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Sanctions and Human Rights: the principles, politics and practicalities of economic leverage

Description

The use of economic sanctions to support a wide range of foreign policy objectives has skyrocketed in the past ten years. Once a rare tool of economic coercion designed to offer a policy response just short of war, targeted sanctions are now a commonplace reaction to global events. The United States, United Nations and European Union collectively sanction over 20,000 individuals, businesses and state entities today—double the number from just a decade ago.

From Russian oligarchs to Nicaraguan military officials, the United States, in particular, has expanded the reach and purpose of targeted sanctions—increasingly for human rights violations and corruption. In South Sudan, for example, in response to brutal war, corruption and human rights violations, the United States has imposed sanctions on 36 individuals and companies since 2015. Many human rights defenders applaud these expansive efforts for standing up for vulnerable populations in otherwise overlooked places. But others point out that the effects of sanctions are rarely limited to the targeted individuals or companies and can cause harm to civilian populations.

Are targeted sanctions effective in delivering on their stated objectives to change behavior, deter violence and support foreign policy goals? Or has the unprecedented use of sanctions shifted the purpose of the economic tool into a new means for symbolic engagement and human rights justice? What are the risks and unintended consequences of the pervasive use of sanctions on human rights, humanitarian access and foreign policy action?

By examining real-world sanctions, the study group will explore the basic principles of sanctions, the policy thinking and politics behind implementation of sanctions programs and the practicalities of developing and enforcing sanctions. Discussions will draw on Mark's time as a member of the UN Panel of Experts on South Sudan, a sanctions body, where he advised the UN Security Council and recommended sanctions on those blocking both peace efforts and humanitarian access. The study group will also pull from his previous work in the U.S. Department of State and as a human rights investigator developing sanctions dossiers on human rights abusers to submit to the U.S. Department of the Treasury.

Learning objectives

The primary objective of the study group is to broaden the understanding of economic sanctions, an increasingly relevant foreign policy tool for human rights defenders and humanitarian workers to understand. Through guided discussion, the study group will move beyond the theory of economic coercion to the practical application of sanctions.

By the end of the semester, students will have (1) an understanding of what economic sanctions are—their stated purpose and practical application; (2) an awareness of the political trade offs and decision making involved in the implementation of sanctions, especially in regard to human rights; and, (3) a baseline framework to evaluate the risks and opportunities of sanctions on human rights and humanitarian efforts. The study group aims to leverage students' interest in specific area studies and focus on human rights and humanitarian issues to spur informed discussion.

Sessions Outline

Session 1: A snapshot of sanctions and implementation

The session will examine what sanctions actually are and the differences between various types of economic leverage. The session will review where and why sanctions have been applied and engage with the principles of sanctions as a foreign policy tool. This is a chance to review the United States, European Union and United Nations sanctions policy-making process, including how individuals are selected for sanctions, how the measures are implemented and how to evaluate success.

- September 28, 12-1, Birkelund Room
- Student prep: stream a mix of podcasts and video backgrounders.
 - *The Red Line*, May 2022: "[How Effective are Economic Sanctions?](#)" (podcast)
 - Elizabeth Rosenberg and David Dollar, *Brookings Institution*, May 2019: "[What role do sanctions play in US foreign policy?](#)" (podcast)
 - *Newsy*, Jan 2022: "[Sanctions 101: What Are They And Why Do They Matter?](#)" (video)
 - BBC, Mar 2022: "[What Are Sanctions and Do They Work?](#)" (video)
- Additional background readings:
 - Jonathan Masters, *Council on Foreign Relations*, Aug 2019: "[What Are Economic Sanctions?](#)" (article)
 - Benjamin Coates, *Origins (OSU)*, Dec 2019: "[A Century of Sanctions](#)" (article)
 - Robin Wright, *The New Yorker*, Mar 2022: "[Why Sanctions Too Often Fail](#)" (article)
 - Ella Koeze, *The New York Times*, Marc 2022: "[Boycotts, Not Bombs: Sanctions Are a Go-To Tactic, With Uneven Results](#)" (interactive article)

Session 2: Sanctions in support of human rights

The session will introduce the emerging use of sanctions to support human rights. Championed by human rights activists, the implementation of Global Magnitsky legislation in the United States (as well as similar Acts in Europe, Canada and elsewhere) has recast sanctions as a moral action that seeks to deter or punish bad behavior. The session will address the rationale for targeted sanctions and present recent sanctions cases for discussion.

- October 12, 12-1, virtual session
- Student prep: Listen to the short podcast listed below and look through the U.S. Department of State's [press releases](#) pertaining to the Global Magnitsky Act for examples of how human rights-focused sanctions have been deployed.

- *European Parliamentary Research Service*, Dec 2021: [“Global Human Rights Sanctions - Mapping Magnitsky Laws”](#) (podcast)
- Additional background podcasts and readings:
 - Emil Dall and Samantha Sheen, *RUSI*, Apr 2021: [“The NGO–Human Rights Sanctions Link”](#) (podcast)
 - *Human Rights First*, Oct 2020: [“List of Public Congressional Recommendations for Global Magnitsky Sanctions”](#) (document)
 - Jason Bartlett and Megan Ophel, *Center for a New American Security*, Apr 2021: [“Sanctions by the Numbers: Spotlight on Human Rights and Corruption”](#) (article)
 - *Human Rights First*, Nov 2020: [“Targeted Human Rights and Anti-Corruption Sanctions – A General Overview”](#) & [“Global Magnitsky Sanctions”](#) (factsheets)

Session 3: The unintended consequences of sanctions

With a focus on sanctions in South Sudan, the session will feature a case study on the selection, development and implementation of targeted sanctions on a businessman in South Sudan. The purpose of the case study is to highlight the tension between foreign policy action and humanitarian efforts, focusing on the unintended consequences of sanctions on vulnerable and marginalized people.

- October 26, 12-1, virtual session
- Student prep: review sanctions package to be emailed after session 2.
- Additional background videos, podcasts and readings:
 - *Wall Street Journal*, Mar 2022: [“Cold War 2.0? The Global Economic Impact of Sanctions Against Russia”](#) (video)
 - Special Rapporteur on unilateral coercive measures, *United Nations Office of the High Commissioner for Human Rights*, Jun 2022: [“Guidance Note on Overcompliance with Unilateral Sanctions and its Harmful Effects on Human Rights”](#) (press release)
 - Emil Dall, *RUSI*, Jun 2020: [“The Other Side of Sanctions”](#) (podcast)
 - *United Nations Security Council*, Feb 2022: [“Debate on Negative Impact of Sanctions”](#) (statements)

Session 4: Sanctions success?

The final session will be an opportunity for students to present examples of sanctions, past or present, that are compelling and effective. Based on previous discussions on how to define the effective use of sanctions, the session will be an open exchange of perspectives on the use of sanctions to support foreign policy objectives, especially in defense of human rights.

- November 16, 12-1, Birkelund Boardroom
- Student prep: research a current or past use of sanctions to discuss, focusing on the policy arguments on the efficacy or impact of the specific regime.
- Additional background videos, podcasts and readings:
 - Stacey Vanek Smith and Cardiff Garcia, *Planet Money*, Nov 2018: [“Do Sanctions Work?”](#) (podcast)

- U.S. Department of the Treasury, Oct 2021: [“The Treasury 2021 Sanctions Review”](#) (paper)
- *The Economist*, Mar 2022: [“War in Ukraine: are sanctions working?”](#) (video)
- John Cassidy, *The New Yorker*, Sep 2015: [“The Iran Deal Is a Victory for Reason and Economic Sanctions”](#) (article)
- Steve Coll, *The New Yorker*, Feb 2021: [“Will Biden’s Sanctions Help Restore Democracy in Myanmar?”](#) (article)
- Former U.S. Department of the Treasury Secretary Jacob Lew, *Carnegie Endowment for International Peace*, Mar 2016: [“The Evolution of Sanctions and Lessons for the Future”](#) (video)

Additional Sanctions Resources

- United States - [sanctions programs and information](#)
- United Nations - [sanctions regimes information](#)
- European Union - [sanctions information](#) and [map of programs](#)
- United Kingdom - [office of sanctions implementation](#)
- Canada - [service and information](#)
- Human Rights First - [database of information on human rights and corruption sanctions](#)
- Center for a New American Security: [analysis on sanctions and economic security](#)
- C4ADS Sanctions Explorer - [historic and current data on sanctions regimes](#)