with other sectors.



Sanctions do not have to abide to many laws, as sanctions are not as regulated as armed conflict is. The main limitations are set by international humanitarian law and human rights. This can be summarized to

1. The prohibition on starvation of the civilian population:

Civilians may not be deprived of access to supplies essential to their survival

2. The right to humanitarian assistance:

This right is assured in two ways: by provisions requiring States to allow the passage of relief goods, and by provisions allowing humanitarian agencies to provide assistance.

In the UN Charter, the right to call for collective sanctions is given to the Security Council in:

Art. 39:

“The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.”

~UN Charter Article 39

and

Art. 41:

“The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include 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.”

~UN Charter Article 41

This wording can be interpreted in a way, that the Security Council is not obliged to give effect to human rights law or international the only requirement humanitarian law when it imposes collective economic sanctions, as the threshold requirement is defined as threat to the peace, breach of the peace or act of aggression while the purpose is is to maintain



or restore international peace and security, but it is generally accepted, that the power to impose sanctions must be viewed in the context of the UN Charter as a whole and should be exercised in accordance with the purposes and principles of the Charter, which include the promotion of human rights and the prevailing norms of international law.

As the UN states, sanctions are not designed as punitive measures but to support governments and regions working towards peaceful transition.

However the difference that sanctions make can not be measured and compared to the situation, in which no sanctions have been applied.

This is the main refutation against sanctions. The peaceful transition can not be seen as data.

So the next goal is examined: have sanctions ever achieved a policy change of the target?

The opinions are divided on this matter: China, Russia and the Security Council's three African members (the A3) doubt it, while claiming that sanctions interfere with the sovereignty of the member states, in contrast to Western countries including the P5 nations U.S., the UK and France, still arguing in favour of sanctions as a means of putting pressure on recalcitrant governments, signalling international disapproval and reducing the flow of arms and funds to conflict parties.

IV. Major Countries and Organizations Involved

United Nations Security Council (SC)

The SC is the only organ of the UN that can impose sanctions by calling upon all member states for collective sanctions.

It currently oversees fourteen active sanctions regimes, which range from jihadist groups and criminal gangs to nations suffering armed conflict.

Russian Federation

Russia is the most sanctioned country by far and subject to more than 20,000 sanctions, implemented mostly by western countries in response to the invasion of Ukraine in 2022.

Islamic Republic of Iran

Iran holds the second place after long being the most sanctioned country with ca. 5,000 active sanctions, aimed at Iran's nuclear program and the financing of terrorist groups. The sanctions include financial and trade embargoes.



United States of America (USA)

The USA are one of the most important sanctions senders worldwide.

European Union (EU)

The EU is also one of the most important sanctions senders, but as a multilateral sender, conflicting economic interests and the institutional structure lead to less severe and fewer sanctions compared the USA. The EU often cooperates together with the USA on sanctions.

v. Previous attempts to solve the issue

SC Resolution 2664, 9 December 2022

The Security Council decided to provide a “humanitarian carve-out”, a standing humanitarian exemption, to the asset freeze measures imposed by United Nations sanctions regimes.

The provision, processing or payment of funds, other financial assets or economic resources or the provision of goods and services necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs are permitted, even when asset freezes are in force.

GA Resolution 60/1. 2005 World Summit Outcome, 16 September 2005

Paragraph 108. calls for an improvement of the SC’s monitoring of the implementation and effects of sanctions, to ensure that sanctions are implemented in an accountable manner, to review regularly the results of such monitoring and to develop a mechanism to address special economic problems

Paragraph 109. calls for fair and clear procedures for the imposition and lifting of sanctions measures, as well as for granting humanitarian exemptions.

VI. Possible solutions

- Enhancing the measure of targeted sanctions to minimize effects on society, that it can be applied more often on specific individuals than countries
- Improving systems that monitor sanctions so the latter can quicker be adapted to content/ discontent behavior of the target as incentive for the target to modify it’s behavior



VII. How to prepare as a delegate

As a delegate, you should consider these questions:

- What is my country's stance on this matter?
- Is/was my country (currently) being sanctioned, if so, then by whom and why?
- Does my country currently impose unilateral or multilateral sanctions? On whom and why?
- Is my country in a close (economic) relationship with another country with a specific stance?
- What is the position of my biggest and most influential trading partners?

All delegates are obligated to write at least one draft resolution and a minimum of two preferably three position papers so that all topics of the forum are fully covered.

The deadline to send in the documents is the 21.09.24. Position papers sent in afterwards can not be corrected. Documents turned in later than that should not be included in decision-making when it comes to **awards** as for that it is important to see how much work the individual delegates put into preparation.

VIII. UN resolutions

IX. Sources

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