

SHORT TITLE: *Economic Sanctions*

Economic sanctions: the kinder, gentler alternative?

NEIL ARYA

Physicians for Global Survival, Ottawa K1R 6P1

Abstract

Economic sanctions are often considered to be a legitimate, more peaceful alternative to war. Using examples, particularly that of Iraq, it is evident that this is not necessarily so. As attempts are made to design coercion on nation states short of war, we must heed these examples and consider sanctions as a form of siege warfare. This paper attempts to refine criteria to allow the imposition of sanctions. These would be similar to those allowing the imposition of war. In the realm of international governance, not only must sanctions be employed by the authority of international society, after other less coercive measures have been attempted, they must be supported by the people whom they are meant to protect, and efforts must be made to minimize and to monitor their consequences.

Keywords: *Iraq, Just war, Responsibility to Protect, Sanctions, War*

Introduction

Economic sanctions are being used increasingly in international affairs as a cheaper form of coercion, less aggressive than war with fewer human costs, and more politically feasible. As Joy Gordon asserts, imposing sanctions is doing something ‘more substantial than mere diplomatic protests, for the most part avoided the scrutiny that military actions would face, in the domains of both politics and ethics’ [1]. In the 45 years prior to 1990

the United Nations Security Council (UNSC) approved partial or comprehensive sanctions just twice, against Rhodesia and South Africa. Yet in the 1990s, in what has been termed ‘the Sanctions Decade’ [2], the Security Council imposed comprehensive sanctions on a dozen countries, including the former Yugoslavia, Libya, Somalia, Liberia and Haiti. In addition, when non-state actors such as UNITA and the Khmer Rouge failed to respect the norms of the international community, areas controlled by these actors were subject to sanctions.

This paper explores the use of sanctions in several country case studies and their varying damage to human health and well being. Given their impact, sanctions must be imposed with definitive criteria, then strictly planned, regulated and monitored. The paper attempts to develop a framework for the international community to make such decisions.

Sanctions can be military, such as those imposed by western nations on India, Pakistan and later on North Korea for testing nuclear devices; diplomatic, including closing embassies; or cultural involving sports and entertainment ties. Such sanctions are usually considered useful coercive actions which do not harm ordinary people. They can be unilateral, such as the trade sanctions the United States has imposed on Cuba, or multilateral. The rationale can be as simple as the protection of human rights or more complex, to maintain international order or to sustain regional and global hegemony. This paper will be focused on economic sanctions, more precisely economic trade sanctions which involve restricting, or cutting off entirely, a country’s exports and imports, thus targeting the general civilian economy.

The US has been a leader in imposing or maintaining sanctions, using them more frequently and in many more contexts than any other nations; by some estimates, two-thirds of the sixty times such measures have been used [3], three-quarters of them unilaterally [4].

This has implications for strategies of international governance. Some argue that sanctions against Libya helped coerce it to accept international norms, end support of terrorism, and give up its clandestine efforts to acquire or build weapons of mass destruction (WMD) [2] and that sanctions against Iraq forced it to destroy, and prevented it from reacquiring, WMD. Others assert that progress with Libya predated sanctions, and, at least in the case of Iraq, that the civilian costs were too high for the objective [2].

The latter led to a movement in diplomatic circles for 'targeted sanctions' or 'smart sanctions', carefully balancing combinations of sanctions for non-compliance with rewards for compliance. In the context of activities by regimes that the international community largely appears to oppose, such as developing WMD in North Korea and possibly Iran, and where regimes may violate rights of their own citizens such as Sudan, Myanmar, Uzbekistan or Zimbabwe, we are asked to consider whether targeted economic sanctions might be appropriate.

Can sanctions be moral and effective?

Sanctions have been imposed by the UNSC (as opposed to the US) to protect human rights and to promote peace on countries such as Rhodesia, South Africa, Haiti, and Yugoslavia. Article 39 of the United Nations Charter asserts that 'massive and systematic violations of human rights constitute a threat to peace' while Article 16 permits the

UNSC to impose economic measures to address ‘threats of aggression’ and ‘breaches of peace’.

In one study, only five per cent of cases in which sanctions were imposed was there some political change that could clearly be attributed directly to them [5]. The most cited case of success is that of South Africa, where comprehensive and multilateral sanctions were imposed in the 1980s involving military, diplomatic, travel and economic components. Given poor or inconsistent enforcement by many states, and the voluntary nature except for the military components, these had limited concrete effect. They were however credited with eroding the internal legitimacy of the *apartheid* state, especially when accompanied by citizens’ divestment campaigns in the West. Since South Africa was not dependent on imported staples, humanitarian costs were low and support by a viable, effective internal opposition, the African National Congress provided explicit, informed consent from those who would bear the greatest burden.

Haiti

When the democratically elected government of Jean Bertrand Aristide was overthrown in Haiti by General Raoul Cédras in 1991, the Organisation of American States (OAS) imposed diplomatic and economic sanctions a month later. The UN imposed more comprehensive limitations on fuel and arms in June 1993 through Security Council Resolution 841. Sanctions were lifted in August after the Governor's Island agreement where the Cédras government agreed to go. When the regime reneged on the agreement, the UN re-imposed sanctions in October, but during this time the military government had stocked up on food and arms. In May 1994 travel sanctions on the regime were

increased. At the end of July 1994 the UNSC adopted Resolution 940 authorising member states to use all necessary means to facilitate the departure of Haiti's military leadership and to restore Haiti's constitutionally elected government to power. This was the first time UN sanctions were imposed to try to restore democratic government. Finally in September 1994 ex-President Carter led negotiations to allow Aristide back, forcing Cédras to flee and for elections to take place [2:p.96].

The effectiveness of sanctions was limited by variable enforcement, particularly cross-border trade with the Dominican Republic. The *Front pour l'Avancement et le Progrès Haitien* (FRAPH) regime was able to profit from the black market in goods. The exemption of US law allowing transferring of money by rich ex-Haitians back home was finally stopped in 1994. Possible health effects included malnutrition, and infant mortality increased from 56 to 61 per thousand from 1987 to 1994.

During the period of the Duvalier dictatorship prior to Aristide obtaining power, it appears that ordinary citizens overwhelmingly supported the imposition of sanctions to overthrow the regime, believing aid only strengthened the regime. A popular flyer asked 'Do you wish to punish us with your aid?' [6]. A Harvard team initially calculated the effect of sanctions as a thousand children dying per month [7], though later physician members of the team retracted this, saying that repression, corruption, and mismanagement might be more responsible for such death than sanctions.

Cuba

Unhappy with actions of the Cuban government of Fidel Castro, including the expropriation of land with minimal compensation, the US unilaterally imposed an

economic, commercial and financial blockade, *el bloqueo*, on 7 February 1962. This was codified through the 1992 Cuban Democracy (Torricelli) Act and 1996 Cuban Liberty and Democracy Solidarity (Helms Burton) Act. The OAS joined in imposing sanctions from 1964 to 1975.

In contrast to other sanctions discussed here, the UN never endorsed such sanctions and support for these measures eroded. By 2003 the UN General Assembly voted strongly for an end to the embargo, with only three countries opposing (US, Israel, Marshall Islands) and in 2005 with a fourth, Palau, also opposing [8].

The Helms-Burton Act threatens any non-US company that ‘knowingly traffics in property in Cuba confiscated without compensation from a US person’ with litigation and may bar such company's leadership from entry into the United States. Essentially it covers any transactions with Cuba, since everything is in some way connected to something that was confiscated in the late 1950s. Until 1999 trade involved donations of medical or charitable aid, but since Hurricane Michelle in 2001 the US has allowed more agricultural and food purchase, while Cuba repaid the favour with donations to victims of Hurricane Katrina. 80,000 Americans visit Cuba annually, including over 3,000 business visits, and one billion dollars per year is sent to Cuba by its expatriates in the US.

During the first few decades of the Revolution, when the island nation was subsidised by the Soviet Union and the eastern bloc to an estimated tune of six billion dollars per year, the blockade had limited effect on Cuba apart from an increase in transportation costs. The bloc supplied Cuba with subsidies, cheap oil, consumer goods, and machinery and provided it with guaranteed export markets for its goods such as sugar and nickel. However, loss of Soviet support in the early 1990s ushered in the ‘special

period' with severe shortage of oil and machine parts resulting in much human suffering and a whole-scale restructuring of the economy including development of organic agriculture. Shortages in, for example, medical supplies, continue to this day, but the Cuban economy has become more self-sufficient, with infant mortality, life expectancy and literacy rates that rival the US; Cuba now exports medical personnel and aid. The Cuban government estimates that the total direct economic impact caused to Cuba by the US embargo is \$70 billion, including loss of export earnings, additional import costs, limited economic growth and social damage [9].

Supporters within the US say that sanctions against Cuba have prevented the domino effect of other Latin American governments moving towards communism. Critics charge that, rather than undermining the socialist nature of the Cuban system, it tied it more closely to the Soviet Union, strengthened Castro in not allowing Cubans exposure to capitalism and the 'American way of life', and gives him a scapegoat to blame for all of Cuba's problems. Further, it is morally inconsistent, given the constructive engagement towards such Communist states and ex-enemies such as China and Vietnam and a host of countries with far worse human rights record than Cuba's. Church leaders within and without the US, including Pope John Paul II who visited Cuba in 1998, have called for an end to the embargo. Many believe that it is only the small but politically influential Miami-based Cuban American lobby group, made up of expatriates who came immediately after the fall of the Batista dictatorship, that perpetuate sanctions.

Yugoslavia

Resolution 757 of the UN Security Council in May 1992 demanded that all parties cease military hostilities and prohibited all cultural, trade and military and financial contracts with Serbia. These were strengthened within a year by resolution 787 preventing shipment of goods through Serbia and resolution 820 freezing Serbia's financial assets to increase leverage against the regime. Humanitarian goods such as food and medicine were exempted from such measures. The year after sanctions were imposed, the Yugoslav economy collapsed, unemployment skyrocketed, inflation increased to over one thousand per cent and petrol, oil for heating and cooking, household goods, and food became scarcer and expensive. Medicine, basic supplies for the pharmaceutical industries, and spare parts for hospital equipment, could not be purchased. Infant mortality, which had been steadily declining, showed a slight increase. The German physician Ulrich Gottstein argues that sanctions against Yugoslavia heightened tensions, punished innocent civilians, and helped spark the Kosovo tragedy [10].

Though the Milosevic government's propaganda machine was largely left untouched, Gottstein argues that sanctions weakened the democratic opposition, which could not get the necessary paper and spare parts for printing or radio and television station equipment. The arms embargo placed on all parties in Bosnia, which was meant to prevent damage to civilians, was considered to have disproportionately disadvantaged the Bosniacs militarily as opposed to the Bosnian Serbs. The latter's lifeline continued through Yugoslavia and other former Yugoslav allies.

Iraq

Beginning in 1990, for a period of 13 years the most stringent and comprehensive sanctions in the modern era were imposed on Iraq, meaning that virtually every aspect of the country's imports and exports was controlled. In less than ten years the country, which began the period with health, education and *per capita* income close to that of southern Europe, was reduced to a par with Haiti; the drop in development ranking by the UN Development Programme from fiftieth to one hundred and twenty-sixth is unprecedented [11]. By the time the sanctions regime was finally ended on 22 May 2003 under paragraph 10 of UNSC Resolution 1483, (with certain arms-related exceptions), up to 1.5 million excess deaths had needlessly resulted [12].

The impact of the 1991 war included an estimated 40,000 casualties, both military and civilian. In post-war uprisings, encouraged, then abandoned, by the US, a further 20,000 to 35,000 Kurdish and Shiite civilians died, and 1.8 million refugees fled [13]. Massive bombing systematically destroyed almost all of the country's civilian infrastructure - roads, railways, bridges, hospitals, water and sewage treatment facilities and factories - reducing the country to a 'pre-industrial state' [14]. Financially, the damage was estimated at \$170 billion [15]. The country's GDP fell from \$66 billion in 1989 to less than \$245 million by 1992. Baghdad, a city of five million, was left virtually without electricity for three months with no refrigeration, ventilators, air-conditioning (thereby critically damaging vaccines), blood supplies and medicines.

Imposition of sanctions on Iraq

On 6 August 1990 four days after the Iraqi invasion and annexation of Kuwait, the UNSC passed Resolution 661, imposing a full trade embargo on Iraq, freezing all its foreign

assets, excluding medical supplies, food and other items of humanitarian necessity. This was particularly damaging to a country recovering from war, one, though wealthy with oil reserves, which imported roughly 70 per cent of its food, medicine and chemicals for agriculture.

After the Gulf war in April 1991, Resolution 687 continued sanctions ostensibly to eliminate WMD and ensure inspections, but the US government under Bill Clinton and the two Bushes never hid their 'regime change' agenda. George H. W. Bush asserted that 'By making life uncomfortable for the Iraqi people, [sanctions] would eventually encourage them to remove President Saddam Hussein from power' [16].

Oil for food

Under UNSC Resolution 706 in August 1991, under a limited stop-gap proposal, Iraq was to be permitted oil sales of \$1.87 billion a year (approximately 19 cents per person per day) for food, medicines, and all other basic needs, one-third the amount recommended as a bare minimum requirement by the Secretary-General's humanitarian envoy [14]. Iraq refused to comply. In April 1995 the UNSC again proposed an oil-for-food programme, intended to mitigate the suffering of civilians without allowing Iraq to rebuild its military power but allowing its government to administer the food distribution programme. After refusing for a year, Saddam Hussein signed a memorandum of understanding and in December 1996 UNSC Resolution 986 allowed Iraq to export oil worth \$1.3 billion per six months to purchase humanitarian items needed to sustain the civilian population. This amount was doubled after Kofi Annan's visit to Baghdad in February 1998 to USD2.6 billion worth of oil every six months. In December 1999, this

limit was removed, a meaningless gesture since Iraq was not allowed to repair its oil facilities and therefore could not pump more oil. Whatever revenue increases resulted thereafter came from higher world market prices for oil and not from more volume.

Oil revenues were paid into a BNP Paribas escrow account in New York controlled by the Security Council sanctions committee, rather than to the Iraqi government. Thirty per cent of revenues, (later 25%) were to be directed to a Gulf War reparations account and just over four per cent for UN administrative and operational costs and for the weapons inspection programme. Iraq's predominantly Kurdish regions received a separate allocation, but for south central Iraq, revenue initially amounted to \$0.29 per person per day [17] for a population conservatively estimated at 18 million. Twenty-one of the 29 cents went for food contracts (inadequate to meet even bare minimum calorific needs), while eight cents was meant for all else – medicines, health care, sanitation and water supply, education, agriculture supplies: in effect, to run, administer, rebuild, and provide work and livelihood for an entire country [18].

The Oil-for-Food Programme began in October 1997 under the leadership of Denis Halliday, and the first shipments of food arrived in March 1998. Some 60 per cent of Iraq's 22 million people were solely dependent on rations from the oil-for-food plan. By the time the programme was terminated on 21 November 2003, up to US\$ 65 billion worth of oil had been sold on the world market.

However, in 2002, Gordon calculated that for US\$ \$57 billion worth of oil sold by then, only \$23 billion revenue had actually arrived in the country. This, almost the entire income of the country, was equivalent to \$170 per person per year, less than half the annual *per capita* income of Haiti, the poorest country in the western hemisphere. Iraqi

diplomats noted last year that this was well below what the UN spends on food for dogs used in Iraqi de-mining operations (about \$400 per dog per year on imported food, according to the UN) [4]. Such institutionalised immiseration should be an ‘unequivocal violation’ of fundamental human and humanitarian rights guaranteed under the UN Charter.

The sanctions committee

Under Oil for Food, certain items such as raw foodstuffs were expedited for immediate shipment, but requests for most items, including such simple things as pencils and folic acid, were reviewed in a process that typically took about six months before authorization. Items deemed to have dual use, such as any potential application in chemical, biological, and nuclear weapons systems development, were blocked. Chlorine, which is essential for water purification but which could be used to make poison gas, was prohibited for years, and chemical fertilizer for agriculture, but potentially usable for explosives, was also considered dual use.

The sanctions committee led by the British and the Americans turned down hundreds of Oil for Food contract requests on the grounds that the items could have military utility. Morphine and intravenous bags and even textbooks, medical journals, light bulbs, toys and sheet music, have been routinely embargoed. 'Even shoes can be considered dual use items,' US Secretary of State Madeleine Albright is quoted as saying, 'since it all depends on whether they are going to the general population or to the military' [19]. In early 2001, the United States had placed holds on \$280 million in medical supplies, including vaccines to treat infant hepatitis, tetanus, and diphtheria, as well as

incubators and cardiac equipment. The rationale was that the vaccines contained live cultures, albeit highly weakened ones, that might be extracted to grow a virulent fatal strain. UNICEF and UN health agencies, along with other Security Council members, objected strenuously, but the US refused to budge until March 2001, when the Washington Post and Reuters reported on the impact of withholding these medical supplies [4].

When UN weapons experts reviewed the \$5 billion worth of existing holds in 2001, they found that very few of them were for goods that warranted the security concern that the United States had originally claimed [4]. That chlorine was later allowed under direct monitoring and supervision by UN officials in Iraq points to the fact that much more could have been made accessible to Iraqis.

Security utility

There may have been negative political consequences of sanctions and oil for food. Sanctions may have strengthened the government precisely because of the need for public rationing increasing civilian dependence. As an Iraqi student is quoted as saying: 'Then we started to see the government as the provider of absolutely everything. For Saddam, it was great. The more he controlled distribution, the more effective the Iraqi police state became. After all, practically the worst thing you could do was to lose your ration card' [19]. Saddam used the pretext of the sanctions to wage a propaganda war and orchestrated a kind of traffic in suffering for television, one that even many American officials would later concede he probably won. As Joy Gordon says, 'Perhaps what we

should learn from our own reactions to 11 September is that the massive destruction of innocents is something that is unlikely to be either forgotten or forgiven' [4].

Health effects

In the first year after the war, it is estimated that more than 170,000 children aged under five died from contaminated water diseases, (including cholera, typhoid and hepatitis) and respiratory infections, exacerbated and rendered highly lethal through malnutrition, both acute and chronic. It was not until 1999, however, that indisputable data on child mortality in Iraq under sanctions became available. UNICEF's cross-country household survey documented a rate of 125 deaths per 1000 births of children before the age of five years, compared to 50 in 1990 [20]. Based on this, UNICEF estimated that 500,000 'excess' deaths in the under-five population had occurred above expected levels between 1991 and 1998. Demographers at the London School of Hygiene and Tropical Medicine confirmed these findings in July 2003, showing a rising trend in 1998 in spite of Oil-for-Food [21]. Even conservative estimates placed deaths of toddlers in the hundreds of thousands [22]. Child mortality in the Kurdish areas remained stable after war even before the implementation of the Oil-for-Food programme in 1997 due to their greater self-sufficiency in food.

Destitution and despair also led to soaring rates of psychiatric illness as hunger and physical insecurity ravaged families and social cohesion steadily unravelled. Child illiteracy steadily climbed as parents withdraw children from schools to help support the family.

Intentionality

One question is whether this destruction of people was intentional. In a Washington Post article (23 June 1991), Pentagon officials stated that Iraq's electrical grid had been targeted to undermine the civilian economy. Even prior to the war, the Pentagon anticipated the collapse of the projected Iraqi water system within six months under the embargo [23].

By 1996 all sewage-treatment plants had broken down and half of the employees involved in water and sanitation left their jobs. A 2001 UNICEF report to the Security Council found that access to potable water for the Iraqi population had not improved much under the Oil-for-Food Programme, and specifically noted that half a billion dollars worth of water and sanitation supply contracts were blocked by the sanctions committee, one-third of all submitted [4].

In a 20 March 2000 UN Committee meeting, after considerable debate and numerous US and UK objections, a UNICEF official gave a presentation on the deplorable humanitarian situation in Iraq, including 25 per cent of children in the south and centre suffering from chronic malnutrition (often irreversible) and nine per cent from acute malnutrition, with child mortality rates double that prior to sanctions. Shortly after this the US prevented mill flour from Syria from entering, saying that this would hinder internal economic development, while at the same time it continued to prevent any internal capacity from developing [4].

The US political strategy was simply to blame Saddam. To quote Bill Clinton:

We have worked like crazy to make sure that the embargo only applies to his ability to reconstitute his weapon system and his military.... He has more money today than he did before the embargo, and if they're hungry or they are not getting medicine, it is his own fault. ...So if any child is without food or medicine, it is because he has made a deliberate decision to let them die,... [24].

When asked the question: 'We have heard that a half million children have died. I mean, that's more children than died in Hiroshima. And... you know... is the price worth it?' Madeleine Albright, then US Ambassador to the United Nations and later Secretary of State, replied 'I think this is a very hard choice, but the price, we think the price is worth it.' Albright later expressed regret for her comment. [25]

The impact of the sanctions had been highlighted at a senior level and the intentions questioned. Denis Halliday, appointed UN Humanitarian Co-ordinator at Assistant Secretary-General level in Baghdad in September 1997, resigned in protest in October 1998 calling the programme genocide: 'We are in the process of destroying an entire society. It is as simple and terrifying as that.' Halliday's successor, Hans Von Sponeck, also resigned, declaring 'What is proposed at this point in fact amounts to a tightening of the rope around the neck of the average Iraqi citizen' [19].

Appraising Sanctions

Many thoughtful, liberal people still see sanctions as being the proper way of dealing with situations such as the threat posed by Iraq at the end of the last century and beginning of this one, and believe that continuing sanctions would have been far better

for Iraqis and the regional and global order than the current war in Iraq. However, given the impact of sanctions described above, that is setting the bar too low.

Sanctions are often seen as cheaper than war by risk-averse nations and politicians not willing to bear the costs or to see the effects of their actions. Some argue that ethically, economic sanctions must be considered 'a bureaucratized, internationally organized form of siege warfare, and should be seen, and judged, as such' [1]. Sanctions are a form of violence, intended to harm civilians, restricting the economy of the entire community, creating shortages of food, potable water, and fuel, manifested in malnutrition, sickness and exhaustion shortening life. The intent of sanctions may be to prevent violence rather than exacerbate it, but their method, generally left unarticulated, of collective punishment, is to cause damage directly, hoping to influence the leadership indirectly by triggering political pressure. This may be through civilian uprisings or by generating moral guilt over the civilian suffering among those supporting the regime. With less communication with the outside world, the victims, especially the poor and disenfranchised, remain relatively invisible.

As such, sanctions should be subject to the same rules of warfare with *jus ad bellum* (just causes of war), requiring belligerent parties to have valid grounds, such as a real and certain danger, proportionality and probability of success; whereas *jus in bello* (justice during war) requires that wars be fought in accordance with certain standards of conduct, such as protecting innocent life, preserving conditions necessary for decent human existence, and securing basic human rights.

Criteria of governance by which to judge whether states are abusing their duty to protect citizens have been proposed, such as conformity with international order. This

includes non-possession of WMD; low ratio of military to social budgets; little economic inequality; less corruption; respect for human rights (not engaging in torture, disappearances or the death penalty); allowing free speech, religious rights, and freedom of movement; and not having political prisoners or permitting abuse of children [26]. Other criteria might look more broadly in terms of a human security agenda or working towards Millennium Development Goals. Institutions such as the World Health Organization, World Bank, Amnesty International and Human Rights Watch could help define how governments are performing.

The International Commission on Intervention and State Sovereignty on *The Responsibility to Protect* defined the process leading to use of instruments of war, with many caveats so that armed intervention becomes a last resort [27]. Economic sanctions would have to be held to the same standard, particularly when, as in the case of Iraq, they have similar lethality. We would have to look at legitimacy of the power imposing sanctions, and apply the ICISS criteria of right intention, reasonable prospects of success, proportionality, and whether they were imposed only after other less lethal measures were applied.

Sanctions for current crises

So how might the imposition of sanctions be considered in respect of international problems today? Some feel them justified in cases of failure to follow international norms, as with the military dictatorship in Burma, Sudan where the government has been accused of being complicit in genocide, Zimbabwe with suppression of opposition and violation of basic rights, Iran and North Korea developing nuclear weapons, the Israeli

occupation of the West Bank or to the Hamas government in Gaza. Few would be concerned about non-economic sanctions involving border controls, restriction of loans to state enterprises, restriction on visas, and access to air travel for the leaderships of regimes, or bans on military and luxury items.

Harder to justify are economic sanctions on Robert Mugabe's Zimbabwe which most northern Commonwealth members including Britain feel are necessary, but are opposed by South Africa. Sanctions on Iran have been sought by the US whilst engagement is generally preferred by Europeans. Sanctions are desired on Sudan over Darfur by many in the US across the political spectrum; however, economist Jeffrey Sachs opposes tighter controls, maintaining that 'Darfur is a hungry, water-stressed, impoverished area that needs economic development as its real hope for finding long-term peace... Until we face the development challenge and make clear that we're ready to help on the development challenge, I'm afraid we are not going to have real resolution to this crisis' [28].

A framework for looking at sanctions

We must examine:

- the goals of sanctions;
- their legitimacy;
- their chances of success;
- measures of success;
- monitoring, and determining.
- What next?

Goals

The goals of economic sanctions must be clear: to prevent impending or ongoing harm to a population and to restore a legitimate government. This should not, as in Iraq, mean shifting goalposts moving from ending the invasion of Kuwait to military containment to getting rid of a dictator. They cannot be merely a way for the permanent five members of the Security Council to further their foreign policy objectives.

Legitimacy

Sanctions in Zimbabwe are considered by its neighbours as illegitimate, given the historic and current inconsistency of the UK and other countries in human rights, as for example with their current support of Uzbekistan in the War on Terror. For many, the US has little moral legitimacy in pronouncing on Darfur whilst US allies in the Arab world such as Jordan, Egypt, or Morocco practise torture. Sanctions against Iran for its nuclear programme are considered inconsistent when Israel's weapons are ignored and the P5 remain unwilling to act on their own obligations under the NPT to disarm, while the US shifts to engaging with North Korea, and now supports Indian nuclear power and turns a blind eye to that country's nuclear weapons, as it has also to Pakistan's to bolster its ally in the war against terror, President Musharraf. Consistency on principles would increase the legitimacy of sanctions and the chances of multilateral or regional support.

Internal support for sanctions designed to benefit a population or to restore democracy would be another criteria for legitimacy. This occurred in Haiti and South Africa but not in former Yugoslavia. In Iran it seems that threats have actually hardened

the resolve of the people against the US. While such support may sometimes be difficult to determine, the opinion of non-governmental organisations, of close neighbouring countries, historical allies, co-religionists or human rights groups can sometimes give an indication of support.

Ultimately, legitimacy must come through a proper process within the United Nations, where the issues of justness can be considered openly.

Prospects for success

What methods must be employed? Would military, cultural and financial restrictions be enough? Should sanctions be incremental or rapid, the former allowing for change and the latter creating greater pressure on a regime? The legitimacy of goals and tactics and proportionality affects the degree of support from other nations and the prospects of success.

Measures of success

From an economic point of view success has been defined as a difference made to an economy affecting more than two per cent of the Gross Domestic Product, in countries with a high degree of trading dependency and with high compliance of their neighbours [2:p.18]. It may take over three years for sanctions to have such an impact. In Somalia and Rwanda sanctions were only employed half-heartedly and late, with little neighbourhood support. In South Africa, white society had neither the will nor the ability to suffocate the black population, because as a minority it depended on black labour; also, South Africa had the internal resources to manage such problems.

But success may be more than economic. It is sometimes a powerful symbol of the unacceptability of a regime, beyond the cultural and diplomatic moves to make a country a 'pariah' state. Even if black-marketing occurred in Haiti or the *apartheid* regime in South Africa was able to weather the economic impact of sanctions, the demonstration of opposition by the international community gave heart to internal opposition and increased the questioning of the ruling party. In Yugoslavia, on the other hand, sanctions weakened internal opposition as people rallied around the flag. Some question whether sanctions can actually be effective in states where authoritarian regimes care little about their people, as is alleged in Myanmar (Burma) and Zimbabwe, or against militarily powerful states such as China over Tibet.

Ultimately success has to be measured against the initial objectives; these must be clearly defined.

Monitoring sanctions

Monitoring compliance is generally well done by the Security Council, but this rarely chooses to monitor the effects of sanctions on the population. Whether the damage related to sanctions in Iraq was deliberate genocide or merely inadvertent wilful non-observance of consequences and failing to monitor harm, the humanitarian consequence of these actions is unconscionable. Morbidity and mortality may be measured by health professionals and epidemiologists, by groups such as UNICEF, by the UN humanitarian co-ordinating office, or by those providing food, shelter and access to health care. Such health data should be reported regularly along with political and economic data.

What next?

At the beginning of a sanctions regime consideration must be given to future possible scenarios. Awareness is needed of the dangers of sanction's fatigue, of specific economic interests emerging, of highlighting human suffering or tiring of what is seen as an ineffective policy. Deciding when to move on from sanctions must be defined and judged in an open manner, taking account of the principles of justice; whether there has been sufficient adherence to the demands, and when and what next step needs to be taken. Does the failure of economic sanctions mean that the only right alternative is war? In Iraq, Haiti and Yugoslavia military action was eventually employed, but the outcomes were varied and catastrophic. In these respects starting a sanctions regime may seem like the first step to war.

Conclusions

Economic sanctions can have variable effects, depending on the severity of the sanctions and their administration and compliance, and the geography and internal resources of the countries. Aside from their short-term general political ineffectiveness and possibly being counterproductive in a country such as Iraq, sanctions have had an ominous longer-term legacy. The administrative capacity of the Iraqi government to implement an efficient food distribution programme probably spared the country a more catastrophic outcome, though the excess mortality and morbidity was considerable.

Few governments, especially in lower-income countries, would have the bureaucratic capacity to ensure equitable access in the face of drastic shortages and hyperinflation, especially with more rural populations.

In the context of the UN Covenants on Humanitarian and Human Rights and the Rights of the Child, economic sanctions pose an ethical and a legal dilemma, whether or not there is demonstrable support from legitimate representatives outside or inside the country. A proper process of judging when and how to employ sanctions and the monitoring of their impact at UN should not be an easy substitute for the real obligations of diplomacy, conflict resolution and disarmament and the key understanding that economic 'pressure' inevitably targets the innocent and among them the weakest.

In 2000 an Iraqi woman asked a visiting Canadian MP something we must all ask ourselves, 'If you want to punish an evil father in a big family, do you do so by killing his children?' [29].

Acknowledgements: I thank Ulrich Gottstein and Sheila Zurbrigg for reviewing this article.

References

1. Gordon J. Economic sanctions, just war doctrine and the 'fearful spectacle of the civilian dead'. *Cross Currents* 1999: 49 (3). Available at: <http://www.crosscurrents.org/gordon.htm> Accessed 2007 Sept 29.
2. Cortright D, Lopez GA. *The sanctions decade: assessing UN strategies in the 1990s*. Boulder: Lynne Rienner; 2000.
3. Elliott KA. Factors affecting the success of sanctions. In: Lopez GA, Cortright D, editors. *Economic sanctions: panacea or peacebuilding in a post-cold war world?* Boulder: Westview; 1995: p.51.
4. Gordon J. Cool war: economic sanctions as a weapon of mass destruction. *Harper's Magazine* November 2002: 43-9. Available at: <http://www.harpers.org/archive/2002/11/0079384> Accessed 2007 Sept 29.
5. Pape R. Why economic sanctions do not work. *International Security* 1997: 22 (2); 90-136.
6. Farmer P, Bertrand D. Hypocrisies of development and the health of the Haitian poor. In: Kim JY, Millen JV, Irwin AI, Gershman J, editors. *Dying for growth: global inequality and the health of the poor*. Monroe, Maine: Common Courage Press; 2000: p.70.
7. Harvard University School of Public Health. *Sanctions in Haiti: crisis in humanitarian action*. Programme on Human Security, Working paper Series. Cambridge, MA: Harvard University Center for Population and Development Studies; 1993.
8. United Nations News Centre. General Assembly issues annual call for an end to US embargo against Cuba. 8 November 2005. Available at: <http://www0.un.org/apps/news/story.asp?NewsID=16490&Cr=cuba&Cr1> Accessed 2007 Sept 29.
9. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. A 57/264. Report of the Secretary-General 26 July 2002, p 11. Available at: <http://www.cubaminrex.cu/bloqueo/Eng/Anexos/A%2057%20264.pdf> Accessed 2007 Sept 29.
10. Gottstein U. Peace through sanctions? Lessons from Cuba, former Yugoslavia and Iraq. *Med Confl Surviv* 1999;15;271-86.
11. van der Gaag N. Iraq: The pride and the pain. *New Internationalist* 1999;316 Sept: 7-10. Available at: <http://www.newint.org/issue316/keynote.htm> Accessed 2007 Sept 29.

12. Arya N, Zurbrigg S. Operation infinite injustice: impact of sanctions and prospective war on the people of Iraq. *Can J Public Health* 2003; 94 (1); 9-12.
13. Hoskins E. Public health and the Persian Gulf war. In: Levy BS, Sidel VW, editors. *War and Public Health*. New York: American Public Health Association; 2000.
14. United Nations. Report to the Secretary-General dated 15 July 1991 on Humanitarian Needs in Iraq. Prepared by a Mission led by the Executive Delegate of the Secretary-General for Humanitarian Assistance in Iraq. [Sadrudin Aga Khan]. S/22799. New York: UN, 1991.
15. Global Policy Forum. Iraq sanctions: humanitarian implications and options for the future. 6 Aug 2002. Available at: <http://www.globalpolicy.org/security/sanction/iraq1/2002/paper.htm> Accessed 2007 Sept 29.
16. Sacks B. Sanctions in Iraq hurt the innocent. *Seattle Post Intelligencer* 7 August 2003. Available at: www.commondreams.org/views03/0807-01.htm Accessed 2007 Sept 29.
17. UNICEF. Situation Analysis of Children and Women in Iraq. Baghdad: UNICEF/Iraq; 1998. Available at: http://www.childinfo.org/Other/Iraq_sa.pdf Accessed 2007, 29 Sept.
18. Boone P, Haris G, Athar H. *Sanctions against Iraq: costs of failure*. New York: Centre for Economic and Social Rights; 1997.
19. Rieff D. Were sanctions right? *New York Times Magazine*, 27 July 2003. Available at: <http://www.nytimes.com/2003/07/27/magazine/27SANCTIONS.html?ex=1060307217&ei=1&en=31d5593ddc33b3b3> Accessed 2007 Sept 29.
20. UNICEF. Child and maternal mortality report 1999. Available at: <http://www.childinfo.org/cmr/Irq/irqncont.pdf> Accessed 2007 Oct 16.
21. Ali M, Blacker J, Jones G. Annual mortality rates and excess deaths of children under five in Iraq, 1991-98. *Population Studies* 2003;57(2);217-26.
22. Cortright D. A hard look at Iraqi sanctions. *The Nation*, 3 Dec 2001. Available at: <http://www.thenation.com/doc/20011203/cortright> Accessed 2007 Sept 29.
23. MacQueen G, Nagy T, Santa Barbara J, Raichle C. Iraq water treatment vulnerabilities: a challenge to public health ethics. *Med Confl Surviv* 2004;20:109-19.

24. Democracy Now. Bill Clinton loses his cool in Democracy Now! 22 June 2004. Available at: <http://www.democracynow.org/article.pl?sid=04/06/22/148258&mode=thread&tid=25> Accessed 2007 Sept 29.
25. Democracy Now. Democracy Now! confronts Madeline Albright on the Iraq sanctions: was it worth the price? 30 July 2004. Available at: <http://www.democracynow.org/article.pl?sid=04/07/30/1519218> Accessed 2007 Sept 29.
26. Lawson R. Improving governance at the United Nations level. *Med Confl Surviv*; 21:238-44.
27. International Commission on Intervention and State Sovereignty. *The responsibility to protect*. Ottawa: International Development Research Centre; 2001.
28. Sachs J. US sanctions won't help Darfur. *BBC News* 24, 30 May 2007. Available at: <http://news.bbc.co.uk/1/hi/world/africa/6704203.stm> Accessed 2007 Oct 16.
29. Robinson S. We're killing the innocent: just back from Iraq, Svend Robinson says UN sanctions are destroying a society. *Globe and Mail* 19 January 2000. Available at: http://www.canesi.org/Engl/xRobinson19_01-Angl.html Accessed 2007 Sept 29.

(Accepted 29 September 2007)

Neil Arya is a family physician, an Associate Clinical Professor of Family Medicine at McMaster University, and an Adjunct Professor of Environment and Resource Studies at the University of Waterloo. He has previously served as President of Physicians for Global Survival and Vice President of IPPNW and taught courses in Peace through Health at the University of Waterloo and McMaster University. He has been involved in research and project work in Palestine, Guatemala and El Salvador, and written extensively about peace and environmental issues.

Correspondence: 99 Northfield Dr. E. #202 Waterloo ON N2K 3P9; email:

<narya@admmail.uwaterloo.ca>.