

Unintended impacts of the EU's targeted sanctions in Syria

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Key Takeaways

- On 22 January 2024, the Council of the European Union added six persons and five entities to the EU sanctions list on Syria.[1] The new listings under the sanctions regime are subject to an asset freeze, EU travel ban and prohibited from obtaining funds or economic resources as direct or indirect benefits.[2]
- Despite limited research on EU sanctions in Syria, evidence suggests a low success rate for sanctions in resolving the underlying conflict, highlighting the need for evidence-based policymaking and careful evaluation before sanctions are imposed.
- To enhance effectiveness and credibility, the EU must acknowledge potential downsides of sanctions in Syria and foster open discussions.



Displaced families in the Khazan 2 IDP camp in western Idlib January 2024. OCHA/ Ali Haj Suleiman

Introduction

Syria has been on the priority list of the EU's sanctions in terms of its deeply concerning conflict-related human rights and humanitarian situations. The Syrian Civil War has remained a source of gross suffering and instability for the civilians and the region for over a decade.[3]

First imposed in 2011, the EU sanctions on Syria are primarily targeted against the Assad regime and its supporters and also include economic sectors from which the regime profits.

The EU has consistently maintained that it does not impede the provision of humanitarian assistance to any part of the country, meaning these sanctions do not prohibit the export of EU food, medicines or medical equipment to Syria and keep the healthcare system out of target.[4]

An example of such an effort was the EU's efforts in the country following the tragic earthquake of 6 February 2023.[5]

Like other sanctions, the EU-targeted sanctions have unintended consequences, in this context, on Syria's economy and citizens. While the EU's targeted sanctions on Syria aim to avoid harming civilians, their unintended consequences and limited effectiveness are raising questions about their overall impact on the country's ongoing humanitarian crisis, necessitating a reevaluation of the sanctions strategy in conjunction with a more robust humanitarian response.[6]

An essential assessment for identifying unintended consequences is to evaluate the risk of the policy implications of imposing sanctions going beyond the goal of the EU.[7]

The potential humanitarian concerns

Research suggests a low success rate of sanctions in Syria resolving the political issues underlying the conflict.[8] When it comes to targeted sanctions, few empirical studies have been conducted on EU sanctions.[9] This is not to imply that sanctions, at large, are ineffective, but rather provide more conditions under which sanctions are most effective and encourage evidence-based policymaking and precedence of strategic evaluation of the appropriateness of a specific case of sanction.[10]

One of the most productive ways to understand the humanitarian impact of targeted sanctions is to realise that sanctions' goals are multiple and that effectiveness is best measured against the actual goal of each kind of sanction.[11]

Since 2011, the EU has been responding to the Syrian crisis by imposing sanctions on various business entities, government officials, individuals of the Syrian President Bashar al-Assad's long-standing dynastic regime, ministers, and other persons linked to the conflict. The EU keeps the list active by adding and removing targets based on conflict developments and legal requirements.[12] Most of these sanctions, especially targeted ones, are imposed in the form of asset freezes and travel bans to the EU.

The 2014 Targeted Sanctions Consortium (TSC) datasets hold particular relevance in this context.[13] The datasets bring considerable advancement into the study of the effectiveness of sanctions, firstly, by distinguishing between three different purposes of sanctions: namely, to coerce a change in the target's behaviour, to constrain access to required resources to participate in the illegal act, and to signal a violation of international legal norms and stigmatising the target for the same. Secondly, by identifying the separate, sequential episodes of sanctions which better reflect the change in the nature of sanctions targets. And thirdly, by presenting a disaggregated typology of sanctions that accommodates different degrees of discrimination scope. Although the TSC datasets

assess only UN sanctions, its approach can well be applied to study other sanctions beyond those imposed by the UN.[14]

Unintended consequences, although not to the same degree as comprehensive sanctions, are found in 91% of the case episodes. To delve more into the study, a wide range of unintended consequences of sanctions were examined. The most common one, reported in nearly 7 out of 10 cases (69%), was a rise in corruption and criminal activity. More than half (54%) of the cases also saw a tightening of the target government's grip on power. Additionally, diversion of resources away from intended purposes was observed in 44% of situations.[15]

The discussion surrounding the negative humanitarian impacts of sanctions continued, with such consequences present in 39% of the cases studied. It is also significant that the legitimacy and authority of the UN Security Council was undermined in over a third of the situations (39%).[16]

The EU has repeatedly reiterated its position regarding the targeted sanctions and emphasised that the sanctions are designed to have minimal impact on the civilian populations and ensure exceptions to the prohibitions to avoid impeding the delivery of humanitarian assistance into the country.[17] It further notes that the humanitarian reporters, nevertheless, report unintended side-effects of the sanctions and that the EU has been actively engaging with stakeholders to mitigate the problem.[18] For the particular kinds of targeted sanctions imposed by the EU, such as asset freezes and travel bans in this context, the Human Rights Watch documented in 2019 that frozen assets can belong to state-owned entities that hold critical resources like food and medicine.[19] Such impact can disrupt established supply chains and limit civilians' access to vital goods.[20] Furthermore, strict procedures for humanitarian exemptions to access frozen funds can cause delays and hinder aid delivery.[21] A 2020 report by the Arab Reform Initiative exposes how the Syrian government maintains its grip on power

despite sanctions. Their findings suggest the government and its associates have been remarkably successful in bypassing sanctions through a network of criminal activity and black-market dealings.[22] Ironically, they also use sanctions as a convenient excuse to blame the country's economic woes on external pressure.[23]

Even if not directly involved in humanitarian work, travel bans on sanctioned individuals can restrict the movement of technical experts and skilled personnel needed to maintain essential infrastructure (e.g., water treatment plants). This can worsen living conditions for civilians, as observed in the case of sanctions on Iran.[24] Furthermore, travel bans on government officials can hinder communication and negotiations between humanitarian organisations and sanctioned authorities. This can complicate the delivery of aid and limit access to vulnerable populations, as seen in the case of sanctions on Venezuela.[25] Thus, despite the EU's effort to minimise the unintended consequences of travel bans on specific targets, striking a balance between pressuring the regime and protecting the civilians remains arduous.[26]

Mitigating unintended impact

The complexity of targeted sanctions in Syria demands meticulous planning, realistic expectations, and thorough impact assessments.[27] The TSC database found that targeted sanctions imposed by the UN are more successful in influencing a target than forcing a complete change in behaviour. While sanctions directly coerce a behaviour change only 10% of the time, they are almost three times more effective (28%) at making things more difficult for the target, forcing them to adjust their strategies. Interestingly, sending a clear message to the target and its audience seems almost as effective (27%) as constraining behaviour.[28] Given the comprehensiveness of this study, these effectiveness rates could be considered a realistic benchmark for evaluating the impact of the EU's targeted sanctions. Coordinating with other sanctioning entities, such as the UN, US, etc.,



EU representatives gather in a meeting room in the Europa building via EU Neighbours South

could increase the effectiveness of sanctions and mitigate the humanitarian impact.[29] Given the dire humanitarian situation in Syria, with over 90% of the population living in poverty, food insecurity affecting more than half the population, and a staggering 15 million in need of aid, even the slightest negative unintended consequence of targeted sanctions could be devastating.[30] Hence, targeted sanctions on Syria must be designed with comparable deliberation and planning of purposes, objectives, outcomes and impact assessment. However, for effective policy decisions, it is crucial to bring evidence-based information to the public sphere and foster dialogue with relevant international stakeholders, such as governments, regional organisations, NGOs, and academics.



A mother with her child at a camp for displaced people in Idlib, January 2024. OCHA/Ali Haj Suleiman

Conclusion

The EU's targeted sanctions on Syria, while aiming to pressure the regime and specific targets, can have unintended negative consequences. These may include increased corruption, weakened local institutions and strengthening authoritarian rule. It is crucial to remember that these unintended effects do not entirely negate the potential for sanctions to achieve their intended goals. In any event, the potential for ineffectiveness to undermine the EU's credibility should not be disregarded. Accordingly, the EU can ensure its sanctions are a more effective tool for promoting positive change while safeguarding its credibility on the international stage by acknowledging the potential drawbacks and engaging in open discussions.

Recommendations

- A more nuanced and realistic approach to targeted sanctions should be implemented. This includes a thorough assessment of potential targets, a realistic understanding of the achievable outcomes and, most importantly, promoting a well-informed public debate.
- The quality of public debate, especially in terms of inclusivity and transparency, about sanctions should be enhanced in order to address the adverse impact of lack of information and basic misconceptions about its impact and effectiveness.
- Evidence-based information to the public sphere and other stakeholders is crucial for addressing the humanitarian challenges of targeted sanctions.

Citations

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