



USING ECONOMIC SANCTIONS TO PREVENT MASS ATROCITIES

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In theory, the punishing denial of resources and condemnation that international sanctions impose on targeted leaders should thwart their ability to kill their citizens. But history shows sanctions are often ‘too little, too late’ to prevent or to halt mass atrocities. The few, partial successes occur when early warning indicators of mass atrocities are recognized, lead to diverse, swift, and properly targeted sanctions, and these combine with other tools of a multifaceted strategy to end the killings.

With the adoption of Resolutions 1970 and 1975 in early 2011, the United Nations Security Council solidified the ‘Responsibility to Protect’ doctrine to prevent mass killings and imposed a diverse set of sanctions on the leaderships and national assets of Libya and Cote d’Ivoire respectively. The Qaddafi regime in Libya had mobilized their military to ‘crush the cockroaches’ protesting its rule, while the rise in ethnically and politically charged hate speech, combined with President Gbagbo’s refusal to accept his defeat in the national election, led to United Nations (UN) sanctions. Despite defeating Qaddafi’s immediate actions, the former case deteriorated quickly into external intervention and a decade of civil war. But in Cote d’Ivoire, sanctions plus UN peacekeeping forces prevented mass atrocities.

These cases illustrate that sanctions might be an effective method for stifling mass atrocities. But this claim has had more political appeal than the evidence of its effectiveness warrant. In the early 1990s, sanctions did not constrict Serbian atrocities in Bosnia. Despite indicators of impending violence in 1994, the genocide unfolded before any actions were taken in Rwanda. A year later, United Nations on-going debates and then weak sanctions meant genocide proceeded in Darfur. The past decade of Assad regime brutality in Syria, and the politicide waged by the military junta in Myanmar, prove that even the best designed sanctions will fail if leaders have sanctions-busting allies and a leadership rejecting diplomacy.

Because of such limited success in stifling mass violence against the innocent, the insights and recommendations offered here are an amalgam of best practices across cases of partial success, as well as lessons learned from blatant failures. We underscore these via three queries below.

What sanctions to apply?

Whether the sanctions imposers are the United Nations, the African or European Union, or the United States, decision-makers can choose from a variety of targeted sanctions to deter, constrain, or punish those committing mass atrocities. These include freezing financial assets of the national government held overseas, its leaders individually, and those of public and private entities and individual enablers of a killing regime. Also available are denial of visas and access to international travel; sectoral sanctions which designate traded and income-producing commodities; and arms embargoes, which now must include computers and various communications technologies.

Imposing targeted financial sanctions has most often been the first choice because they quickly deny to a regime massive economic resources. The most conspicuous example, later turned bitter irony, is the 2011 Libya case wherein some \$36 billion were frozen in a week, thus preventing Qaddafi from hiring mercenaries and amassing new weaponry and ammunition. Historically, financial sanctions followed by tightly enforced arms embargoes and trade sanctions have proven the most effective way to stifle perpetrators' ability to sustain abuses once begun.

Who to sanction?

As evidence of mass atrocities begin to appear, arms imports and the finances of leaders, their close aides, the commanders of security forces, and the perpetrators doing the killing must be sanctioned as soon as possible. But past cases also indicate that to perpetrate their crimes, rights-abusing leaders rely on various internal and external sub-elite actors who operate in the economic, social, and idea sectors of a society. These 'enablers' - persons and entities that neither give the order or use a weapon to kill - provide the less visible, but essential goods and services that empower atrocities and help leadership withstand external sanctions.

Thus, in crafting sanctions, policymakers must ensure that they disrupt the perpetrators' internal and foreign networks of money, support, goods, and communication. Failed cases like Myanmar illustrate that to cut the atrocity perpetrators off from their support system, sanctions must cast a wider net, maybe even pre-emptively, and impose secondary sanctions on external supporters.

What facilitates sanctions success?

Research has proven that atrocities arise from pre-existing risk factors and patterns of escalation that serve as 'early warning indicators' of an intentional mass atrocity. Unless policymakers mobilize sanctions very quickly to disrupt these triggers of violence and those actors who manipulate them for killing, sanctions will not attain their goal. Such timing warrants an early role of national sanctions, especially in imposing targeted asset freezes and travel sanctions. But these must be reinforced and expanded by regional actors and international bodies like the UN, both for practical reasons of coordinating sanctions implementation and to solidify legitimacy and longevity.

Recommendations for Policymakers

Given the points noted above, to maximize their chances of success, sanctions:

1. must always be employed as tools serving a wider and clearly articulated political strategy aimed at changing the behavior of perpetrators and preventing further crimes against the innocent. Thus, even the first salvo of sanctions must be accompanied by strong diplomacy, encourage mediation, and should provide their targets with a framework for negotiation and political resolution.
2. should be sufficiently flexible to adapt to changing circumstances, such as factions in a regime wanting to renounce the brutal policies, or to defect. Lifting sanctions on individuals taking these actions can serve as an incentive for other individuals to defect and negatively affect regime resources. In many cases, as from the 1990s to mid-2000s, UN military peacekeeping forces might intervene to stop the immediate killing and support active diplomacy.
3. can serve, in some cases, as an economic holding cell before the International Criminal Court issues legal directives to prosecute documented atrocities that have occurred and to hold specific abusers accountable.

With the fine-tuning of sanctions in the directions discussed herein, and with more determined political will, the international community can enhance its capacity to avert atrocities and affirm its commitment to "never again." The task ahead is to sharpen and regularize the factors and decisions needed to empower sanctions to prevent or end mass atrocities.

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Recommended Reading:

1. Biersteker, Thomas, Rebecca Brubaker and David Lanz. *UN Sanctions and Mediation: Establishing Evidence to Inform Practice*. United Nations University, 2019. https://i.unu.edu/media/cpr.unu.edu/attachment/3413/UN_Sanctions_and_Mediation_WEB_FINAL.pdf
2. Lopez, George A. *Tools, Tasks, and Tough Thinking: Sanctions and R2P*. New York: Global Centre for the Responsibility to Protect, 2013. <https://www.globalr2p.org/publications/tools-tasks-and-tough-thinking-sanctions-and-r2p/>
3. Rosenberg, Sheri P., Tibi Galis, and Alex Zucker (eds). *Reconstructing Atrocity Prevention*. Cambridge: Cambridge University Press, 2015.
4. Welsh, Jennifer M. "Mediation and Sanctions: Applying Conflict Prevention Tools in Atrocity Crime Settings," in Sarma, Serena K. and Jennifer M. Welsh (eds.), *The Responsibility to Prevent: Overcoming the Challenges of Atrocity Prevention*. Oxford: Oxford University Press, 2015, pp. 103-118. <https://doi.org/10.1093/acprof:oso/9780198717782.003.0005>