

## Targeting the Right Targets? The UN Use of Individual Sanctions



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*This study focuses on the United Nations' use of sanctions that target particular individuals. This practice is one of the smart sanctions that are standard UN strategy since the mid-1990s. It has given rise to a debate on human rights of those listed. This study is one of the first to analyze the ability of such sanctions to achieve compliance. The theory behind this strategy is identified, based on social and behavioral science insights. More than 400 individuals from eight nonterrorist cases since year 2000 are studied, based on publicly available information. They are studied with respect to their closeness to decisionmaking, demonstrating some flaws in the present application of such sanctions. Suggestions are made for a more focused UN targeting strategy. KEYWORDS: United Nations, Security Council, sanctions, economic sanctions, targeted sanctions, smart sanctions, compliance, civil war, peace, security.*

### **The Rise of Smart Sanctions**

Economic sanctions constitute one of the main tools for the United Nations to react to international crises. It is mentioned in the Charter under Chapter VII. Therefore it is important to analyze the operations of sanctions, most recently in the form of the targeting of particular individuals. In this article we build on a unique inventory of the close to 450 individuals who have been targeted by the UN, in the first decade of the twenty-first century, in nonterrorist cases of sanctions. We analyze the individuals with respect to their closeness to power and, thus, their ability to affect the changes the UN demands. Hence, this is a study of compliance to UN sanctions.

The UN Security Council is the prime organ with a responsibility for international peace and security. In theory, when the Council acts, there is general agreement among the major powers and there is considerable political will behind its actions—an application of global power. In practice, many decisions are compromises, which may affect the design and implementation of the Council's measures. In this article, we study one such policy option pursued by this collectivity: the sanctioning of individuals to achieve member state compliance with the Council's decisions.

In the late 1990s the Security Council started the practice of targeted sanctions, which meant dealing with particular commodities (e.g., diamonds, minerals, or oil), arms, aviation, and particular individuals when imposing sanctions.

Previously, the focus had been on entire countries. This approach ran into humanitarian trepidations, which were much discussed in the case of the sanctions on Iraq. The chief concern was the possible adverse impact that comprehensive sanctions could have on the most vulnerable segments of the populations.<sup>1</sup> The targeting of individuals took on a new dimension when confronting international terrorism. This was seen as action by small groups and, thus, diffusely targeted sanctions would not get the intended compliance. To target the actual or potential culprits seemed to be a valid form of action. If coupled to bans that prevent the target's sale of some commodities or purchase of some others (e.g., arms), this could be a more effective tool without negative consequences for bystanders or outsiders. Quickly, such UN sanctions were labeled "smart sanctions." The European Union, African Union, and individual countries have since embarked on a similar policy. Today, targeted sanctions against individuals, particular commodities, and arms embargoes are the only types of sanctions used by these international organizations and by governments. The Council has acted to preserve the legitimacy of the sanctions measure. An effect is that sanctions debates have focused less on the humanitarian impact and more on the human rights of the targeted individuals.<sup>2</sup> It is time to take stock of this development and go back to the original ideas: how smart are the smart sanctions?

The idea of targeting sanctions at individuals not only was an innovative way for making sanctions legitimate in the international system. It also was in line with a global development of giving accountability a stronger role in international affairs. It was morally appealing to demonstrate that decisionmakers were not personally exempt from the impact and reactions that their policies were causing. Thus, the idea of freezing financial assets for such individuals and preventing them from international travel was attractive. It was expected to lead to a change of policy and behavior in the direction desired by the senders (compliance). In this article, we consider whether these were realistic expectations or if there is a need for further reform of the sanctions instrument.

A debate on the human rights of the listed individuals has questioned the UN procedures and tarnished the image of the "smartness" of this type of sanctions. Clarity of the reasons for listing (and delisting) was seen as a matter of human rights of the listed individual and a question of the effectiveness of the sanctions tool. Without knowing the reasons for the sanction, it is difficult for the listed individual to change his or her behavior. Clarity also makes it easier to monitor the individuals' actions—to know when they in fact comply with the sanction and when they can be delisted. The reforms in the practices of the Security Council taken in Resolution 1904 of 17 December 2009 was a response to this, and it remains to be seen whether these measures are sufficient. For instance, the office of the ombudsperson was created to ensure the human rights of a listed individual. The officer is to receive requests for delisting, evaluate and consider them, and serve as a link between the individual, the state, and the UN.<sup>3</sup> These measures may have resulted in fewer names being listed because

the reason for each listing has to be specified. This, furthermore, will make it easier to follow the individuals and their behavior because the monitoring teams now know what behavior to evaluate. These measures would serve to improve fairness and credibility of the UN procedures.<sup>4</sup> It remains, however, to be considered whether the measures also achieve desired compliance.

Thus, we evaluated whether the sanctions are aimed at individuals that can change government policy and, then, to what extent that takes place. We did this by first developing the theory of targeted sanctions and then conducting an empirical study of targeted individuals based on open sources. We protected the listed persons' identities in this work, unless such information was already in the public domain. We scrutinized reports of compliance and violations of the sanctions to evaluate the implementation of the actions. This empirical analysis, then, applies a typology of the closeness of the individuals to the powers that be in the targeted country. In other words, is the targeted individual really in a position to affect the policies pursued? Finally, we provide conclusions for sanctions research and sanctions policy.

### **The Theory of Targeting Individuals**

The literature on sanctions draws on practical experience, but there is relevant research (e.g., in social psychology) that should also be part of the discourse. Going to the public policy debate, there are many different logical expectations of what individually targeted sanctions may accomplish. In the context of counterterrorism, it is assumed that the freezing of assets may prevent new terrorist attacks, as it deprives the individuals from nonstate organizations that survive without taxation possibilities or access to other important resources. However, if the purpose is to stop a civil war, change a regime, or change basic security policies of a country, the argument has to be different. In these cases, assets held by the individual are not essential for governments or the organization. The expectation is instead that the exposure to sanctions makes the individual an advocate for a change of policy. Targeting a particular individual is a way to get him or her to act in consonance with the sanctions initiator (the sender) and contribute to change in the ultimate target (the recalcitrant government or organization). We have organized the seven predicted effects or types of outcomes that we found under three main labels (see Table 1). The outcomes can be seen as steps on a ladder beginning with small incentives for improved behavior culminating in threats of or actual escalation. This will be the basis for our assessment of the present practice of targeting international sanctions.

Table 1 demonstrates that there are many and varied expectations when senders impose sanctions. To some extent, they may be formulated into a coherent targeting policy. If the sender (the UN in our case) is pursuing theories belonging to categories 1, 2, and 3 the idea is that sanctions will be removed

**Table 1 Types of Logically Expected Effects of Individually Targeted Sanctions***Initiate bargaining for compliance*

1. The sanctions give individuals a personal stake in making their country or government comply with particular international demands.
2. The sanctions deter the individuals from deciding on or supporting policies that would make a particular situation more complicated (e.g., prevent escalation).
3. The sanctions make targeted individuals interested in negotiating a way out of a particular predicament, thus resulting, for instance, in peace talks and peace agreements.

*Deprive resources from the target (shift balance of power)*

4. The sanctions make it impossible for the actor to carry out activities, either immediately (not pursue war as there are no arms deliveries) or for the future (not be able to travel to set up a plot).
5. The sanctions are a punishment for past lack of compliance by the targeted individuals, or for the policies they were pursuing or supporting in place of other forms of accountability for their actions. For instance, not being able to consume luxury goods and send children to expensive schools abroad is expected to affect the private conditions of sanctioned individuals.

*Threaten potential target (sanctions escalation)*

6. Sanctions on some individuals signal to others still not listed, thus making them willing to comply (in line with points 1, 2, or 3) rather than becoming exposed to these measures.
7. Sanctions are a step on a ladder leading to other, more coercive actions against the government and the state, constituting larger threats to the survival of the incumbent regime.

once behavior has changed. This is an instrumental use of sanctions. In such a case, the sanctions may result in direct or indirect negotiations between the sender and the ultimate target (the government or the organization to which the targeted individual belongs).

Furthermore, to the sender there is also a fallback position. If there is no change, sanctions may still have type 4 and type 5 ambitions. They are a way of increasing pressure on the target. The same is true, explicitly or implicitly, for type 6 and 7 goals. If even more hardship is threatened or actually implemented, the target will comply. This could amount to a unified theory behind targeting individuals. The personal conditions in which the targets find themselves would give them particular incentives to change behavior and also influence others to do the same. However, as we show below, this is not necessarily the way these sanctions are applied.

Unfortunately, a review of literature from social psychology, criminology, and law complicates the picture.<sup>5</sup> There are many rational and emotional reasons for why decisionmakers still may not change policy. They may even turn the imposed measures into their advantage.<sup>6</sup> The literature lists a number of factors that speak against compliance. To these factors belongs the significance of the sender to the target (the less important, the less reason to change). Legitimacy is a measure of such a connection. Peter Verboon and Marius van Djike argue that authorities enacting sanctions in a fair manner are considered more legitimate in communicating what is morally acceptable. Tom R. Tyler also argues that a sense of obligation increases effectiveness.<sup>7</sup>

The first three ways in which sanctions work draw on such psychological insights. The sanctions are seen as an appeal to common understanding and, thus, would result in negotiations. However, if this communality does not exist, there will be no compliance.

Douglas D. Heckathorn points to the (lack of) clarity of the purpose with the sanctions, which means that the target does not know what to respond to. Effectiveness is also reduced if considerable time has lapsed between the deplorable behavior, the sanctions decision, and imposition of sanctions. The severity of the measures for the individual and his or her family will affect the individual's motives and will to resist. There is also a degree of calculation of what compliance will mean and what can be achieved without complying. These are considerations that influence how an individual reacts when exposed to external pressure, and the same factors are likely to have an impact on the efficacy of the sanctions in achieving the outcome desired by the sender.<sup>8</sup> The second and third categories of sanctions impacts actually point to sanctions as coercive and punitive instruments rather than inducements for change. The sender tries deliberately to eliminate the target's resources for continued political existence.

By listing these conditions, we make clear that there is not likely to be a straightforward connection between imposing sanctions and recording compliance. The Security Council may, in fact, be unclear about its aims and not pursue the actions as eagerly as might be expected or necessary. On the targeted side, the individuals will have incentives to find ways in which to compensate themselves from the impact of the sanctions by circumventing the measures and building counteralliances, domestically and internationally. The hardships that follow may even be turned into marks of honor, demonstrating solidarity, patriotism, and loyalty with the established course of action. Furthermore, the lower an individual is placed in the hierarchy of decisionmaking of the targeted country, the fewer opportunities there will be for an individual to actually influence the course of action that the sanctions aim at changing. The individual may not even be able to change the operations in which he or she participates (e.g., in a nuclear production facility) other than possibly delaying action or making errors that will be hard to notice on the outside and rather risk their employment. In other words, there are compelling reasons to hypothesize that the sanctions will lead to changes in behavior only under very specific conditions. Such conditions may relate only partly to the seven types of expected outcomes.

The scholarly literature is limited with respect to the impact of sanctions on particular individuals. A first work was Erica Cosgrove's 2005 interview study of two individuals listed for a travel ban under the Liberia sanctions in 2001.<sup>9</sup> She reports that one of the individuals felt this to be a stigmatization, but it did not influence his view of the conflict. The second individual, a cabinet minister at the time, did not see the sanctions as targeted on him specifically but on the government as a whole. Thus, the sanctions did not change his

view either. Interestingly he studied the UN sanctions reports on violations, which revealed to him what President Charles Taylor was doing with the resources. This made him question whether the president could perform properly. The minister managed to escape abroad and then could resign. New information, in other words, may have a stronger impact on a person than a particular targeted measure. He chose this dramatic course of action because he felt he could not influence Taylor's policies. Still, the sanctions are likely to have affected these two individuals: they were aware of the measures and they seem to have tried to handle their dilemma on a personal level (e.g., by escaping) rather than in a political way.

Following Cosgrove, other authors have conducted interviews with targeted individuals, for instance, in Western Africa and Zimbabwe.<sup>10</sup> Sometimes these individuals have also gone public with their situation, such as Jewel Taylor, a former wife of Charles Taylor, who has described some of the effects in detail and has repeatedly stated that the sanctions imposed on her should be lifted.<sup>11</sup> However, the individual sanctions also have humanitarian exemptions so that the individual should not experience crippling personal effects. Too punitive measures might generate public sympathy.

A number of court cases have arisen from the listing of individuals based on the protection of the human rights of these individuals. These cases give little guidance, however, on the impact of sanctions on individuals, apart from testimony to their personal plight. Also, leaders have been brought to courts, for example, when accused of war crimes. The Special Court for Sierra Leone is presently trying the former president of Liberia, but the sanctions are not important in this connection.<sup>12</sup>

Given the paucity of ideas for the conditions under which individuals may comply, we embarked on an empirical investigation. At present the number of individuals listed is large, the names are openly available, and it is possible to pursue a systematic study. In this project, we reported on eight UN sanctions active in the ten-year period from 2000 to 2009. We traced the individuals listed for the eight cases in open sources in order to find observations on their compliance with the sanction measures (travel bans and frozen assets) and their change of political behavior in the direction demanded by the UN. In particular, we were interested in their ability to actually change the direction of a government's policy in the country (i.e., their closeness to the ultimate decisionmaking). As is obvious from the sanctions theory shown in Table 1, the targeted individuals are expected to be able to exert influence. However, as Cosgrove found, even cabinet ministers can have little power over the decisions that result in the imposition of sanctions.<sup>13</sup> We first review the eight cases.

### **Eight Cases of UN Sanctions from 2000 to 2009**

The dataset includes all cases and all persons listed for a travel ban or assets freeze by the UN under Chapter VII in the ten-year period from 1 January

2000 to 31 December 2009 with the exception of the cases that concerned terrorist actions. Thus, the dataset has information on eight countries. As of this writing, in only one case (Angola 2002) has the sanctions measure been fully lifted. The total number of persons listed (446) and the type of sanctions to which they are subject are shown in Table 2. (Many individuals from Liberia and Sierra Leone have now been removed by the UN, often without any specific reason given; in other cases, because of death.)

The dataset includes events describing listed individuals' behavior of evasion or compliance in relation to the sanction measure. For instance, we recorded if an individual continued the sanctioned activity (evasion) or changed the sanctioned behavior in a positive way such as being engaged in a peace process or handing in weapons (compliance). Also we recorded public statements such as whether the listed person denied all reasons for the listing (evasion) or admitted that the listing did change his or her behavior (compliance). For each listed individual, we searched for information in open data sources and databases, such as Dow Jones Factiva and in annual reports of the various Security Council Sanctions Committees, reports from panels of experts, and press releases. We also collected reasons for listing and delisting. We found most of the information in the material from the Security Council. For some key persons on whom several events were reported in the first search round, we carried out a second search in the Factiva database to get deeper into the specific case. We also conducted interviews with some key persons in their respective home countries, notably Liberia and Côte d'Ivoire.<sup>14</sup>

**Table 2 UN Nonterrorist Sanctions**

Country	Sanction		
	Listed Individuals	Travel Ban	Assets Freeze
Angola (UNITA)	166	166	166
Côte d'Ivoire	3	3	3
Democratic Republic of Congo	20	20	20
Iran	39	39	39
Liberia	152	152	29
North Korea (DPRK)	5	5	5
Sierra Leone	57	57	57
Sudan	4	4	4
Total	446	446	323

*Sources:* Compiled by the authors from UN Security Council Sanction Committees' annual reports, reports of the panel of experts, and press releases, [www.un.org/sc/committees/751/pdf/1844\\_cons\\_list\\_12Apr10.pdf](http://www.un.org/sc/committees/751/pdf/1844_cons_list_12Apr10.pdf).

*Notes:* Total number of individuals listed. Travel bans and assets freeze measures, 1 January 2000 to 31 December 2009. Countries in alphabetical order.

There is a threat of sanctions in connection with the investigation of the assassination of former Lebanese prime minister Rafic Hariri in 2005, but no individuals have been listed as of this writing. In December 2009, sanctions were also imposed on Eritrea, where one organization and eight individuals were listed in April 2010, too late to be included in this study.

We now present descriptive information from the dataset. Mostly the sanctions measures aim at preventing travel of the individuals. This has been more common than the freezing of assets held by the individuals (Table 2). All the targeted countries are classified as developing countries, which means that most of the population depends on agriculture and not on international connections. This means that the travel bans hit at typical elite resources. For most of the countries, the leaders are likely to benefit from exportable resources and therefore need to be able to travel to make trade agreements or personal economic arrangements. Thus, reduction in the ability to travel may have particularly severe repercussions that may induce compliance or negotiations with the sender.

The travel bans and asset freezes may have some merits as separate actions. Preventing travel means limiting interactions and thus reduces private information sharing (e.g., because phone lines may be monitored). On the whole, however, travel bans and asset freezes have been used simultaneously and probably with a supporting argument. The travel ban prevents a targeted person from physically entering the banks, financial institutions, or other locations holding his or her assets if they are outside the country. Not having access to these assets makes the person willing to comply, according to one of the expected effects presented in Table 1. Furthermore, without direct access to one's assets, travel is more difficult. Theoretically, the individual is boxed in and the sanction measures reinforce each other. Seeing no way out, compliance follows according to the logic of type 1. This logic can be questioned: in today's world of instant communication financial resources can be moved without travel, making it necessary to have an independent argument for travel bans. Also, the country of residence for this individual may not apply the sanctions which, for instance, has been the case of Liberia. This means individuals may have access to local banks. Lately, nationally owned banks have also been listed under UN sanctions, notably in the cases of nuclear nonproliferation (Iran and North Korea).

This leads us to a first conclusion: given this financial mobility, it might now be necessary for the Security Council to explain the use of the travel ban. For example, it might be argued that it is the measure felt most strongly for the individual. He or she may be able to borrow money, but not easily disguise himself or herself. The travel ban may give the most personal discomfort of these measures.

This suggests that the travel ban has not been a measure to prevent listed persons from accessing funds. Rather, it has been a way of preventing them from continuing their luxury lifestyles. To travel to Europe, Asia, and the United States for children's schooling, for nonurgent medical treatments, and for luxury shopping has a value in itself. It is seen as evidence of social success and political legitimacy, particularly in an African context. This argument has support in social psychology. Social motivations have to do with earning

approval and respect from significant persons with whom the target interacts.<sup>15</sup> By depriving (or at least complicating) this behavior, the travel ban accomplishes the type 5 effects that we describe in Table 1. It is not likely to be something that is revealed in interviews, and was not mentioned by any of our interviewees. More likely the targeted individuals mention hardships that generate human sympathy (e.g., medical concerns).

The travel ban imposed against Liberians under Security Council Resolution 1342 (2001) was originally recommended by the Panel of Experts on Sierra Leone. The recommendation was that the travel ban should be in effect until Liberia's support to the Revolutionary United Front and Liberia's violation of other UN sanctions ended conclusively.<sup>16</sup> Thus it was imposed in a bargaining mood, notably according to the types 1–3 ambitions in Table 1. However, only gradually were these sanctions removed and by mid-2010, forty-five individuals were still listed for travel ban and twenty-two for asset freeze.

The first listings were clearly done in a somewhat haphazard way. The theory of targeting was poorly developed at the time. This type of unpredictability is one of the critical concerns that have been raised. Many individuals did not know why they had been listed, what they could do about it, and how they could be delisted.<sup>17</sup> Needless to say, this does not reinforce a willingness to comply with the sanctions. On all these points, however, the sanctions have been gradually improved; in particular, the reforms of December 2009 have strengthened the transparency of this measure, even creating a position as an ombudsman for complaints. This clearly enhances the legitimacy of this measure.

The data in Table 2 actually present a downward trend over time in listing of individuals. The large numbers are from the early cases of targeted sanctions (Angola, Liberia, Sierra Leone), with more than fifty names listed for each of the cases. Later sanctions do not have lists anywhere near as close. This appears to reflect a change in the Council's approach. The extensive listing in the earlier cases implied considerable enthusiasm for this measure. Later, however, human rights concerns emerged, no doubt impacting on the entire listing procedure. Also, there were new arguments favoring lower numbers. In the case of Côte d'Ivoire, the group of experts reported in October 2006 that the sanctions had a calming effect and that the targeting of a few individuals with clear criteria was an effective tool for the UN. It also said it would be counterproductive to target more individuals, particularly if there was no effective monitoring system in place.<sup>18</sup> Monitoring of a few persons is obviously easier than dealing with a large number. The present practice of naming only a few individuals means there is an awareness of the complications of large lists, but it may also leave open the addition of new names, thus implying a threat of escalation according to impact types 6 and 7.

This leads, however, to a new question. How many should be targeted for the sanctions to achieve desired political change? The different expectations

listed in Table 1 do not give clear guidance. The idea of gradually escalating sanctions, according to categories 6 and 7, would suggest sanctions should start with a few, thus generating fear among others. A gradual increasing of the number of individuals would thus be a signal to the target that the sanctions are tightening and getting more teeth. To avoid being targeted, the argument goes, the potentially targeted individuals would be willing to comply, thereby also getting their compatriots off the list.

In addition, one may argue in social psychological terms that, if an entire group is targeted (i.e., a large number of individuals), the effect is likely to be that they all unite in opposition against the sender. It may have the same effect as comprehensive sanctions: stimulating an attitude of “we are all in this together.” A stronger differentiation by focusing on some well-identified individuals would then have—at least potentially—a greater chance of achieving political change.

However, in the interviews we conducted in Côte d’Ivoire in 2006, the sanctions against only three persons—seen as fairly peripheral in political power, although they had violated the UN resolution—threatened the credibility of the sanctions. The measure appeared not to be as dangerous as first believed, centrally placed informants said, also describing them as hitting “small fish.”<sup>19</sup> The sanctions, which initially seemed tough and dangerous to leading persons, turned out to be targeted at others than those actually responsible for the policies pursued. Furthermore, as the idea of gradually enlarging the group—following the dynamics of types 6 and 7 in Table 1—did not gain support in the UN, the individual sanctions were no longer seen as threatening. The three remained the only ones listed up to the end of the period studied.<sup>20</sup> The targeted sanctions lost credibility in this case. As there were other measures in place parallel to the sanctions, international actions still had some clout (e.g., peacekeeping, arms embargo, mediation).<sup>21</sup> Ineffective actions affect the standing of an international organization, such as the UN and European Union, not just the credibility of the particular measure.

We cannot prove it with available information, but it is also likely that bigger fish will still learn something from the sanctions on citizens of the country. They are likely to take precautions, notably moving assets out of reach or hiding them in less identifiable forms (e.g., nominally turning over bank accounts or real estate to relatives, turning assets into other resources). Thus, rather than complying, leading targets may take the threat of sanctions seriously and act to undo the sanctions before they even have been brought into place. This means that the threat of gradually escalating the sanctions may backfire and, thus, make targeted sanctions less able to succeed. The dynamics of type 6 become less likely.

We pose this as a second conclusion: the Council may use targeting as a gradual process, where a few are listed first and, with a lack of compliance, new individuals are added to the list. However, it is possible that sanctions will

work as an early warning signal, for instance, giving reasons and time for other actors to move or cover their assets. Thus, this policy may be most effective if initiated at the top, rather than lower in the hierarchy. Perhaps a strategy of targeting big fish would be more in line with both sanctions theory (as outlined in Table 1) and with reality. We look at this strategy more systematically in the following section.

### **Closeness to Power**

The sanction theories suggest that sanctions on those that make the final decisions should be the most effective. Thus, we need to identify the relationship of the listed persons to such ultimate decisionmakers or whether the listed persons actually *are* such decisionmakers.

The targeted persons can be categorized with respect to their closeness to policymaking. This is a way to gauge if they have power and influence in the society. Those responsible could be expected to have different reaction patterns than those without much influence on the policies chosen. The theory of targeted sanctions assumes that leadership is a key issue. Attempting such a differentiation, we developed four target categories with respect to closeness to ultimate decisionmaking in the society.

- Leaders (L) are obviously those directly responsible for the actions that the international community is objecting to.
- Administrators (A) is a separate group, indispensable for the execution of policy, but possibly less able to actually formulate or change such policies.
- A third group consists of the supporters (S) of the leadership, ranging from family members to party members and local decisionmakers. They are all needed for the leadership, but largely without much influence on what that leadership actually does.
- Finally, a more difficult group to relate to the policies are the traders (T), the agents that deal with the actual international transactions that the sanctions aim to reduce (e.g., individuals involved in commerce, transportation, banking, or smuggling). They are likely to be significant for the conduct of policy, but again probably have little direct impact on the formulation of such policies.

Thus we assume that the four groups are distinct and stand in different relationships to ultimate policymaking. The logical order of influence would go from leaders, to administrators and supporters, and finally to traders.

We applied these categories to the 446 names using publicly available information of the targeted individuals and were able to place 85 percent of them in one of the four categories. Some remain unidentified or have unclear rela-

tions to decisionmaking and were kept in a separate group (O, others). In all, there were 59 leaders, 209 administrators, 80 supporters, and 34 traders listed. For 64 individuals, there was little or no information available and they were kept in the fifth group.

This result shows that administrators constitute about one-half of all the targeted individuals. The logic behind this targeting pattern is not easy to understand. The original idea of sanctions was that it would deal with the (ultimately) responsible actors. Clearly, the responsible elite is a small group in any society. It is dependent on administrators to function, but at the same time administrators are likely to have less of a chance to change prevailing policies. They may be necessary, but not sufficient for a particular policy.

Table 3 suggests an important trend in the use of individual sanctions: in the Liberia case, the targeted leaders constituted a considerable part of all listed (thirty-eight in all, including the two mentioned in Cosgrove's work), whereas later sanctions, such as those on North Korea and Iran, have not listed any leaders at all.<sup>22</sup> In the latter cases, administrators and supporters constitute the overwhelming number as only two traders had been listed.

However, the case of Sudan goes against the trend. In this case, only individuals in the leadership category were targeted. Thus, the data may not reflect a consistent trend, but rather the lack of a coherent general sanctions policy: each case may be dealt entirely in its own right. This suggests that there is no clear theory about the selection of targets. For instance, to achieve types 6 and 7 reactions of Table 1, credibility in signaling and deterrence builds on consistency in behavior. If the potential target knows that he or she is likely to be targeted, as seen by previous action, this may have an impact. The case-by-case targeting of sanctions does not reinforce such a notion. Instead, the lack of a consistent targeting strategy may strengthen the targeted actor's belief that the sanctions are a punishment (i.e., belong to categories 4 and 5) rather than a bargaining tool (according to logics of categories 1, 2, and 3).

**Table 3 Individual Sanctions and Closeness to Power (number of individuals by category)**

	Leaders	Administrators	Supporters	Traders	Others	Total
Angola (UNITA)	4	73	21	5	63	166
Cote d'Ivoire	1	0	2	0	0	3
Democratic Republic of Congo	10	3	0	7	0	20
Iran	0	22	15	2	0	39
Liberia	38	51	42	20	1	152
North Korea (DPRK)	0	5	0	0	0	5
Sierra Leone	2	55	0	0	0	57
Sudan	4	0	0	0	0	4
Total	59	209	80	34	64	446

There is, no doubt, a case for targeting administrators in the situations of nuclear energy programs. They may be the technical staff that is necessary for running the operations. Thus, listing them may affect their willingness to carry out the orders of the regime. However, their personal hardship—if any—is not likely to sway the regimes. Most likely the nuclear programs are defined as “patriotic” undertakings and “worthy of personal sacrifice.” We surmise that the administrators have little choice but to continue to carry out their orders. In fact, doing the opposite would get them into trouble. They would know this and, thus, they may work more diligently than before in order to demonstrate their loyalty. The only alternative may be to escape the country (as we mentioned above in the case of the cabinet minister from Liberia; although belonging to the group of leaders, he said he had little chance to influence policy). There are reports on such escapes in the Iran case, although not by persons who were on the target list. It suggests—from the UN point of view—that allowing technical staff to travel may be more effective than banning them from going abroad.

A third conclusion then is: it makes more sense to target only those responsible for making the strategic decisions, in line with the original idea of making leaders accountable for their actions. This is where *realpolitik* enters. Sanctioning top leaders has often proven difficult. In the case of Africa, leaders have obviously been considered for sanctions, but in the end no action has been taken. There has not been sufficient consensus or political will for such high-profile measures. Looking at the list of names in the studied cases, we find only ten top leaders. Two were listed in the case of Angola (Vice President Antonio Dembo and President Jonas Savimbi, both leaders of UNITA), six in the case of Liberia (among those were Vice President Moses Blah and President Charles Taylor), one in the case of Sierra Leone (Johnny Paul Koroma, who reportedly died under mysterious circumstances in 2003)<sup>23</sup> and one in the case of Sudan (the general commanding Sudanese forces in Darfur).

What we can see in this data is that, more recently, there has been a reluctance to target leaders in several highly authoritarian countries such as Iran and North Korea as well as in civil war-divided Côte d’Ivoire. Also, in Sudan the president himself is not on the list. This is remarkable in view of the fact that the targeting of lower echelons is likely to be less effective in generating dynamics toward compliance, as mentioned above, and that the arguments for sanctions focus on the top leaders. Indeed, the moral argument of accountability also points to this level as the central one for sanctions. In the case of Sudan, the International Criminal Court has actually been more willing to identify the ultimate decisionmaker.

There are other ways in which the *realpolitik* considerations enter in the timing of the sanctions. For instance, the targeted financial sanctions in the case of Liberia came too late to affect the removal of Charles Taylor from the country, since he had left for exile in Nigeria in August 2003 before the im-

sition of financial sanctions. However, the UN Security Council decision in May 2003 could be seen as a threat. Furthermore, in this case the intention was to deprive Taylor of possible financial means to stage a new insurgency and return to Liberia. This would be an example of a type 4 goal of targeted sanction. If sanctions had an impact at all on Taylor's decision to relinquish power, it may be more of an effect of the overall status of the economy (see below) or the UN arms embargo than his personal situation. As he remained at large, however, the idea of preventing him from accessing externally deposited resources for staging a return is valid. The fact that he was on a sanctions list would also deprive him of legitimacy.

In fact, we may note that the sanctions on Iraqi leader Saddam Hussein and his entourage were instituted only on 22 May 2003, after he had effectively been removed from power.<sup>24</sup> In this, as well as in the case of Taylor, such postpower sanctions could be seen as part of a peacebuilding effort: it may reduce the ability of the former regime representatives to amass resources for undermining the new regime or restarting war efforts. In that sense, such efforts complement other measures taken by the international community. One-sided arms embargoes may have a similar effect of reinforcing a new status quo (e.g., for Rwanda). This then reinforces the point that targeting the top leadership, whether in power or recently deposed, may be the most significant action for ending a war or keeping the peace.

Still, we have to conclude that the targeted sanctions had a stronger focus on the top levels of decisionmakers in the early uses and lately have turned toward the lower levels. This means that the individual sanctions may now work more to test the loyalty of lower echelons to the present regime rather than undermining its policies. For people on this level, notably administrators in nuclear programs or heads of particular government agencies, being listed on sanctions lists is likely to be uncomfortable and also to induce them to demonstrate their adherence to established policies by pursuing them more effectively than before. The only rewards and protection they can get is to be more supportive with the established order than before. This form of targeting sanctions, we suggest, is not likely to achieve internationally desired compliance. The bargaining dynamics of types 1 through 3 do not apply as the individuals are not in a position to bargain, and types 6 and 7 affect only those not listed. Thus, types 4 and 5 become dominant: sanctions appear as punishments rather than as instruments for change for individuals in categories of administrators and supporters.

Thus we suggest a fourth conclusion, this time focusing on the UN uses of sanctions over time: although the top leadership is the one that can affect change, the Security Council has become more cautious in actually targeting such individuals. This caution, we surmise, may make individually targeted sanctions less likely to achieve compliance, thus suggesting that a bolder approach may be more effective.<sup>25</sup>

Thus far we have commented on only the categories of leaders, administrators, and supporters. Matters may, in fact, be different when moving to the level of traders. Traders are the individuals that actually pursue actions that may involve violations of sanctions. There is some information on this category that is important, particularly in the case of Liberia.

According to the Panel of Experts on Liberia, the country suffered an economic crisis during the spring of 2003 that threatened the stability in the country with increased risk of violence. The government of Charles Taylor did not have sufficient resources to deal with these problems. Much of the extra budgetary income had been used for funding defense expenditure. The panel obtained evidence that the government had been hiding extra budgetary income in foreign bank accounts. More than 10 percent of the Liberian government's average annual income since 1999 consisted of funds placed in foreign bank accounts. International observers, in fact, believed that the official revenue data could be undervalued by as much as 50 percent. The report mentions ten foreign bank accounts in Geneva, New Jersey, New York, and Shanghai. Sanjivan Ruprah, listed for travel ban and assets freeze, and Hotel Africa, whose owner Gus Kouwenhoven was listed under both sanctions, were mentioned as account owners on this list.<sup>26</sup> Thus, certain individuals can perform roles, which are central for the government. Targeting them constitutes an additional argument for sanctions. With such a focus, sanctions accomplish the effects indicated under types 4 and 5 in Table 1 (i.e., actually depriving the ultimate target the resources needed for pursuing the policies to which the international community objects).

In October 2003, the Liberia sanctions panel reported that President Blah, who had replaced Taylor on his departure in August the same year, had not been able to prevent Taylor's associates from diverting government revenues. The monopolistic structure of Liberia's economy and foreign control over natural resources, trade, and manufacturing were important explanations for this diversion strategy, the panel argued. Profits from fuel and rice imports and benefits from the logging industry went straight to Taylor's associates or to foreign bank accounts. In June 2003, the Central Bank of Liberia paid a loan in cash to officials of the government. The panel reports that there were strong indications that US\$70,000 was surrendered to Taylor and that he took this money with him to his exile in Nigeria.<sup>27</sup>

There are other examples of the same kind and the message becomes clear. With a large portion of the revenues placed in foreign accounts (under the control of Charles Taylor and his associates), it may have been difficult to trace them. Throughout the years, the panel has been able to identify certain foreign accounts and the UN has managed to freeze many of them for listed individuals. There are also many observations on evasions. Agnes Reeves Taylor, a former wife of Taylor, for instance, managed to relocate a large portion of her finances to relatives' accounts before the sanctions came into effect.<sup>28</sup>

The efforts that went into monitoring of financial freezes on Liberia is remarkable, suggesting that in this case the individuals sanctions may have created uncertainty among many Liberians as to whether they would have access to their assets or not. Uncertainty may be enough to induce some degree of political change, following the logics of types 6 and 7.

Looking at the travel ban, we found some interesting information. Sixteen of those listed under Liberia sanctions were reported as having evaded the travel ban more than once. Using our categories three were leaders, one an administrator, five supporters, six traders, and one other. Two of the six traders traveled frequently. One was Victor Bout, with many reported incidents, and the other Mohamed Salame, with twenty-nine reported incidents. Their travel is likely to have been fundamental for the service they could provide to the Charles Taylor regime.

Just for the record, the four administrators from Liberia were all denied travel to Ghana for a week-long training on parliamentary procedures and operations. Jewel Taylor wanted to visit her former husband at the UN-backed Special Court since he was allowed family visits, but she was denied.<sup>29</sup>

Thus, the Liberia case suggests strongly the utility of financial sanctions and possibly also the travel ban when meticulously monitored and when key individuals are clearly identified. The full evidence from the panel reports is compelling. Thus, another of our conclusions is that identifying traders may be a most promising avenue for strengthening sanctions regimes. The argument is somewhat different, but relates to the ability to deprive the target of resources or to shifting the balance of power (logics types 4 and 5 in Table 1). These individuals will not be able to influence the policies pursued by the government, but their services may be strategically crucial for the ability of the regime to continue war or maintain its policy or itself in power. They may also be few in number and often appear in several conflict situations. They are thus identifiable, but possibly difficult to bring to court. Sanctions may make their business more difficult. Bout has been frequently named in arms embargo violations. Bout was arrested in 2008 in Bangkok, and in August 2010 a criminal court in Thailand approved extradition of Bout to US authorities for trial. He was convicted in court in the United States on 11 November 2011.<sup>30</sup> In the areas of nuclear nonproliferation, A. Q. Khan has played a similar role and for a time was held under house arrest in Pakistan.<sup>31</sup> Sanctions and criminal procedures may go hand in hand in such cases.

The case of the Democratic Republic of Congo (DRC) also illustrates that the naming and shaming of being listed can make individuals more vulnerable and put pressure on governments to act according to the sanction. Two of the traders in the DRC, involved in weapon transfers, have reportedly been arrested and handed over by the Congolese government to the International Criminal Court for trial.<sup>32</sup> This further suggests that targeting can go hand in hand with legal proceedings.

### **Evidence of Political Compliance**

The next step in our investigation was to understand the degree of compliance with the sanctions measure and with the political demands. This can be studied on two levels. One is to see if the individuals do change their views as they are exposed to the sanctions. A second, and most significant, level is to see if target government policies are changed. We discuss both of these aspects and determine if there is a connection between the two. We do this by discussing the eight cases, one by one.

First, we have to make an important cautionary note. We found public information on only one-quarter of all the listed individuals (112 out of 446), fairly evenly distributed across the five categories of relations to national decisionmaking. UN reports and other information show a number of attempts to evade the travel ban, which is particularly easy to observe. There are seventy-three reports on evasion events (and eight on enforced compliance, i.e., when a person was actually prevented from traveling). Most of these reports pertain to individuals listed on the Angola sanctions. For asset freezes there are fewer evasion reports (thirty), but also more on compliance (fifteen), in this case largely referring to the Liberia sanctions. These two cases were also those with the most persons listed, so this might be expected.<sup>33</sup>

In the case of Angola, we identified no compliance on the individual level. However, the fact that UNITA signed the Memorandum of Understanding (also known as the Memorandum of Intent) on 4 April 2002, which led to the lifting of sanctions on 9 December the same year (SCR 1448), could in itself be seen as an act of compliance. It ended the civil war and was a first step in rebuilding the war-ravaged country. This took place after the leader, Jonas Savimbi, was killed on 22 February 2002, and his successor, Antonio Demba, died from his wounds in the same battle three days later. Both were on the sanctions list. This leadership change led to a cease-fire and a restart of the peace process that had been stalled for several years.<sup>34</sup> By the end of the year, the war was over and UNITA was adhering to the peace agreements of the 1990s. Most analysts attribute the change to the death of Savimbi. One can speculate if the sanctions made the new leadership more willing to return to the peace process than it otherwise would have been.

Negotiations about the nuclear programs in Iran and North Korea are another example of government change following the imposition of UN sanctions. The outcome of these negotiations is likely to affect the listed individuals. However, in none of these cases have the negotiations progressed. In 2010 new sanctions were imposed on both these countries, for instance.

In our data there were nineteen individuals with whom we could record a change of political behavior, sixteen relating to Liberia, two to Côte d'Ivoire, and one to the DRC. As we have seen, there were changes in policy by the leadership taking place in Liberia in 2003. We first look more carefully at Liberia.

In the Liberia case some degree of financial hardship may have been experienced by the elite, most notably by Charles Taylor and people around him. This may have had an impact on his decision to resign in August 2003 (following the type 1 logic, described in Table 1), something we could register as compliance with the political motives of the sanctions. However, as mentioned above, he may have been more affected by the inability to raise money for his forces. (As we noted above, Taylor was personally not under financial sanctions until March 2004.)<sup>35</sup> Other factors were at play at the same time: the arms embargo, the embargo on diamonds and timber, the fortunes of the war, and international pressure may all have induced him to resign. Commodity sanctions on timber, diamonds, and arms may have played more of a role than the individual sanctions.

In public statements, Jewel Taylor stressed the unfairness of placing the whole family (including a three-year-old child) on the travel ban list. She compared (incorrectly) their situation to the wives and children of Saddam Hussein and Osama bin Laden who were free to travel all over the world. She also mentioned that friends of Charles Taylor and his family deserted him because they were afraid of being included on the sanctions list.<sup>36</sup> In 2006 when Charles Taylor had been taken to the tribunal for Sierra Leone, Jewel Taylor expressed her hopes that the Sanctions Committee would remove the sanctions from other Liberians to give them a chance to live a free life.<sup>37</sup> In 2010 several female groups in Liberia demonstrated on her behalf in Monrovia, calling on the leadership to fight for her removal from the UN travel ban. Shortly thereafter Vice President Joseph Boakai stated that he and President Ellen Johnson Sirleaf were not happy over the prolonged sanctions against Liberians.<sup>38</sup> A quite clear example of compliance is Daniel Chea, minister of defense in Taylor's government, who handed in his weapons in June 2003.

This data so far points to Liberia as a case of more successfully targeted sanctions. Other and later sanctions have less of a record. For instance, in the annual reports of the Security Council Committee, reports of the panel of experts, and press releases concerning the Security Council Committee for the studied cases there is no indication of change among any of the leaders in any of the other sanctions. In the case of Sudan, the influential persons listed were instead promoted to more important positions, in clear defiance of the UN, for example, Gaffar Mohamed Elhassan, major-general and commander of the Western Military Region for the Sudanese Armed Forces.

In Côte d'Ivoire, the sanctions appear marginal compared to other international measures that cajoled the parties into negotiations and in fact led them to make a deal among themselves rather than with the international community. The persons on the list, however, are said to have become more pacific. Their impact on decisionmaking may be limited, but possibly leaned in the direction of negotiations. Sierra Leone belongs to the early wave of targeted sanctions. In this case, the head of state and commander-in-chief, Johnny-Paul

Koroma, was targeted. In the DRC, most of the targeted persons in the leader category were commanders of various rebel movements.

On the individual level, the compliance rate is indeed low. In fact, if the number of individuals who have changed their behavior is less than 20 out of the 112 for which we have information in our dataset, that suggests a “success rate” below 20 percent. In relation to the total targeted number of actors (446), this is even more apparent, although we cannot know the situation for the total sample. This leads to a serious challenge on how the targeting is done. Obviously it can have an impact, but the targeting policies may not be optimal.

Among the eight cases, we may venture to suggest that individual sanctions played some role in ending the conflict in Liberia. However, in many accounts on the ending of the war in 2003 the sanctions are seldom cited even as a contributing factor.<sup>39</sup> In the case of Sierra Leone, there is an interesting statement to the International Court on Sierra Leone on 29 August 2009, where Charles Taylor argued that he actually had complied with the sanctions of 2000 by trying to foster a peace agreement, thus implying a degree of effect.<sup>40</sup>

The sanctions may have made negotiations more likely in the cases of Iran and North Korea; so far, however, without lasting and credible agreements. Developments in Angola were largely a result of the death of two top personalities in the UNITA leadership. The case of the DRC illustrates some effectiveness of the sanctions tool. Four listed individuals have been arrested, two of them by the Congolese government and two of them outside the country. Laurent Nkunda was arrested in Rwanda in 2009 and replaced as the commander of National Congress for the People’s Defense in North Kivu. One administrator was promoted to leader despite being on the sanctions list only a month after being listed in 2008. He came under an arrest warrant by the International Criminal Court the same year for having committed war crimes.<sup>41</sup> These actions may have helped to reduce warfare in the DRC. In the case of the Sudan, there is little evidence of compliance with the individual sanctions and little evidence that the incumbent regimes or targeted actors have shifted their positions.

The compliance ratio for individually targeted sanctions appears not to be higher than is the case for other types of sanctions. It has regularly been estimated to be between 20 percent and 34 percent.<sup>42</sup> The central argument for targeted sanctions has been that they are smarter in the sense that they bring the same result as more comprehensive sanctions, but at lower cost. The success ratio suggests that this claim may be supported. However, these types of sanctions could be improved beyond the present compliance ratios. Thus, we need to draw conclusions for the future of these sanctions.

### **A Future for Individual Sanctions?**

In this study of the individually targeted sanctions, we found that the impact may be more limited than anticipated when the concept was first developed.

However, the different types of logic behind the targeting may still be valid, if the right individuals are targeted. The initial arguments were to directly focus on the top leadership. This was also what was done in the first situations: Angola (in this case the leadership of UNITA), Liberia (Charles Taylor and all other high-level officials), and Sierra Leone (some of the leaders). In addition these sanctions also included measures against the traders, the individuals that could be instrumental in violating the sanctions. Taking a birds-eye view, these are also the three conflicts that are no longer among the most urgent world problems. The cases where the international community instead avoided confronting top leaders (Iran, North Korea, Côte d'Ivoire, and Sudan) are much further from a peaceful closure. Instead, these situations have become protracted. Particularly in the cases of Iran and North Korea, we found that the targeting is directed at administrators, not the policymakers. There are strong reasons why such individuals will not be able to affect the policies pursued. In fact, we suggest that the sanctions may make them more loyal to the regime.

The pattern of individual targeting may say something about the international commitment to achieving change. When leaders are directly targeted, it suggests that the international community has resorted to effects covered by types 4 through 7 in Table 1. There is a determination to bring about drastic political change. In cases where the targeting is different, the expectation may instead be one of negotiations. The sanctions are operating as inducements, according to types 1 through 3 in Table 1. The type of targeting strategy used tells us something about international attention and international political will.

The outcomes of these conflicts, of course, depend on a host of factors. The way regional actors respond is important for the possibilities of implementation. If the targeted individuals can move in their own region with minimal impediment, that serves to undermine the sanctions. However, major banking centers are further away and still out of reach. Strong regional support may be more important for effective arms embargoes, for instance.<sup>43</sup>

The sanctions on individuals are only part of the explanation. However, our analysis gives significant input to developing a more coherent UN targeting strategy. Sanctions should primarily target the top leaders. They are the ones that can affect changes and the different logics we identified may affect them, even if they do not hold financial assets abroad or travel widely for pleasure (as may be the case for both Iranian and North Korean leaders). The individual sanctions, however, serve to annoy them and stigmatize them. If the demands for change from the international community are not too high, it is more possible for them to shift policies, particularly if this can be seen to be part of a larger arrangement. In neither of these two cases is the international community demanding a change of government, only a change of nuclear policy.

The same argument applies to leaders in countries of civil war (here meaning Sudan, Côte d'Ivoire, and the DRC). These are situations where in fact international travel and foreign financial resources may be directly signif-

icant to the leadership. The cases that have been terminated belong to this group of cases.

In addition, our study suggests that the traders are very important. They are necessary for sustaining a war effort and they may play the same role in the cases of nuclear proliferation. There is a need for import of weapons in both cases (e.g., small arms, such as Kalashnikovs, in the civil wars and complex missiles in the nuclear proliferation cases). Such deliveries are likely to be banned and, thus, experts in embargo evasion are valuable. Targeting such individuals makes the deliveries even more difficult and less attractive. As they are operating on a market they may turn to other, less risky businesses, and in that way contribute to the sanctions. As can be seen from Table 3, so far only a few individuals in this category have been targeted. It may suggest that the traders, in fact, are not that many. It could also be that little effort has gone into identifying them. Either way, they will be significant in future sanctions regimes; if they are few they can be identified, sanctioned, and possibly be brought to court. If they are presently unknown, it is important to identify them, their companies, and their networks. Of course, the traders in themselves cannot change policy, but they provide the necessary resources for many leaders to maintain power. Furthermore, they are calculating the profitability of different operations. Thus, they are likely to stay out of situations that are closely monitored and where the gains are in danger. They follow an economic logic that might not be so easily captured in the seven types we have identified. Their role as secondary actors may also require a different type of analysis. This we see as an important next step in sanctions research.

With these suggestions we believe this study, which to the best of our knowledge is the first of its kind, can contribute to reforming the sanctions instrument even further—not only making sanctions smarter, but also more successful. 🌐

## Notes

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43. Damien Fruchart, Paul Holtom, Siemon T. Wezeman, Daniel Strandow, and Peter Wallensteen, *United Nations Arms Embargoes: Their Impact on Arms Flows and Target Behaviour* (Solna: Stockholm International Peace Research Institute and Uppsala University, 2007), [www.smartsanctions.se](http://www.smartsanctions.se).