

Overcoming the State centred Theory of International Sanctions:

Non-State Actors Strategies Towards the Implementation of International Sanctions

SINA KOWALEWSKI

Abstract *In this article I argue that non-state actors (NSAs) can play an important role in international sanctions politics, which has been underestimated due to the state-centred view of international sanctions theory. Even though NSAs do not have access to the decision making process and, until the beginning of the 1990s, the politics of international sanctions were dominated by Cold War oppositions, I will explore the different ways in which NSAs work towards the implementation of international sanctions by using examples from the sanctions regime against apartheid South Africa and Burma (Myanmar). Throughout the apartheid regime in South Africa, NSAs in the West organised a boycott movement that forced companies to withdraw from the country. During sanctions against Burma (Myanmar), human rights organisations and the opposition network controlled the critical flow of information between Burma (Myanmar) and the West regarding the Burmese Government and provided evidence of human rights violations. With Barber (1979), I will show that NSAs promote sanctions for achieving three different objectives and that the success of these sanctions could not be measured on the policy outcome alone. The case study of Burma (Myanmar) is based on semi-structured interviews held with members of the opposition network and NGOs in Brussels, Thailand and Burma (Myanmar) in 2010 and 2012.*

Keywords: Sanctions, Non-state actors, human rights, Burma (Myanmar), South Africa

The Theory of International Sanctions

Even though sanctions are often criticised for having counterproductive effects, sanctions can be an instrument to coerce political concessions, strengthen international norms and promote peace. Sanctions are often defined as a bargaining tool and therefore as an alternative to military intervention. Generally, sanctions are not viewed by scholars as an instrument of punishment, but in order to be successful, sanctions have to induce political changes in the target state.¹ Consequently, the research on international sanctions is focused on questions about how to make them (more) successful. Whereas, at an early stage of sanctions' research, their effectiveness was generally rated as negative, scholars later paid attention to the conditions of success and to possible ways to circumvent negative effects.² In what is probably the most frequently cited empirical study on international sanctions, the authors Hufbauer, Schott and Elliott rated as successful 34% of the 116 cases analysed.³ Even though the research was criticised the study provides empirical evidence for the common understanding that sanctions can achieve foreign policy goals.⁴ In their third edition, the authors reach the same conclusion: of 204 documented cases, sanctions were successful in 34%.⁵ Sanctions are most likely to be effective if they aim to achieve moderate political change, the target state is an ally of the states initiating sanctions,⁶ sanctions were implemented comprehensively⁷ or they primarily affect local elites⁸ or, in democracies, the average middle class voter.⁹

But despite the potential of sanctions to achieve political change and compliance with international norms, they have often worsened the conditions of the population in the target country.¹⁰ Wood argues that in order to stabilise their regime, leaders in targeted countries increase their level of repression in response to sanctions; in autocracies the negative consequences of sanctions are much higher than in democracies.¹¹ Hence sanctions are not a panacea and not always a peaceful alternative. To measure the effectiveness of sanctions, Giumelli argues that they should be evaluated according to alternative measures.¹²

In the general logic of international sanctions it is assumed that economic losses lead to political compliance because the issue at stake is not worth the price, therefore sanctions must exact maximum eco-

*Sina
Kowalewski*

conomic harshness. From this perspective it is not obvious that non-state actors (NSAs) in the target state pressure for sanctions, but sanctions 'need not bite in order to work.'¹³ Therefore NSAs can call for smart sanctions that focus on the governing elite. When NSAs call for comprehensive sanctions they perceive these measures to be the best option according to its alternatives.

Although there are reasons for NSAs to demand international sanctions, the research has largely neglected NSAs as actors in relation to international sanctions. The research is mainly focused on international sanctions as an instrument of foreign policy, whereby states and Intergovernmental Organisations (IGOs) are the main actors. Kaempfer and Lowenberg belong to the few scholars who consider NSAs as important for the decision making process of international sanctions. They regard the decision making process in the initiating state as a process of negotiation with the involvement of various actors. Because, within the initiator state, sanctions could appear as protective tariffs that increase the supply of national goods, and interest groups could pressure decision makers within the initiator states to implement sanctions.¹⁴ Despite this, the strategies and perspectives employed by NSAs in relation to international sanctions have yet to be reviewed in a systematic way. Factors for success and the conditions under which countries are likely to initiate sanctions have been the primary focus of sanction research.

Generally, the success of an international sanctions regime is measured in terms of the fulfilment of the aims a particular sanctions regime was meant to attain. Most researchers follow the definition of Hufbauer, Schott and Elliott and determine its success solely based on the policy outcome in the target country and the contribution made by sanctions. In this approach, which is conducted by means of quantitative research, sanctions are successful when the goal sought by the initiator was (in part) realised through sanctions.¹⁵ Therefore, in conventional wisdom, sanctions are only regarded as successful where there is policy change.

But Barber, who had more than 30 years ago, distinguished between three different objectives for international sanctions. The primary objective is associated with the policies of the target states. States and IGOs implement international sanctions because the targeted government threatens to disrupt international peace or violates international norms, such as human rights. Sanctions, therefore, are a negotiat-

ing tool which is aimed at bringing the government policy of a target state in line with international norms. The secondary objective of international sanctions is connected with the states that impose the sanctions. By imposing sanctions the initiating states demonstrate, to voter groups and the public throughout the world, their willingness to implement international norms. On the international level, states can show other governments their view on particular issues by imposing sanctions.¹⁶ With regard to the secondary objective international sanctions function as a communication tool directed at the public, other governments and the international community. The tertiary objective of international sanctions is concerned with the international normative order. By imposing sanctions against the violators of international norms, governments highlight the importance of norms.

If the objectives of international sanctions are not limited to the policy of the target states, this means that the success of sanctions should also not only be evaluated in terms of policy impact. Sanctions as means of communication and the protection of international norms could be successful without achieving policy changes in the target state. Baldwin also argues that the success of international sanctions can only be rated in relation to other instruments with the potential to achieve policy change.¹⁷ Therefore, sanctions should not simply be measured in their own terms but also in comparison to, for example, diplomacy, humanitarian intervention or war.

Non-state actors in World Politics

At the beginning of the 1990's, NSAs proliferated as the new actors in world politics, whereby the universe of NSAs is necessarily diverse.¹⁸ NGOs, as a main group of actors within NSAs, were described as the vanguard of global civil society with their attempt to change the world for the better.¹⁹ In answer to globalisation and the fact that national governments (alone) could not deal with international issues, early research considered NGOs to be problem solvers and a democratic force in a changing world. However, after more than two decades of intensive research on NGOs there has developed a certain scepticism about the legitimacy and real influence of NGOs. There is no question that NGOs as part of the global civil society were successful in implementing norms in various areas. The International Campaign to Ban Landmines for example, founded in 1992 as a global network in over 90 countries, played a major role in the Ottawa Process that led to the

signing of the Mine Treaty in 1997.²⁰ But the research on NGOs has mainly documented their influence on policy areas not in touch with security and economy such as environment and human rights policy.²¹ Summarising the extensive research on NGOs, social movements and other non-state actors in international politics have shown the potential they have to shape the international system. NGOs are important actors in international politics due largely to their campaigning potential: they pressure state and non-state actors to bring their policies in line with international norms.

Dingwerth and Pattberg explored the proliferation of transnational rule-making organisations in the area of sustainability politics and analysed a strategic shift from lobbying rule makers to making and implementing the rules themselves.²² At the same time, NSAs and the political system are interdependent, as NSAs can only prosper within a more or less stable and peaceful international system.²³ In autocratic states, NSAs are often challenged by the state and have to find alternative ways to attempt the implementation of international norms. When non-state actors are faced with repression at home, the boomerang model²⁴ and spiral²⁵ model indicate that support from international advocacy networks can help to place human rights violations on the agenda of IGOs. As a result of the international pressure by IGOs and NGOs the target government will often comply with international norms.

But Policy areas concerned with international security are still dominated by nation states and are not primarily oriented around democratic principles, such as the decision making process of the UN Security Council. In this article I concentrate on NSAs that promote international sanctions for the realisation of international norms, such as human rights. In particular these actors are NGOs, international human rights networks, media organisations and (political) organisations in exile. I analyse the strategies used by these NSAs in the attempt to implement international sanctions that are part of international foreign and security policy

Non-state actors and international sanctions

Globalisation and the increased responsibility of the international community to protect human rights norms have made it necessary to integrate the expertise and the activism of NSAs into the international policy realm. Consequently, since the 1990s, NSAs have had

more access to the decision making process. However, even during the Cold War human rights organisations had an impact on international politics. Case studies on the Anti-Apartheid Movement in the western world demonstrate that NSAs were relevant actors in sanctions policy from outside the political system due to their advocacy for private sanctions against companies and other profiteers of apartheid politics.²⁶ In contrast, in current sanction regimes such as in Burma (Myanmar), NGOs have preferred to try to influence the decision making process of IGOs and states, instead of imposing private sanctions.

I selected South Africa and Burma (Myanmar) for the case studies to analyse if the strategies and influence of NSAs had changed over the years. In both cases the call for international sanctions gained much support from the civil society in western states, inter alia due to the popular opposition leaders Nelson Mandela and Aung San Suu Kyi. In this article I distinguish between international and private sanctions. Private sanctions are sanctions imposed by non-state actors. Unlike international sanctions, private sanctions have an indirect impact on the target state, because private sanctions are imposed against those who profit from the violation. For example, private sanctions were imposed against companies that sought to lower their financial expenditure by operating in areas with poor social and labour standards.

A precondition for NGOs to become actors of international sanctions' policy, regardless of whether they impose private sanctions or are aimed at influencing the imposition of bilateral or multilateral sanctions, is the access to information about human rights violations in the potential target state. Yet, particularly in autocratic states, it is quite difficult for western human rights organisations to gain access to this information because regimes frequently seek to inhibit free flow of information. This is why NGOs who call for sanctions often exchange information, and/or have a close relationship, with liberation movements or political opposition groups in the target state, for example: the ANC (African National Congress) in South Africa or the NCGUB (National Coalition Government of the Union of Burma) in Burma. In South Africa it was mainly the ANC which provided evidence of human rights violations and was crucial for the coordination of the different national Anti-Apartheid Movements in the western world. The ANC established the boycott movement as a strategy for the isolation of South Africa in nearly all spheres such as sports, music and science that were adopted by all Anti-Apartheid groups around the

world. Therefore, scientific associations like the World Archaeological Congress suspended South African memberships. The Anti-Apartheid Movement can be viewed as a 'movement of movements',²⁷ under which numerous individuals, organisations and institutions from around the world were associated around the objective to abolish racial segregation.

The Anti-Apartheid Movement was founded in 1959 by exiled South Africans in the UK as a response to the appeal of Albert Luthuli and other ANC leaders who asked for international support of their objectives. Initially, the British Anti-Apartheid Movement was focused on the boycott of South African products to support the victims of apartheid as well as support the South African struggle for freedom and thus fight for the abolition of apartheid.²⁸ Following the Sharpeville massacre in 1960, violent conflict and the oppression of the South African opposition intensified, and the Anti-Apartheid Movement in the western world started growing. In most western countries like the Netherlands, Germany and France a national organisation called the Anti-Apartheid Movement was set up. These NGOs shared the objectives and strategies of the ANC and the Anti-Apartheid Movement in the UK. Thus not only South African exiles and the American Civil Rights Movement supported the South African struggle for freedom, but during the following decades the Anti-Apartheid Movement gained more and more support from labour unions, churches, the peace movements and individuals. They were united by condemning apartheid as a violation of the equal treatment of all persons.

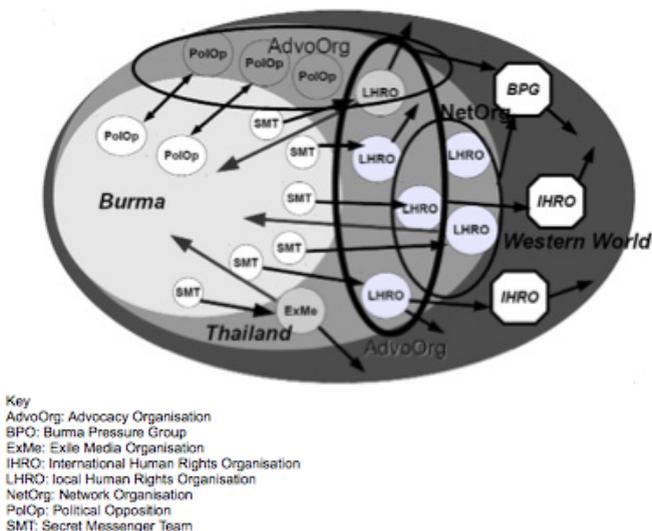
In Burma (Myanmar) the situation was much more complex. With the NLD (National League for Democracy) in liberated areas and the NCGUB there was also a political opposition, but in exile, comparable with the ANC, however they did not have a coordinating function for NGOs and pressure groups, which the ANC did have. Secondly, the access to information critical to Burma's government politics was until the beginning of the transition process in 2011 much more difficult. Among other strategies the Burmese government legislated information laws which impose penalties on the transfer of critical information. Therefore human rights organisations beyond Burmese borders helped to establish a network of information transfer with secret reporters and messengers to bypass the government's control of information. Secret messenger teams from local human rights organisations in the border region collected information about human rights violations

in Burma, and with the help of advocacy and network organisations, this information was disseminated. Advocacy and network organisations in the neighbouring states, particularly in Thailand, compiled reports based on this information and drafted a political strategy. Based on these reports, pressure groups in the western world such as Burma Campaign UK and international human rights organisations like the International Federation for Human Rights (FIDH) have demanded action by the international community and civil society against the Burmese violation of international human rights norms. But the network was not only made up of human rights organisations. The political opposition such as the NLD and the parties of the ethnic nationalities played an essential role in the network as, from the perspective of human rights organisations, they were struggling for democracy and self-determination in Burma (Myanmar) and were oppressed by the former military government. Thus, the international opposition network sought to support the objectives the government elected in 1990 as well as ethnic nationalities, although NGOs nonetheless made independent decisions about their strategies.

Following the brutal oppression of the 1988 uprisings in Burma (Myanmar) where more than 3000 people were killed by the military,²⁹ political activists left the country and founded organisations to struggle for democracy from outside Burma (Myanmar). Media organisations in exile, such as Democratic Voice of Burma and the Irrawaddy, were founded by political activists after their release from prison in the early 1990s. These media outlets not only provide uncensored information about Burma to the western world but also to the people inside Burma (Myanmar) as they report in English, Burmese and partially in ethnic languages. Therefore the international human rights network on Burma (Myanmar) was made up of local human rights organisations that were organised into local advocacy and network organisations to compile their information in special reports, political opposition parties that are also organised in networks such as the Forum for Democracy in Burma, media organisations, which provide uncensored information to Burma and the whole world, as well as international human rights organisations and Burma pressure groups outside Burma, which try to place on the international agenda information about human rights violations and the objectives of the political opposition. This network is shown in the figure; thereby the arrows symbolise the flow of information and their direction.

Figure 1: The International Human Rights Network on Burma

CEJISS
4/2013



Trying Horizontal Coherence

While present day access to information concerning human rights violations can be complicated, the conception of human rights as specified in the Universal Declaration of Human Rights is more or less globally agreed upon (that is ratified by most governments). In order to become actors for international sanctions policies NSAs have to give evidence of human rights violations and need to name those responsible.

Until the end of the 1970's the Anti-Apartheid organisations were hindered by the fact that racism was not globally recognised as a violation of human rights. The former colonial states were condemning apartheid as an expression of colonialism and a world dominated by the west. Therefore, in the democratically structured UN General Assembly, apartheid was a frequently discussed issue and several resolutions were adopted in 1952 after India brought a draft resolution naming the situation in South Africa a 'race conflict resulting from the politics of apartheid.'³⁰ But the General Assembly does not have any binding instruments in regard to sanctions, and prior to the end of the Cold War the UN Security Council was dominated by the self-interest and the confrontation of East and West political blocs. Due to the

inability of the United Nations to act, and the partial non-acceptance of racism as human rights violations, despite the experiences of Nazi Germany, most sanctions by states in the western world like the US and western IGOs such as the European Economic Community were implemented in the 1980s. The UN Security Council was pressured by former colonies to impose sanctions against apartheid South Africa, yet with the arms embargo in 1977, only very limited sanctions were possible.

Thus, in order to become actors for international sanctions policies, NGOs must first succeed in getting general acceptance that the situation in the potential target state is a violation of global norms, and secondly, must give substantial evidence for these violations.

NSAs as actors in international sanctions policies can follow two different paths. As actors from the inside, they try to influence the decision making process directly by informing decision makers about human rights violations or gaps in existing sanction regimes. As actors from the outside, NSAs become the initiators of private sanctions and work towards non-state isolation of the state where human rights violations are taking place. As actors from the inside NSAs can have a direct influence on the decision making process by having meetings with decision makers or delivering speeches. Today NSAs in principle have access to the decision making process of IGOs and within states, mostly because NSAs are perceived as helping to handle the requirements of governing in a globalised world. NSAs do not have permanent access to the decision making process of sanctions at the international level such as the UN Security Council or the Council of the European Union. But the sanctions against Burma indicate that NGOs have access to lower level decision making processes that could have an impact on higher decision making processes. At the EU level, NGOs used the EU Parliament as a door opener, because 'the EU parliament is quite open, they are like a big NGO. If you are first successful in raising your case there, it can be expressed with a stronger voice by the EU parliament quite easily' (interview: international human rights organisation (IHROa) 2010). However, even with the EU parliament NSAs' access is not guaranteed, so it is part of the long term work of these organisations to establish contact with Members of European Parliament in order to facilitate access (interview IHROb 2010).

NSAs do not need to directly shape the opinion of decision makers, however. They can also have indirect influence when they modify the

public opinion, which places states or IGOs under pressure to act. By the end of the 1970s, public opinion in the western world was mainly in favour of sanctions and the international isolation of South Africa. In the US, public opinion had an enormous influence on the imposition of the Anti-Apartheid Act. When President Reagan attempted to veto the Act he was out voted in the House of Representatives as well as in the Senate.³¹

During the Cold War, NSAs were largely actors from the outside. Their access to the decision making processes of western states and the United Nations was limited. On the one hand, NSAs did not try to influence bilateral and international sanctions themselves. They did not consider the western world and IGOs like the UN as important in regard to combating human rights violations. Therefore, NSAs had close relations with the alliance of former colonies and the former socialist bloc, which was in opposition to the South African government.³² As such, NGOs implemented largely private sanctions against the profiteers of apartheid politics, such as banks and financial institutions in the US. Among other strategies, NSAs called for a boycott of South African fruits and pressured supermarkets in the western world to stop selling these fruits. In the US, private sanctions against banks were quite successful. In response to the call from the Anti-Apartheid Movement, student groups and South African churches within universities in the US, and the Council of Churches, threatened the large scale withdraw of money from banks if they did not stop doing business with South Africa.³³ Thus, NSAs did not ask states and IGOs to impose sanctions; they directly forced non-state actors to respond.

In the decades following the 1990s, NSAs also implemented private sanctions against Burma (Myanmar), although to a lesser extent than against South Africa. By the end of the 1990s several companies such as Apple Computers, Carlsberg Beer, Pepsi and Kodak were forced to withdraw from Burma due to negative publicity by NSAs' campaigns aimed at these companies. Today, however, private sanctions are more likely to be linked to international (bi- and multilateral) sanctions. In 2004, the EU implemented an investment ban (lifted in April 2013) on state owned companies in Burma, which was meant to target the main economic sectors but, crucially, the oil and gas sectors were excluded. Human rights organisations and single-issue NGOs such as Burma Campaign UK massively criticised these EU sanctions, and in particular France, for weakening the EU Common Position. Accordingly,

NGOs began a *Post a Pineapple to the Foreign Secretary Campaign* and the *TOTALitarian Oil Campaign* to demonstrate that only unimportant sectors were targeted by EU sanctions. With *Post a Pineapple to the Foreign Secretary*, the Burma Campaign UK in 2006 launched a campaign to call attention to the fact that the EU had banned companies from investing in a pineapple juice factory in Burma but did not take any action to stop investments in the more lucrative oil, gas and timber sectors. The campaign invited the public to send pineapples, fresh, tinned or dried, direct to the British Foreign Secretary.³⁴ By the end of the 1990's human rights organisations such as Earth Rights International and Burma pressure groups started campaigns to force TOTAL and other oil companies out of Burma. The organisations launched reports about Total's role in funding and protecting Burma's dictatorship. The campaign was taken up by more than 40 organisations in 18 countries.

In contrast to South Africa, in the case of Burma (Myanmar) NSAs did not aim at comprehensive isolation via private sanctions. Private sanctions against Burma were used more specifically to outlaw single companies and to protest against an international policy, which gave priority to economic interests and not to international norms such as human rights.

In sum, NSAs themselves have shifted their activity in two ways. In regard to sanctions today, they are more concerned with trying to influence international sanctions and are less engaged in private sanctions policies. A second shift took place from the national to international level. Especially in the European states, NSAs are less concerned with national politics and have shifted their engagement to the EU level, as well as their geographic location to Brussels. This shift of engagement is caused by the fact that since 1992 the EU is working towards a common foreign policy and unilateral sanctions by EU member states are only rarely implemented. During the apartheid in South Africa, NSAs were active at the national level. Student groups for example tried to convince their universities to reconsider their investment policies. When NGOs launch campaigns these days they are aiming to act globally. For example, a consortium of over 200 groups was participating in the Free Burma's Political Prisoners Now Campaign in 32 countries spread over five continents.

Sanctions: NSAs' Perspectives and Objectives

By calling for international sanctions or implementing private sanc-

tions, NSAs as well as state actors pursue different objectives. The primary objectives of NSAs are linked to the circumstances of the target state and especially the violation of international norms by the government. NSAs call for international sanctions or impose private sanctions, because a government systematically violates human rights norms; as with Burma (Myanmar) the government used forced labour, repressed the democratic opposition movement, fought against ethnic nationalities by trying to suppress their will of self-determination and let people suffer by denying people access to basic health care. In the case of apartheid politics, the South African government constructed a system of racial discrimination in all areas of social and political life. The governments used force in order to consolidate power and shot dead hundreds of protesters at the Soweto Uprising alone.

By calling for sanctions, NSAs effectively advocate for the punishment violators of human rights norms and pressure governments to bring their politics in line with international norms as they have been specified in the Universal Declaration of Human Rights, the Charter of the United Nations, and international treaties. When states and IGOs impose sanctions for primary objectives, sanctions are a tool for negotiation in order to alter the politics of the target states. Neither decision makers nor researchers regard sanctions as appropriate tools for punishing governments. But human rights groups are not concerned with finding the best way to proceed in terms of international diplomacy. Instead, they strive to render unacceptable any non-conforming behaviour and therefore call for sanctions which promote a responsible stance in compliance with international norms. Sanctions as a tool for punishment always achieve their goal, even when the objective of the initiator – to change the behaviour of the target – is not realised and the mere enactment of the sanctions is an indictment of the target state. In this sense, the perspective of human rights groups on sanctions is associated with the objectives of criminal law that impose penalties on unlawful treatment regardless of whether penalties change behaviour or not.

The secondary objective of sanctions is connected, as Barber noted, to the initiators themselves.³⁵ By calling for international sanctions or by implementing private sanctions, NSAs criticise the lack of normative orientation in international politics. NSAs assume that IGOs or states are not willing or able to punish human rights violations. Particularly in the case of private sanctions against South Africa, it became

obvious that the Anti-Apartheid Movement in the West did not regard states of the West, and decision making processes with high western influence such as the UN Security Council, capable of acting against apartheid politics. Therefore, NSAs implemented private sanctions aimed at the isolation and punishment of South Africa. After the Cold War, NSAs changed their strategy and now tend to act as insiders and are more focused on shaping actions and agendas of the international community. In principle, NSAs regard IGOs and states – after the Cold War – as strong actors of international norms. However, even though the international community now has a greater array of instruments available to stop or condemn human rights abuses and support peace, IGOs and states are still reluctant to utilise them. By calling for international sanctions and actions, NSAs challenge these other actors to overcome their reluctance. Hence the call for international sanctions is an instrument of communication between NSAs and IGOs to remind IGOs and states of their responsibility to protect international norms. At the same time, by calling for private and international sanctions, NGOs also communicate with the public. NSAs show their capacity to protect international norms and demonstrate that they are important actors within international politics.

*Sina
Kowalewski*

In general, the tertiary objective of international sanctions is concerned with the international normative order. By imposing international or private sanctions, states and NSAs outlaw norm-violating behaviour and strengthen normative principles within the international community. Despite the Universal Declaration of Human Rights, apartheid was not recognised as a violation of human rights throughout much of the world in the 1950's and 1960's. By calling for private sanctions, the Anti-Apartheid Movement punished the government of South Africa and placed racial discrimination on the social and political agenda in the West.

In 2000, NGOs such as the Burma Campaign UK and Tourism Concern were boycotting the travel books market leader Lonely Planet. NGOs criticised Lonely Planet claiming the company had played down the human rights situation in Burma and was encouraging tourists to travel to Burma. Consequently, the next edition of Lonely Planet Myanmar (Burma) was updated providing not only a detailed description about the human rights situation and the political system, but also pages of arguments listing pro and contra points on travelling to Burma. Through this campaign NGOs made a connection between

human rights, tourism and politicised tourism in countries suffering from conflict and crises. Sanctions implemented for tertiary objectives are in principle always successful because they strengthen normative principles and can deter others from violating international norms.

CEJISS
4/2013

In conclusion, by calling for international sanctions and implementing private sanctions, NSAs are not focusing simply on the best opportunities to gain political change in the target state. Rather, sanctions are more an instrument to uphold international norms by punishing and working against those who break them. In addition, sanctions are also an instrument of communication to demonstrate the capacity of NSAs in the eyes of public and state actors. From the perspective of NSAs, the success of sanctions is not limited to the policy outcome and the primary goals sought by the initiator. The determinants of success provided by the research on international sanctions do not have any meaning for human rights groups because NSAs justify sanctions on a moral basis. Human rights groups argue that the international community and the public have to take charge of outlawing the violations of international norms. From the viewpoint of NSAs, a strategy of engagement and diplomatic consultation without punishing the perpetrators is a sign of tolerating human rights abuses. But it is not only decision makers who should take responsibility; society must also ensure that they do not foster or facilitate the violation of international norms, this latter dimension being an important objective in the current climate when NSAs call for private sanctions.

Another argument for evaluating the success of international sanctions was brought into the discussion by Baldwin. He postulated that sanctions ought to be considered in relation to other instruments or scenarios to change the target's politics.³⁶ According to states and IGOs, alternatives to sanctions are generally diplomatic consultation as part of an engagement strategy. In the case of South Africa, the engagement strategy of the 1960's and 1970's did not induce major political changes, therefore the European Economic Community and the US imposed sanctions at the beginning of the 1980's. Before the elections in 2010, the strategy of international sanctions against Burma (Myanmar) was perceived as a failure by some European countries, such as Germany, for example. For this reason European countries were considering (partly) lifting sanctions. For the NSAs, however, the alternative was not at the international level as human rights organisations saw no alternative to punish the Burmese regime for violating

international norms. An alternative scenario was simply the escalation of violent conflict, because the Burmese people would have sooner or later been unable to bear the repression any longer. According to NSAs, sanctions against Burma and South Africa were a less violent option than civil war. Only days before the 2010 elections in Burma the KNLA (Karen National Liberation Army) announced by video statement that they were looking for a change. If change did not occur they would carry out their duty to defend their “motherland,” fight against their enemies, protect their people and stand up for righteousness. After the election, heavy fighting broke out between the Burmese army and Karen forces. When people are suffering from tyranny and oppression, NSAs and even the Universal Declaration of Human Rights argue that rebellion is the last resort and could lead to civil war as a consequence. International and private sanctions are therefore also an instrument of solidarity with the oppressed population in the target state. According to human rights groups, sanctions demonstrate to the population in the target state that the international community or international civil society supports their plight. Resistance groups risk losing solidarity if they resort to the use of violence for more than simple defence. In South Africa, resistance groups also perceived international and private sanctions as a display of solidarity for their objectives. Arguing that ‘sanctions hurt but apartheid kills,’ resistance groups and the Anti-Apartheid Movement wanted the international community and civil society to implement sanctions because they would thereby acknowledge the claims of the people discriminated against in South Africa. Without sanctions as a symbol of solidarity with the oppressed people civil war would have been more likely because armed resistance could be perceived as legitimised through such resistance struggles.

Another dimension of sanctions, which is often overlooked in the political arguments of decision makers and think tanks that are focused on sanctions as an instrument to obtain political change, is that sanctions lower the extent to which initiating states provide economic support, which helps maintain the state violating human rights norms. Human rights organisations and other social groups have clearly illustrated that campaigns against companies operating in countries such as Burma (Myanmar) and South Africa aimed to restrict the exchange relationship between the western world and the states violating the norms. Boycotting fruits from South Africa was not aimed at ending the apartheid system but making sure that consumer behaviour in

the western world would not prolong human rights abuses in South Africa. The same argument is made when NSAs call for international sanctions like arms embargoes or investment sanctions. An embargo on arms is not suited to change the target's political system or to decrease the availability of weapons comprehensively, especially if it is not implemented by the United Nations or neighbouring states. However, arms embargoes imposed bilaterally or by the EU guarantee that no new weapons from these countries are sold to the norm violating country and therefore cannot be used against the civilian population. Even if private and international sanctions are not always effective in terms of influencing the target's policy directly, they ensure that exchange relations between target and initiator do not prolong the violation of international norms.

Nevertheless non-state actors and even NGOs are not homogenous groups of organisations with a single perspective on international sanctions. Particularly in the case of Burma (Myanmar), there were a lot of NGOs and think tanks that opposed sanctions. NGOs such as the Network Myanmar believed that sanctions against Burma have failed and that the international community should have revised its policy. These NGOs adhere to a political rather than a normative perspective, and assess the outcomes of sanctions only in regard to political changes. However, there is also common ground between state and non-state actors in terms of debates and perspectives on sanctions. Both sides wish to avoid any harm to the civil population caused by sanctions.

Conclusion

This article has demonstrated that NSAs are relevant actors of international sanctions policies. During the Cold War, NGOs and social movements did not regard IGOs and the states of the western world as major players in the struggle against apartheid. It was the former colonial states and the former socialist bloc that put apartheid on the agenda of the UN General Assembly. The Anti-Apartheid Movement acted locally in the western world and through boycott campaigns forced companies and banks to withdraw from South Africa. Nowadays, as shown by the sanctions against Burma (Myanmar), NGOs call on IGOs to impose sanctions against the violator of international norms. If they impose private sanctions, NGOs generally aim to set new standards or criticise international decision making processes for giving preference to economic interests rather than human rights.

Finally, by calling for international and private sanctions NSAs make a normative or ethic argument which does not limit the success of sanctions to the aim policy change in the target government. Especially human rights groups perceive sanctions as an instrument to punish states that violate norms, and therefore, they strengthen the international normative order. Furthermore, international and private sanctions are a symbol of solidarity with the oppressed population in the target country, and on this basis, sanctions should be considered in relation to alternative scenarios or instruments. Even if bilateral sanctions are not specifically suitable to change a target states policies they help ensure that the initiators of the sanctions are not contributing to more violations of international norms.

Sina
Kowalewski

SINA KOWALEWSKI is affiliated to the Philipps-Universität at Marburg, the Zentrum für Konfliktforschung. She may be reached at: sina.kowalewski@staff.uni-marburg.de

Notes

- 1 Margaret Doxey (1987), *International Sanctions in Contemporary Perspective*, St. Martin's Press: New York, USA, p. 92.
- 2 Margaret Doxey (1971), *Economic Sanctions and International Enforcement*, Oxford UP, p. 139, and Johan Galtung (1967), 'On the Effects of International Economic Sanctions, With Examples from the Case of Rhodesia,' *World Politics*, 19:3, p. 412.
- 3 Gary Clyde Hufbauer, Jeffrey Schott and Kimberly Ann Elliott (1990), *Economic Sanctions Reconsidered: History and Current Policy*, Institute for International Economics: Washington DC, USA.
- 4 See, for example, Jaleh Dashti-Gibson, Patricia Davis, Patricia and Benjamin Radcliff (1997), 'On the Determinants of the Success of Economic Sanctions: An Empirical Analysis,' *American Journal of Political Science*, 41:2, p. 611 and Robert A. Pape (1997), 'Why Economic Sanctions Do Not Work,' *International Security*, 22:2, pp. 99-105.
- 5 Hufbauer, Schott, Elliott and Barbara Oegg (2009), *Economic Sanctions Reconsidered*, Institute for International Economics, Washington DC, USA, p. 158.
- 6 Hufbauer, Schott and Elliott (1990), pp. 94-105.
- 7 David Cortright and George A. Lopez (2000), *The Sanctions Decade: Assessing UN Strategies in the 1990's*, Boulder, Co: Lynne Rienner, p. 208.

- 8 Clifton T. Morgan and Valerie L. Schwebach (1996), 'Economic Sanctions as an Instrument of Foreign Policy: The Role of Domestic Politics,' *International Interactions*, 21:3, p. 253.
- 9 Risa A. Brooks (2002), 'Sanctions and Regime Type: What Works, and When?' *Security Studies*, 11:4, pp. 1-50.
- 10 See Cortright and Lopez (2000), Thomas Weiss, David Cortright, George Lopez and Larry Minear (1997), *Political Gain and Civilian Pain: Humanitarian Impacts of Economic Sanctions*, Lanham: Rowman and Littlefield and John Pilger (2003), 'Collateral Damage,' in Anthony Arnove (ed) (2003), *Iraq Under Siege: The Deadly Impact of Sanctions and War*, Pluto Press: London, UK, pp. 77-84.
- 11 Reed Wood (2008), 'A Hand upon the Throat of the Nation: Economic Sanctions and State Repression, 1976-2001,' *International Studies Quarterly*, 52:3, p. 494.
- 12 Francesco Giumelli (2010), 'Bringing Effectiveness into the Debate: A Guideline to Evaluating the Success of EU Target Sanctions,' *Central European Journal of International and Security Studies*, 4:1, p. 99.
- 13 David Baldwin (1985), *Economic Statecraft*, Princeton University Press, p. 372.
- 14 William Kaempfer and Anton D. Lowenberg (1988), 'The Theory of International Economic Sanctions: A Public Choice Approach,' *The American Economic Review*, 78:4, pp. 786-793 and William Kaempfer and Anton D. Lowenberg (1992), *International Economic Sanctions: A Public Choice Perspective*, Boulder, CO: Westview.
- 15 Hufbauer, Schott and Elliott (1990), p. 42 and Hufbauer, Schott, Elliott and Oegg (2009), p. 49.
- 16 James Barber (1979), 'Economic Sanctions as a Policy Instrument,' *International Affairs*, 55:3, pp. 357-370.
- 17 Baldwin (1985).
- 18 Daphne Josselin and William Wallace (2001), 'Non-State Actors in World Politics: A Framework,' in Daphne Josselin and William Wallace (eds) (2001), *Non-State Actors in World Politics*, Palgrave, New York, USA, p. 4.
- 19 John Boli and George Thomas (eds) (1996), *Constructing World Culture: International Nongovernmental Organisations since 1875*, Stanford UP and Thomas Weiss and Leon Gordenker (1996), *NGOs, the UN, and Global Governance*, Boulder, Co: Lynne Rienners.
- 20 Paul Wapner (2004), *The Campaign to Ban Anti-Personnel Landmines and Global Civil Society*, in Richard Matthew, Bryan McDonalds and Ken Rutherford (eds) (2004), *Landmines and Human Security: International Politics and Wars Hidden Legacy*, University of New York Press, pp. 251-268.
- 21 See, for example, Thomas Princen and Matthias Finger (1994), *Environmental NGOs in World Politics: Linking the Local and the Global*, Routledge: New York, USA, Sanjeev Khagram, James Riker and Kathryn Sikkink (2002), *Restructuring World Politics: Transnational Social Movements, Networks and Norms*, University of Minnesota

- Press.
- 22 Josselin and Wallace (2001), p. 3.
 - 24 Margaret Keck and Kathryn Sikkink (1998), *Activists beyond Borders: Advocacy Networks in International Politics*, Cornell UP.
 - 25 Thomas Risse and Kathryn Sikkink (1999), 'The Socialisation of International Human Rights Norms into Domestic Practices: Introduction,' in Thomas Risse, Kathryn Sikkink and Stephen Ropp (eds) (1999), *The Power of Human Rights: International Norms and Domestic Change*, Cambridge UP, pp. 1-38, and Anja Jetschke and Andrea Liese (2013), 'The Power of Human Rights a Decade After: From Euphoria to Contestation,' in Thomas Risse, Kathryn Sikkink and Steven Ropp (eds) (2013), *The Persistent Power of Human Rights*, Cambridge UP.
 - 26 David Black (1999), *Not Cricket: The Effects and Effectiveness of the Sport Boycott*, in Neta C. Crawford and Audie Klotz (eds) (1999), *How Sanctions Work: Lessons from South Africa*, St. Martin's Press, New York, USA, pp. 213-231, Tshidiso Maloka (1999), *Sanctions Hurt but Apartheid Kills! The Sanctions Campaign and Black Workers*, in Crawford and Klotz (eds) (1999), pp. 178-192 and Abdul Minty (1982), 'The Anti-Apartheid Movement and Racism in South Africa,' in Peter Willetts (ed) (1982), *Pressure Groups in the Global System*, Frances Pinter Publisher, London, UK, pp. 28-45.
 - 27 Håkan Thörn (2006), 'Solidarity across Borders: The Transnational Anti-Apartheid Movement,' *International Journal of Voluntary and Non-Profit Organisations*, 17:4, p. 295.
 - 28 Christabel Gurney (2000), 'A Great Cause: The Origins of the Anti-Apartheid Movement, June 1959- March 1960,' *Journal of Southern African Studies*, 26:1, pp. 123-144 and Minty (1982), p. 29.
 - 29 Renaud Egreteau (2009), *The Repression of the August 8-12 1988 (8-8-88) Uprising in Burma/Myanmar*, in Online Encyclopaedia of Mass Violence 2009, available at: <www.massviolence.org/IMG/article_PDF/The-repression-of-the-August-8-12-1988-8-8-88-uprising-in.pdf> (last accessed 25 May 2013), p. 4.
 - 30 UN General Assembly, Resolution 616 A (VII). 5 December 1952.
 - 31 Audie Klotz (1999), *Norms in International Relations: The Struggle against Apartheid*, Cornell Paperbacks, New York, USA, p. 4.
 - 32 Minty (1982), p. 35.
 - 33 Christopher Coons (1986), *The Response of Colleges and Universities to Calls of Divestment*, Investor Responsibility, Washington DC, USA, p. 4 and Meg Voorhes (1999), 'The US Divestment Movement,' in Crawford and Klotz (eds) (1999), p.131.
 - 34 Burma Campaign UK, Post a Pineapple to the Foreign Secretary 2006, at: <www.burmacampaign.org.uk/index.php/news-and-reports/news-stories/Post-a-Pineapple-to-the-Foreign-Secretary/3> (last accessed 25 May 2013).
 - 35 Barber (1979).
 - 36 Baldwin (1985).