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**Hard Measures by
a Soft Power?
Sanctions Policy
of the European
Union**

Hard Measures by a Soft Power?
Sanctions policy of the European Union 1981—2004.

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Introduction

It seemed to come as a surprise for many observers when the European Union (EU)¹ presented a document on 17 June 2004 entitled “Basic Principles on the Use of Restrictive Measures (Sanctions)”. Indeed, notably scant attention had previously been given to the use of sanctions by the EU, both by researchers and the general public. In one of the few studies conducted on EU sanctions, it is argued that “if there is any European sanctions policy, it would be a preference to use positive rather than negative measures, or carrots over sticks” (de Vries and Hazelzet 2005: 151). This fits in well with a common perception that the EU is a ‘soft power’ with limited ability to act politically. The arguments presented are based on (neo-)rationalist assumptions about the EU as well as the international system. It is argued that the design of the EU prevents it from acting efficiently in international relations. If there is a need for negative measures, the member states will not be able to reach an agreement because individual national security concerns are deemed too important (Becher 2003). A similar argument focuses on the lack of military capabilities directly under EU command. Without a credible threat of armed force, it is claimed that the EU has not, can not, and will not be able to develop the ability to influence the behaviour of other international actors (Hadar 1991). However, the sudden attention given to sanctions through the adopted “Basic Principles”, and the inclusion of sanctions as part of the European Common Foreign and Security Policy (CFSP) seems to correspond to recent developments of the EU as a more active security-provider along the lines of the 2003 European Security Strategy (ESS). These recent developments also provide an opportunity to collect information about and evaluate the pre-ESS use of sanctions by the European Union.

This paper aims at giving an overview of EU sanctions during the time period leading up to the first programmatic document on sanctions policy in June 2004. There are several reasons for why such an approach is valuable both for the research on European integration and for the international relations literature concerned with the use of sanctions.

General EU
Foreign Policy

1 Throughout this paper, the European Union, or EU, is used as the name for the entity originally established as the EEC (European Economic Community) through the Treaty of Rome in 1957, but also including non-EEC bodies such as the EPC during 1970–1987. Legally speaking, the EU was created with the Treaty on European Union (the Maastricht Treaty) in 1992.

- First, as mentioned above, because there are few studies conducted on EU sanctions, a systematic presentation of the cases during this time period will be useful.
- Second, studies on EU sanctions have usually been case specific and focused on either legalistic aspects or European foreign policy considerations. By combining these two approaches, this paper will act as a useful reference for future research.
- Third, the EU has often been described as a ‘soft power’ in international relations. Employing sanctions is not a ‘soft’ measure as several previous studies have shown. It is worth noting that the use of sanctions can have a substantial, at times fatal, impact on the target but it can also lead to negative consequences for the ‘sender’ (Hanlon and Omond 1987, Lopez, Cortright and Wagler 2000, Hiscox 2003). It can thus be argued that each initiated use of sanctions by the EU would necessitate a controversial decision that is costly for some or all member states.
- Fourth, acknowledging that sanctions were the most negative measure employed by the EU in the time period studied, an assessment of reasons *why* the EU initiated sanctions can also provide important findings. There is a common perception that the EU pursues a different foreign policy agenda than other actors in the international system; one which puts greater emphasis on human rights and human security. Can this approach be found in the use of sanctions, or is the EU pursuing traditional foreign policy goals which may or may not emerge from the security strategies of influential member states?
- Fifth, the time period covered in this paper has seen numerous changes in the international system and, not least, in the European Union. The size of the EU has expanded from nine member states in 1980 to 25 in 2004, and the union has become increasingly institutionalised through numerous treaty revisions. The ambition of this paper is thus to describe in what way these changes have influenced the EU approach to sanctions.
- Sixth and finally, when the “Basic Principles” were created in June 2004, did these correspond with previous practices or

should they be interpreted solely as guiding EU future sanctions policy?²

Defining European Union sanctions

One of the reasons behind the constant referral to the EU as a 'soft' power is probably in part a consequence of the language used by the EU institutions. Generally, EU statements on common foreign policy emphasise the focus on incentives and a multilateral approach. When it comes to sanctions, the practice is similar. Indeed, the term 'sanctions' is not primarily used since the EU prefer to use a concept of **Restrictive Measures (Sanctions)**, but the definition of these measures is almost identical to the definition used by the individual member states and other sanctioning organisations such as the United Nations (UN).

The need to focus on sanctions

Legally speaking, the EU leans on Article 301 in the Treaty establishing the European Community which declares that a CFSP instrument³ can be imposed to interrupt or reduce, in part or completely, economic relations with a non-member state. In practice, this includes both embargoes on EU products and a ban on the import of products from the targeted country. Furthermore, the EU can restrict diplomatic contacts and instigate restrictions on the admission of individuals in EU territory. All in all, EU sanctions can be divided into the following types of measures:

- Arms embargoes
- Trade sanctions
- Financial sanctions
- Flight bans
- Restriction of admission
- Diplomatic sanctions
- Boycotts of sport and cultural events

² A Seventh aspect worth assessing would be the efficiency of implementation of EU sanctions. That aspect, however, is large enough to warrant a separate paper which is why it is not included here. For readers interested in this topic, please see for example de Vries and Hazelzet 2005.

³ One set of EU sanctions is excluded from this paper despite being imposed through CFSP Joint Action and Council Regulation. This concern the sanctions against the United States imposed to oppose and protect EU companies from certain US laws with regards to conducting business in Cuba, Iran, and Libya (Joint Action 1996/668/CFSP, Council Regulation No 2271/1996).

- Suspension of co-operation with a third country.

There are some important distinctions to be made between arms embargoes and other trade sanctions, both with regards to their usage in general and due to the institutional set-up of the EU. **Arms embargoes** have some features that distinguish them from other types of sanctions. In contrast to most other types of sanctions, arms embargoes are not imposed to inflict economic pain on the targeted actor, but to deny them access to certain products. Also, one of the key provisions for the EU has been that issues regarding the member states' national security have been excluded from the common regulations. Article 57 (currently Article 296) in the 1957 Treaty of Rome include several restrictions on EU authority, including its legal ability to impose arms embargoes. A consequence of this is that the implementation of all arms embargoes is the responsibility of the individual member states.

For other **trade** and **financial sanctions** including **flight bans**, the implementation is the responsibility of the Commission, since a sanction effectively consists of a restriction of the common market. These types of sanctions can be targeted against specific actors or generally towards a country. Much attention has been given in the last decade towards developing trade and financial sanctions to become 'smarter' by making them more efficient targeting key actors whilst minimising unwanted effects on civilian populations (United Nations 1995).⁴ One of the examples of the recently developed approach of 'smart sanctions' is flight bans. The intention is to isolate a targeted country both in political and economical terms from the international community through preventing all air traffic to and from a certain target.

For practical reasons, **restrictions of admission** are implemented in the EU by the individual member states. In sanctions literature, the explicit measure of restriction of admission is usually part of the wider concept of 'travel restrictions.' In the EU, this measure has consisted of refusing individuals, or groups, the right to enter into the territory of the union. Even though the decision is taken jointly, it needs to be implemented through the different immigration authorities in the member states. Since these are bound by national law, there has been some confusion concerning the relationship between legal competencies in the EU and the member states. In particular, visa

⁴ Most importantly, through the work of the expert working groups formed as part of the Interlaken, Bonn-Berlin, and Stockholm processes (Biersteker, Eckert, Reid and Romaniuk 2001; Brzoska 2001; and Wallenstein, Staibano and Eriksson 2003).

or travel bans imposed on targeted individuals are supposed to be implemented on the member state level despite the existence of EU general visa regulations since the 2000 Treaty of Amsterdam (Paasivirta and Rosas 2002).

Diplomatic sanctions, sporting and cultural boycotts, and suspension of co-operation are largely symbolic measures traditionally employed by states to signal disapproval of other actors' behaviour. These three types of measures are not included in this paper for the simple reason that there are few sources which document cases of this kind. It also creates a theoretical dilemma since the concept of sanctions would become unnecessary inclusive if everything from critical official statements to comprehensive trade embargoes was treated equally. However, this does not suggest that these measures are less useful, as the EU has deliberately promoted an approach where the steps between sanctions and incentives are closely tied. The EU has managed to create approaches combining carrot and stick-techniques through the programmatic use of suspending co-operation with third countries, such as in the conditionality clauses in trade arrangements (Bretherton and Vogler 1999).

Development of sanctions regulations at the EU level

The main objective of this section of the paper is to provide an overview of the background of EU sanctions regulations. There is no common agreement among researchers about the appropriate date of when to begin studying EU sanctioning activity. Studies have argued convincingly for an analysis to start in 1957 (Ginsberg 1989, 2001), 1970 (Nuttall 1997), 1987 (Kalbermatter 1999, Hazelzet 2001), or 1992 (Anthony 1991, Edwards and Nuttall 1994, de Vries and Hazelzet 2005.) The different approaches have obviously been chosen on the basis of the legal and institutional development of the EU, as treaties have clarified the expanded policy options available for joint foreign policy. This paper has a more instrumental approach to the time period chosen. No autonomous EU sanctions, as defined above, were observed in the time period before 1981 and the most important institutional factor at the start of sanctions policy was the European Political Co-operation (EPC) "London Report" in October 1981. However, EU policy in a specific issue-area does not evolve in a vacuum which is why it is necessary to discuss EU sanctioning ability as well as practice since the signing of the Treaty of Rome in 1957. Whenever the specific regulations for arms embargoes are discussed, the term 'sanction' is avoided.

Beginning of EU
sanctions

Previous EU Sanctions Policy

The Treaty of Rome and the European Political Co-operation

Treaty of Rome
and the EPC

The ambition to include security-political components into European integration has been on the agenda since the organisation was founded (Nuttall 1997). The European Community was established mainly with the intention to create an open internal market in 1957, and issues regarding member state security and arms production were excluded through Article 57 in the Treaty of Rome. This article (subsequently renamed as Article 223, and presently Article 296) specifically states that “any Member State may take such measures as it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material...” (EEC 1957, see also Bratanova 2004, Davis 2002). To clarify what was defined as arms, munitions and war material, a list⁵ was drawn up in 1958 for clarification (Featherstone and Ginsberg 1996; Lipson 1999; Davis 2002). With regards to other types of sanctions, a specific paragraph was included in the Treaty concerning implementation of UN economic sanctions. Since economic sanctions would breach the internal market regulations, exceptions were made for measures introduced by the member states “in order to carry out obligations ... accepted for the purpose of maintaining peace and international security” (EEC 1957). This exception included a specific clause for non-UN member states in order to cover the Federal Republic of Germany which did not join the UN until 1973 (Koutrakos 2001).

The first case of UN sanctions, against Rhodesia in 1965, was implemented individually by the member states, even though the implementation followed a joint EU decision. During the first decade of the EU, the first steps were also initiated towards co-ordinating development aid⁶ through the Yaoundé Agreements in 1963 and 1969 (Ginsberg 1989; Koutrakis 2001). In September 1970, the EU member states decided to form an intergovernmental mechanism to co-ordinate their foreign policy. The content guiding the EPC was not clarified and, in effect, created a system consisting of dual principles where joint action

⁵ The list basically consisted of the products listed as part of the CoCom (Co-ordinating Committee for Multilateral Export Controls) sanctions against the Soviet bloc since 1949.

⁶ The Yaoundé Agreements included some early references to what has developed into a policy of conditionality in relations with other states and regions.

was promoted for foreign policy while national sovereignty was emphasised in security policy. One of the first attempts at identifying the content of a common policy was the 1973 Copenhagen Declaration which promoted an approach to international relations focusing on common values such as the respect of human rights (King 1999). Even though the EPC created practices for jointly implementing UN decisions (Paasivirta and Rosas 2002), it did not institutionalise further the decision-making ability to impose autonomous measures. Notably, the usage of sanctions seemed to be one of the issue areas where the EPC was most divided, for example through the different opinions held by Great Britain and France in UNSC discussions on the 1977 arms embargo on South Africa (Hanlon and Omond 1986, Nicoll and Salmon 1994). After the United States requested that the EU join its sanctions against Libya in 1978 and Iran in 1979, discussions within the EPC intensified, however without reaching any decision. At most, the EPC members agreed to commonly condemn the hostage-taking in Tehran but could not agree on sanctions.

The London Report and the Single European Act

The first decade of the EPC was considered to be a failure as can be seen from the lack of action concerning possible sanctions in the late 1970s. A British initiative to revitalise the process was launched and led to the October 1981 London Report. The report suggested increased EPC activity and launched measures to allow the EU to improve its ability for rapid reaction through institutions such as the 'Troika' secretariat and a 'crisis procedure' whereby the Political Committee or ministers could be called together within forty-eight hours (Nuttall 1997). Two months later, the EU imposed its first set of (unspecified) sanctions against the Soviet Union as a response to events in Poland, and it was followed by an arms embargo against Argentina in spring 1982. Strengthened by the momentum in the EPC process, the Solemn Declaration on European Union in 1983 further promoted the importance of closer co-ordination of foreign policy by the member states (Koutrakis 2001). As developments with regards to the creation of an "area without internal borders in which the free movement of goods, persons, services and capital is ensured" (Commission 1985, cited by Moravcik 1991) continued in the mid-1980s, implications followed for the EU ability to impose sanctions. When the Single European Act (SEA) came into force in 1987, the EPC gained the ability to implement its declarations (Ginsberg 1989).

The London Report
and the SEA

The main reasons behind the signing of the SEA were economic, with the main focus on the liberalisation of the internal market, but the Treaty also addressed EU decision-making procedures in general. Importantly, the EPC became integrated into the EU structure with a Secretariat in Brussels, while Commission representatives became “associated” with the process” (Moravcik 1991; Cameron 1999; Koutrakis 2001). Furthermore, the Commission became responsible for the implementation of economic sanctions imposed by the EPC as well as the UN (Davis 2002). The increased ability and responsibility to act created the need for more specific regulations. Problems identified by the uneven implementation of the 1989 sanctions on China led to renewed focus on joint arms transfer control. While plans for the creation of a Common Foreign and Security Policy became more substantial, the Council of Ministers drew up ‘The Asolo List’ at the Rome meeting in December 1990. The Asolo List stated that four fields were considered integral for the future CFSP, including the “economic and technological co-operation in the armaments field, and co-operation on **armaments export policy** and non-proliferation” (Davis 2002: 53, emphasis added). In the following years, arms export regulations became more focused on the implementation of embargoes.

In the original mandate for the formation of COARM (Council Working Group on Conventional Arms Exports) in September 1991, the organisation was instructed to co-ordinate national policies with regards to conventional arms and definitions of arms embargoes.⁷ The Luxembourg Council meeting in June 1991 established common criteria with regards to the granting of arms export licenses. The first of these criteria concerns “international commitments” of the member states, particularly embargoes imposed by the UN or the EU. Also in 1991, the EU agreed on a ‘Common Embargo List’ that provided the basis for embargoes established henceforth on “arms, munitions and military equipment” (Davis 2002). Additionally, a discussion about how to deal with products that could be used for both military and civilian use was initiated. Such products were not included in the ‘Common Embargo List’ which focused exclusively on military material.⁸

⁷ The COARM mandate was reviewed and changed in 1994 during the German presidency.

⁸ In 1994, the EU adopted a regulation (3381/94) and a Council Decision (94/942/CFSP) concerning the status of dual-use goods. These decisions set up a Commission regime and listed what goods are considered dual-use.

The Common Foreign and Security Policy

The creation of the Common Foreign and Security Policy in the 1992 Maastricht Treaty led to a legal strengthening of EU joint decisions. It also formalised the decision-making procedures with regards to sanctions. Following a decision on mandatory sanctions by the UN Security Council (UNSC), the EU added a CFSP decision setting out the scope, objective and means of the embargo. The content of the UNSC sanctioning decision constitutes the minimum requirements while additional measures can then be added by the EU through the CFSP decision, something that has been done at times. The sanctions are then implemented by the Commission **except** in the cases of arms embargoes and targeted travel restrictions, as these are the responsibility of the separate member states (Osteneck, 2004; Bohr, 1993). Imposition of EU sanctions follow the same procedure as described above with the obvious exception of the preceding UNSC decision. In the first years of the CFSP, the majority of previous sanctions that had been decided through the EPC and SEA were replaced by new “Common Positions”. The notable exception to this rule was the arms embargo on China, which was still based on the Joint Statement from 1989 (Kreutz 2004). Throughout 1992, EU sanctions, and especially arms embargoes, were high on the integrationist agenda. At the Council in Edinburgh in December 1992, a Political Committee Working Group published its findings on areas suitable for further development of joint action. The report included a suggestion to focus on four main headings, including the “economic aspects of security” such as through a review of existing UN and European arms embargoes (Davis 2002).

Common Foreign
and Security Policy

In the years that followed, a series of judgements in the European Court with regards to the (UN-led) sanctions in the Balkan conflicts clarified the authority of Community-implemented measures (Koutrakos 2001). In May 1998, the EU adopted a Code of Conduct on Arms Exports based on the 1991 criteria, which has led to improved information on the implementation of EU arms embargoes. Towards the end of the decade, the increasing use of EU sanctions led to a renewed focus on the efficiency of the measures imposed. In 1998, the EU attempted a more active and flexible approach in its response to the unfolding crisis in the Kosovo region of Yugoslavia. Despite

Later rulings by the ECJ have established that dual-use goods are under the jurisdiction of the European Commission and should be treated as any part of the internal market. (Kalbermatter 1999; Koutrakos 2001; Bauer 2004).

Lessons learned
from the Balkan
conflicts

an apparent politically unified approach among the member states, it eventually became clear that the decision-making procedures needed to improve. During the crisis, different measures were introduced in response to the developments, but the need for an EC Implementation Regulation led to delays of several months for each decision (Buchet de Neuilly 2003). These lessons, combined with a general renewed interest in foreign policy efficiency spearheaded by the creation of the High Representative for CFSP, indicated that the development of EU sanctions was reinstated on the integration agenda. However, despite some statements committing the EU to the use of sanctions for diverse reasons, no official initiatives were launched until 2004. Indeed, when the discussion in the new field of European Security and Defence Policy (ESDP) turned towards “soft security” and non-military means for conflict management and prevention, for instance at the European Councils in Feira 2000 and Gothenburg 2001, the topic of sanctions was not raised. When the EU presented “A Secure Europe in a Better World”, or the European Security Strategy (ESS), in December 2003, sanctions were not directly mentioned at all. While the Council presented “The Guidelines on the use of sanctions” at the same meeting, no connection between the documents was made in the debate concerning the proposed future CFSP. Tellingly, there was no strategy or list of targets for EU sanctions on the European Union website until March 2004.⁹

“Basic Principles”
for EU sanctions

While sanctions seemed to be separated from other EU policies until December 2003, the sudden development in the field during the first half of 2004 was even more remarkable. As the EU became increasingly active in propagating sanctions as an alternative approach to military intervention while continuing to institutionalise the handling of sanctions, a new phase of sanctions policy can be detected. Both documents, the 2004 “Basic Principles” and the 2003 “Guidelines”, emphasised that further development in this field was expected. The former also institutionalised the sanctions policy with an increased focus on efficient implementation by suggesting the formation of a new Council body. In January 2004, a working group within the Foreign Relations Counsellors Working Party called RELEX/Sanctions was established. This body was mandated to

⁹ The EU sanctions policy was however presented on the website of the European Commission representation in the United States (<http://www.eurunion.org/index.htm>). One could speculate that possible explanations could be the high profile sanctions have in US foreign policy, or the EU contribution to the “War on Terror” after 9/11, which included several targeted measures against al-Qaeda.

develop best practices concerning the implementation of restrictive measure regimes, and to collect information about their efficiency. It was also meant to assist in evaluating whether the measures introduced are having the impact needed to be effective (Council 2003: 27-28). There has been some concern over the latter function as it could lead to a practice of supranational decision-making on the imposition and removal of sanctions, and thus limit the power of the individual member states.

Present EU Sanctions Policy

The adaptation of the “Basic Principles on the Use of Restrictive Measures (Sanctions)” in 2004 was the first programmatic document on EU sanctions policy. Interestingly enough, this political document was adopted six months after the more detailed document “The Guidelines on the Use of Restrictive Measures (Sanctions)”, had created an institutional setting for EU sanctions activity. The “Basic Principles” established an approach to sanctions as a useful foreign policy instrument, emphasising their ability to maintain and restore peace and security in accordance to the principles of the UN Charter and the CFSP. The latter principles can be said to focus around three general themes:

- respect for international law (including the UN Charter),
- the physical security of EU territory (including promoting peace and international co-operation), and
- norms and values, such as democracy, human rights and fundamental freedoms.

When sanctions should be used

In the European Security Strategy adopted in December 2003, these three themes were also established as the guiding principles for the ESDP.

In the “Basic Principles” it is argued that the prime sanctioning actor is the UN, but that the EU is also willing to employ sanctions, preferably with broad international support. In the advent of EU sanctions, these should be considered part of a more comprehensive policy “including political dialogue, incentives, conditionality, and could even involve, as a last resort, the use of coercive measures” (Council 2004:2). As a consequence, the adoption of the “Basic Principles” established sanctions firmly as an ESDP instrument. This became even more evident when the document gives examples of areas where the EU could employ sanctions, namely:

- in support of efforts to fight terrorism,

- against the proliferation of weapons of mass destruction,
- as a restrictive measure to uphold respect for human rights, democracy, the rule of law and good governance.

Interestingly enough, these areas are also considered the key threats to the member states in the ESS, as well as regional conflicts and criminality (Council 2003, Council 2004).

Furthermore, the “Basic Principles” was not only concerned with the objectives for sanctions but also informed more closely of what type of sanctions could be employed by the EU. It declared that EU sanctions policy should consist of targeted measures rather than comprehensive economic sanctions, and three examples were given:

- arms embargoes
- visa or travel bans
- freezing of economic assets

The “Basic Principles” also stated that the EU is willing to impose sanctions against states, organisations, and individuals. More detailed information on the EU definition and administration of sanctions was elaborated in the previous document entitled “Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the ECFSP”, adopted in December 2003. These two documents should be considered complementary, and together they provided the first programmatic declaration of EU sanctions policy.

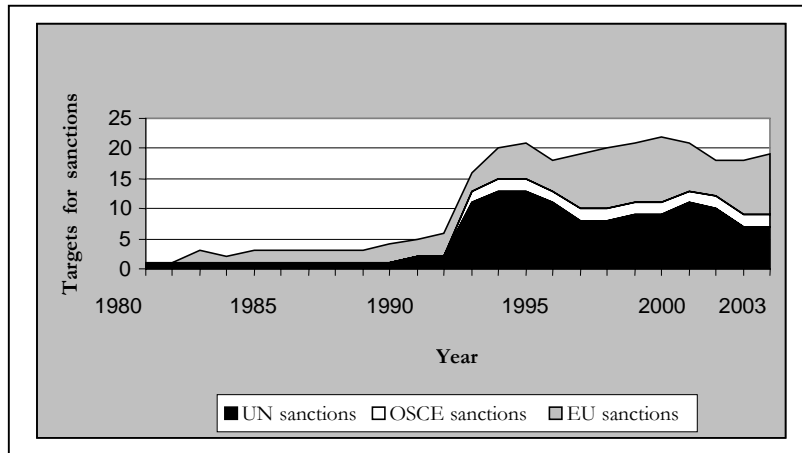
Sanctions practice in the EU area

According to the “Basic Principles”, the EU considers the UN as the prime international actor responsible for sanctions. Measures imposed by the UN Security Council are binding for all member states under the UN Charter,¹⁰ The EU has also clarified that sanctions imposed by the Organisation for Security and Cooperation in Europe (OSCE) are binding throughout the EU area. A complete overview of the sanctioning activity in the EU should thus also include these measures. Below is a graph highlighting the extent of sanctioning activity by international organisations observed in the European Union area since 1980.¹¹

¹⁰ The commitment to UN action became a specific article in the Treaty of Rome, as Germany was not an UN member at the time.

¹¹ The graph is based on yearly observations; the cases with dual UN and EU sanctions in the same year have only been recorded as UN sanctions. Thus, the number of EU measures is underrepresented.

Figure 1: Sanctions in the EU area, 1980–2003



UN, OSCE and
EU sanctions in
the EU area

Interestingly, the graph shows that the EU has imposed sanctions on almost as many target states as the UN has during the last decade. EU was also more active in its sanctioning activity during the 1980s when the UN Security Council was, arguably, prevented from acting effectively due to the superpower rivalry. This observation should be considered even more notable as the EU official policy on sanctions is based on the notion of preferences for UN regimes.¹²

Co-ordination of UN, OSCE and EU sanctions

There are obvious differences between sanctions imposed by the UN and any other international organisation or state. The implementation of UN Security Council measures is mandatory all over the world. Sanctions can only be imposed in situations that are deemed by the UN Security Council to pose a threat to international peace and stability. Even though this originally rather narrow scope has expanded through a more generous interpretation of what situations pose this type of threats, UN sanctions can still mainly be used as a response rather than a preventive action. The EU, or any individual government, can choose to impose sanctions in pursuit of a wider array of objectives. Some limitations based on international law and the regulations of the World Trade Organization (WTO) are still in

¹² That is not to say that some of the EU member states at the time upheld unilateral sanctions, or sanctions through other organizations such as, for example, the Commonwealth or the Organisation Internationale de la Francophonie.

UN sanctions
compared to EU
sanctions

place, but the EU clearly has a wider sanctioning ability than the UN.

However, there are some characteristics that are similar for UN and EU sanctions. Both have been used as instruments to reverse territorial aggression, restore democratically elected leaders, promote human rights, deter and punish terrorism, and promote disarmament (Lopez, Cortright and Wagner, 2000). The UN has chosen to implement different types of sanctions, though, from comprehensive trade bans to more specific, so-called “smart” sanctions. Indeed, the concept was developed in part by the Interlaken, Bonn-Berlin, and Stockholm processes established in 1999–2003 with the intent of improving the impact of UN sanctions while limiting negative consequences towards the civilian population in targeted states (Biersteker, Eckert, Reid and Romaniuk 2001; Brzoska 2001; Wallensteen, Staibano and Eriksson 2003). Despite the increasing use of smarter sanctions in the last decade, through travel bans, freezing of assets and individual targets, these means have usually been complemented by some traditional sanctions. The most common type of sanctions for the UN has been, and still is, the embargo on arms. Regardless of what type of behaviour leads to the imposition of sanctions, banning access to weapons for the targeted actor carries an obvious logic. In possible conflict situations or in cases of human rights violations, an embargo on arms should prevent, limit, or terminate the use of armed force. As weapons systems are increasingly more dependent on cutting-edge technology, the impact should increase in proportion to the time passed since the embargo was imposed. Therefore, by being subjected to an embargo on advanced weapons, an actor whose actions are being perceived as a threat should become decreasingly powerful, at least in military terms.

Apart from imposing mandatory sanctions, the UN Security Council can also recommend sanctions, which member states can choose to implement. The recommended sanctions have always consisted of arms embargoes, and the EU has chosen to implement them in all cases except the embargoes on Georgia in 1993 and Yemen in 1994.

Additionally, the EU has also committed itself to implement embargoes imposed by the OSCE. As part of the development of the CFSP, there are strong institutional links between the two organisations, such as the participation of both EU Council and Commission representatives in all OSCE meetings (Nesi 2002.) There is only one case recorded of OSCE sanctions but it also coincides with a UNSC recommended arms embargo.

In general, EU sanctions have preceded or continued UN efforts but there were two cases when both organisations upheld sanctions for different reasons against the same targets. During 1996–2001, there was an EU arms embargo against Sudan while other measures were taken by the UN. The opposite relationship existed in 1998–2001 against the Former Yugoslavia when the UN imposed an arms embargo while the EU added substantial other measures as part of the Kosovo crisis.

EU Sanctions Policy in practice

This paper has shown that the EU has used sanctions to a large extent but is it possible to identify a specific EU sanctions *policy*? The following table summarises the cases of EU sanctions prior to the June 2004 sanctions document:

Figure 2: Table of EU Sanctions

Target	Sanctions imposed (date)	Sanctions lifted (date)	Reason given for sanctions	Type of sanctions employed
Soviet Union	04.01.1982	unclear (1982)	Intervention in Poland	partial trade embargo
Argentina	10.04.1982	14.06.1982	Conflict with United Kingdom	arms embargo, trade embargo
Iran	30.03.1984	11.06.1985	Conflict with Iraq, illegitimate warfare	arms embargo - chemical weapons
Iraq	30.03.1984	11.06.1985	Conflict with Iran, illegitimate warfare	arms embargo - chemical weapons
South Africa	26.07.1985	25.05.1994	Violence, human rights violations	expanding arms embargo, partial trade embargo
Libya	27.01.1986	11.10.2004	Terrorism	arms embargo, restr. of admission, diplomatic sanctions
Syria	14.11.1986	28.11.1994	Terrorism	arms embargo
China	27.06.1989	ongoing	Human rights violations	arms embargo
Union of Myanmar	29.07.1990	ongoing	Respect for democracy, human rights violations	arms embargo, restr. of admission, financial sanctions, partial trade embargo
Iraq	04.08.1990	ongoing	Conflict with Kuwait	arms embargo

Target	Sanctions imposed (date)	Sanctions lifted (date)	Reason given for sanctions	Type of sanctions employed
Yugoslavia	05.07.1991	ongoing	Intrastate conflict, human rights violations	arms embargo, restr. of admission, financial sanctions, partial trade embargo, aviation ban
Slovenia	05.07.1991	10.08.1998	Intrastate conflict	arms embargo
Croatia	05.07.1991	20.11.2000	Intrastate conflict	arms embargo
FYRo Macedonia	05.07.1991	20.11.2000	Intrastate conflict	arms embargo
Bosnia-Herzegovina	05.07.1991	ongoing	Intrastate conflict	arms embargo
Azerbaijan	28.02.1992	ongoing	Intrastate conflict	arms embargo
Armenia	28.02.1992	ongoing	Supporting actor in Azeri conflict	arms embargo
Zaire (DRC)	07.04.1993	ongoing	Respect for democracy	arms embargo, restr. of admission
Nigeria	13.07.1993	31.05.1999	Respect for democracy, human rights violations	arms embargo
Sudan	15.03.1994	ongoing	unclear, human rights violations	arms embargo
Afghanistan	17.12.1996	ongoing	Intrastate conflict, terrorism, human rights violations	arms embargo
Belarus	09.07.1998	22.02.1999	Protest against treatment of EU staff	restr. of admission
Ethiopia	15.03.1999	16.05.2001	Conflict with Eritrea	arms embargo
Eritrea	15.03.1999	16.05.2001	Conflict with Ethiopia	arms embargo
Indonesia	16.09.1999	17.01.2000	Human rights violations	arms embargo
Zimbabwe	02.02.2002	ongoing	Protest against treatment of EU staff, respect for democracy, human rights violations	arms embargo, restr. of admission

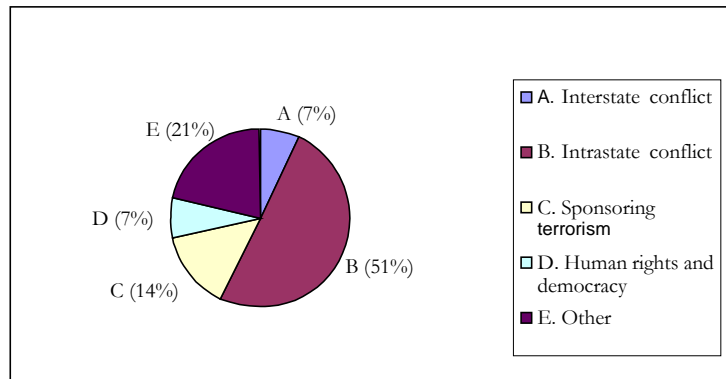
Target	Sanctions imposed (date)	Sanctions lifted (date)	Reason given for sanctions	Type of sanctions employed
Belarus	19.11.2002	11.04.2003	Protest against treatment of international observers	restr. of admission
Moldova	27.02.2003	ongoing	Support for peace process	restr. of admission

This summary of EU sanctions shows some interesting features of EU sanctions, especially when linking the activity with other dimensions of EU external policy. The discussion below will focus on three themes of EU sanctions; the geographic spread of targets, the type of policies promoted through sanctions, and the type of measures employed.

At first glance, an analysis of the geographical distribution of sanctions provides little insight. Most cases are located in Europe (11), followed by Africa (9), Middle East (4), Asia (4), and the Americas with just one observation—which corresponds to the one and only attack on the territory of an EU member state in the time period covered. It seems that the EU is mainly concerned with its role as a regional power. An interesting pattern emerges, however, when a comparison is made between the EU-defined “near neighbourhood”¹³ and the rest of the world. EU sanctions have been imposed in the geographical vicinity 13 times, and 15 times in the rest of the world—with the majority in Southeast Asia and sub-Saharan Africa. The trend becomes more noticeable when UN-recommended measures are excluded and those cases are brought into focus where the EU has been the main sanctioning actor. It seems as if the EU pursued different policies through their sanctions in different regions of the world.

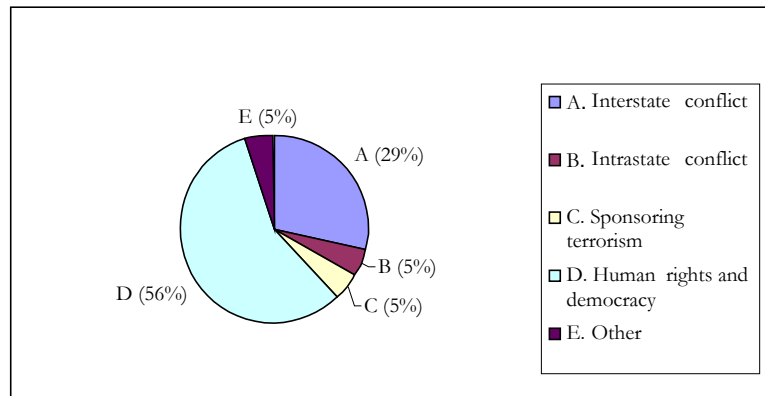
¹³ The EU neighbourhood consists of the European non-member states as well as Algeria, Egypt, Israel and the Palestinian Authority, Jordan, Lebanon, Libya, Morocco, Syria, and Tunisia. See Commission 2003.

Figure 3: EU near neighbourhood



In its geographical proximity, the EU has invoked sanctions for a multitude of reasons—including terrorism, civil wars, and diplomatic rows. It appears that sanctions directed towards the EU’s geographical vicinity are a result of more direct security-based considerations. Sanctions imposed as a response to the threat of terrorism, and to contain intrastate conflicts in the Balkans and the former Soviet Union can be at least partially attributed to a possible fear of consequences on EU territory. It also seems that the EU has responded more quickly to possible crisis situations nearby through the use—or threat—of sanctions.

Figure 4: Rest of the World



In contrast, sanctions policy with regards to the rest of the world seems to be more sensitive to the rules of international law and value-based policy. Sanctions have been imposed as a response to several interstate conflicts but only in Afghanistan towards a situation of intrastate struggle. The majority of sanctions have been imposed to protect democracy and human rights. Interestingly, there is a type of action that seems to ‘trigger’ EU

sanctions more than others: when government forces, or government-sponsored forces have been responsible for severe abuses of human rights. As such, it appears that the EU—at least with regards to its sanctioning behaviour—has managed to incorporate a human rights approach to its external policy.

Finally, with regards to the type of sanctions employed, there is a visible development which, arguably, corresponds to suggested concepts of the EU's growing stature as an international actor. In early EU sanctions, a careful approach focusing on partial trade measures directly linked to regulations of the common market was dominant. After terrorist attacks on European soil in the mid-1980s, the EU focused on arms embargoes as the main measure to signal discontent, the implementation of which was, at best, patchy and dependent on the political will in the member states. During the last decade, the EU has become increasingly interested in targeted sanctions, especially focusing on travel restrictions. This has also led to a more active role of the common institutions in implementing the sanctions. This has corresponded, in time, with the introduction of the Schengen principles concerning free movement through the Amsterdam Treaty.

EU sanctions
over time

Cases of European Union sanctions: 1980–2004

The following section describes all cases of EU sanctions except for the implementation of a mandatory UNSC decision. When sanctions are recommended by the UNSC, the EU member states still need to decide whether these should be implemented or not. The overview will be followed by a discussion about factors which seem to characterise the EU as a sanctioning actor.

Soviet Union 1982

Since the mid-1970s, there have been several waves of labour protests in Poland against the bad economic conditions and the corruption of the government. Following national strikes in late 1980, the socialist government allowed the formation of an independent alliance of unions, called Solidarity. In March 1981, General Jaruzelski was installed as the new head of the Polish government and, following Soviet threats about intervention, the police launched a campaign to intimidate dissident leaders. Solidarity quickly demanded an immediate halt to these persecutions as tension grew during the fall of 1981. On 13 December 1981, the Polish government introduced martial law and thousands of Solidarity supporters were arrested. The EU

Soviet invasion
of Poland

met on 14–15 December but could only agree to condemn the action, as some EU member states, Germany in particular, wanted to preserve good east-west relations, whereas the US pressured for the imposition of sanctions. The Commission on Security and Cooperation in Europe (CSCE) condemned the martial law as a violation of human rights and criticised the presence of the Soviet commander-in-chief of the Warsaw Pact in Poland. On 4 January 1982, it was decided that EU sanctions should be imposed as a response to the situation, but detailed discussion about what measures to employ was delegated to the Commission. Eventually, the activity agreed upon was to withdraw the 'Most Favourable Nation'-treatment of Poland while the EU continued to send humanitarian aid as support of the population. Against the Soviet Union, a Council Regulation declared a partial trade embargo in vague terms, namely that imports should be reduced. Greece was exempted from the application of the measures, and Denmark did not implement any measures except preventing Soviet imports from being exported to other member states, except for Greece. It is not clear when the sanctions were lifted, as the measures introduced were unspecified and implemented unequally (Anon. 1981, Ginsberg 1989, Heller and Nekrich 1985, Koutrakis 2001, Nuttall 1997).

Argentina 1982

The Falklands War

When, on 2 April 1982, the territory of a member state was attacked, it constituted a rare event for the EU. There were several reasons behind the Argentine invasion of the British territory of the Falkland Islands (Islas Malvinas), but it was mainly an attempt from the ruling junta to increase domestic popularity. Argentina believed that their pledge to join the US fight against communism, and intense lobbying of China and the USSR within the UN, would veto any attempt to bring up the issue in the Security Council. However, this strategy was not successful as the UN called for a withdrawal of the Argentine forces, while the United Kingdom immediately imposed economic sanctions and started preparing for war. All EU member states quickly condemned the Argentine attack, but it was the Commission that first suggested the imposition of joint economic sanctions. The United Kingdom stressed the importance of consolidated European action and on 10 April 1982, the EU declared its full support of the UK and imposed a package of economic sanctions including a total ban of arms sales to Argentina. In the lead-up to the decision, however, tension arose within the Council when Denmark argued that the EU had no constitutional right to

impose sanctions. As a consequence, they refused to implement the EU Regulation but instead imposed national measures identical to the EU decision. The sanctions were implemented through a Council regulation on 16 April with a set end date on 17 May, after which Ireland and Italy did not renew the sanctions for political reasons. On 31 April, the US declared their support of Britain in the conflict and after a few weeks of intense fighting, the Argentine forces surrendered on 14 June. As a consequence, the EU sanctions were removed. (Ginsberg 1989, Koutrakos 2001, Kreutz 2005, Mares 1998, Millett and Gold-Biss 1996, Nuttall 1997)

Iran and Iraq 1984–85

Following the destabilisation of Iran during the Revolution in 1979/80, Iraq launched an invasion in September 1980 to acquire contested border regions which included the strategic waterway of Shatt al-Arab and the oil producing Khorramshar and Abadan. Initial battlefield successes led to Iraqi attempts to negotiate from a position of strength in early 1981. At the time, Iran had managed to reorganise its armed forces and rejected the negotiations while launching counteroffensives. Due to the numerical advantage of the Iranian forces, reports started to suggest that Iraq was using chemical weapons against its opponents. In November 1983, Iran started a campaign to call attention to the Iraqi breach of the 1925 Geneva Protocol. France and Great Britain publicly questioned the validity of the Iranian claims, however an international team dispatched by the UN in March 1984 confirmed US intelligence reports of 1983 on such a breach. Following the report of the UN team, the United States, Japan, Great Britain and France all agreed that there was a need to prevent the export of certain chemicals to the area. The EU agreed to an embargo on the sale of chemicals that could be used as, or for the production of such, weapons. The embargo was aimed at both parties in the conflict and also included a ban on chemicals that might be supplied directly or indirectly to the belligerents. In regard to conventional weapons, many EU states continued to export significant amounts to Iraq. In August 1984, Australia—that had been involved in promoting the idea of sanctions—also imposed a ban similar to the one adopted by other states while propagating for a more comprehensive international approach to the use of chemical weapons. As a result of these attempts, the Australia Group was formed in mid-1985 as a consultative body to address the issue raised by the Iran-Iraq war. The EU sanctions were thus transferred into the

Chemical warfare
in Iran / Iraq

framework of the Australia Group and neither officially discontinued nor further elaborated upon.
(Ali 2001, Ginsberg 1989, Shalom 1990)

South Africa: 1985–94

Apartheid regime
in South Africa

The South African apartheid policy and violent suppression of black protests had been discussed within the UN since the early 1960s. A UN arms embargo became mandatory in November 1977. Before that, various EU members had dealt with the regime in different ways. South Africa received military technology through licensing agreements with West Germany, Italy, Israel, France, Belgium, and Canada. At the same time, the recommended arms embargo imposed by the UN in August 1963 was mainly implemented by the newly formed Organization of African States (OAS) members. At first, Britain and France maintained that they would distinguish between weapons of internal suppression and external defence, but in October 1964 the British government announced an arms embargo on South Africa. As part of the run-up to the UN Conference on Apartheid in August 1977, the EU started discussing possible sanctions against the South African government. The member states were not able to agree on one single procedure, but the EU installed a code of conduct governing the behaviour of European firms in South Africa similar to the British national approach.

During the early 1980s, further EU sanctions against South Africa were discussed, especially after Dutch initiatives, when violence escalated in 1984. When the South African government declared a state of emergency in July 1985, the EU troika sent off a diplomatic mission and later suggested a review of the Code of Conduct, and expanded sanctions. The new Code of Conduct introduced some new measures such as cultural, scientific and sporting sanctions and the prohibition of oil exports and nuclear collaboration. It also included an embargo on the sale of certain types of equipment that could be used as means of repression to the South African police. At the same time, the EU also initiated some 'positive measures' through a Commission program of assistance to benefit the victims of apartheid. A meeting in The Hague in June 1986 added sanctions restricting the imports of iron and steel and committed member states to investigate possibilities of banning investment in South Africa. Following the abolition of apartheid and imposition of democracy, UN and EU sanctions were removed in 1993 and 1994. The EU, however, insisted on conditionality clauses with regards to human rights in its contractual relations with South Africa.

(Elliot, Schott, Hufbauer and Oegg 2004, Ginsberg 1989, Graumans 1997, Holland 1988, Landgren 1989, Nuttall 1997)

Libya 1986–92, 1999–2004

The US had restricted their arms sales to Libya as early as 1973, and suspended the sale on military equipment completely in 1978 after claims that the Libyan government supported international terrorism. Despite constant US attempts during the first half of the 1980s, as US-Libyan tensions increased, to get the EU to impose a similar embargo these were rebuffed. On 27 December 1985, two co-ordinated terror attacks were carried out against the check-in desks for the Israeli airline El Al at the airports of Rome and Vienna. It was reported that Palestinian Abu Nidal, supported by Libya, had been behind the attacks and in early January, the US imposed further economic sanctions against Libya. A month later, the events in Rome and Vienna led to an EU response through a statement that condemned terrorism and pledged not to export arms or other military equipment to countries which are clearly implicated in supporting terrorism. The EU added further diplomatic and economic sanctions on 21 April 1986 following a bombing of a Berlin nightclub, a bombing, the US claimed, that was connected to Libya. Later evidence showed, however, that it had more likely been a Palestinian-Syrian operation. Following terrorist attacks against aeroplanes over Scotland 1988 and Niger 1989, it was suspected that Libyan intelligence officers had been involved. Following several years of investigation of the 1988 incident, a trial was set up in the Netherlands in 1991 where two Libyan citizens were announced as the main suspects. Libya refused to extradite the two suspects and in March 1992, the UN imposed a mandatory arms embargo as punishment. After a compromise with regards to trial procedures, the suspects were handed over in 1999 and the UN sanctions were lifted. The EU, however, publicly declared that the arms embargo should remain in place. In 2004, both the EU and US embargoes were lifted due to improving relations between Libya and the West.

(Bohr 1993, Knight 1998, Niblock 2001)

Syria 1986–94

During the Cold War rivalry, Syria placed itself loosely on the socialist side in its attempts to establish a nationalistic government and compete with Israel as a major actor in the Middle East. Apart from maintaining close relationships with the Soviet Union

Libya: A supporter
of terrorism

Syria: A supporter
of terrorism

and Iran, during 1972–77. Syria formed part of the Federation of Arab States with Egypt and Libya. Following the dissolution of the Federation, Syria quickly established a co-operation agreement with the EU. However, meetings between the EU and Syria were suspended immediately when Syria got involved in the Lebanon conflict. EU attempts to revitalize the Middle East peace process in the early 1980s was not supported by Syria that continued to build up its military presence. In 1985, the US accused the Syrian government of sponsoring terrorism and developing chemical weapons and called for sanctions. On 17 April 1986, a bomb was discovered in the luggage of an El Al flight from London and at the trial in October, information was presented about Syrian government involvement in the planning of the incident. The United Kingdom and the United States withdrew their ambassadors from Syria, and EU agricultural export subsidies to Syria were cut in late October. On 14 November, all EU countries except Greece introduced partial trade sanctions against Syria, including an embargo on future arms sales. However, existing contracts were not affected. In 1989, the conflict in Lebanon ended and the socialist bloc disintegrated. It came as a surprise to many observers when Syria quickly joined and supported the US-led UN operation against Iraq in 1990. The EU sanctions remained in place until November 1994, when the EU-Syria Co-operation council meetings resumed. A year later, Syria participated in the Euro-Mediterranean conference in Barcelona. (Hinnebusch 2001, Niblock 2001, Rubin 2002)

China 1989–

Democracy movement
on Tiananmen Square

During April and May of 1989, the Tiananmen Square in Beijing was filled with activists that peacefully protested against corruption and censorship in China and demanded some democratic reforms. On the night from 3 to 4 June, the Chinese military surrounded the square and forced the protesters to leave. The military used tanks and other heavy equipment to brutally prevent other protesters from joining the demonstrations in the square. Mass arrests, targeting especially the student leadership of the Tiananmen movement followed. The fragmented reports of armed operations against the peaceful democracy movement received much attention in the global media, and the actions of the Chinese government were widely disapproved. On 6 June, the twelve members of the EU unanimously condemned China, and some countries imposed bilateral sanctions. Germany, Italy and Belgium suspended grants, loans and aid, and Great Britain imposed an arms embargo. At the next European Council

Meeting in Madrid on 27 June, a Joint Statement imposed a number of EU-wide diplomatic and economic sanctions including an unspecified arms embargo to signal the disapproval with the Chinese government's lack of respect for human rights. In February 1990, the US also imposed an arms embargo. All measures except the arms embargo were removed unilaterally by the member states following a common statement in October that relations with China would be "progressively normalised." The EU arms embargo on China remained, but was increasingly questioned in 2004 when several EU countries claimed it was outdated.

(Jakobson 2004, King 1999, Kreutz 2004, Miles 1997, Schell 1995)

Burma/Union of Myanmar 1990–

Following a monetary reform in September 1987, several large protest demonstrations were staged in the Burmese capital of Rangoon. In 1988, student leaders became increasingly active when the movement spread and started calling for democratic reforms. The government responded by sending troops against the demonstrators, closed the universities and made mass-arrests. In August 1988, the West German government suspended all donor assistance because of the human rights violations. Protests continued until 18 September, when an intra-military coup installed a new leadership that imposed martial law and intensified its repression of the opposition. Following the takeover, the country was renamed the Union of Myanmar. When student activists were imprisoned, killed or fled to join the various ethnic insurgencies in the Myanmar border regions, the US imposed an arms embargo on 23 September and called for the EU to join them. Pro-democracy demonstrations continued, and the opposition leader Aung San Suu Kyi requested that foreign countries imposed a total economic boycott of Myanmar in March 1989. The United States imposed further sanctions in early 1990 and called for the EU to follow. In an attempt to resolve the crisis, elections were held in May 1990, and despite attempts by the government to manipulate the results, the opposition won overwhelmingly. The military government claimed that a new constitution had to be drafted before multi-party democracy could be imposed. On 29 July 1990, the EU imposed an arms embargo against Myanmar based on the refusal to respect the election results, and the continued violations of human rights. After the honorary Consul of Denmark died in Myanmar police custody in 1996, further sanctions were introduced when the

Democracy movement
in Burma

existing arms embargo was reconfirmed and travel restrictions were imposed on the Myanmar military leadership. When Myanmar joined the Association of Southeast Asian Nations (ASEAN) in 1997, the EU protested and reiterated that the regime's human rights violations precluded its association to the EU-ASEAN Cooperation Agreement. After a visit by the EU troika in Myanmar in early 2000, the arms embargo was expanded to include equipment for internal repression, and funds were frozen for the same individuals that were targeted by the restrictions of admission. In April 2004, the measures against Myanmar were modified and confirmed while it was declared that the sanctions should remain in place at least for another two years.

(Eriksson 2005, King 1999, Smith 1999, Smith 2002)

Iraq 1990

Iraqi invasion of
Kuwait

During the Iran–Iraq war in the 1980s, Kuwait provided financial support to the Iraqi side while exceeding Organization of the Petroleum Exporting Countries (OPEC) quotas for oil production. However, when Iraqi demands to write off the debt were not met by Kuwait, Iraqi forces launched an armed invasion on Kuwait on 2 August 1990. The response to this attack was widespread international condemnation, and the UN Security Council demanded a withdrawal of Iraqi forces on the same day, while neighboring Arab states tried to initiate negotiations. After three days of fighting, the Iraqi troops had taken control of Kuwait and declared it part of Iraq. On 4 August, the EU met in Rome and agreed to impose an embargo on oil imports from Iraq and Kuwait, and the member states committed themselves to a unified attempt to make the UN Security Council impose further mandatory sanctions. Two days later, on 6 August, the UNSC passed Resolution 661 (1990) which consisted of comprehensive economic, trade, and financial sanctions as well as an arms embargo on Iraq.

(Bohr 1993, Nicoll and Salmon 1994, Featherstone and Ginsberg 1996, Israeli 2004)

Socialist Republic of Yugoslavia 1991

When tensions started to become visible in Yugoslavia throughout 1989–1990, the initial EU approach was to try to preserve the Yugoslav State. During the late 1980s, there had been several meetings with the intention of expanding the economic co-operation between Yugoslavia and the EU. On 25

June 1991, Slovenia and Croatia declared independence, and the Serb-dominated federal Yugoslav army moved into Slovenia. The EU Council and the presidency of Luxembourg sent the troika to Belgrade with the intention of negotiating a cease-fire. The first, and the second cease-fire failed immediately and the conflict escalated. On 5 July, the EU suspended financial aid and imposed an arms embargo supposedly monitored by an EU monitoring mission. Two days later a cease-fire was signed and the ECMM (European Community Monitoring Mission) was dispatched to Slovenia on 15 July and to Croatia in September. Despite attempts of mediation at The Hague in September, the conflict in Croatia became increasingly bitter, and on 25 September, the UN Security Council imposed sanctions, including an arms embargo, against the actors involved in the conflict. The EU continued to actively search for possible solutions throughout the conflict, but focused on taking an active role under the UN umbrella. Notably, the EU focused their efforts on monitoring the arms embargo imposed by the UN. After Slovenia, Croatia, and Bosnia-Herzegovina were recognized as states in 1992, the embargo was modified to encompass 'the territory of former Yugoslavia' as additional UN-imposed sanctions followed. The conflict spread from Slovenia and Croatia to Bosnia-Herzegovina, and various attempts at ending the conflicts left several organisations such as the EU, North Atlantic Treaty Organization (NATO), and the OSCE committed to finding a settlement. Following months of negotiation, a peace agreement was signed in late 1995 in Dayton, USA. The UN sanctions were removed, but the EU decided to keep an arms embargo on the new states of Bosnia-Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Slovenia, and Yugoslavia (Serbia-Montenegro).

(Bohr 1993, Edwards 1997, Ginsberg 2001, Gow 1994, Knight 1998, Silber and Little 1996)

Azerbaijan (and Armenia) 1992–

The founding principles of the OSCE (then CSCE) confined that the organization would not intervene in the member states but the outbreak of war in Yugoslavia in 1991 led to a reassessment of the OSCE mandate. The conflict in the region of Nagorno-Karabakh was first recognized in 1988 when Karabakh Armenians demanded in mass demonstrations that the region should belong to the Armenian Soviet Republic rather than the Azerbaijani. The protests escalated to an armed conflict between the government of the Soviet Union and the Karabakh movement, supported by Armenia. Following the disintegration

The breakup
of Yugoslavia

OSCE mediation in
Nagorno-Karabakh

of the Soviet Union in 1991, an Independent Republic of Nagorno-Karabakh was proclaimed in September, three days after the independence of Azerbaijan. Tension grew in the area when both parties started to attack civilians in an attempt to 'cleanse' the territory of the ethnic minority. In early 1992, fighting escalated when a large number of Armenian volunteers launched an offensive against the Azeri population. The OSCE sent a fact-finding mission to the region and its report included a call for all states to stop supporting the forces in the area with weapons. The EU acknowledged this statement and imposed the measures suggested by the OSCE without adopting any additional EU legislation. After the weaponry from the old Soviet army had been divided up among the post-USSR states in May 1992, the conflict escalated further and so did the attacks on civilians. Azerbaijan tried to lay siege to the region prompting further involvement by Armenian forces to protect their kin. On 30 April 1993, the UN Security Council publicly condemned the Armenian involvement in the conflict while joint OSCE and UN efforts were employed to start negotiations. In July, a ceasefire agreement was signed and accompanied with an UNSC recommendation about an embargo on arms to Azerbaijan and Armenia to avoid a restart of the conflict.

(De Waal 2003, Grigorian 2003, Paye and Remacle 1996)

Democratic Republic of Congo (Zaire) 1993-2003

Free elections
announced in Zaire ...

During the 1980s, opposition to the corrupt one-party state led by President Mobutu became increasingly vocal as the living standard for the citizens decreased. In April 1990, Mobutu announced that political parties would be legalized and free elections would be held in the near future. The transition period was supposed to be monitored by a Zaire National Conference (ZNC) presided over by the Archbishop of Kisangani. In December 1990, Mobutu suspended the ZNC which was disapproved of internationally, and the EU suspended some technical and economic assistance to Zaire. The ZNC managed to hold its first meeting in August 1991, but the election process was disturbed when violence escalated between ethnic groups and political factions, including the army that opened fire on demonstrators on several occasions. Following months of negotiations between Mobutu and the ZNC, a compromise was found in August 1992 when the moderate opposition leader Tshisekedi was appointed Prime Minister. Following this, the ZNC dissolved itself in December 1992 after having established a High Council of the Republic and presented a draft of a new

constitution. Mobutu rejected the draft and dissolved Tshisekedi's government while Mobutu-loyal security forces attacked the Prime Minister's offices. Opposition groups criticized the move, and, on 15 January 1993, a general strike started, and clashes begun between different factions of the armed forces. The EU condemned the activities and in a joint statement on 3 February, France, Belgium and the United States demanded that Mobutu resign and hand over power to Tshisekedi. Mobutu responded by organizing a new conference to resolve the conflict in March that eventually appointed another Prime Minister. The conference had been boycotted by the opposition, and the new government was not recognized by the international community. On 7 April 1993, an EU Council statement requested that Tshisekedi be reinstated, while an arms embargo against Zaire was imposed together with travel restrictions on senior Mobutu-loyal officials. The violence continued and escalated in 1994 when large numbers of refugees entered Zaire from Rwanda and Burundi. In 1997, Mobutu was ousted by rebel forces led by Kabila who renamed the country the Democratic Republic of Congo (DRC). The civil war soon restarted until a peace agreement was signed in 2002. After signs in early 2003 pointed towards a restarted conflict, the UN imposed an arms embargo on the DRC in 2003 to promote the peace process.

(King 1999, Madsen 1999, Miskel and Norton 2003, Orogum 2002)

... but violence
escalates

Nigeria 1993–1999

In 1983, military leaders in Nigeria performed a bloodless coup claiming legitimacy as a remedy to the ethnic politics, violence, rigged elections and economic mismanagement of the previous regime. A new Constitution was written in 1989 and two parties were created and allowed to compete in upcoming elections. However, independent candidates, who in some cases were arrested and detained, were not allowed to run. During the 1990 local elections and the 1992 Presidential primaries, there were strong claims of election fraud. The latter were cancelled after the number of votes cast exceeded the total number of registered voters. After the elections were held in June 1993, several candidates immediately called for the results to be suspended despite the fact that local and international observers claimed that it had been the freest, fairest and most peaceful elections in the history of the country. When it became apparent that Moshood Abiola would win the elections, the military leader Babangida decided to suspend the elections. This was followed by violent

Military coup
in Nigeria

protests in the months to come and a new military coup in November 1993. Following the suspended elections, the US quickly imposed sanctions on Nigeria, with the EU following suit. With the objective of a return to democratic rule and respect of human rights, the EU imposed restrictions in June 1993 on the movement of personnel and military equipment from Nigeria. New export licenses for defense equipment were also to be examined “with an automatic presumption of refusal by member states” (Dáil Éireann 09.11.1995). In November 1995, following the execution of nine opposition leaders by the military government, the EU decided to impose further sanctions which included an arms embargo. The reasons given in the Common position of 20 November was the execution of the opposition, cases of human rights abuses, the annulment of the 1993 election and the fact that the military leadership had not shown any intention to return to civilian rule. In late 1998, the military took several steps towards handing over power to civilian leaders. Elections were held and Olusegun Obasanjo was inaugurated as President on 29 May 1999. Two days later, the EU sanctions were lifted, based on a decision of 17 May.

(Agbu 1998, Ayittey 1999, Fayemi 2002, King 1999, Nmoma 1995)

Sudan 1994–

Attacks on civilians
in Sudan ...

The conflict in southern Sudan began in 1983 after the insurgent group SPLM (Sudan People’s Liberation Movement) announced their intention to overthrow the government and implement a socialist state. When the conflict escalated, the government wanted to impose an Islam-based society which, however, was rejected by the predominately Christian southern Sudan, where SPLM had most of its followers. After a military coup in 1989, the EU suspended development aid to Sudan in 1990 because of the lack of democracy and the poor human rights record of the government. Both the Organization of the African Unity (OAU) and the regional organization IGADD (Intergovernmental Authority on Drought and Development) attempted to mediate in the conflict in the early 1990s. IGADD was partially funded by the EU and supported by a group of “IGADD’s Friends” consisting of France, Italy, Great Britain, the EU, the US, and UNDP. Simultaneously with the peace talks, the government launched several offensives against the rebels and thus blocked any progress in the talks. In 1993, the United States added Sudan to the list of states sponsoring terrorism and publicly accused the Sudan-based Popular Arab and Islamic Conference as an

organization of militant Islamists. In February 1994, it was reported that the Sudanese forces had deliberately targeted civilians in their bombings in the southern province of Equatoria which led the EU to condemn these actions. On March 1994, an EU arms embargo was imposed on Sudan without any clear reasons given but the timing makes it likely that it was connected to the government offensive and the failed peace negotiations. The EU also voiced some concern about possible links to international terrorism from the Sudanese government. In mid-1994, Ilich Ramirez, or 'Carlos' or 'The Jackal', was extradited to France where he was put on trial. Following accusations about Sudanese involvement in the 1996 attempt to assassinate the Egyptian President Mubarak, the UN Security Council imposed sanctions, but *not an arms embargo*, meaning that between 1996 and 2001 there were various UN and EU sanctions in place against Sudan. The UN sanctions were removed in 2001, but the EU arms embargo remained.

(Ali and Matthews 1999, Crocker 2004, Hamad 2003)

Slovenia 1995–1998

Croatia 1995–2000

Former Yugoslav Republic of Macedonia (FYROM) 1995–2000

Bosnia-Herzegovina 1995–

The UN sanctions against the former Yugoslav territory were removed after the signing of the Dayton Agreement in 1995; the EU, however, decided to keep their arms embargo in place. Favourable developments since then have led to the easing of the restrictions for the different states, for instance, when they bound themselves more closely to the EU. When Slovenia started negotiations as an EU candidate country, the embargo was lifted on 10 August 1998. The remaining states became members of the EU Stability Pact for South-Eastern Europe in June 1999, and after Croatia joined the FYROM in the Partnership for Peace program a year later, the embargo seemed outdated. Croatia also staged free and fair elections in early 2000 which led to an EU declaration that Croatia had managed to implement all requirements of the Dayton Agreement. On 20 November 2000, the EU arms embargoes on Croatia and FYROM were removed even though a "strict" adherence to the EU Code of Conduct and a case-by-case review was to guide future arms sales which might occur. Furthermore, directed measures were kept against suspected war criminals in all of former Yugoslavia. The precautions about future arms sales were repeated in a Common Position on 8 October 2001, after both countries had signed

... Sudan's link to terrorism

The Dayton Agreement

Stabilization and Association Agreements with the EU. In 2004, Croatia started association negotiations while FYROM announced an ambition to qualify for these in late 2005. (Bartlett 2003, Phinnemore 2003)

Yugoslavia (Serbia and Montenegro) 1995–

The Kosovo
crisis ...

After the Dayton Peace Accord was signed in 1995, the UN sanctions were removed but the EU arms embargo continued. During the Kosovo crisis, various UN and EU sanctions were in place. Following increased tension and especially brutal repression by Serbian police forces against a Kosovo Albanian demonstration in March 1998, when at least 80 civilians were killed, the ad hoc contact group (US, Russia, UK, France, Germany, EU President) for the former Yugoslavia met on 9 March and called for sanctions in the form of an expanded arms embargo and targeted sanctions against the FRY government. As discussions in UNSC stalled due to Russia on the proposed measures, the EU imposed sanctions against Yugoslavia on 19 March. On 31 March, the UN imposed an arms embargo through UNSC Resolution 1160 which was only lifted in 2001. During that period, the EU imposed several other sanctions towards the country and the leadership around Milosevic. The arms embargo seemed inadequate to influence the situation, this is why further EU sanctions in the form of an investment ban and the freezing of FRY/Serbian funds were adopted on 7 May following new recommendations by the Contact Group. Continuing attacks on civilians led to even stronger measures (flight ban) imposed by the EU on 29 June. The EU sanctions were complemented with a number of positive measures, such as reconstruction aid and the lifting of the oil embargo on the Serb municipalities opposed to the Milosevic regime. On 6 September 1999, Montenegro and the UN-administered area of Kosovo were excluded from the embargo. After the UN arms embargo was lifted on 8 October 2001, the EU adopted a Common Position with the intention of a “strict” implementation of the Code of Conduct in relation to future arms sales to the country. By the end of 2004, the only remaining sanctions specifically target certain individuals connected to the regime of former President Milosevic. (Buchet de Neuilly 2003, Cortright and Lopes 2001, Cortright, Lopez and Gerber 2002, De Vries 2002)

... Targeting
Milosevic

Afghanistan 1996–99

When Soviet forces pulled out of the civil war in Afghanistan in 1989, it was widely believed that the government would be overthrown, but instead both former Afghan government forces and the opposition split into several warring factions while the UN tried to broker a peace settlement. When the varying belligerents received extensive support by countries such as India, Iran, Pakistan, Russia and Saudi Arabia it was suggested by outside observers that the parties would be more willing to commit themselves to the peace process if sanctions were imposed. In April 1996, the US proposed a UN arms embargo against Afghanistan and a peace conference as it seemed that the conflict had reached a stalemate. The UN-appointed mediator, Norbert Holl of Germany, approached the warring parties but was almost killed in rocket attacks on the capital Kabul three months later. In September 1994, an offensive by the Taliban movement led to the fall of Kabul and the imposition of a very strict Islam-based society. In the process of taking power the Taliban attacked a UN compound and killed the former Afghan president Najibullah, an incident that led to widespread condemnation of the new Afghan government. Other groups quickly reorganized as an anti-Taliban movement and immediately launched counter-offensives throughout the country, including Kabul, which led to a UNSC recommendation for its member states to stop delivery of arms to Afghanistan. The resolution especially mentioned the sponsoring of terrorism, and foreign involvement in the conflict as reasons for the embargo. The Taliban argued that the UN and Western powers were conspiring against them and forbade all help aimed at women by NGO's. During the fall of 1996, the increased fighting and poor weather conditions prevented humanitarian aid to the country which led to a severe refugee crisis. In December, the EU chose to follow the UNSC recommendation and implemented an arms embargo on Afghanistan. In the years that followed, several incidents between the Taliban and UN and EU relief staff in Afghanistan led to renewed recommendations for an arms embargo, which was especially to be focusing on the Taliban. In 1999, UN sanctions were imposed because of the protection of international terrorists such as Osama bin Laden by the Taliban and in 2000; the UN imposed a mandatory arms embargo. After the US-led coalition had helped change the government in Afghanistan in 2002, the UN sanctions remained against the Taliban and terrorist organizations.

(Matinuddin 1999, Rashid 2000)

Attacks on the UN
in Afghanistan

Indonesia 1999

Referendum calling
for the independence
of East Timor

There were several factors that destabilized Indonesia in the mid-1990s, such as large-scale political protests and demonstrations, ethnic riots, rigged elections, financial crisis and several conflicts over areas claiming independence. The Indonesian military was accused of human rights violations in its campaigns in Aceh, Irian Jaya (West Papua), and East Timor. This last conflict in particular was on the international agenda when the East Timorese independence leaders José Ramos Horta and Bishop Carlos Ximenes Belo were awarded the Nobel Peace Prize in 1996. A strong EU connection to the conflict was maintained as the UN considered the area to be under Portuguese jurisdiction. Negotiations were thus held between Indonesia and Portugal—on behalf of its former colony’s independence movement—over the future of the territory. The Portuguese criticism of Indonesia had stalled the proposition of a new EU-ASEAN agreement in 1992. The EU adopted a Common Position on the East Timor issue in 1996 where the UN-led peace attempts were supported, and where the EU committed itself to contribute to a solution of the conflict. After anti-government demonstrations and riots forced the Indonesian President Suharto to resign on 21 May 1998, negotiations over East Timor intensified when the East Timorese independence parties unified behind Xanana Gusmao. On 5 May 1999, Indonesia and Portugal signed an agreement calling for an East Timorese referendum on the issue of independence. The UN endorsed the agreement and administered the referendum on 30 August of the same year. During the lead-up to the election, both the UN election mission UNAMET (United Nations Assistance Mission in East Timor) and independence supporters were attacked by army-backed paramilitaries, and when the results were announced (almost 80 percent voted for independence), the terror increased and several hundred thousand East Timorese became refugees. On 16 September, the EU imposed a ban on economic aid and arms sales to Indonesia until 17 January 2000 when it was to be reviewed. The embargo, in this case, was complemented with materials that can be used for internal repression and terrorism. (Eklöf 1999, Kiernan 2004, King 1999)

Ethiopia and Eritrea 1999–2000

Following the defeat of the government by the various insurgent armies in Ethiopia in 1991, the independent state of Eritrea was formed. In the process, the borders with Ethiopia were not

completely settled, and this is one of the reasons why the relationship between the two states soon became tense. A currency reform in Eritrea in 1997 led to interruptions in the cross-border trade, and clashes erupted between the two armies in May 1998. The UN quickly condemned these actions and attempts to mediate were initiated mainly through the Organization of African Unity. The US quickly imposed an arms embargo against the two countries while the EU followed the discussions in the UN. The conflict escalated as Eritrea launched a military offensive, and in February 1999, the UN Security Council recommended its member states to impose an arms embargo. The EU followed this recommendation and its arms embargo went into force on 15 March 1999. Throughout 1999, the violent conflict continued when Ethiopia counterattacked and pushed the Eritrean forces back across the border. Constant attempts to negotiate a cease-fire failed and the UN imposed a mandatory arms embargo in May 2000. Eventually, the OAU managed to initiate negotiations soon thereafter and a peace agreement was signed in December 2000. The UN arms embargo was removed in 2001, and the EU did not introduce any new measures.

(Abraham 2001, Luckham 2002)

Belarus 1998–1999, 2002–2003

After the break-up of the Soviet Union, the economy in the independent Belarus suffered, which contributed to the rise of Lukashenko as a candidate for the 1994 presidential election—which he won with a platform promoting less inflation, less corruption, less crime, and a restoration of ties to the states in the former Soviet Union. In May 1995, a referendum established that Russian was to be the official language next to Belarussian, Soviet symbols were re-introduced, economic integration with Russia was to be promoted, and the president was to have the right to dissolve the parliament. According to election observers, both the referendum and the parliamentary elections held at the same time were not free and fair, and international criticism followed. In 1996, president Lukashenko suggested a reform of the Constitution which would expand his powers while a Union Treaty was signed with Russia. Throughout the year, large-scale demonstrations in Belarus were brutally dispersed by the police, and hundreds of protesters, journalists and opposition leaders were arrested. The EU condemned the behaviour of the government and imposed a partial suspension of bilateral relations in 1997. The EU technical assistance programs were

Border war
between Ethiopia
and Eritrea

Police brutality
in Belarus
resulted in ...

... a diplomatic
crisis in Minsk

frozen and all contacts were directed through the EU Troika. Relations between EU member states and Belarus continued to be sour, and a diplomatic crisis developed when parts of the Drozdy diplomatic compound in Minsk was renovated during the spring of 1998. The EU ambassadors complained that the renovation was a cover up for an attempt by the Belarussian President Lukashenko to take over the entire compound. After water and electricity was cut off in the embassies, the EU argued that the Vienna Convention was violated, and on 9 July 1998, the Council imposed a visa ban against members of the Belarussian government. In February of 1999, the sanctions were lifted after an agreement had been made with regards to the residences for EU diplomats in Minsk. When the OSCE dispatched an Advisory Monitoring Group (AMG) to Minsk in 1999, the diplomatic sanctions initiated in 1997 were also lifted gradually on OSCE recommendations. The AMG reported on further undemocratic restrictions for the opposition in the parliamentary elections of 2000 and the presidential elections in 2001—neither of which were considered democratic according to OSCE standards. Following the reports by the AMG, the Belarussian government accused the group of acting outside its agreed mandate and purpose. In 2002, the Belarussian government refused to extend the visas of the members of the AMG. in effect closing down the office in October. On 19 November 2002, all EU member states, except Portugal, imposed travel restrictions on senior members of the Belarussian government. Following the opening of a new OSCE office in Minsk in early 2003, the EU targeted sanctions were removed in April. During fall 2004, new travel restrictions were imposed against the leadership of Belarus as the EU continued to criticise them for lack of democracy and respect for human rights.

(Eriksson 2004, Simonsen 1997, Zagorski 2002)

Zimbabwe 2002–

Ever since independence in 1980, the question of land ownership had been contested in Zimbabwe. Colonial structures largely remained as some 6.000 white-owned large farms and agro-industrial estates occupied over one-third of the country's land area and several attempts of land reform were initiated in the 1980s. In 1997/98, a new initiative to increase the land relocation was presented but the implementation stalled as the issue became increasingly contested on the domestic political arena.

Apart from the land issue, the population was critical of Zimbabwe's involvement in the Democratic Republic of Congo

as well as discontent with the lack of economic growth. In February 2000, President Mugabe lost a referendum over a suggested new constitution that would have increased the possibility of government confiscation of land, but would also have enhanced the presidential powers. Mugabe then gave his support to the War Veterans' Association and parts of the armed forces to start a campaign of "fast track" land reform. When the political opposition complained, their supporters were intimidated, and a wave of political violence surrounded the parliamentary elections in June 2000. Political violence continued while the state agricultural extension service started to formalise the land reform in early 2001. According to Human Rights Watch, an estimated minimum of 100 000 households had been forced to leave by the end of 2001. The EU started to voice their concern over human rights abuses during the land reform and whether Zimbabwe fulfilled the criteria of the Cotonou Agreement in October 2001. Apart from the escalating political violence and lack of respect for property, the EU voiced concern over the level of media freedom allowed and the administration of upcoming Presidential elections. An EU-Zimbabwe meeting in January 2002 led to a declaration of improvements with regards to violence, the upcoming elections, and access for international election observers and the media. Relations deteriorated in February after Zimbabwe refused to renew the visa of the leader of the EU election observer mission and on 18 February, sanctions were imposed. Targeted measures aimed at travel and financial assets were imposed against the Mugabe leadership as well as an arms embargo including materiel that can be used for internal repression.

(Chaumba, Scoones and Wolmer 2003, Eriksson 2004)

Human rights
abuses in
Zimbabwe

Moldova 2003–

As the independence movement became more prominent across Eastern Europe and the former Soviet Union in the early 1990s, the region Transnistria announced an ambition to become a separate autonomous Soviet republic. The dissolution of the Soviet Union in the former Moldovan Soviet Republic also led to calls of independence as well as of joining Romania. The rebel Transnistrian region was concerned with a possible Romanian influence and wanted to join Russia when clashes erupted between Transnistrian and loyal Moldovan armed groups in 1992. On 21 July 1992 a cease-fire was signed, which stipulated that the region of Transnistria should have a "special status" within the Moldovan state. The OSCE continued to facilitate negotiations to

Targeting the
Transnistrian leaders

establish a more long-term solution while a referendum in 1994 supported the formation of an independent Moldova with over 95 percent. The same year Moldova signed an agreement on partnership and co-operation with the EU. In June 2001, Moldova was included in the Stability Pact for South-Eastern Europe, and the EU started to focus on finding a solution to the frozen conflict in Transnistria by initiating joint studies about the feasibility of a free trade area was. The situation remained similar to when the OSCE mediation begun in 1993, when the Transnistrian region consisted of a *de facto* separate territory from the rest of Moldova. In February 2003, the EU, together with the US, decided to impose travel sanctions against the leadership of Transnistria in an attempt to break the deadlock at the negotiating table. These measures were renewed in February 2004. (Kolstö 1997, Nantoi 2002, van Meurs 2004, Zagorski 2002)

Conclusion

Considering that there was no official EU sanctions strategy before June 2004, the frequency of sanctions observed is somewhat remarkable. As previously mentioned, the EU has chosen to implement all but two of the sanctions recommended by the UN while acting within the UN and OSCE frameworks when possible. In the 1990s there was a substantial increase in UN sanctioning activity, which has been noted with great interest in the research and policy communities. At the same time, few observers have noted that the EU imposed an equal amount of **additional measures** in the same time period. On some occasions, such as in Iraq and Yugoslavia in the early 1990s, the EU imposed sanctions just days or months before the UN did, but generally it can be argued that EU sanctions have been imposed when UN action had been prevented or limited.

There is certainly some credit to the EU claims that human rights and democracy are values that guide its foreign policy. More specifically, the EU definition of what type of human rights abuses should be met with sanctions is closely tied to concepts such as human security and good governance. EU sanctions have been employed to influence conflicts, peace processes, support of terrorism, and other occasions but almost all observations carry one common denominator: The EU took action in situations where incidences or the threat of large-scale government violence directed against its own citizens were reported. For example, the conflict in Indonesia over East Timor had been going on for at least ten years before EU sanctions were imposed, but the reports

of violence against civilians in 1998/99 seemed to initiate a reaction.

One can also notice a slight development over time, both with regards to the reasons for sanctions and the type of measures employed. During the first decade of EU sanctioning activity, the measures usually followed a high-profile event in or in the vicinity of EU territory. During the 1990s, EU sanctions were employed globally for a multitude of reasons while more recently a narrower focus on the regional neighbourhood seems to have prevailed. Furthermore, the latest cases also show cases of EU sensitivity about not being treated correctly by the targets in question. Sanctions have, in some cases, had the character of punishment. Similarly to the UN, arms embargoes have been the most popular sanction employed. It is worth noting that the EU chose early on to include targeted measures as a main feature of its sanction activity, even though comprehensive sanctions had never been employed by the EU. The EU decisions to initiate additional measures, outside of UN sanctions regimes, against South Africa in 1985 and Yugoslavia in 1998, were closest to comprehensive sanctions. .

When comparing EU sanctioning practices with its policy described in the 2004 “Basic Principles”, some possible changes with regards to future EU sanctions become clear. The EU has managed to incorporate its autonomous sanctioning activity within a wider range of “carrots and sticks” both with regards to the imposition and the removal of sanctions. It also seems that rather than compete with, the EU has managed to complement the UN and OSCE as a sanctioning and conflict management actor. Focusing on the reasons for sanctions mentioned in the “Basic Principles”, sanctions have been employed to fight terrorism but the only two cases where sanctions were imposed in the mid-1980s followed attacks performed on European soil. On such a limited basis, it can not be claimed that sanctions form part of a European-style “War on Terror”. Furthermore, the EU **never** used sanctions as a measure against the proliferation of weapons of mass destruction (WMD.) It is of course possible that the arms embargoes in place against several targets have in effect prevented them from developing WMD’s, but no sanctions have been employed for that use alone. The third and final objective for sanctions listed in the “Basic Principles”, however, has been a key feature of EU sanctions so far, namely to uphold respect for human rights, democracy, the rule of law and good governance.

When looking at the content of EU sanctions, they compare more favourably with the “Basic Principles”. The EU has indeed focused on targeted measures rather than comprehensive

embargoes and centred on states, organisations and individuals. With the exceptions of the sanctions against the Transnistrian leadership in 2003, the EU has not chosen to sanction just one party in an intra-state conflict situation despite the specific focus on governments who mistreat their citizens. This is interesting as it highlights the role which the EU assumes when it imposes sanctions, namely that of an outsider trying to facilitate a settlement. The EU sanctions policy is part of peace-making initiatives in conflict and attempts to protect civilians from government repression rather than an aggressive policy tool to pursue EU interests. Such an approach makes the use of sanctions less a part of economic warfare and more an important symbol signalling EU punishment for or approval of certain policies.

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