

EU sanctions: A key foreign and security policy instrument

SUMMARY

Sanctions have become an increasingly central element of the EU's common and foreign security policy. At present, the EU has 42 sanctions programmes in place, making it the world's second-most active user of restrictive measures, after the US.

Unlike the comprehensive trade embargoes used in the past, the EU has moved towards asset freezes and visa bans targeted at individual persons and companies, aiming to influence foreign governments while avoiding humanitarian costs for the general population. Other measures in the sanctions toolkit include arms embargoes, sectoral trade and investment restrictions, as well as suspensions of development aid and trade preferences.

The declared purpose of EU sanctions is to uphold the international security order as well as defending human rights and democracy standards, by encouraging targeted countries to change their behaviour. Measuring their effectiveness is difficult, as sanctions rarely achieve all their aims, and usually there are other causes to which changes can be attributed. However, even when this primary purpose is not achieved, sanctions may have useful secondary effects, for example by deterring other actors from similar behaviour.

The broader the international support for EU sanctions and the closer the relationship between the EU and the targeted country are, the stronger the prospects for success will be. On the other hand, effectiveness can be undermined by inconsistent application of sanctions standards and by the difficulty of coordinating implementation between multiple stakeholders.



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History of EU sanctions policy

Until the 1980s, the European Community did not adopt its own sanctions; instead, Member States took measures at national level to implement United Nations Security Council (UNSC) [sanctions](#) (which they, as UN members, were – and still are – obliged to follow). Until 1980, UN sanctions were only adopted against two countries, [Rhodesia](#) (1965) and [South Africa](#) (1977). However, the end of the Cold War made it easier to reach consensus at UN level, ushering in a '[sanctions decade](#)' during the 1990s.

Community sanctions in 1980 against the Soviet Union over its invasion of Afghanistan marked the beginning of a coordinated European sanctions policy independent of the UN. The Common Foreign and Security Policy (CFSP), established in 1992 by the Maastricht Treaty, further strengthened coordination. Sanctions are becoming an increasingly central element of the CFSP, with a steady increase in the number of countries under sanctions, from just [six](#) in 1991, to [nearly thirty](#)¹ at present. Between 1980 and 2014, the EU accounted for [36%](#) of the world's non-UN sanctions, making it the second-most active user after the United States (36.9 %).

Principles of EU sanctions policy

Definition of sanctions

At UN level, sanctions are defined as 'measures not involving the use of armed force ... employed to give effect to [UN Security Council] decisions' ([Article 41](#) of the UN Charter). EU-level sanctions are not explicitly defined in European law, but they serve a similar purpose in implementing the decisions either of the UN Security Council or the Council of the EU.

When are sanctions used and against whom?

According to the Council's 2004 [Basic Principles on the Use of Restrictive Measures](#), sanctions aim to 'maintain and restore international peace and security in accordance with the principles of the UN Charter and of our common foreign and security policy'. UN [principles and purposes](#) include maintaining international peace and security, preventing threats to peace, refraining from threats to the territorial integrity of any state, and promoting human rights (Articles 1 and 2 of the UN Charter). Article 21 of the [Treaty on European Union \(TEU\)](#) on the principles of the common foreign and security policy includes a similar list, with the addition of supporting democracy.

Implicit in the UN's commitment to preventing threats to international peace is non-proliferation of weapons of mass destruction, the basis for UN and EU sanctions against Iran's and North Korea's nuclear programmes. Territorial integrity is the basis for sanctions against Russia adopted by the EU (but not the UN, due to Russia's Security Council veto). Recognising that threats to peace and security come not only from governments, sanctions also target non-state actors, such as: al-Qaeda, ISIL/Da'esh, the Taliban in Afghanistan, and rebel groups in Mali, Libya, Somalia and Yemen.

Despite the UN's commitment to human rights in its charter, it rarely adopts sanctions over violations of human rights, not least due to opposition from Security Council members Russia and China, which consider such issues '[domestic affairs](#)'. However, human rights and democracy are the dominant theme of most autonomous EU sanctions, for example against Belarus, Burundi, China, Guinea and Venezuela. The EU has also adopted sanctions against former regime leaders accused of misappropriating state funds, such as Tunisia's Ben Ali and Ukraine's Viktor Yanukovich.

Targeted sanctions

Early European sanctions often included very wide-ranging measures, for example an [embargo](#) on Argentine imports in 1982 following the country's occupation of the Falkland Islands. However, [concerns](#) about the humanitarian impact of the 1990-2003 UN trade embargo on Iraq have resulted in a shift by the EU and the UN to a more targeted approach. EU sanctions therefore aim to have

[maximum impact](#) on the persons responsible for the behaviour concerned – typically, the political and military leaders of a regime – while minimising adverse humanitarian effects, where possible.

For this reason, the most commonly used EU sanctions are visa bans, asset freezes and arms embargoes; such measures can cause considerable inconvenience to targeted individuals and organisations without affecting the general population. Economic sanctions are rarer; where they exist, they typically target one or two strategic activities, rather than the economy as a whole. For example, [sanctions](#) against Russia restrict EU exports of technology and services used by the country's oil industry to develop Arctic, deep-water and shale oil reserves, but do not affect Russian exports of oil and gas to the EU.

The two exceptions to the principle of targeted sanctions are North Korea and Syria. It is true that EU sanctions against these countries are less comprehensive than those against Iraq in the 1990s, allowing humanitarian [aid](#) and limited [trade](#). Even so, UN officials have expressed concerns about the humanitarian impact of international (EU, US and in North Korea, UN) sanctions, which are [hindering](#) vital medical supplies in both countries.

A targeted approach also applies to development aid. In response to severe human rights abuses, the EU only very rarely cuts off development aid altogether. For example, even though it [stopped](#) paying funds directly into the Burundi government budget in 2016, EU funding for NGO-led projects and humanitarian aid continues.

Renewal procedures

EU sanctions (at least those based on a CFSP decision) are adopted for a limited period not longer than a year, but sometimes only six or even three months. Towards the end of that period, the EU reviews the situation and decides whether or not to extend sanctions.

Multilateralism

Even when UN-level sanctions are not possible, the EU aims for maximum impact by coordinating with the widest possible range of partners. The EU has adopted most of its autonomous sanctions in tandem with similar measures by the US and allied countries. For example, sanctions against Belarus were adopted by the EU, the US, Canada, Switzerland, as well as several European Economic Area and candidate [countries](#).

Differences between EU and US sanctions policy

Although the EU and the US often closely align their sanctions, there are several important differences in their general approaches. Unlike those of the EU, most US sanctions are open-ended and stay in force until a decision is taken to lift them. Partly as a result, the EU is often quicker to respond to positive developments than the US; for example, in December 2016 the US [eased](#) some restrictions against Myanmar/Burma, four years after the EU had lifted all of its sanctions except an arms embargo.

US sanctions are generally broader in scope than EU ones. For example, US trade sanctions against Syria restrict a much wider range of goods. In Russia, EU restrictions on cooperation with oil companies bar new deep-water, Arctic and shale projects, but allow pre-existing projects to continue; US sanctions bar both, and also apply to the gas sector. The EU's Ukraine-related sanctions target [38](#) organisations, compared to [428](#) on the United States' list.

In addition, some US sanctions are extra-territorial in scope, meaning that non-US citizens and companies are also expected to comply with them. For example, in 2015 French bank BNP Paribas was fined [US\\$9 billion](#) for violating US sanctions against Cuba, Iran and Sudan. For its part, the EU [opposes](#) such extra-territorial application of US and other third-country laws. In 1996, it adopted [legislation](#) allowing Member States to take measures to protect citizens and companies from the effects of such laws.

This difference of views on extra-territorial scope has led to EU-US tensions; the French government [criticised](#) the fine levied on BNP Paribas as 'unreasonable'. In 2017, the European Commission expressed [concerns](#) about new US sanctions against Russia. In this particular case, five EU companies cooperating with Russian gas producer Gazprom on its [Nord Stream 2](#) pipeline – an activity that is allowed by the EU – could face heavy fines as a result of possible new US sanctions on Russian energy export pipelines. It remains to be seen whether the US will actually adopt such sanctions, and if so, how the EU will respond.

The EU sanctions toolkit

Types of Common Foreign and Security Policy sanctions

As of February 2018, the EU has ten sanctions programmes implementing UN measures (for example, against Somalia and Eritrea). In a further eight cases (Iran, North Korea), the EU applies its own additional sanctions in parallel to UN sanctions. Finally, the EU has 24 autonomous sanctions programmes, in situations where no UN sanctions exist (Russia, Venezuela).

The most widely used measures are **asset freezes**, blocking individuals and organisations from accessing bank accounts and investments held in the EU. Usually they are combined with **visa bans**, barring individuals from EU territory.

Arms embargoes prohibiting weapons exports to countries such as China, Sudan and Yemen are very common. In some cases there are also restrictions on exports of dual-use goods (goods that can be used for both civilian and military purposes – Russia, Iran), or equipment that can be used for internal repression (Belarus, Myanmar/Burma).

Examples of **financial measures** include bans on bank transfers to and from North Korea, and on loans to certain Russian banks and energy companies.

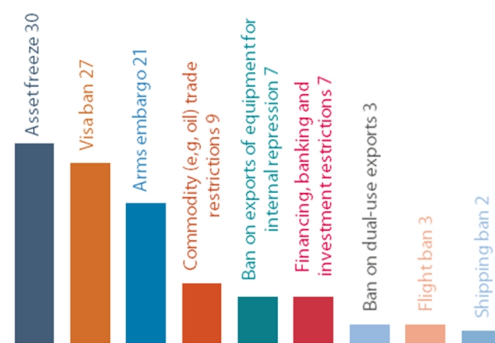
Investments in North Korea, Crimea and the Syrian oil sector are similarly banned.

Flight and shipping bans bar access to European airspace and ports to aircraft and ships from North Korea and Syria.

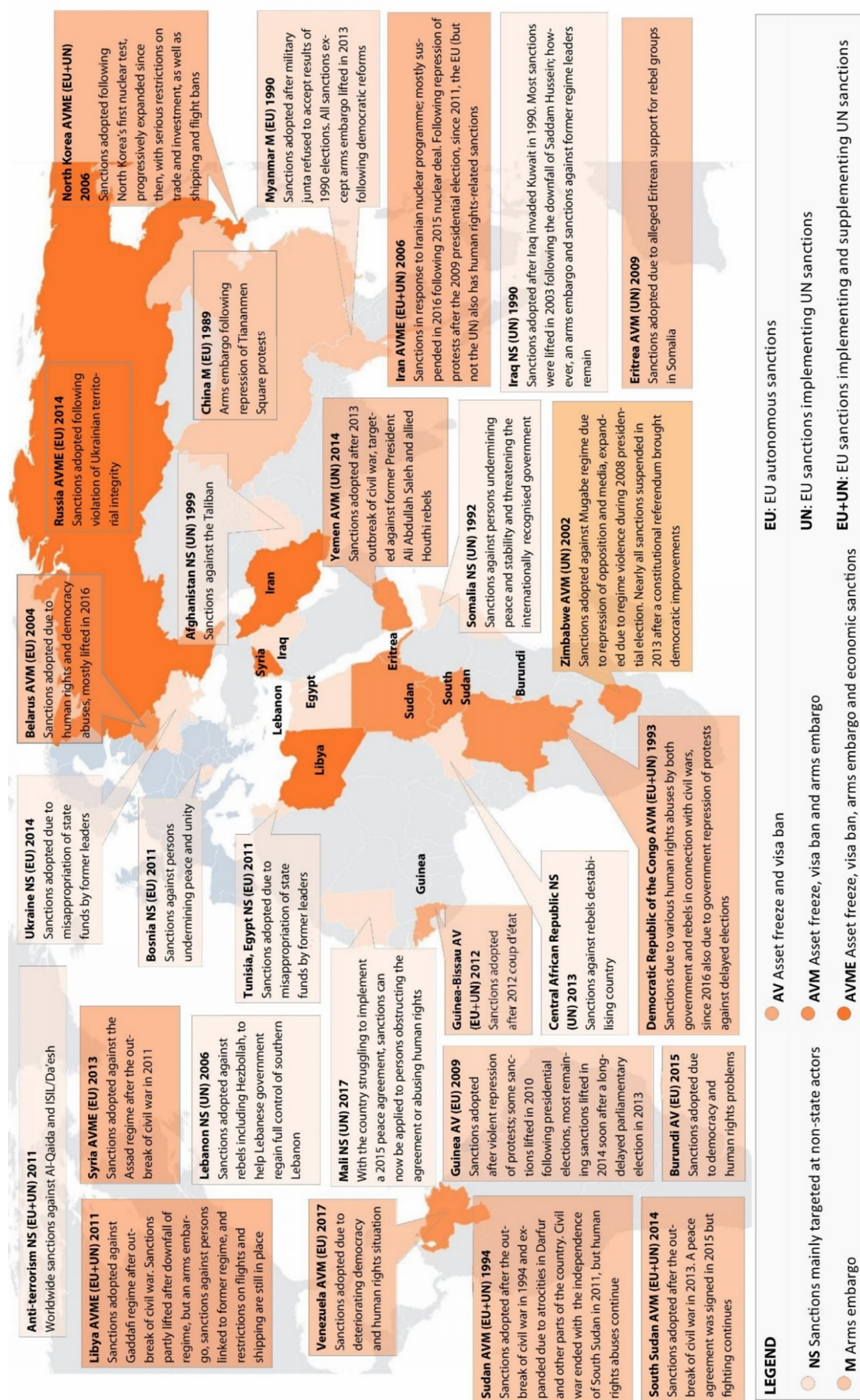
Trade measures limit exports of oil to North Korea, and of certain equipment and technology to Russian oil companies. Oil imports from Syria are banned.

Figure 1: Restrictive measures, 2018

Number of sanctions programmes including:



Source: [EU sanctions map](#), 20 April 2018.

EU sanctions programmes (based on: [EU sanctions map](#)), as of March 2018

How are CFSP sanctions adopted?

Most CFSP sanctions are adopted in a two-step [procedure](#):

1. based on a proposal from the EU's High Representative, the Council of the EU adopts a decision, which, like other CFSP decisions must be unanimous ([Article 31](#), TEU);
2. the Council also adopts, by a qualified majority ([Article 215](#) TFEU), a regulation with detailed provisions for implementation, this time based on a joint proposal from the High Representative and the European Commission. In addition, Member States have to adopt their own national rules implementing arms embargoes and visa bans, as these areas are not EU competences.

'Informal' sanctions

Some sanctions are adopted by being announced in Council of the EU or European Council conclusions, without going through the above formal procedure. For example, in 2009 the Council [announced](#) restrictions on diplomatic contacts and development aid for Honduras. In October 2017, it [suspended](#) official visits to EU countries by senior military officers from Myanmar/Burma.

In practice, these two steps are simultaneous, with the Council adopting both the CFSP decision and regulation at the same time. The involvement of the High Representative and the Commission in preparing the proposals, and of the Council in adopting them, mean that the Council, the Commission and the European External Action Service are the three institutions most involved in sanctions. The European Parliament is informed of CFSP decisions on sanctions, but has no formal role in taking them.

Sanctions-like measures

The EU toolkit includes measures which, though not officially referred to as sanctions, play a similar role:

Cutting off bilateral negotiations

The EU responded to civil war in [Syria](#) and human rights abuses in [Turkmenistan](#), by putting bilateral agreements it had negotiated with the two countries (in 2008 and 1998 respectively) on hold. In 2014 it also suspended [negotiations](#) on a new trade and investment agreement with Russia.

Suspending development aid and loans

African, Caribbean and Pacific (ACP) countries covered by the 2000 [Cotonou Agreement](#) (the majority of aid recipients) commit to upholding human rights and democratic principles. In the event of a country violating those commitments, [Article 96](#) of the agreement provides for consultations with the country concerned; if these fail to produce a satisfactory resolution, 'appropriate measures' including suspending or restricting aid are taken, by a unanimous decision of the Council. Such measures have been applied to [countries](#) including Fiji (2000, 2007), Zimbabwe (2002), Togo (2004) and in 2016, [Burundi](#).

Respect for international law and human rights is also a [condition](#) for preferential European Bank for Reconstruction and Development (EBRD) loans. Following the 2005 Andijan massacre, the Bank [pulled out](#) of Uzbekistan, only returning ten years later; in 2014 it [stopped](#) issuing new loans in Russia after the latter's aggression in Ukraine.

Withdrawing trade preferences

The EU's Generalised Scheme of Preferences (GSP) [Regulation](#) gives developing countries preferential access to EU markets, allowing them to export more easily. That access is conditional on [compliance](#) with human rights and labour rights conventions. Countries with additional privileges under the GSP+ scheme also have to comply with environmental and good governance standards. 'Serious and systematic violation' of those principles may lead to dialogue with the country concerned, and if that fails to reach a satisfactory conclusion, a temporary withdrawal of trade

privileges. To date, that has only happened [three times](#): in 1997 (Myanmar/Burma, re-admitted to the GSP in 2017), in 2007 (Belarus) and in 2010 (Sri Lanka; re-admitted to the GSP in 2017).

Based on environmental rather than human rights concerns, the EU can also ban fisheries imports from countries having serious problems with [illegal fishing](#). This ban currently applies to [three countries](#): Cambodia, the Comoros, and St Vincent and the Grenadines. Several others, including Thailand and Kiribati, have received a warning. The decision to ban fisheries imports from a given country is proposed by the Commission and confirmed by a qualified-majority decision of the Council.

Procedures for adopting sanctions-like measures

Adoption procedures vary according to the type of measure: bilateral talks with a third country can be cut off by an informal Council or European Council decision; development aid is suspended by the Council of the EU, voting by [qualified majority](#); trade preferences are withdrawn or restored by a European Commission decision. As with CFSP sanctions, the Parliament is informed of decisions, but takes no part in them.

What impact do EU sanctions have?

Economic impact of sanctions on targeted countries

As mentioned above, most EU sanctions programmes focus on visa bans, asset freezes and arms embargoes – measures that have little overall economic effect. However, as the EU is the world's [biggest](#) trading power, when it does adopt economic sanctions, they usually have a considerable effect. In most cases, that impact is hard to quantify, given that sanctions are only one of many factors influencing a country's economy.

Russia. One of the EU's most effective sanctions against [Russia](#) is the ban on lending money to state-owned banks, which has made it much harder for Russian businesses to access Western loans and investment. In 2016, a US State Department [study](#) calculated that the average company targeted by EU and US sanctions had lost about one-third of its revenue compared to non-sanctioned peers. Measuring the impact on the broader economy is difficult, given that sanctions coincided with a 75 % drop in the price of crude oil, Russia's main export earner; nevertheless, in 2015 the [IMF](#) estimated that EU and US sanctions were costing Russia 1.5 % of its GDP per year, potentially rising to 9 % in the long term. Sanctions were therefore the second main cause, after the drop in oil prices, of Russia's 2015-2016 economic recession.

North Korea. The lack of data from the reclusive country makes it impossible to quantify the impact of international sanctions; nevertheless, there is strong [evidence](#) that North Korea's economy is suffering. Admittedly, the EU's contribution to this is limited, given that even before sanctions, Brussels was not a major trade partner, accounting for just [7 %](#) of North Korean foreign trade in 2006.

Syria. In 2010, the EU accounted for [95 %](#) of Syrian oil exports and [one-third](#) of its foreign trade. Syria's loss of oil export revenue, combined with other trade and investment restrictions imposed by the EU and the US, has undoubtedly [hurt](#) the country, although any economic impact is tiny compared to the effects of a devastating civil war, estimated by the World Bank to have cost the equivalent of [400 %](#) of Syria's pre-conflict GDP.

Iran. In 2012, the EU decided to stop importing Iranian oil, which at the time accounted for [80 %](#) of Iran's export earnings, 20 % of its GDP, and [80 %](#) of government revenue. As a result of this embargo and financial sanctions that made it hard for Iran to sell oil elsewhere, the country's oil exports [halved](#). Given Iran's critical dependence on oil, it is very likely that sanctions played a major part in a sharp economic [downturn](#): in 2012, growth plummeted to -7.4 %, compared to 2.6 % in 2011. After sanctions were lifted in 2016, growth rebounded to 13.4 %.

Myanmar/Burma. EU sanctions in place till 2012 banned investment in state-owned companies, as well as imports of Myanmar gemstones and timber. Myanmar was also barred from the EU's Generalised Scheme of Preferences, which would normally give it, as a [least developed country](#), the right to export to the EU without import duties. The direct impact of trade sanctions was probably limited, as most of the country's trade is with partners that did not impose sanctions, China and Thailand in particular; exports to the EU have [doubled](#) since sanctions were lifted in 2012, but still only represent 5 % of the country's total exports. However, it is likely that ending sanctions has helped the government's efforts to reform the [economy](#) and attract more foreign investment; the latter has more than [doubled](#), from US\$1.3 billion in 2012 to US\$3.2 billion in 2016.

Do sanctions work?

Of course, the [purpose](#) of sanctions is not to cause economic pain, but (according to the Council of the EU) 'to bring about a change in policy or activity by the target country'. Judged by this criterion, sanctions more often fail than not. EU and US sanctions have not been any more successful in curbing the brutality of the Assad regime in Syria than UN measures were in Libya under Gaddafi. 13 years of sanctions have not stopped fighting or restored democracy in the Democratic Republic of the Congo; in Sudan and South Sudan, both under EU and UN sanctions for many years, horrific human rights abuses continue. According to one study, fewer than [one-quarter](#) of UN sanctions achieve their aims. An analysis of the EU's CFSP sanctions is equally pessimistic,² but concludes that other measures (for example, suspending development aid) are more likely to succeed.

Sanctions successes and failures in bringing about change

One of the most obvious sanctions success stories is the **Iran** nuclear [deal](#) signed in 2015. After nine years of UN sanctions and three years of an EU oil embargo, Iran agreed to safeguards ensuring that its nuclear programme would not be used to develop weapons; in exchange, some sanctions have been lifted. In the country's 2013 presidential election, an economic crisis triggered by sanctions swayed voters in favour of [Hassan Rouhani](#), who had promised to work towards getting restrictive measures lifted. Although the future of the deal is now in doubt due to the US [threat](#) to withdraw from it, sanctions did at least succeed in their purpose of persuading the Iranians to sign up to it.

Sanctions do not usually succeed as unambiguously as this; where changes happen, they tend to only partially match the demands expressed by sanctions, and in many cases, sanctions are only one of several likely causes. A case in point is **Zimbabwe**, under EU sanctions since 2002. Despite brutal repression, the opposition won the 2008 election, but President Robert Mugabe refused to step down. After holding out for several months, Mugabe eventually agreed later to form a government of national unity including opposition politicians. Though this arrangement did not fully meet the EU's [demand](#) for Mugabe to resign, it was at least a step forward. There is [evidence](#) to suggest that pressure on Mugabe to compromise came from regime leaders, eager to get EU and US freezes of their personal assets lifted; on the other hand, an equally important factor may have been the country's catastrophic economic situation, the result not of targeted sanctions but of misguided domestic policies.

Indirectly, EU and US sanctions also may have helped to bring about change in **Myanmar/Burma**. During their first 17 years, sanctions appeared to have very little effect on the country's military junta. However, in 2008 the junta adopted a new constitution envisaging a handover of power to a democratically elected civilian government. Since then, serious human rights abuses have continued (the EU is currently [considering](#) asset freezes and visa bans on senior military officers involved in alleged ethnic cleansing of the [Rohingya](#) minority in 2017). Nevertheless, progress was sufficient to persuade the EU to lift all sanctions except for an arms embargo in 2012. The junta's willingness to embrace reform [appears](#) to have sprung from its fears of over-dependence on China; in order to break that dependence, Myanmar needed to reach out to Western countries, which it could only do by responding to sanctions.

By contrast, it would be difficult to argue that 12 years of EU and other international sanctions have persuaded **North Korea** to abandon its quest for nuclear weapons. After years of missile tests, in August 2017 Pyongyang threatened a strike on the US Pacific island of Guam, and in November 2017 it [announced](#) that it had developed a nuclear-capable missile capable of reaching the US mainland.

At first sight, sanctions against **Russia** have also failed to bring about change; almost no progress has been made towards implementing the [Minsk II](#) agreement, the condition set by the EU for lifting its economic sanctions. However, it could also be argued that sanctions have at least deterred Russia from recognising separatist-controlled areas as independent states or encouraging further expansion into territory controlled by the Ukrainian government. Moreover, there are tentative signs that Russia may be willing to make concessions in order to get sanctions lifted; in September 2017, Russian President, Vladimir Putin, [agreed](#) to consider a UN peacekeeping mission throughout the conflict zone, an idea that he had previously rejected, and in December he [brokered](#) the exchange of over 300 prisoners between the two sides.

Achieving change is not the only purpose of sanctions

Although the declared purpose of sanctions is to achieve change, an absence of change does not mean they have necessarily failed. Even when targets cannot be persuaded to change their behaviour, sanctions can at least constrain their capacity to cause harm. For example, sanctions made it harder for Iran to import the materials it needed for its nuclear programme, significantly [delaying](#) implementation. Similarly, EU and UN sanctions have [helped](#) to cut off financing to al-Qaeda and other terrorist groups.

Another purpose of sanctions is deterrence. The heavy cost of nuclear-related sanctions to North Korea is likely to discourage other countries from following its example. Finally, sanctions are a means of satisfying political demand for a response to crisis situations at a much lower human and economic cost than military intervention.

Finally, sanctions also have a signalling effect, in that they confirm the EU's commitment to certain values. For the EU to remain silent in the face of brutal repression of pro-democracy protests in Tiananmen Square would have been morally unacceptable, even if the arms embargo adopted in 1989 has had little impact on China and is unlikely to influence its policies.

Sanctions success factors and challenges

Factors that help and hinder the success of sanctions

Broad international support is a key success factor

The more countries support sanctions, the harder it is for targets to get round them. Sanctions against Iran were more effective because they were supported by most of the international community. By contrast, Myanmar/Burma was able to hold out against EU and US sanctions for decades, thanks to uninterrupted economic cooperation with China and other neighbouring countries. Western arms embargoes have little effect on countries such as Myanmar and Syria, since they can easily buy from alternative suppliers, such as [China](#) and Russia. Despite officially backing the UN's position on North Korea, China and Russia are also suspected of undermining sanctions against the country, for example through secret [oil sales](#).

Targeted versus general sanctions – which work better?

As explained above, EU sanctions policy has shifted since the 1990s from more comprehensive economic sanctions to targeted measures, such as visa bans and asset freezes, often aimed at a country's elite. Sanctions experts are [divided](#) on the question of which approach works best. The case of Iran, where the effect of sanctions on living standards helped to bring success, suggests that the greater the economic impact of sanctions is, the more likely they are to get results. A counter-example is Zimbabwe, where targeted sanctions worked by causing personal inconvenience to

regime leaders. The choice between broad and narrowly targeted sanctions partly depends on conditions in the country concerned. For example, economic sanctions against vulnerable developing countries could come at an unacceptable humanitarian cost. Another consideration is the nature of the behaviour that sanctions are intended to address. It could be argued that the seriousness of North Korea's nuclear threat justifies the humanitarian impact of sanctions on the country's population.

The more democratic a country, the greater the influence of sanctions

Sanctions aim to bring about change by inconveniencing a country's general population or its elite, resulting in pressure on governments to make concessions. The case of Iran suggests that this mechanism is most likely to work in countries that even if not fully democratic, at least provide for an alternation of power. By contrast, authoritarian regimes do not allow public discontent at the effect of sanctions to be expressed, let alone to influence government policy; this factor could help explain why international sanctions on North Korea have not succeeded despite their economic impact.

A second factor that also prevents sanctions from influencing policy is the '[rally round the flag](#)' effect. Instead of inspiring calls for change, sanctions can sometimes rally public opinion behind leaders, perceived as defenders of the country against hostile foreign acts. In Russia, despite discontent at an economic downturn aggravated by sanctions, a May 2017 [poll](#) suggests that an overwhelming majority (70 %) of Russians want their country to continue its foreign policy unchanged, regardless of sanctions, with only 19 % in favour of making concessions to get them lifted.

Sanctions are also favoured by close ties with the targeted country

The closer the economic and political ties between the countries targeted and those imposing sanctions, the greater the leverage that sanctions can have. A statistical analysis of [sanctions](#) between 1914 and 2006 shows a strong [correlation](#) between the level of pre-sanctions trade as a percentage of the targeted country's GDP and the probability of a successful outcome. This factor is another explanation why international sanctions against North Korea have not worked; after decades of isolation, the country has become [resilient](#) to external influences.

Challenges faced by EU sanctions policy

Consistently defending the international order

One accusation often levelled against EU sanctions policy is a [lack](#) of consistency. The EU is participating in anti-proliferation sanctions against Iran and North Korea; by contrast, its response to Indian and Pakistani nuclear tests was much [weaker](#). Iran is also targeted by EU sanctions due to human rights abuses, unlike Saudi Arabia, where the situation is arguably [worse](#). In 2007, the EU [withdrew](#) Belarus's GSP trading privileges, citing the country's harassment of independent trade unions; however, Vietnam, which continues to benefit from GSP, does not even have independent trade unions. Sanctions are only occasionally adopted against major powers: the only sanction to be adopted against China in 1989 for its violent repression of the Tiananmen Square protests was an arms embargo; in 2008, no new sanctions were added after another wave of violence in [Tibet](#). In the same year, Russia's attack on Georgia went unpunished.

All of these inconsistencies suggest that sanctions decisions are often influenced by European political and economic interests. There is an apparent reluctance to adopt measures against countries that are allies or important trading partners, or are powerful enough to retaliate. Whether or not this is true, even the appearance of inconsistency undermines the effectiveness of sanctions as a deterrent. For example, having escaped sanctions after its 2008 conflict with Georgia, Russia may have [expected](#) to get away with its 2014 aggression against Ukraine.

In the end, those expectations were disappointed: in July 2014, the EU and the US decided to adopt economic [sanctions](#) against Russia, regardless of the cost ([estimated](#) by a 2017 study commissioned

by the European Parliament at US\$35 billion in lost exports between 2014 and 2016). EU sanctions against Russia show that, despite a past track record of frequent inconsistencies, the EU is still capable of putting its economic interests second to a [principled](#) defence of international law.

Coordinating sanctions between multiple players

EU sanctions decisions require unanimity between 28 countries with often disparate interests. Adoption procedures are potentially cumbersome, involving the European Commission, the Council of the EU and the European External Action Service. Again, sanctions against Russia are a positive example of how such challenges can be overcome. In 2014, the EU responded swiftly to the Ukraine crisis and, despite repeated [challenges](#) to its unity, has maintained sanctions in place since then.

Ensuring effective sanctions implementation

Once adopted, sanctions face numerous challenges. Targets often contest restrictive measures in court, sometimes successfully; for example, in 2008 the European Court of Justice [ruled](#) that an EU assets freeze had violated the rights of suspected al-Qaeda supporter Yassin Abdullah Kadi. Evasive [tactics](#) include asset transfers to entities not under sanctions. To meet such challenges, studies have recommended that, as the number of sanctions programmes continues to grow, the EU institutions [allocate](#) more resources to sanctions policy; they have also called for closer [coordination](#) with Member State authorities involved in sanctions enforcement.

Position of the European Parliament on EU sanctions policy

The Parliament has made several recommendations on sanctions policy, for example, in a February 2012 [resolution](#), which criticises the EU's double standards, leading to different treatment of 'countries with similar human rights and democratic records'. The resolution goes on to criticise the lack of coordination between Member States, resulting in ineffective enforcement of sanctions, and the potentially counter-productive effects of sanctions, which sever the few remaining ties with the countries 'most isolated from the international system'.

The Parliament's recommendations to amend such problems include defining clear criteria for applying sanctions; consulting Member States and stakeholders such as human rights defenders in targeted countries on the design of sanctions; and coordinating implementation more closely between EU institutions, Member States, and other countries imposing sanctions. In addition, the Parliament calls for adequate resources and expertise to support sanctions policy, as well as for annual European Commission reports on sanctions implementation (a recommendation that has not been followed). In 2009, the Parliament also [asked](#) to be consulted on future sanctions decisions.

In its resolutions on individual countries (such as [Burundi](#), January 2017), the Parliament has supported sanctions and in several cases has called for their expansion. For example, in 2013 the Parliament [demanded](#) restrictive measures against those responsible for human rights abuses in Bahrain; in addition, it has repeatedly (most recently in [September 2017](#)) urged the EU to follow the example of the United States and [Canada](#) by targeting Russian officials involved in the death of Russian whistle-blower Sergey Magnitsky and other gross human rights abuses.

ENDNOTES

- ¹ According to the [EU sanctions map](#), as of May 2018 the EU has 42 sanctions programmes concerning 33 countries. Several countries (such as Iran and Syria) are the targets of multiple EU sanctions programmes. Some of the items on this list are not sanctions programmes as such, for example those concerning Haiti, Serbia and Montenegro (bans on satisfying claims arising from former sanctions against these three countries), as well as the United States (measures restricting extra-territorial effects of US law).
- ² C. Portela, *European Union Sanctions and Foreign Policy: When and why do they work?* Routledge, 2010.

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