

SANCTIONS

COLIN LEGUM welcomes the international community's switch to the use of sanctions as the most civilised way of dealing with gross offenders of human rights.

THE CONVERSION of the international community to the idea of sanctions as a weapon against governments whose behaviour is condemned by a majority of UN members is as sudden as it is welcome.

Sanctions are the most civilised way of dealing with gross offenders of human rights; but are they the most effective? That still remains to be tested in three latest decisions — against Libya, Iraq and Serbia. Sanctions against South Africa, though crumbling, still carry UN endorsement.

Why this sudden, almost universal, turning to sanctions to bring errant governments to heel? Thirty years ago when my wife and I wrote a book, *South African Challenge to the West*, in which we argued the case for sanctions as a means of averting violence and embitterment in the struggle against apartheid, we were roundly criticised by the same leaders and opinion-makers who are now most vociferous in calling for sanctions against the Libyan, Iraqi and Serbian authorities.

Three main arguments have been deployed over the years against sanctions. It was wrong, argued Mrs Thatcher and her successors in the present British Government, to use economics as a weapon — meaning, of course, that it is bad for trade. They and successive American administrations, argued further that sanctions would impose hardship on those least able to bear it. And, finally, the crunching argument was that 'sanctions have never worked.'

The example of failure usually quoted was the supposed oil sanctions by the League of Nations against Mussolini's Italy over the Invasion of Ethiopia. This juicy red-herring ignored the fact that the Anglo-French decision to apply an oil embargo was, in fact, never implemented: no wonder it failed.

Later, when there was a clamour to impose comprehensive sanctions against the Smith regime over UDI in Rhodesia, there was a slow and half-hearted response. The flawed weakness of the campaign against Rhodesia was that its borders with Portuguese Mozambique and South Africa were never closed, and no action was ever taken against Lisbon

and Pretoria, both of which openly flaunted their breaching of sanctions. Despite these obvious weaknesses in the sanctions net, the embargo did help in the end to bring down the Smith regime for two reasons other than the mounting pressures of the liberation struggle: while the regime could maintain its trade, it suffered twice — because the sanctions-busters paid below world prices for Rhodesian exports and charged extra for imports; and because one sanctions' measure was effective — the Smith regime remained internationally isolated, even from Lisbon and Pretoria.

Although not comprehensively applied, sanctions against South Africa were marginally one of the major factors that finally undermined apartheid, which was recently admitted by Pik Botha. They brought about the country's cold isolation in the world community; closed down its participation in international sport; deprived the country of essential military supplies, especially aircraft and naval defences; diminished the volume of exports; encouraged disinvestment (an unfortunate development), and contributed to the failure to attract new investment.

Now, when the sanctions measures were adopted against the Libyan, Iraqi and Serbian regimes nothing was said about the unwisdom of using an 'economic weapon' (i.e. trade) or the hardship that would be suffered by the weakest; nor were we told that 'sanctions never work.'

Zimbabwe — the current African member of the Security Council — was alone with China in abstaining on the Serbian decision; that was not because the Mugaba Government is against the principle of sanctions or sympathetic to 'Slob' Milosovic's repugnant policy of 'ethnic purification', but because of its resentment of what it sees as the hypocrisy of those major powers who had been reluctant sanctioneers when it came to meeting African demands but who turned their own arguments on their head when it came to issues affecting direct European and American concerns.

Nevertheless, Zimbabwe was wrong to have abstained on behalf of Africa over the decision against Serbia because

the use of sanctions is an idea whose time has come, however briefly. It hardly needs arguing that a non-lethal economic weapon is a more civilized way of dealing with offenders against internationally-accepted codes of conduct — such as the Charter on Human Rights and the UN declaration against recognising conquest of territory through aggression — then going to war against them.

The tragedy of the Gulf War was that American and Saudi impatience led them to war against Iraq before giving the decision on sanctions time to work. It was just because the stupendous military attack on Iraqi was only half successful that recourse was subsequently taken to sanctions to complete the punishment of Saddam Hussein.

Now that sanctions promise to be a key element in the slowly evolving new international order, it is vitally important that they should be applied only under the right conditions. There are three absolute prerequisites.

First, that sanctions should be applied only through a UN decision.

Second, that they should be made binding on all UN members through invoking Chapter 7 (Article 41) of the UN Charter which make it mandatory for members to observe the decision.

Third, that they should be comprehensive and enforceable.

It is ridiculous, for example, to have made the decision to invoke sanctions against Libya without including an embargo on its oil (as in the case of both Iraq and Serbia). The only reason oil was excluded in the case of Libya is because an embargo would have short-term effects on the economy of Germany, Italy and France. Yet, oil is the Achilles heel of the Libyan economy; by excluding it, the pressures on Gaddafi have been greatly reduced.

Finally, it is important to recognise that sanctions work slowly and require patience to allow time for attrition. Unless nations (especially the United States) are prepared to be patient and to accept the need for a long rather than a short haul, they should not venture on the path of sanctions.

Sanctions as a non-violent means of maintaining world order are too important to be allowed to fail. ●