



# Integrating UN Sanctions for Peace and Security

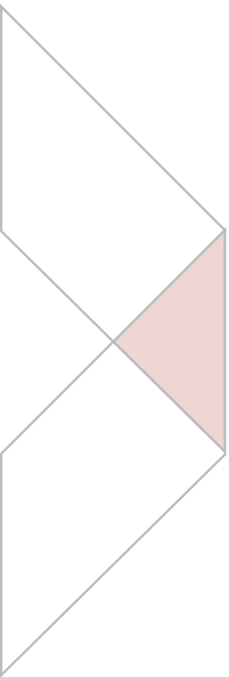
David Cortright, George A. Lopez,  
and Linda Gerber-Stellingwerf,  
with Eliot Fackler and Joshua Weaver

OCTOBER 2010

**Sanctions & Security** Research Program

Enhancing sanctions as instruments of international peacemaking





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# Executive Summary

The effectiveness of UN efforts for peace and security depends on the coordination and integration of Security Council sanctions with other UN programs, agencies, and missions. Significant advances in sanctions policymaking have occurred in recent years. These include the shift toward targeted measures, improved procedures for listing and delisting, more precise Security Council resolutions, and the use of panels of experts for monitoring sanctions and arms embargoes. Many challenges remain, however, including misperceptions about how sanctions work, and poor coordination and inadequate information-sharing among member states and within the organization. This report outlines a number of practical steps to overcome these problems and achieve greater coherence and coordinated implementation of UN peace and security policies.

The Secretary-General should exert greater leadership for more integrated policymaking by assigning a senior high level UN official to **create and direct a Sanctions Implementation Task Force (SITF)**, which would consist of senior representatives of all relevant UN bodies. The proposed task force would work closely with the Security Council and its sanctions committees. SITF would commission an independent body of experts to **produce a sanctions policy document which would articulate the conceptual logic of sanctions as a tool** to achieve peace and security. The document would identify the links between sanctions and peacekeeping, mediation, and other instruments of UN policy. It would include implementation guidelines and best practices and would be updated on a regular basis as policy requirements evolve.

The proposed SITF should use the policy document as the basis for creating a **system-wide education and training program on sanctions-related issues** for UN officials, expert panelists, and officials of member states and regional organizations. The goal would be to establish a higher degree of common knowledge about sanctions and greater technical competence among those charged with implementing Security Council measures. The SITF might also sponsor **periodic stocktaking exercises**, perhaps on a biannual basis, to bring together relevant parties for a general review of sanctions impacts and implementation issues.

The Security Council has primary authority for mandating sanctions and assuring coordinated implementation. The development of more technically precise language in sanctions resolutions in recent years has helped to clarify the responsibilities of states, UN missions, expert panels, and others in implementing Council decisions. The Council could do more to communicate the purposes and requirements of its resolutions through regular briefings of UN officials and member states and outreach to the media. **The Council should consider reinvigorating the Working Group on General Issues of Sanctions** as a vehicle for addressing crosscutting coordination and implementation problems.

Sanctions committees play an important role in monitoring and facilitating implementation. Experience has shown that the level of activity of a committee chair has an impact on improving sanctions effectiveness. **Visits by sanctions committee chairs to affected regions should occur more frequently** as an important means of raising awareness and focusing attention on sanctions implementation mandates. Security Council missions to affected regions are valuable, but they are not a substitute for committee chair visits.

**Sanctions committee chairs should meet regularly to facilitate coordination and information sharing across cases.** Committee chairs could meet periodically as a whole and at other times in subgroups according to distinct policy themes such as ending armed conflict, countering terrorism, and preventing weapons proliferation. Committee chair gatherings should be informal, problem-solving sessions, to identify trends and patterns related to policy and implementation. Observations and options identified in such meetings could be brought back to the Security Council and individual sanctions committees for consideration and possible action.

Panels of experts have been used with increasing frequency and effectiveness as means of monitoring implementation, identifying violations, and recommending steps to improve implementation. The Security Council has directed UN missions and peacekeeping forces to cooperate with expert panels in the monitoring of arms embargoes, but mandates and levels of actual cooperation have been uneven. In 2009 the Department of Peacekeeping Operations (DPKO) issued guidelines for cooperation between UN missions and expert panels, but these have shortcomings. **DPKO and the Department of Political Affairs should produce a more detailed memorandum of understanding with explicit instructions for UN missions to support and cooperate with expert panels.**

The Security Council Subsidiary Organs Branch (Sanctions Branch) in the Secretariat has developed a Panel of Experts Information Management System (POEIMS) consisting of all expert panel reports and raw data gathered by experts. The system is now being tested, refined, and used in the field. Greater efforts are needed to ensure that expert panels have the equipment and information they need to use the system effectively. The Secretariat also should **conduct periodic comparative analyses of expert panel reports and records to identify common trends and patterns of violations across sanctions cases.**

The Sanctions Branch performs important services in assisting sanctions implementation. Additional resources and organizational capacity are needed, however, to manage the existing work load of eleven active sanctions regimes and related



sanctions committees and eight expert panels—not to speak of further tasks that should be performed to improve sanctions coordination. To address these needs the Secretary-General should **develop a plan for an institutional “plus-up” of Sanctions Branch capabilities.** An enlarged and more capable Sanctions Branch would operate under the overall policy guidance of the proposed SITE.

These and other steps presented in this report can improve the coordinated implementation of Security Council sanctions and enhance their contribution to more effective UN policies for peace and security.





# Integrating UN Sanctions for Peace and Security

The challenge of creating more effective sanctions coordination and implementation mechanisms is inseparable from the larger task of developing greater coherence in United Nations activities. More coordinated programs are essential to effective implementation of UN mandates. This study examines options for integrating UN Security Council sanctions more systematically into overall UN strategies to enhance international peace and security.

Improving sanctions coordination involves cooperative action among a wide range of relevant actors and agencies. These include the UN Security Council, its sanctions committees, and panels of experts; and the Secretariat, especially units in the Department of Political Affairs (DPA) and the Security Council Subsidiary Organs Branch (SCSOB), also known as the Sanctions Branch, within the Security Council Affairs Division (SCAD). It also includes UN political missions and peacekeeping forces, the diplomatic efforts of Special Representatives of the Secretary-General (SRSGs), other UN agencies at headquarters and on the ground in conflict zones, as well as international and regional organizations, individual member states, and private actors. Such cooperation also requires greater coherence in technical assistance and capacity-building programs to improve the ability of member states and relevant organizations to implement Security Council measures.

This study is based on dozens of interviews with representatives of UN member states, officers of the UN Secretariat, present and former members of expert panels, and independent experts and researchers. It draws from the findings of dozens of reports from the Security Council and its panels of experts and from numerous private research organizations, as well as analyses of earlier research devoted to these themes.<sup>1</sup> It also benefits from field research conducted in Africa by the Stimson Center in Washington, D.C., as examined in a separate report.<sup>2</sup>

## CHALLENGES TO GREATER COORDINATION

Some of the problems associated with a lack of coherence in UN sanctions policy are inherent in the political nature of the organization. Member states naturally have competing political and economic agendas and often find it difficult to unite

on common goals. These problems are exacerbated among the Permanent Five (P5) at the Security Council, where differing geopolitical interests create particular challenges in forging transnational cooperation. Interstate cooperation generally has expanded over the decades in an increasingly globalized world, but the challenges of competition among sovereign states are innate. They can be managed but not eliminated.

The major forms of UN action for peace and security include sanctions, peacekeeping, peacemaking diplomacy, and peacebuilding during or after violent conflict. If properly resourced and coordinated these policy approaches should provide sufficient basis for effective action to prevent and mitigate most armed conflicts and thus advance international security. Although some improvements have been made in recent years, UN programs still suffer from what a recent study described as “yawning gaps in institutional capacity and coordination.”<sup>3</sup> Too often the missions and programs of the UN operate independently or are isolated from one another.

Sanctions are one of the few Charter-based peace enforcement tools available to the Security Council. They provide a means of applying pressure in response to problems of armed conflict, weapons proliferation, and other threats to peace and security. By their nature, however, sanctions generate systemic and structural tensions within the larger organization. Questions arise whether sanctions, which target designated parties, are compatible with peacekeeping missions, which are intended to be neutral and depend upon the consent of the host government. Similar concerns affect the role of SRSs, who are charged with maintaining diplomatic dialogue with all parties to a conflict but may encounter difficulties if they are seen as too closely associated with sanctions implementation against designated actors.

The willingness of officials to integrate sanctions with other UN operations is often impeded by erroneous and outdated misperceptions about sanctions. Many UN officials are not fully aware of the refinements that have evolved since the late 1990s in the design and implementation of more targeted measures. Some states and other actors view sanctions as cumbersome and punitive measures, while others emphasize sanctions as persuasive instruments to be combined with incentives-based diplomacy. Wide differences of opinion exist about the effectiveness and legitimacy of these measures.

Some officials have little understanding of the distinct and important functions of sanctions committees, expert panels, and other bodies established to facilitate implementation. High-ranking officials at the UN and in prominent member states may not be aware of their obligations to implement sanctions, or of the security benefits that accrue from compliance with Security Council measures. Because of the controversies and political sensitivities associated with sanctions, the Secretary-General and other senior officials may be unwilling to emphasize the role of sanctions in UN strategies and policies. These factors significantly impede efforts to create more integrated UN peacemaking strategies.

Another factor impeding coordination and compliance is the perception among some states, including nonpermanent members of the Security Council, that they do not have sufficient opportunity to participate in the crafting of sanctions policies. Member state representatives interviewed for this report indicated that they do not feel adequately involved in the drafting of resolutions and the designation

of sanctions targets. One official noted that the P5 tend to draft resolutions and submit designation lists and expect others simply to follow. Another said that developing states often do not consider themselves ‘players in the geopolitical game’ and thus tend to be less engaged in implementation. States with limited resources often do not have the time or the staff capacity to review designation lists in a timely manner.

A related issue is the perception among some states that the issues addressed in Security Council resolutions do not affect them directly and are thus a low political priority. These concerns are important since nonpermanent members on the Council are sanctions committee chairs and bear a special responsibility to ensure effective implementation. They highlight the need for greater efforts to involve nonpermanent members and other affected states in the political decision-making process, and to ensure that all states are fully informed of the international security issues at stake. Political decision making and implementation are better when those affected by policies have a say in their determination and are fully informed of their intended benefits.

## STEPS TOWARD REFORM

Notwithstanding these major hurdles, many dimensions of the coordination problem are amenable to political and administrative improvements. Implementation shortcomings can be remedied if UN entities acquire a critical awareness of the role integrated sanctions policies can play in enhancing the impact of UN peace and security efforts. Steady incremental change has emerged in various areas of UN policymaking generally, and in the implementation of sanctions specifically. Some departments within the Secretariat are taking modest steps toward improved communication and coordination on sanctions-related issues. Security Council resolutions have become more detailed in establishing clearer goals and benchmarks and in mandating cooperation among various UN actors. Council resolutions now provide greater guidance in specifying the measures to be imposed, the implementation obligations of various parties, and the compliance requirements of those targeted. The work of some sanctions committees has become more transparent and has contributed to increased efforts to ensure proper sanctions implementation.

The introduction and extensive use of expert panels has been a particularly significant development. Since they were first introduced in the 1990s, expert panels cumulatively have produced more than eighty reports that evaluate the status of sanctions implementation and provide recommendations for enhancing compliance. The reports are a treasure trove of information that if heeded could guide the UN toward more effective sanctions and peacemaking policies. Too often, however, sensible suggestions for improvement are ignored by Security Council members, even when raised repeatedly in expert group reports.

The policy improvements in recent years are substantial, but they have been ad hoc in nature, with little effort to establish systematic links among policy instruments that are, at least in theory, directed toward the same end.<sup>4</sup> In this report we examine the roles of a range of relevant UN actors and programs and consider ways in which their efforts can be more effectively integrated.

## Toward Greater Conceptual Clarity

Security Council sanctions suffer from a lack of common understanding regarding their nature, purpose, and practical implications. Because of their coercive function, sanctions have a negative connotation for some officials and diplomats. Sanctions are widely viewed through the lens of the comprehensive economic model utilized in Iraq, despite the fact that the Security Council has imposed only targeted sanctions since the mid 1990s. Wide differences of opinion exist about key elements of sanctions policymaking—whether they work in specific cases or generally, the factors that make them effective or not, the most important requirements for implementation, their social and humanitarian impacts if any, their compatibility with other UN mandates, and even their appropriateness as tools of international peace and security. This lack of conceptual clarity negatively affects implementation and impedes effective coordination and integration of sanctions.

The Secretary-General and other senior decision makers in the organization must address this challenge systematically. While it is not possible to forge a common global understanding on all features of Security Council sanctions, consensus on the core security role of sanctions is achievable and necessary. So too is agreement that the imposition of sanctions is consistent with Security Council responsibilities to address serious threats to peace in a Chapter VII framework.

### POLICY GUIDANCE AND INFORMATION SHARING

These concerns and ambiguities beg for the development and dissemination of a United Nations policy document on sanctions. The document would present the conceptual contours of sanctions in light of past experience and new threats to peace and security and would identify the role of sanctions in relation to other UN mandates and programs. Following the example of policy guidance documents in the European Union, it could include or be accompanied by implementation guidelines and a summary of best practices. Such a document would aid decision making and implementation and make it easier to build cooperation across diverse departments and missions and among member states and regional organizations. The proposed policy document would build upon previous United Nations reports and declarations and could be updated periodically as new security challenges and opportunities arise.

Linked to the development of a coherent policy statement is the need for intensive system-wide education and training on sanctions-related issues. Significant gaps exist in knowledge and basic understanding of sanctions-related issues. Officials in frontline states often lack information about Security Council measures and may be unaware of their compliance obligations. UN staff members at headquarters and in the field express frustration at the lack of information about sanctions programs and policy developments that affect their mission. Instructions and policy guidelines are sometimes vague and unclear about implementation details and responsibilities. When panels of experts are deployed to the field, for example, staff members in affected missions are not fully informed about the panels' mandates or

of their own mission's responsibilities to monitor arms embargoes and cooperate with such panels.<sup>5</sup>

Similar problems exist at headquarters and among the staffs of individual member states. The natural bureaucratic tendency to work in silos compounds the usual challenges of staying informed about fast-paced policy developments in a global organization. As the scale of sanctions policymaking has expanded in recent years, reflected in multiple resolutions of growing complexity, it is becoming more difficult to stay informed and meet implementation responsibilities.

No program or mechanism exists at the United Nations for information sharing and training on sanctions-related issues. The Secretary-General and the Security Council issue reports, some sanctions committee chairs conduct public briefings, a few member states convene periodic seminars, the UN Institute for Training and Research conducts an annual half-day workshop, the Sanctions Branch in the Secretariat provides support to expert panels and responds to numerous requests for information—but none of these efforts is sufficient to address the need for more coherent and consistent information sharing and policy guidance.<sup>6</sup> Better coordination of UN policymaking depends upon better information sharing and training. This report recommends means for bringing greater coherence to sanctions policymaking and raising the level of understanding and technical competence among UN and member state officials charged with implementing these measures.

## CREATING A SANCTIONS IMPLEMENTATION TASK FORCE

To address these challenges the Secretary-General should assign a senior high level UN official to create and direct a Sanctions Implementation Task Force (SITF) consisting of senior representatives of all relevant UN bodies.<sup>7</sup> The proposed task force would work closely with the Security Council and its sanctions committees. The SITF would have responsibility for producing the suggested sanctions policy document, in consultation with an independent body of experts commissioned by the task force. SITF would also develop and implement system-wide information sharing and comprehensive education and training programs. The information sharing and training programs would focus on the role of sanctions in a holistic approach to conflict resolution and would be made available to members of the Secretariat and other UN bodies, SRSGs and mediation support staff, expert panel members, incoming Security Council members and committee chairpersons, and officials of member states. The policy document and information and training programs should clearly demonstrate the compatibility and shared goals of sanctions with other Security Council mandates and empower all relevant bodies to enhance the implementation, monitoring, and enforcement of sanctions as a vital instrument for building international peace and security.

The proposed SITF would function in a manner similar to the Counterterrorism Implementation Task Force (CTITF), which provides policy guidance for the UN's multifaceted programs against violent extremism. Existing counterterrorism bodies such as the Counter-Terrorism Executive Directorate (CTED) and the Al-Qaida/Taliban Sanctions Committee Monitoring Team conduct their important staff functions, but they operate within the policy framework of the CTITF.

**Better coordination of UN policymaking depends upon better information sharing and training.**

With the proposed Sanctions Implementation Task Force the Sanctions Branch would continue to perform its current functions, hopefully with expanded capacity as recommended below, but the Branch would operate under the overall guidance of the SITE. The proposed new Sanctions Implementation Task Force would have primary responsibility for coordinating implementation.

## UN DIPLOMATIC MISSIONS AND SPECIAL REPRESENTATIVES

The SRSGs play a decisive role in speaking for the organization and utilizing the tools of persuasion to resolve and prevent armed conflict. In interviews and mission reports SRSGs provide varying accounts of the role and relevance of sanctions to their particular missions. In most cases, the SRSGs consider sanctions an important element of diplomatic leverage. The former UN Special Envoy for Sudan described targeted sanctions as “drums beating in the background” during attempts to encourage a peace settlement in Darfur.<sup>8</sup> Yet Special Representatives do not consider it appropriate as chief UN diplomatic representative to be publicly identified with sanctions. As one SRSG stated in an interview, “I could not survive politically as Special Representative if those on the [sanctions] list got the impression that I had a role in the implementation of sanctions.” The facilitation of peace negotiations often requires that mediators talk with all parties and serve as honest brokers, not as partisans for one side or the other. Reconciling this approach with the requirement for sanctions-based leverage can be challenging, and requires all the finesse and diplomatic aplomb Special Representatives are expected to bring to their assignment.

The reports of Security Council panels of experts sometimes create complications for UN diplomatic representatives, but they may also have certain advantages. Reports that name names or raise sensitive issues regarding sanctions violations and inadequate compliance often stir controversy. Relevant political leaders may react sharply and criticize the United Nations generally, without differentiating one UN tool from another. SRSGs can parry such criticisms and claim political cover by noting that the expert panel has a separate and independent mission. They may nonetheless benefit from the pressures generated by public disclosure to exert leverage for a diplomatic solution.<sup>9</sup>

Former SRSGs agree that sanctions can and should play a greater role in supporting UN diplomatic mandates. One former SRSG expressed frustration that the Security Council sometimes threatens to take action against violators but then does not always back up its threats. In a number of cases the Council has adopted resolutions authorizing targeted measures against those who violate UN mandates but then has delayed or failed to designate names of those to be targeted with sanctions. If the Council threatens action, and the Special Representative uses this to exert leverage, it is essential that the Council follow up and impose measures against appropriate targets if there is no compliance. The failure to follow up on sanctions threats undermines diplomacy and impedes the fulfillment of UN mission objectives.

The views of SRSGs need to be considered when the Security Council and sanctions committees make decisions about sanctions implementation. Security Council



decisions to extend or change the terms of expert panels, for example, can have political implications on the ground in the affected country. The SRSGs should not have an overt role in decision making, but their views should be considered and weighed heavily before the Council acts. Close coordination is needed between the Security Council and SRSGs to assure effective UN diplomatic missions on the ground in affected countries.

Especially important is the process of removing names from sanctions target lists. The delisting process can be part of a broader diplomatic strategy designed to achieve a peace settlement or divide the ranks of insurgent or militia forces. Listing and delisting procedures have been contentious as a matter of due process rights, but they have significant political implications as well. The delisting of particular individuals and entities can be an important conciliatory gesture and an inducement for others on the list to emulate the cooperative behavior that led to delisting. This is relevant to the situation in Afghanistan, as acknowledged in the reports of the Al-Qaida/Taliban Sanctions Committee Monitoring Team. Similar political dynamics exist in Liberia, where a process of delisting is underway to encourage former supporters of the Charles Taylor regime to commit themselves to the new democratic political process. For these political processes of delisting, it may be more appropriate for the SRSG to play a public role, and perhaps gain influence with local interlocutors as an advocate for delisting those who pursue more cooperative behavior. The role of delisting as a diplomatic measure reinforces the importance of assuring accuracy and appropriate due process in Security Council listing and delisting procedures.<sup>10</sup> Until recently, little effort was made to coordinate the work of SRSGs with that of sanctions committees. SRSGs meet occasionally with relevant sanctions committees, but this remains a rare occurrence. Meetings have occurred between the sanctions committees and Special Representatives for the Côte d'Ivoire, Sudan, and Somalia cases. Participants report that these sessions have been helpful in facilitating information sharing and providing a better understanding of the role of sanctions in supporting diplomatic objectives. The goal of integrating sanctions into overall UN strategy has already begun in these particular cases and has the potential to be the norm in all sanctions and peace missions undertaken by the UN.

## TAKING STOCK

These and other forms of information sharing should feed into a general UN symposium and open meeting that could be convened on a periodic basis, perhaps biannually, to provide UN staff and member states an opportunity to consider crosscutting and thematic issues related to sanctions implementation. The proposed SITF could facilitate and sponsor the symposium, which would include presentations, hearings, and workshop discussions. The Secretary-General and members of the Security Council would be invited to make presentations. An interested member state would provide financial support, and former officials and independent experts could be asked to participate. Written records and training materials should be collected to provide a ready file for use by subsequent member state representatives and future UN staff.

## A Proposal for Periodic Symposia on Sanctions Implementation Issues

To assist all elements of the UN system in understanding and evaluating sanctions-related issues, the proposed Sanctions Implementation Task Force should convene biannual symposia, with presentations by the Secretary-General and Security Council members, to review sanctions impacts and implementation issues. The symposia could provide a regular opportunity to assess how sanctions are being integrated with other UN activities and programs. They would provide an opportunity for information sharing and brain storming on generic issues. The focus would be on crosscutting concerns that apply to sanctions committees generally.

A model for the proposed periodic symposia would be the open meeting of the Security Council chaired by the government of Greece in April 2007. At that session the Secretary-General delivered an address and sanctions committee chairs evaluated current implementation challenges. In the future other Council members could take the initiative in sponsoring and facilitating such sessions. Participants in the proposed symposia would include Security Council member states, sanctions committee chairs, interested member states, representatives of regional and subregional organizations, expert panel members, Secretariat and Sanctions Branch staff, representatives of functional international organizations, and independent experts.

The proposed symposia might be scheduled initially on a biannual basis. A periodic process of this nature would provide an opportunity to address key challenges to sanctions implementation and help to raise general awareness among member states and UN officials at all levels of the organization.

## The Leadership of the Security Council

As the supreme authority for international peace and security, the Security Council has the most important role to play in ensuring greater coordination and integration of sanctions within UN policy. The principal mechanism for doing so is the crafting of clear and specific Security Council resolutions. The political strategy and policy objectives of UN missions are defined in these resolutions, which must be crafted with appropriate rigor and precision. Council resolutions provide the authorization for linking activity in one area, such as peacekeeping, with efforts in others, such as sanctions.

Especially important is the need for clarity in Council resolutions specifying the strategic goals of sanctions: the reasons why they are imposed, and the conditions under which they can be suspended or lifted. This helps to define the strategic political objectives of sanctions, which can then guide the overall implementation effort and enhance the prospects of more integrated UN peacemaking policies. Specificity regarding the conditions for lifting also provides diplomatic leverage for the SRSGs to encourage compliance with Security Council mandates.

Security Council resolutions have become more explicit over the years and now incorporate detailed instructions on the requirements for implementation and the conditions for lifting. Recent examples include Resolution 1874 (2009), which seeks to prevent further nuclear weapons proliferation in North Korea. The resolution includes extensive provisions for the inspection of cargo and shipping, the prevention of financial services and weapons deliveries, and the creation of an expert monitoring panel. Similar provisions are incorporated in Resolution 1929 (2010), which seeks to prevent nuclear proliferation in Iran. Another example is Resolution 1822 (2008), which refines procedures for the listing and delisting of designated supporters of al-Qaida and the Taliban and also mandates a comprehensive review of the Al-Qaida/Taliban Sanctions Committee's Consolidated List. An appendix attached to the resolution offers detailed instructions for how the comprehensive review is to be conducted, in cooperation with CTED, the CTITF, and INTERPOL. Many of the enhanced listing and delisting procedures introduced in Resolution 1822 have been applied in other resolutions, including in the cases of Somalia, Resolution 1844 (2008), and the DRC, Resolution 1857 (2008).

Security Council resolutions could be improved further to provide more explicit instructions on required forms of coordination among UN missions, expert panels, peacekeepers, and sanctions committees. Some progress has been achieved in identifying these forms of coordination. In recent years, Security Council resolutions have mandated that peacekeeping forces support sanctions implementation by assisting with the monitoring of arms embargoes. Resolution 1584 (2005) mandated that the Côte d'Ivoire panel of experts cooperate with the UN missions in Liberia and Sierra Leone and with the Liberia panel of experts. Yet much more remains to be accomplished. Specifying and mandating such forms of coordination in Security Council resolutions will help to promote successful cooperation and will provide energy and momentum to the integration and coordination of sanctions.

## SANCTIONS COMMITTEES

The implementation capacity available for sanctions committees varies widely in particular cases. The level of commitment and engagement of a committee chair depends in substantial part on the capacities of the chair's permanent mission. Not all UN member states have the same advantages. The level of sanctions committee engagement in particular cases is also dependent on the level of political consensus that exists within the Council as reflected in relevant resolutions. The seriousness of the sanctions effort, the "desired level of intrusiveness" as one former committee chair phrased it, is a function of the degree of political commitment among Council member states, especially the permanent members. The presence of an

**Security Council resolutions could be improved further to provide more explicit instructions on required forms of coordination among UN missions, expert panels, peacekeepers, and sanctions committees.**

expert monitoring team usually indicates a greater commitment to effective implementation. The semi-permanent monitoring structure of the Al-Qaida/Taliban Sanctions Committee reflects a high degree of political consensus for counterterrorism measures against al-Qaida and the Taliban.

One of the mechanisms available for sanctions committees is to conduct open briefings for other UN member states. This was recommended by the reports of the Stockholm Process on the Implementation of Targeted Sanctions and the Working Group on Sanctions.<sup>11</sup> Briefings can help to explain to UN member states the work of the sanctions committees and the implementation requirements for states and regional organizations. The Al-Qaida/Taliban Sanctions Committee conducts such briefings every six months. The briefings provide an opportunity for the committee to explain its activities and obtain feedback from member states. This procedure should be adopted by other sanctions committees.

The report of the Stockholm Process highlighted the need for sanctions committees to communicate the rationale for targeted sanctions and what the Security Council expects from states in terms of implementation. It recommended that the committees explain to countries that are not on the Security Council the purpose and obligations stemming from sanctions; how to manage targeted sanctions lists and deal with sanctions violations; and how the Council's use of targeted measures is intended to minimize the socioeconomic impact of sanctions. The Stockholm Process report suggested that these communications be delivered via the mass media as press releases, but also mentioned individual meetings with relevant states.

Panel of experts reports reveal common patterns of sanctions violations across certain cases. The different types of sanctions—arms embargoes, nonproliferation measures, travel bans, financial assets freezes, and various commodity sanctions—tend to have similar implementation challenges. In some instances the same means of evasion, and occasionally even the same perpetrators, have been identified in separate cases. The different sanctions committees involved with these cases should correlate these findings and coordinate their responses to common patterns of violations. It would be useful for sanctions committee chairs to meet periodically on an informal basis to address crosscutting implementation issues. The results of such informal meetings and consultations could then be brought back to the committees and the Security Council for appropriate action.

## CONVENING SANCTIONS COMMITTEE CHAIRS

Regular, structured meetings of sanctions committee chairs should be held to facilitate greater information sharing and coordination across different sanctions cases. Formal meetings of sanctions committees tend to be overly rigid, with scripted presentations and little opportunity for give and take and open discussion. A better model would be to arrange gatherings that are more informal, in which the primary purpose is information sharing rather than decision making. The goal would be to provide a setting in which chairs can discuss commonalities across the various cases. The committee chairs would gather in a problem solving mode to identify trends and patterns related to policy and implementation that can be brought back to the Security Council and individual sanctions committees for consideration and

possible action. The committee chairs could invite relevant expert panel coordinators to participate in the sessions as information sources. The discussions would be off the record, following Chatham House rules, although a document summarizing key points could be produced as the assembled chairs determine.

The committee chairs could meet as a whole and in subgroups. Periodically all sanctions committee chairs would gather to share information and discuss issues related to all sanctions cases. In addition, smaller meetings could be convened among chairs of specific committees addressing particular policy themes—such as ending armed conflicts, countering terrorism, and preventing proliferation. The chairs of the committees addressing armed conflicts, for example, could gather occasionally to discuss common issues. The same could occur among chairs of committees addressing nonproliferation and other policy themes. Because regional cooperation is important to the effectiveness of sanctions implementation, committee chairs could also meet on a regional basis, for instance among the committees monitoring sanctions in West African cases.

The proposed meetings would be most effective if organized informally outside the official UN calendar. The gatherings could take place off site but near UN headquarters, either at member state missions or nearby conference facilities. This is the approach adopted by various member states in addressing specific policy themes such as the rule of law and due process in listing and delisting. Informal sessions addressing such themes have helped to raise issues and policy options that are then fed back into the policy process for official decision making. This might serve as a model for the proposed gatherings of committee chairs.

To initiate the proposed process of convening sanctions committee chairs, one or more nonpermanent Security Council member states should take the lead in hosting the sessions and facilitating the process of scheduling and convening meetings. Over the course of a two-year trial period, the initiating state(s) would convene several gatherings—some of all committee chairs, others of subgroups addressing particular policy themes. If the process proves helpful in identifying and facilitating consideration of constructive policy options, it could be continued into the future.

## PANELS OF EXPERTS

The reports of the panels of experts are invaluable to the process of enhancing monitoring and implementation. The panels play essential roles in assisting the sanctions committees and the Security Council in managing sanctions implementation. Their reports identify local and regional patterns of noncompliance and offer advice to sanctions committees and the Security Council on ways to improve sanctions implementation and better achieve UN policy objectives. Field visits by expert panels are also helpful in raising awareness among local actors. They help member states and regional organizations understand and pay attention to implementation requirements.

The expert panel reports contain valuable recommendations for deterring violations and improving implementation, but many of their findings of sanctions violations and their prescriptions for improving sanctions impact often go unheeded

by sanctions committees and the Security Council. Member states often lack the political will to take the actions that may be necessary to assure greater compliance with Council measures.

Greater efforts are needed to improve cooperation among panels of experts, especially in regional and functional contexts. Sanctions regimes and associated expert panels are established on a country by country basis, but patterns of armed conflict and related sanctions violations often transcend national boundaries.<sup>12</sup> Improved coordination and comparative analyses of expert panel reports would help to identify systemic problems of noncompliance and provide guidance to the sanctions committees and the Security Council on ways to enhance implementation. As noted below, the Panel of Experts Information Management System (POEIMS) was created to facilitate crosscutting analysis of expert panel reports, but to date systematic comparative analyses are not being performed.

Until recently the Security Council has not issued explicit instructions to expert panels to cooperate with each other in a regional context or on common substantive themes. This has started to change with mandates for greater coordination in West Africa and on counterterrorism measures. The panels for Liberia and Côte d'Ivoire have specific mandates to cooperate. The Al-Qaida/Taliban Analytical Support and Sanctions Monitoring Team mandated by Resolution 1267 is instructed to cooperate with the other Security Council counterterrorism bodies, including the CTED established pursuant to Resolution 1373 and the working group on nonproliferation created pursuant to Resolution 1540.

The Liberia sanctions committee and panel of experts have coordinated their activities to some extent with the Côte d'Ivoire sanctions committee and panel of experts, but this has been the exception rather than the rule. In 2005 the panel of experts for Côte d'Ivoire conducted a joint mission with the Liberia expert panel and relied upon the information it provided, in accordance with Resolution 1584 (2005). The two panels travelled together to investigate implementation issues in Guinea. That same year the Côte d'Ivoire panel conducted an investigation on behalf of the Liberia panel in Burkina Faso.<sup>13</sup> The Liberia panel noted in its December 2008 report that the United Nations Operation in Côte d'Ivoire (UNOCI) provided information to the panel on arms flows from neighboring countries and highlighted the risk presented by ex-Liberian combatants fighting in militia groups in southwestern Côte d'Ivoire.<sup>14</sup>

## **COORDINATING SECURITY SECTOR SUPPORT WITH ARMS EMBARGO IMPLEMENTATION**

In the Somalia, DRC, and Liberia cases, arms embargoes have been structured to allow security support to what the Security Council determines are legitimate government forces, provided that the weapons deliveries and support services are reported in advance to the relevant sanctions committee. States must provide advance notification to the respective sanctions committee of security support for approved government forces. In the case of the DRC, for example, Security Council Resolution 1807 (2008) mandates that states providing military goods and training services to DRC government forces notify in advance the DRC sanc-

tions committee. Similar mandates exist in relation to security support for the Transitional Federal Government (TFG) in Somalia.

In the Somalia and DRC cases, however, states and international agencies have provided military assistance and security support independently, without notifying the relevant sanctions committees. The Somalia expert panel's December 2008 report was critical of this "self exemption" from the embargo.<sup>15</sup> Of the five governments providing security assistance to Somalia, the panel report noted, only one gave the required advance notification to the sanctions committee. The Ethiopian government declared that it was exempt from arms embargo-related notification requirements during its 2006-08 military intervention in Somalia because it had the approval of the Transitional Federal Government. The panel noted that the TFG does not have that authority, which the Security Council gives exclusively to the sanctions committee.

The expert panel for the DRC sanctions found similar patterns of non-notification. In its December 2008 final report the DRC panel noted that few governments provided the required notice to the sanctions committee and that large amounts of ammunition were arriving in eastern Congo without notification by exporters.<sup>16</sup> The failure of states to comply with DRC sanctions provisions erodes the integrity of security sector reform initiatives of these very same states, according to the expert panel's November 2009 report.<sup>17</sup>

Even security support programs of the UN Development Programme (UNDP) have bypassed notification requirements. UNDP conducted its Rule of Law and Security Programme in Somalia without notification to the sanctions committee, claiming exemption because its activities provided training for police forces, which it characterized as civilian in nature—although previous expert group reports had expressed concern about that force's growing militarization and involvement in counterinsurgency operations.<sup>18</sup> UNDP subsequently took steps to bring its security sector reform activities into compliance with the arms embargo notification mandates.<sup>19</sup>

These cases reveal a generic problem in coordinating security sector reform programs with arms embargoes. States and international agencies that provide weapons and security support services in settings where arms embargoes are in place must comply with Security Council resolutions that require notification and reporting of such activities. The integrity of security sector reform programs depends upon rigorous implementation of Security Council arms embargo mandates.

## COOPERATION WITH PEACEKEEPERS IN MONITORING ARMS EMBARGOES

Evidence suggests that the presence of UN monitoring and enforcement mechanisms improves the effectiveness of arms embargoes. This is one of the results of a 2007 study of UN arms embargoes by the Stockholm International Peace Research Institute and the Special Program on the Implementation of Targeted Sanctions at the Uppsala University Department of Peace and Conflict Research. The study's detailed empirical analysis shows a positive correlation between rigorous UN monitoring and enforcement and the willingness of targeted regimes to

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enter into negotiations. The effectiveness of the embargoes increases when regional restraints on arms trafficking are also present. These findings indicate that effective monitoring and regional cooperation are important to the success of Security Council arms embargoes.<sup>20</sup>

To improve compliance with arms embargoes Security Council resolutions in recent years have mandated that UN missions and peacekeeping units cooperate with panels of experts to support the monitoring of these sanctions. Recent resolutions renewing the mandates for UN missions in Côte d'Ivoire and the DRC have reiterated specific requirements to monitor arms-related sanctions "in cooperation with the Group of Experts."<sup>21</sup> Increased vigilance in this area has long been considered one of the key components for increasing the effectiveness of arms sanctions.<sup>22</sup> While some progress has been achieved in this area, the Security Council has not developed a systematic policy of mandating cooperation between expert panels and regional peace missions.<sup>23</sup> Peacekeeping forces associated with UN missions in Liberia, Côte d'Ivoire, the DRC, and Sudan have been mandated to assist with the monitoring of arms embargoes, but the mandates for these missions have been uneven and inconsistent. Only in the cases of Côte d'Ivoire and the DRC have peacekeepers received specific mandates to monitor sanctions in cooperation with the relevant panel of experts.

The United Nations Mission in Liberia (UNMIL) was mandated to monitor sanctions by inspecting weapons inventories and reporting its findings to the sanctions committee, but its mandate for coordination with the panel of experts was not as explicit as in the Côte d'Ivoire and DRC regimes. UNMIL created a working group to coordinate the mission's sanctions-related activities in that country. It also assigned its civilian police units to help monitor the country's seaports and airports to report on possible sanctions violations.

In the Côte d'Ivoire case, Security Council resolutions provide explicit instructions for the panel of experts to cooperate with UNOCI. The Côte d'Ivoire panel and UNOCI have developed what the Stimson Center report describes as "a unique example of substantial cooperation and integration."<sup>24</sup> The impact of this cooperation has been vitiated, however, by political opposition to sanctions among Ivoirian authorities. Rebel groups also routinely refuse inspections.<sup>25</sup>

In the DRC the panel of experts has cooperated with the Joint Mission Analysis Cell (JMAC) of the United Nations Mission in the Democratic Republic of Congo which provides analysis and intelligence to UN forces. In addition to assisting with the monitoring of the arms embargo, JMAC has assumed a role in monitoring the trade in natural resources. Joint military and civilian teams have worked with the DRC government to conduct random inspections at airports in Goma and Bukavu. According to a 2010 Global Witness report, these inspections "have some utility as a deterrent to traders who purchase minerals from zones controlled by armed groups."<sup>26</sup> Nonetheless JMAC remains constrained in what it can accomplish due to limited technical capacity and insufficient funds from donor countries.

The Secretary-General recommended in his 2008 report on small arms that UN peace operations with an arms embargo mandate should create separate units for monitoring embargo compliance. The model cited for this recommendation is the arms monitoring cell within UNOCI.<sup>27</sup> Monitoring cells and joint missions are



certainly needed to address and hopefully deter arms embargo violations, but these efforts must be supported politically and enforced more rigorously to be meaningful. Otherwise these half-hearted efforts reinforce the cynicism about sanctions that exists among some officials at the UN and in member states.

In some cases expert panels share with peace missions immediately actionable information such as the location of weapons caches. This information has been useful to military officials and in some instances has led to the seizure and destruction of weapons. However, cooperation of this sort is ad hoc and uneven. Expert panels tend to hold information until it is synthesized and incorporated into their reports to the Security Council. Military officials have requested that expert panels share actionable information as it is collected. The Stimson Center report endorses this request and recommends that expert panels be required to share actionable information with peace operations on a systematic and ongoing basis. The only exception would be when sharing threatens the source of the information.<sup>28</sup> Decisions on whether and when to share information with UN missions should be made by the Security Council, not by local UN mission officials and panel members. Only the Security Council has the authority to establish requirements and mandates for expert panels.

#### **GUIDELINES FOR COOPERATION BETWEEN PEACEKEEPING MISSIONS AND PANELS OF EXPERTS**

In 2009, the UN Department of Peacekeeping Operations (DPKO) developed guidelines to facilitate cooperation between panels of experts and UN missions. The guidelines were created with input from DPA staff. They emerged following problems encountered by the panel of experts of the Sudan sanctions committee in gaining support and cooperation from UN missions in Sudan. The guidelines are an attempt to improve coordination, but as noted in the Stimson Center report, they have significant shortcomings. They are too generic, they lack firm coordination mandates, and they are directed to peacekeeping officials alone rather than to all relevant UN officials.

The guidelines instruct peacekeepers to support panels if this does not involve “compromising the mission’s core” mandate, but they fail to note that mission mandates include sanctions monitoring. The guidelines encourage information sharing by stating that missions “may provide” reports to expert panels, but they do not require or specify the terms for such sharing. Information sharing policies for expert panels are the responsibility of the Security Council and should be specified explicitly in Security Council resolutions. The Stimson Center report recommends the development of a detailed memorandum of understanding between the Department of Political Affairs and DPKO on specific ways to support the work of expert panels. The proposed MOU would clarify roles and responsibilities of Secretariat bodies in providing information and facilitating cooperation with expert panels.<sup>29</sup> It could be updated and adjusted thereafter as conditions in the field and the requirements of policy evolve.

## COORDINATION OF NONPROLIFERATION MEASURES

Nowhere is a mandate for cooperation more essential than in the newly created nonproliferation panels of experts formed pursuant to Resolutions 1718 (DPRK) and 1737 (Iran). The imperative for this cooperation and information sharing arises from evidence of prohibited weapons-related commerce between the two countries and with particular third countries. In light of the functional similarities between the two panels it would be sensible for the 1718 sanctions committee and the 1737 sanctions committee to meet periodically, perhaps with relevant experts, to compare information on the implementation of nonproliferation measures. The two committees might also conduct periodic information exchanges with the Security Council's 1540 nonproliferation committee and its expert group, to address the urgent need to prevent the smuggling of materials related to weapons of mass destruction to non-state actors. The proposal for regular meetings of sanctions committee chairs, including meetings of chairs whose committees address related policy themes, would encompass this suggestion.

Cooperation between the 1718 panel and the newly created 1737 panel is especially appropriate in light of common structural features of the two sanctions regimes. Resolutions 1874 and 1929 contain similar language authorizing inspection and interdiction of prohibited commercial cargoes. In order for member states to implement these complex and demanding provisions, the panels and sanctions committees must provide transparent access to their work and make available shared knowledge, best practices, and common protocols and procedures for how to conduct such inspections and interdictions.

The implementation of these similar nonproliferation sanctions regimes would benefit greatly from greater uniformity and precision in the publication and dissemination of lists of prohibited export items. Sanctions resolutions 1718 and 1737 contain similar prohibitions against the export of items that would contribute to nuclear, chemical, and biological programs and the development of ballistic missiles. The identification of items related to prohibited weapons programs and ballistic missile development was a task performed by the UN Monitoring and Verification Commission concerning Iraq (UNMOVIC), but the Commission was disbanded in 2007 with Resolution 1762. UNMOVIC maintained lists and related data of relevant prohibited items. These have been used by the Security Council in implementing nonproliferation sanctions, with both the 1718 and 1737 committees maintaining lists of prohibited items. The 1540 committee also publishes a list of prohibited items, although the definitions provided have been criticized as being less precise than those utilized by international nonproliferation bodies such as the Nuclear Suppliers Group, the Chemical Weapons Convention, and the Australia Group.<sup>30</sup> The 1718 panel of experts has recently assessed the relevance of the Wassenaar lists in controlling conventional weapons smuggling and sales.

## SECURITY COUNCIL MISSIONS

The Security Council has adopted the practice of conducting missions of all Council members to particular conflict zones. These missions help members of the Council gain a regional perspective on conflict, and provide an opportunity to encour-

age neighboring states to cooperate in implementing sanctions, peacekeeping, and other UN policies in the region. Security Council missions have been conducted in recent years in Afghanistan and in various African regions, with a focus on the missions in Liberia, Côte d'Ivoire, the DRC, Ethiopia (regarding Somalia), and Sudan. Sanctions are addressed in the meetings the Security Council conducts during these missions, but they are not a high priority and often receive cursory attention. Security Council missions could contribute to improved integration through greater public and private acknowledgement of the role of sanctions and how they relate to other elements of UN engagement.

In some instances insights and proposals have surfaced during Security Council missions that subsequently were reflected in policy. During its several missions to the Great Lakes region and Central Africa, for example, the Council received many reports of violations of the arms embargo against rebel fighters in the DRC. The Council and the DRC sanctions committee responded by adopting additional sanctions and gradually expanding the list of those targeted with coercive measures.

UN Security Council missions are very important, but they do not obviate the need for separate, focused visits by sanctions committee chairs. UN Security Council missions have had the unintended effect of discouraging investigative missions to the region by sanctions committee chairs. Both processes can and should proceed in tandem, although of course field visits should be coordinated so that they occur at different times and do not overburden affected states or other UN missions in the field. Combining visits by sanctions committee chairs with occasional missions by the full Security Council would constitute a significant degree of diplomatic engagement and serve as a strong signal of determination by UN member states to assure implementation of Security Council measures.

## VISITS BY SANCTIONS COMMITTEE CHAIRS

It has been widely recognized that visits to relevant countries by sanctions committee chairs are valuable for addressing implementation issues. Such visits enable committee chairs to obtain firsthand information about the requirements for more effective compliance and ultimately for sanctions success.<sup>31</sup> They are a means of strengthening the regional cooperation that is vital to effective implementation. They also send a signal to states and relevant organizations and private actors that the Security Council is serious about sanctions implementation. As one committee chair observed, field trips are “always helpful in raising awareness among local actors” and engaging sanctions members and their governments. Such fact-finding and consulting trips by sanctions committee chairs have been encouraged by the Security Council as useful means of enhancing awareness of sanctions violations and encouraging implementation efforts.<sup>32</sup>

Sanctions committee chairs, as senior UN ambassadors, are able to interact with affected parties at a high political level, including senior ministers and chiefs of state. Their visits provide opportunities for raising important issues related to violations and necessary steps for enhancing implementation. Field visits by sanctions committee chairs send a political signal from the Security Council of a greater commitment to implementation. They help to inject greater energy and direction

to the work of the sanctions committees and give greater credibility to the role of the chairpersons.

Among the functions sanctions committee chairs can perform during missions to affected regions are the following:

- ▶ increasing public awareness of the political objectives of UN policy and informing the member states and the relevant actors of compliance obligations,
- ▶ meeting with front-line states and the principal partners of a targeted regime or targeted leaders to address concerns about implementation requirements,
- ▶ coordinating compliance efforts and improving liaison among relevant regional organizations and specialized international agencies,
- ▶ engaging with corporations and private sector actors to review sanctions compliance responsibilities,
- ▶ identifying necessary forms of capacity-building and technical assistance, and conveying these recommendations to donor states and agencies, and
- ▶ making recommendations to the Security Council regarding adjustments that may be necessary in the terms of the sanctions measures to enhance their effectiveness.

The chair of the Al-Qaida/Taliban Sanctions Committee regularly conducts visits to various regions to encourage greater compliance with Security Council measures against al-Qaida and the Taliban. Few other sanctions committee chairs conduct such field missions. Sanctions committee guidelines specifically mention the option of visits to selected countries, and funds are available in UN budgets for committees to undertake such missions, but most committee chairs do not avail themselves of this opportunity.

A recent example of the potential impact of sanctions and missions by sanctions committee chairs was the visit to the region by the chair of the Somalia sanctions committee in April 2010. The mission by the committee chair was pursuant to Resolution 1907 (2009) and included visits to Yemen, Eritrea, and Kenya. Soon after the visit the governments of Eritrea and Djibouti agreed to a mediation of their border dispute, facilitated by the government of Qatar. In the resulting agreement Eritrea withdrew its troops from disputed Djiboutian territory. The UN Under-Secretary-General for Political Affairs commended the agreement and Eritrea's military withdrawal and also highlighted Qatar's mediation effort and deployment of military observer units on both sides of the border.<sup>33</sup> Officials of Security Council member states interviewed for this report described the settlement as a success for sanctions and an example of the positive contribution committee chairs can make by focusing regional attention on implementation.

## FIELD VISITS BY CHAIRPERSONS OF ACTIVE UN SANCTIONS COMMITTEES

(Based on interviews and annual reports of sanctions committees)

Security Council committee established pursuant to:	Number of visits	Year and location
<b>Resolution 751 (1992)</b> concerning Somalia	3	2003 visit to Djibouti, Egypt, Eritrea, Ethiopia, Italy, Kenya and Yemen; 2005 visit to Kenya, Ethiopia, and Yemen; and 2010 visit to Eritrea, Kenya, and Yemen
<b>Resolution 1132 (1997)</b> concerning Sierra Leone	4	1997 visit to Guinea; 1998 visit to Sierra Leone and Liberia; 2002 visit to Liberia, Guinea, and Sierra Leone; 2004 visit to Belgium, Austria, and France
<b>Resolution 1267 (1999)</b> concerning al-Qaida and the Taliban and associated individuals and entities	15	<p><b>1267 Committee chairperson visits:</b></p> <p><b>2003:</b></p> <ul style="list-style-type: none"> <li>▶ (October) Afghanistan, Germany, Indonesia, Singapore, United Arab Emirates</li> <li>▶ (December) Italy, Liechtenstein, Pakistan, Saudi Arabia, EU in Brussels</li> </ul> <p><b>2004:</b></p> <ul style="list-style-type: none"> <li>▶ (February) Indonesia</li> <li>▶ (May) Algeria, Tunisia, Spain, Senegal</li> <li>▶ (October) Philippines, Cambodia, Thailand, Australia</li> <li>▶ (December) Libya, Iran, Switzerland</li> </ul> <p><b>2005:</b></p> <ul style="list-style-type: none"> <li>▶ (April) Germany, EU in Brussels, Turkey, Syria</li> <li>▶ (October) Nigeria, OSCE in Vienna</li> </ul> <p><b>2006:</b></p> <ul style="list-style-type: none"> <li>▶ (January-February) Japan, Indonesia</li> <li>▶ (April-May) Qatar, Yemen, Saudi Arabia</li> </ul> <p><b>2007:</b></p> <ul style="list-style-type: none"> <li>▶ (June-July) Ethiopia, Djibouti, Kenya</li> <li>▶ (October-November) Kazakhstan, Tajikistan, Uzbekistan</li> </ul> <p><b>2008:</b></p> <ul style="list-style-type: none"> <li>▶ (March-April) Mauritania, Senegal, Mali</li> </ul> <p><b>2009:</b></p> <ul style="list-style-type: none"> <li>▶ (June) Russia</li> <li>▶ (October) EU in Brussels</li> </ul>
<b>Resolutions 1343 (2001) and 1521 (2003)</b> concerning Liberia	2	2001 visit to Mali, Guinea, Sierra Leone, Liberia, and Nigeria; 2006 visit to Liberia
<b>Resolution 1533 (2004)</b> concerning the Democratic Republic of the Congo	0	No visits recorded in annual reports
<b>Resolution 1572 (2004)</b> concerning Côte d'Ivoire	1	2005 visit to Côte d'Ivoire
<b>Resolution 1591 (2005)</b> concerning the Sudan	0	No visits recorded in annual reports

## THE SANCTIONS WORKING GROUP

The Working Group on General Issues of Sanctions, which conducted its work between 2000 and 2006, served as a useful venue for Security Council member states to discuss broad sanctions policy issues. Although the group's sessions were occasionally contentious, as states differed over specific policy issues, most participating member states found value in the opportunity provided by the group to consider broader sanctions reform issues apart from specific cases. In December of 2006 the working group presented a chair's report to the Council with recommendations to improve best practices with respect to "design, implementation, evaluation and follow-up, committee working methods, monitoring and enforcement, and methodological standards and reporting format for expert groups."<sup>34</sup> The report was pushed through by the government of Greece, which reinvigorated the group and enjoyed a new mandate from the Council (in 2005).

The working group recommendations focused on ways to improve and support expert panels and monitoring mechanisms. Its recommendations called for increased coordination efforts among member states and urged the creation of an information management system within the Secretariat for the files of expert panels.<sup>35</sup> The resulting POEIMS was implemented in the field beginning in 2009. In Resolution 1732 (2006) the Security Council welcomed the report, took note of its contents, and requested the same of its subsidiary bodies.<sup>36</sup>

Although it has not been convened since 2006, the working group still exists as an official agenda item for the UN Security Council. The working group should be revived as a low cost high level mechanism for ongoing consultations to address sanctions coordination and implementation issues. It could be utilized, perhaps on an as-needed basis, as a venue for focused discussions on particular crosscutting issues related to sanctions implementation. The working group also could help to sponsor the biannual symposia or open meetings recommended above.

## The Support of the Secretariat

The UN Secretariat has a critical and central role to play in coordinating the missions of the organization and integrating the work of various offices and programs to advance peace and security. The Secretariat must make both conceptual and administrative contributions to sanctions coordination, which requires attention to the tone and visibility of Security Council measures in the context of other UN efforts. Many UN personnel—either explicitly or unconsciously—consider sanctions tainted, embarrassing, and incompatible with other Council directives or UN activities. This creates a psychological barrier and programmatic avoidance or downgrading of sanctions. Greater efforts are needed to create more coherent understanding of the centrality of sanctions, and to improve coordination among the Security Council, sanctions committees, expert panels, UN missions, peacekeeping forces, and other UN programs and offices.

The issue of sanctions as distinct tools in service of UN policy has not appeared on the agenda of the Secretary-General's Policy Committee. This committee

consists of department and agency heads and senior staff who meet regularly to provide guidance for UN programs and activities. Sanctions come up in discussions on country specific cases but they are not discussed as a thematic concern. No political direction is given to staff at headquarters or in the field on how to resolve inherent tensions that may arise, for example, between the implementation of sanctions and the activities of peacekeeping units. Narrow operational assumptions by peacekeeping or mediation officials sometimes trump sanctions implementation concerns. Differences over these issues are often ignored or swept under the rug, rather than being acknowledged openly and addressed through appropriate guidance from senior political officials.

## THE NEED FOR INTERDEPARTMENTAL COOPERATION

Present and former UN staff members and consultants have identified serious problems associated with a lack of coherence and cooperation among various offices and divisions within the Secretariat. UN reports sometimes reflect misperceptions about the nature of sanctions. Reports of humanitarian impacts, for example, do not always acknowledge the targeted nature of Security Council sanctions, which are designed to avoid harm to innocent and vulnerable populations, nor the distinction between selective UN measures and broader and more draconian measures sometimes adopted by individual states. A lack of coherence and coordination among Secretariat offices affects the management of Security Council sanctions. Various offices may not be aware of what others are doing; reports in one area, such as peacekeeping, may not include reference to related activities, such as the monitoring of arms embargoes.

At times briefings are offered by one department or division without including others that have a direct stake in the relevant issues. The Office of Legal Affairs, for example, gave a briefing to the Secretary-General's office on the 2008 legal opinion of the European Union Advocate General regarding due process issues. The DPA was not included in the briefing, despite the obvious political implications of European concerns about this important dimension of sanctions targeting. Some attempts to address systemic issues related to sanctions implementation have been dismissed by senior officials who consider the issue too politically sensitive and complex.

The reports of the Secretary-General are important documents for providing guidance to the entire organization, yet they rarely mention sanctions. Little acknowledgment is made of the findings and recommendations of the expert panel reports. These lacunae exist in part because DPA staff officers, Sanctions Branch officials, and expert panel members do not interact sufficiently with each other and sometimes fail to fulfill their responsibilities to cooperate more effectively for sanctions implementation.

A remedy to the problem of insufficient liaison would be to have DPA desk officers routinely coordinate with the Sanctions Branch when writing analyses for the Secretary-General's office. A more systematized collaborative process is needed when officials are writing reports about countries or regions in which sanctions are imposed, or when addressing thematic issues, such as the illicit exploitation

of natural resources, in which sanctions are deemed an appropriate policy option. An inter-departmental consultation process should become, in the words of one official, “an institutionalized response.”

The Mediation Support Unit is in the early stages of initial discussions with the Sanctions Branch on ways to link the work of the two units and ensure that sanctions are integrated into an overall strategy to facilitate peace processes. A possible result of this effort might be the development of a guidance note for UN mediators on how to better utilize sanctions to advance a peace process. The guidance note is envisioned as a practice-oriented tool for UN envoys and representatives to help them understand, navigate, and utilize sanctions in facilitating peace processes. It is conceivable that the process of joint development of the guidance note could serve to highlight better the links between mediation and sanctions. This sort of practice should be encouraged and replicated in other relevant DPA offices.

## THE SANCTIONS BRANCH

The principal Secretariat body charged with assisting sanctions implementation is the Sanctions Branch. The Sanctions Branch performs a range of substantive tasks in support of sanctions implementation: support to committees and expert groups; coordination among expert groups; liaison and coordination with specialized international organizations such as INTERPOL and the International Civil Aviation Organization (ICAO); and the preparation of proper briefing papers and training materials for sanctions committees and new nonpermanent members as they enter the Security Council for their two-year terms.

In the opinion of many observers, the SCSOB office is inadequately structured, staffed, and coordinated, and lacks sufficient capacity and resources to perform the wide range of tasks required to manage its current work load. As of September 2010 the SCSOB was supporting eleven active sanctions regimes and related sanctions committees, and eight expert panels in various stages of investigation and report preparation, not to mention addressing the role of sanctions in specialized missions such as preventing sexual violence and the abuse of children in armed conflict. Each branch officer and team is typically required to support at least two sanctions committees and related expert panels where applicable. SCSOB’s current capacity and resources are not adequate to the task of managing the existing number of sanctions committees and expert panels. Nor is it capable of assuming the task of integrating these efforts with an increasing array of UN peace and security policy initiatives.

Officials of several Security Council member states interviewed for this report expressed gratitude for the support and expertise of the Sanctions Branch. But they also noted the need for additional efforts within the UN system to assist member states and sanctions committees in coordinating implementation. A number of officials said that the Sanctions Branch needs additional resources and support so that it can do more to coordinate implementation efforts and be proactive in reaching out to member states.

Several expert panel reports and independent studies have identified the need for additional resources for the SCSOB. The 2003 report of the Stockholm



Process noted the inadequacy of funding and resources for the SCAD.<sup>37</sup> It recommended the creation of a dedicated facility within the Secretariat to provide support for expert panels. The 2006 report of the Working Group on General Issues of Sanctions recommended “reallocating Secretariat resources to the Subsidiary Organs Branch so that it can adequately provide support to expert groups.”<sup>38</sup> A modest increase in staff allocations was approved between 2007 and 2008, and three new posts (one mid-level and two junior) have been created. These additional resources are welcome, but they have not solved the problem of inadequate capacity and resources resulting in an overextended SCSOB professional staff and the need for greater support for the implementation of Security Council sanctions.

### NEW COORDINATION AND IMPLEMENTATION SUPPORT OPTIONS

During the course of this study, we found widespread agreement on the need for greater institutional support for sanctions coordination and implementation.<sup>39</sup> This report contains a number of recommendations for addressing the need for more coordinated implementation, including the creation of a Sanctions Implementation Task Force and the convening of regular meetings of sanctions committee chairs. Here we focus on the need for greater staff and institutional capacity.

The Secretary-General should take steps to upgrade and restructure the work of the Sanctions Branch. The SCSOB performs important support for the work of the sanctions committees and expert panels, but as this report and other studies have noted, its capabilities need to be enhanced. The focus should be an institutional “plus up” aimed at strengthening and expanding the work of the Sanctions Branch. Additional staff, training, and financial resources are needed so that Secretariat and Sanctions Branch staff can perform existing tasks effectively and can also take on necessary additional functions in facilitating and encouraging more systematic exchanges of information and cooperation among sanctions committees, expert panels, and other UN actors. An enlarged and more capable Sanctions Branch would operate under the overall policy guidance of the proposed SITE.

As a step toward developing greater staff and institutional capacity, the Secretary-General should commission a management review of current Secretariat and SCSOB sanctions support functions and interactions. The focus of the review would be strengthening policy coordination functions. Such a review would be compatible with recommendations of the Stockholm and Bonn-Berlin processes. The review would determine how existing and additional resources can be utilized most effectively to maximize support for sanctions implementation and integration with UN programs for peace and security.

### INFORMATION MANAGEMENT SYSTEM

In 2008 the staff of the Sanctions Branch took steps to create an information management system for the data compiled by expert panels. This Panel of Experts Information Management System (POEIMS) was the result of an initiative by the Canadian mission to the United Nations and the Department of Foreign Affairs and International Trade in Ottawa.

The database consists of two parts: a collection of all published expert panel reports, coded for cross checking; and the raw data (documents, interview notes, photographs, etc.) gathered by experts during their investigations in the field. POEIMS was created to provide a central archive across all sanctions cases to facilitate data correlation and comparative analysis among different investigations and expert panels. The first part of the system was created and populated starting in 2003, the second part in 2008. DPA has procured specialized analytical software for use by certain expert groups. The software is designed to be customized and tailored to the investigative needs of a specific group.

The Secretariat lacks a dedicated senior manager responsible for overseeing development of the system and managing data quality, classification, and input. At present program staff with other responsibilities spend a portion of their time on data coding. A greater management and staff commitment would help to ensure that POEIMS reaches its full potential. The Security Council should request a report from the Sanctions Branch on the status of the development and management of POEIMS, with recommendations for additional steps and resources that are needed to improve the effectiveness of the system.

Greater efforts are needed to examine and isolate key data sets across sanctions regimes to identify common patterns of violation. This was one of the reasons for developing the system in the first place, so that decision makers and analysts could identify patterns of sanctions violations and emerging trends in conflict mitigation. Several officials interviewed for this report agreed on the need for a process of conducting comparative analyses of the information in the database on a regular basis.

A possible approach to improving information analysis might be to hire on a periodic basis one or more expert panel members for a short-term consultancy, under strict confidentiality rules, to analyze reports and documents in the database. Another option would be to assign the most technically qualified member of each expert group to undertake these functions as part of his or her mandate. The purpose of comparative analyses would be to examine the data to identify patterns of sanctions violations and emerging trends in the conflict settings where sanctions are applied. At the conclusion of the analysis the consultants' findings would be reported to the Security Council and relevant sanctions committees. The findings would be of value to new panel of expert members during handovers from one Security Council mandate to another. The findings might also assist analysts and consultants in the Secretariat regarding the consideration of sanctions implementation issues.

Member states have the option of requesting support from the sanctions committees in identifying implementation challenges and requesting capacity-building assistance. Few states avail themselves of this opportunity, however. States should be encouraged to approach the sanctions committees for help in supporting implementation. This would enable the committees to become more proactive in identifying violations and encouraging particular states and regional bodies to address documented violations. The Sanctions Branch or other entities in the Secretariat could play a role in identifying these needs and matching donor resources with recipient needs. This is the role that the CTED attempts to play in facilitating counterterrorism capacity-building assistance. If the Secretariat were to assume such a role in relation to sanctions implementation, it would need to be closely coordinated with related counterterrorism capacity-building programs.



# Recommendations

Numerous opportunities exist to improve the use of Chapter VII sanctions and integrate them more effectively into UN programs for peace and security. Below are a number of recommendations to help achieve this objective, directed to different elements of the UN community.

## FOR THE SECRETARY-GENERAL

- ▶ **A policy document should be generated that links sanctions in a constructive logic to other United Nations activities in conflict prevention, mediation, peacekeeping, and peacebuilding.** At present there is no guiding conceptual foundation—and thus no policy guidance—regarding the versatility and place of sanctions in UN efforts for peace and security. The proposed document would draw from past experience and emerging best practices to serve as a basis for sanctions-related education and training within the UN system.
- ▶ **The Secretary-General should assign a senior high level UN official to create and direct a Sanctions Implementation Task Force (SITF)** consisting of representatives of all relevant UN bodies. The proposed SITF would have responsibility for producing the suggested sanctions policy document, and for developing and implementing system-wide information sharing and training programs focusing on the role of sanctions in a holistic strategy for conflict resolution.
- ▶ **The Secretary-General should direct the proposed SITF to develop a comprehensive information sharing and training program,** based on the policy document, to raise awareness about the functioning of sanctions and their integration with UN peace and security strategies. The training should be provided for UN Secretariat officers, UN diplomats, expert panel members, representatives of incoming Security Council member states, and all interested UN member states and regional organizations. The training program should include functional and historical background briefings on sanctions cases, and how sanctions implementation works.

- ▶ **An informal biannual symposium should be convened by the SITF, with presentations by the Secretary-General and members of the Security Council, to take stock of successes and problems of sanctions implementation and integration with existing UN mandates.** The periodic symposia would allow information sharing and brainstorming on generic issues related to the role of sanctions in overall UN strategy and policies. Participants would include all relevant actors in the UN system: Security Council member states, UN diplomatic representatives, sanctions committee chairs, interested member states, representatives of regional and subregional organizations, expert panel members, Secretariat and Sanctions Branch staff, representatives of functional international organizations, and independent experts.
- ▶ **The Secretary-General should conduct a management review examining options for expanding staff support for sanctions coordination and integration.** This might involve an institutional “plus up” for the Sanctions Branch that would allow it to take on additional functions of integrating sanctions with other UN activities.

#### FOR THE SECURITY COUNCIL

- ▶ **The Security Council should ensure that the language of sanctions resolutions specifies precisely the interface of sanctions with UN peacekeeping and mediation efforts.** Resolutions regarding peacekeeping or mediation missions likewise should detail and maximize linkages to existing sanctions mandates, sanctions committees, and panels of experts.
- ▶ **The Security Council should utilize the Working Group on Sanctions,** which remains on the Security Council agenda. The working group could be tasked with addressing crosscutting issues and inter-agency cooperation regarding the intersection of sanctions with other UN mission activities. It could meet on an as-needed basis to address generic issues that affect all or several cases.
- ▶ **The Security Council should request the Sanctions Branch to provide a report on the status of the Panel of Experts Information Management System,** with recommendations for improving the effectiveness of the system, including possible creation of a new information management post to oversee POEIMS development and operation.

#### FOR SANCTIONS COMMITTEES

- ▶ **Sanctions committee chairs should conduct more frequent briefings and increase their information outreach with various stakeholders in sanctions and peacemaking processes.** It is essential for chairs to communicate publicly with relevant private sector actors and national elites in states and regions where sanctions are imposed. Chairs must also increase the effectiveness of their communication to the wider public, member states, and UN personnel via regularized briefing sessions at headquarters.

- ▶ **Sanctions committee chairs should be more proactive in conducting field visits to relevant states and regions in order to assess sanctions compliance and implementation.** These visits should be coordinated with Security Council missions in the same locations, to maximum the impact of UN engagement while avoiding excessive burdens on states hosting such visits. Sanctions committee chairs should interact with UN mission personnel in the area, including Special Representatives of the Secretary-General and relevant senior officials within peacekeeping forces. Mission and peacekeeping officials should be asked to help in preparing such visits and developing the action agenda that emerges from them.
- ▶ **Regular, structured meetings of sanctions committee chairs should be convened,** to facilitate greater information sharing and coordination across different sanctions cases. All sanctions committee chairs should gather periodically to share generic information about policy and implementation issues, and smaller meetings should be convened among chairs of specific committees addressing particular policy themes—such as ending armed conflicts, countering terrorism, and preventing proliferation.

#### FOR THE UN SECRETARIAT

- ▶ **Periodic analyses should be conducted of the data compiled in the Panel of Experts Information Management System (POEIMS) to identify patterns of sanctions violations and emerging trends related to best practices and other implementation issues.** Current or former expert panel members could be assigned to conduct the proposed analyses. The findings should be shared with the Security Council and relevant sanctions committees.
- ▶ **The Department of Peacekeeping Operations and the Department of Political Affairs should develop a detailed memorandum of understanding providing instructions for improved coordination between UN missions and expert panels.** The MOU should spell out procedures and mechanisms for information sharing and joint monitoring.
- ▶ **Interdepartmental coordination in the drafting of memos and reports for the Secretary-General should become “an institutionalized response.”** Officers of DPA, DPKO, and other relevant offices should coordinate regularly with the SITF and Sanctions Branch when drafting reports on countries and policy issues that are related to Security Council-mandated sanctions.

#### FOR MEMBER STATES

- ▶ **States can support improved coordination of UN sanctions** by complying fully with Security Council mandates, encouraging regional cooperation and compliance, supporting Security Council missions and visits by sanctions committee chairs, and replying to inquiries from panels of experts. States should instruct relevant foreign service officials to study and follow the proposed policy

guidance document, and participate in the training and educational opportunities made available by SITE.

- ▶ **States must comply fully with reporting requirements when conducting security sector support programs in countries where arms embargoes are in place**, providing advance notification of arms and security support to the relevant sanctions committee.

These recommendations are offered as practical, discrete steps which can develop over time. Some of these can be made operative through cross-program dialogue among practitioners within the UN system. Others will require more imaginative and risk-taking leadership by the Secretary-General and the Security Council. All depend upon a commitment of political will and greater resources to sanctions implementation as necessary investments in creating more effective and integrated UN peace and security policies.

## NOTES

- 1 See David Cortright and George A. Lopez, “A Sanctions Coordinator: Options for Enhancing Compliance” in *International Sanctions: Between words and wars in the global system*, ed. Peter Wallensteen and Carina Staibano, 64-74 (New York: Frank Cass, 2005), and other essays in that volume; and United Nations Security Council, *Report of the Informal Working Group of the Security Council on General Issues of Sanctions*, S/2006/997, New York, 22 December 2006. On coordination challenges of UN arms embargoes, see Michael Brozka and George A. Lopez, ed. *Putting Teeth in the Tiger: Improving the Effectiveness of Arms Embargoes* (Bingley, UK: Emerald Group Pub., 2009).
- 2 Alix J. Boucher, *UN Panels of Experts and UN Peace Operations: Exploiting Synergies for Peacebuilding* (Washington, D.C.: The Stimson Center, 2010).
- 3 Global Witness, *Lessons UNlearned: How the UN and Member States must do more to end natural resource-fuelled conflicts* (London: Global Witness, January 2010), p. 3.
- 4 The state of the art analysis of the role of expert panels appears in Alix J. Boucher and Victoria K. Holt, *Targeting Spoilers: The Role of United Nations Panels of Experts*, Stimson Center Report No. 64 (Washington, D.C.: The Stimson Center, January 2009).
- 5 Alix J. Boucher, *UN Panels of Experts and UN Peace Operations: Exploiting Synergies for Peacebuilding* (Washington, D.C.: The Stimson Center, 2010), p. 10.
- 6 Peter Wallensteen, et al., *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options*, results from the Stockholm Process on the Implementation of Targeted Sanctions (Uppsala: Uppsala University Department of Peace and Conflict Research, 2003).
- 7 Enrico Carisch and Loraine Rickard-Martin, “Proposal for a UN Sanctions Implementation Task Force,” forthcoming online at *Compliance and Capacity International, LLC* <<http://www.comcapint.com>>.
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- 9 Alix J. Boucher, *UN Panels of Experts and UN Peace Operations: Exploiting Synergies for Peacebuilding* (Washington, D.C.: The Stimson Center, 2010), pp. 11, 19, 21.
- 10 David Cortright, et al., *Human Rights and Targeted Sanctions: An Action Agenda for Strengthening Due Process Procedures*, Policy Brief SSRP 0911-01 (Goshen, Ind.: Sanctions and Security Research Program, November 2009); and Thomas Biersteker and Sue Eckert, *Addressing Challenges to Targeted Sanctions: An Update of the “Watson Report”* (Providence, R.I.: Watson Institute of Brown University, October 2009).
- 11 Peter Wallensteen, et al., *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options*, results from the Stockholm Process on the Implementation of Targeted Sanctions (Uppsala: Uppsala University Department of Peace and Conflict Research, 2003), p. 24; United Nations Security Council, *Report of the Informal Working Group of the Security Council on General Issues of Sanctions*, S/2006/997, New York, 22 December 2006, para. 16(g).
- 12 Global Witness, *Lessons UNlearned: How the UN and Member States must do more to end natural resource-fuelled conflicts* (London: Global Witness, January 2010).
- 13 United Nations Security Council, *Interim report of the Panel of Experts submitted pursuant to paragraph 7 (d) of Security Council resolution 1584 (2005) concerning Côte d’Ivoire*, S/2005/470, New York, 20 July 2005, para. 8.
- 14 United Nations Security Council, *Report of the Panel of Experts submitted pursuant to paragraph 1 of Security Council resolution 1819 (2008) concerning Liberia*, S/2008/785, New York, 17 December 2008, para. 173. Paragraph 11 of the report states, “The Panel notes that the United Nations Mission in Côte d’Ivoire has shared information relevant to the implementation of measures in paragraphs 2 and 4 of resolution 1521 (2003), in accordance with paragraph 7 of resolution 1819 (2008).”
- 15 United Nations Security Council, *Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1811 (2008)*, S/2008/769, New York, 10 December 2008, para. 154–155.
- 16 United Nations Security Council, *Final report of the Group of Experts on the Democratic Republic of the Congo*, S/2008/773, New York, 12 December 2008, paras. 144, 146.
- 17 United Nations Security Council, *Final report of the Group of Experts on the Democratic Republic of the Congo*, S/2009/603, New York, 23 November 2009, para. 254.

- 18 United Nations Security Council, *Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1811 (2008)*, S/2008/769, New York, 10 December 2008, para. 155; United Nations Security Council, *Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1766 (2007)*, S/2008/274, New York, 24 April 2008.
- 19 United Nations Security Council, *Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1811 (2008)*, S/2008/769, New York, 10 December 2008, para. 245.
- 20 Damien Fruchart, et al., *United Nations Arms Embargoes: Their Impact on Arms Flows and Target Behaviour* (Solna and Uppsala Sweden: SIPRI Arms Transfers Project and Uppsala University Department of Peace and Conflict Research, 2007), pp. 33–34.
- 21 United Nations Security Council, *Security Council Resolution 1933*, S/RES/1933, New York, 30 June 2010, para.16; see also United Nations Security Council, *Security Council Resolution 1925 (2010)*, S/RES/1925 (2010), New York, 28 May 2010, para. 12.
- 22 Michael Brozka and George A. Lopez, ed. *Putting Teeth in the Tiger: Improving the Effectiveness of Arms Embargoes* (Bingley, UK: Emerald Group Pub., 2009), pp. 244–246.
- 23 Alix J. Boucher, *UN Panels of Experts and UN Peace Operations: Exploiting Synergies for Peacebuilding* (Washington, D.C.: The Stimson Center, 2010), p. 9.
- 24 Alix J. Boucher and Victoria K. Holt, *Targeting Spoilers: The Role of United Nations Panels of Experts*, Stimson Center Report No. 64 (Washington, D.C.: The Stimson Center, January 2009), p. 73.
- 25 Alix J. Boucher and Victoria K. Holt, *Targeting Spoilers: The Role of United Nations Panels of Experts*, Stimson Center Report No. 64 (Washington, D.C.: The Stimson Center, January 2009), p. 73.
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- 27 United Nations Security Council, *Small Arms: Report of the Secretary-General*, S/2008/258, New York, 17 April 2008, Recommendation 5, para. 67.
- 28 Alix J. Boucher, *UN Panels of Experts and UN Peace Operations: Exploiting Synergies for Peacebuilding* (Washington, D.C.: The Stimson Center, 2010), p. 37.
- 29 Alix J. Boucher, *UN Panels of Experts and UN Peace Operations: Exploiting Synergies for Peacebuilding* (Washington, D.C.: The Stimson Center, 2010), p. 29–30, 40.
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- 33 United Nations Security Council, *Under-Secretary-General, Briefing Security Council, Commends Recent Steps by Eritrea, Djibouti to Negotiate Settlement of 2008 Border Dispute*, SC/9987, New York, 20 July 2010.
- 34 United Nations Security Council, *Report of the Informal Working Group of the Security Council on General Issues of Sanctions*, S/2006/997, New York, 22 December 2006, para. 1.
- 35 United Nations Security Council, *Report of the Informal Working Group of the Security Council on General Issues of Sanctions*, S/2006/997, New York, 22 December 2006, para. B(5).
- 36 United Nations Security Council, *Security Council Resolution 1732*, S/RES/1732, New York, 21 December 2006.
- 37 Peter Wallensteen, et al., *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy Options*, results from the Stockholm Process on the Implementation of Targeted Sanctions (Uppsala: Uppsala University Department of Peace and Conflict Research, 2003), paras. 28 and 46.
- 38 United Nations Security Council, *Report of the Informal Working Group of the Security Council on General Issues of Sanctions*, S/2006/997, New York, 22 December 2006, para. 5.
- 39 It is fair to note that this is a shift in assessment by UN officials from our interviews earlier in the decade. The shift is explained partly by renewed budget consciousness but also by a recognition that not every coordination and implementation problem begs an administrative solution.



## APPENDIX

### **Cooperation with INTERPOL: A Model for Greater International Coordination**

More attention is needed to coordinating sanctions implementation with the missions of various specialized international agencies. The most significant level of cooperation has developed with INTERPOL to support the work of expert panels and the Secretariat in the enforcement of counterterrorism measures. This cooperation is important in its own right and can serve as a template for similar cooperation agreements with other relevant international organizations. Sanctions committees that focus on ending armed conflict and nonproliferation should engage more significantly with INTERPOL and take advantage of opportunities for greater international law enforcement coordination in the implementation of measures against targeted individuals and entities.

Cooperation with INTERPOL developed in the 1990s, with the first agreement between the agency and the United Nations signed in 1997. In 1999 and 2000 Canadian Ambassador Robert Fowler worked with INTERPOL on behalf of the Angola sanctions committee and panel of experts. The agency conducted criminal background checks on arms dealers and brokering companies suspected of violations. Cooperation with INTERPOL has also emerged in the cases of Sierra Leone, Liberia, and the DRC, where expert panels have worked with agency officials in identifying violations of sanctions. The expert panel for Liberia worked with INTERPOL to monitor small arms among the members of the Economic Community of West African States. Several of the members of that panel were experienced INTERPOL investigators. In 2004, the Liberia panel met with INTERPOL representatives from the Regional Bureaus Management Directorate and the INTERPOL Weapons and Explosives Tracking Systems to discuss how their resources could be better used to implement UN sanctions. Several expert panels have traveled to INTERPOL's Secretariat in Lyon, France for consultations.

Cooperation with INTERPOL has been most extensive with the 1267 counterterrorism sanctions and the Al-Qaida/Taliban Sanctions Committee Monitoring Team. Security Council Resolution 1617 (2005) encouraged member states to work with INTERPOL, particularly its database of stolen and lost travel documents. Resolution 1699 (2006) focused more explicitly on increasing cooperation with INTERPOL. The resolution requested the Secretary-General "to provide the 1267 Committee with better tools" to investigate violations of counterterrorism sanctions and urged member states to use Interpol's I-24/7 global police communications system.

One notable innovation resulting from this enhanced cooperation is the development of the "INTERPOL-United Nations Security Council Special Notice." Created by the agency and the Al-Qaida/Taliban Sanctions Committee, the special notices are disseminated through INTERPOL's global network. They provide law enforcement officials around the world with information on individuals placed on the committee's Consolidated List. Several hundred special notices have been issued and circulated to law enforcement officials. These notices link the Al-Qaida/

Taliban Sanctions Committee's implementation efforts directly to INTERPOL's global police network. The Al-Qaida/Taliban Sanctions Committee Monitoring Team has emphasized the value of this cooperation with INTERPOL and has recommended consultations with other relevant international and regional law enforcement and counterterrorism organizations. Support and advice are needed, said the Monitoring Team, to assist states "on how they might overcome the universal tendency of law enforcement agencies and counter-terrorist units to work separately."

Security Council Resolution 1699 (2006) opened the door for INTERPOL Special Notices to be requested by other sanctions committees, but this has not happened. In his April 2008 report on small arms, the Secretary-General noted that expert panels of the various sanctions committees could do more to share their reports and documentation with INTERPOL. Greater efforts to share information, according to the report, would be helpful in "identifying trends, criminality, and the modus operandi of illicit arms traffickers, which may be of use to the investigative authorities of Member States." More systematic cooperation between INTERPOL and the various sanctions monitoring bodies would help in the implementation of Security Council sanctions. Sanctions committees and panels of experts should regularly cooperate with INTERPOL and use its databases to enhance implementation.

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2 United Nations Security Council, *Small Arms: Report of the Secretary-General*, S/2008/258, New York, 17 April 2008, Recommendation 4, para. 65.



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