Sanctions for Conflict Prevention and Peace Building

Lessons Learned from Côte d'Ivoire and Liberia

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Executive Summary

This report summarizes experiences gained from two ongoing cases of UN targeted sanctions: the case of Liberia, where sanctions in different forms have been in place since 1992; and the more recent situation of Côte d'Ivoire/Ivory Coast, where the first sanctions decisions came in 2004. In Liberia, the sanctions have now come to play a role in building up a new society after many years of war. They aim at contributing to peace building for the future. In Ivory Coast, the goal is to prevent an immediate return to war and to favour a settlement through democratic means. These uses of sanctions are highly complex and important to understand. Based on reports, analyses and on interviews conducted in May-June 2006, this publication offers conclusions for these cases and for UN policy on targeted sanctions in general. It includes around thirty recommendations. Events have been updated until August 1, 2006.

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Preface

The United Nations sanctions instrument is singled out in the UN Charter as a central means for peaceful application of pressure on parties in the service of maintaining and restoring international peace and security (Article 42 under Chapter VII). Its use has increased over the last 15 years and the UN has now an experience from some 17 sanctions regimes. Considerable international energy has gone into these efforts without similar regard for the evaluation of the measures. This means that the international community may miss valuable experiences for use in future sanctions regimes. Thus, the Special Program on the Implementation of Targeted Sanctions (SPITS) at the Department of Peace and Conflict Research, Uppsala University, Sweden, has set a goal of evaluating recent sanctions cases. The aim is to draw lessons of particular interest for these cases as well as making general recommendations on the use of the sanctions instrument for the UN system. The lessons suggested in this report are based on two ongoing cases, Ivory Coast (Côte d'Ivoire) and Liberia.

These cases have been selected as they are in two distinct phases of sanctions application. While Liberia is presently returning to political stabilization after many years in armed conflict, Ivory Coast is at the moment on a politically dangerous and negative path. From a sanctions point of view, the measures on Liberia have come to play an instrumental role for peacebuilding and conflict prevention for the future, while in the case of Ivory Coast, sanctions are used to put pressure on political stakeholders in the conflict, to prevent immediate escalation. Furthermore, while sanctions are about to be lifted on Liberia, individually targeted sanctions on Ivory Cost were imposed as late as in February 2006 and, in a possible scenario, there might be a need of further sanctions measures.

The lessons suggested here are based on a thorough study of sanctions in general as well as specific documents, available reports, and scholarly articles on these cases. In addition, interviews were conducted by the team in the region during May 27-June 16, 2006. Preliminary reflections were presented to UN staff in the region as well as to the

Swedish Ministry for Foreign Affairs, giving rise to additional considerations for the report.

The field work segment of this report was made possible by the support of the UN Secretary-General Special Representative of UNOCI, Ivory Coast; The AME University, Liberia; UNMIL Civil Affairs, Liberia; and by researchers at the University of Freetown, Sierra Leone. The work was entirely financed by the Swedish Ministry for Foreign Affairs. The authors remain solely responsible for the text and the propositions.

This work constitutes the continuation of the Stockholm Process (reported to the UN Security Council in February 2003) and follow-up studies (2004 on Burma/Myanmar, and 2005 on Iraq) as well as scholarly contributions on sanctions (see Wallensteen and Staibano 2005). This work has also been reported on the SPITS website: www. smartsanctions.se. In addition to the present report there will be a literature overview and an analysis of the effects of sanctions on war and negotiations (Strandow 2006) and, as a result of this, a joint article (by Strandow and Wallensteen). In addition, material will also appear in sections of a Ph.D. dissertation (Eriksson).

There are two components to this report. First, there are two sections on lessons learned from the Ivory Coast and Liberia cases, respectively, including conclusions for these two specific sanctions regimes (sections 2 and 3 below). Second, there is a segment which contains implications for UN sanctions policy (section 4). The Appendix lists the organisations consulted in West Africa.

I. Introduction

UN sanctions on Western Africa have all been related to recent war experiences (the war in Liberia initially starting in 1989, and in Ivory Coast in September 2002). Due to the close linkage to the war in Liberia it is also important to note the developments in Sierra Leone (where a war began already in March 1991). Sanctions were set in by the UN Security Council at various junctures of the political developments, beginning with sanctions on Liberia in 1992 (through UNSCR 788), Sierra Leone in 1997 (UNSCR 1132), and more recently on Ivory Coast in 2004 (UNSCR 1572). The most important sanctions decisions are presented in Box 1 (for Côte d'Ivoire/Ivory Coast) and Box 2 (for Liberia).

The UN has combined its sanctions efforts with other engagements as well, notably peacekeeping missions, Special Representatives, and development programs by different UN agencies. In addition, the EU has been present as well as major powers, notably France under operation LICORNA (with French forces stationed in Ivory Coast, recently cooperating with the UN, UNOCI), USA (particularly in Liberia) and United Kingdom (for instance, with its forces intervening in Sierra Leone).

Thus, effects of sanctions also have to be measured in relation to such activities as well as the general political and military dynamics of war and peace locally, regionally and globally (see the Uppsala conflict database at www.pcr.uu.se/database for more details of conflict dynamics in these countries). Still, this report constitutes an effort to specify the impact and significance of the UN sanctions measures used by the international community.

2. Côte d'Ivoire: Sanctions for Conflict Prevention

2.1 Challenges to the UN

The general atmosphere which the UN encounters in Ivory Coast is one of considerable tension underneath a surface of cordiality and calm. There is an alarming negative spiral of events marked by a lack of a serious understanding of the dangers possibly facing the country in a short period of time. For instance, President Laurent Gbabgo, referred at the UN Peacekeeping Day on May 29, 2006 to the situation in Côte d'Ivoire as a "small crisis". Moreover, an attitude of continuing 'politics as usual' prevailed in the interviews we conducted with political leaderships, in spite of very clear warning signals of what could come if the political situation does not improve. It was remarkable to find media coverage of peace efforts and the UN to be unfriendly. On July 17, the President was quoted to say in a radio broadcast that the UN peacekeepers were biased in favour of rebels and that they 'should understand that they are here because we want them'. On July 26, the UN Security Council issued a statement calling on all parties to 'play their parts to implement commitments'. In short, the presence of the UN appears respected and effective but not liked or loved, and the situation requires close observation.

Given that the experience in West Africa of many 'small crises' having developed into major wars and state failure, this attitude of normal politics is remarkable, not to say disturbing. After all, a large part of the country is outside government control; the economy is gradually slowing down and unemployment increasing. All these are signs which responsible leaders would consider worrisome and lead to quick and creative solutions. Rather than displaying such concern, the UN processes of Disarmament, Demobilization and Reintegration (DDR), and identification of citizenship have been – deliberately by the parties, it seems – slowed in some parts of the country. This is bothersome and the process might have serious difficulties reaching the necessary completion, to make elections scheduled for October

¹ See BBC News, http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/5187210.stm, and UN News Service, July 27, 2006.

Box I: Ivory Coast: Important Sanction Resolutions

Date	Resol-	Sanc-	Monitoring	Comment
	ution	tions		
2004-11-15	1572 (2004)	Arms Travel Assets	Committee	Arms embargo, asset freeze and travel ban threatened. Arms embargo imposed and travel ban adopted the next month. No individuals were however named by the committee until 7 February 2006.
2005-02-01	1584 (2005)	Arms	Committee Expert Panel UNOCI French forces	The arms embargo is to be monitored by UNOCI and Expert Panel in cooperation with French forces.
2005-06-24	1609 (2005)		Committee Expert Panel UNOCI French forces	Monitoring issues addressed. Media to be monitored for incitement to violence.
2005-10-21	1633 (2005)	Arms	Committee Expert Panel UNOCI French forces	Demands that DDR is moved forward, that militias are disarmed and repeats the threat of individual sanctions.
2005-12-15	1643 (2005)	Dia- monds	Committee Expert Panel France	Sanctions on rough diamonds imposed. Arms embargo, travel ban and asset freeze renewed until 15 Dec 2006.

2006 free and fair. For the UN this is a challenge to deal with, without sounding too alarmist.²

More specifically, we could observe that the UN and its peacekeeping mission in the country faced unique experiences. One was the organized, hostile but not armed, demonstrations directed at the UNOCI headquarters in January 2006, which created security concerns for the peacekeepers and ONUCI staff. The political leadership finally got together and paid respects to the UN, thus reducing antagonism. This illustrated both how closely related violence is to the political developments and inadequacies in the composition of the UN force, particularly its lack of a robust force (such as the Quick Reaction Force, QRF, in Liberia, anti-riot police and helicopters).

Thus, the UN-arranged Peacekeeping Day of May 29, 2006 was a timely event and a success as it may have helped to strengthen the attitudes of the importance of UN presence. However, already two days later one of the newspapers warned of another Rwanda in Côte d'Ivoire, indicating the fate of the people of the South in the hands of those of the North to be parallel to the Tutsis of Rwanda. The message was also brought out with pictures of slaughtered people from the Rwanda genocide (Le Temps, May 31, 2006). This was inflammatory and not likely to facilitate the creation of a reasonable climate for future negotiations. This is the more noteworthy as media is directly connected to leading personalities in the South. There are strong reasons for the UN Security Council and/or the EU to consider whether such media coverage is reconcilable with the demands of resolutions 1572:6; 1609:2(v) and 1633:16 or with the EU requirements indicated in the Cotonou Partnership Agreement (covering the principles of Good Governance, Human Rights and Democracy). EU sanctions might be a possible addition or supplement to those of the UN in this regard.

UN Secretary-General Kofi Annan visited Yamassoukro on July 5, convening a mini-summit including the Presidents of Côte d'Ivoire, Nigeria and South Africa. Speaking to the press he said that the participants agreed that they were 'going to do their maximum to ensure that

² It was pointed out to us that the Côte d'Ivoire military receives extra payment to be prepared for war, an ominous sign and certainly not a monetary incentive for peace.

the calendar is respected'. This way of highlighting the significance is very much in line with our conclusions.

2.2 The UN Arms Embargo

All sides appear to agree that the arms embargo has been useful. There was little publicly stated interest in removing this measure. However, there were considerable complaints about possible violations. Interviewees gave few specifications, but there was a communality in views that the national borders are porous and that neighbouring countries (particularly those where there is no UN peacekeeping presence) are not properly monitored, and that both parties were not complying fully. For instance, it was reported that small arms were brought from Liberia towards the separation zone in Ivory Coast (without the control of the government). Such reports have also come from the UN Expert Panels, UNOCI and French sources. This suggests a need for a more robust presence of the UN, especially a significant deployment during the upcoming elections, so as to prevent the accumulation of weapons for use in the event of an 'undesirable' electoral outcome.⁴

Patrolling of borders with helicopters and cooperation with UNMIL are additional measures, but also agreements with neighbouring countries, notably Burkina Faso and Guinea-Conakry should be contemplated, even allowing for the stationing of UN monitoring missions in these countries. Patrolling should be made both of the long forest borders and of the seacoast (the last point stems from us hearing unspecified reports of clandestine deliveries of cargo from boats along the coast). Such measures should only be seen as temporary and preventive in nature, so as to ensure a peaceful outcome after the ending of the UNOCI mandate period. The promise of lifting these measures after the formation of a democratically elected government would provide the parties with an incentive to find a mutually satisfactory solution.

³ For a report see UNDPI 6 July 2006, SG/T/2500; for a transcript of the press conference, see www.un.org/apps/sg/offthecuff.asp?nid=900. The Security Council on July 26, 2006 reminded the parties of their obligations under this agreement, UN News Service, July 27, 2006.

⁴ In fact, on June 2 the Security Council authorized an additional 1.500 personnel for ONUCI to cover this crucial period (UNSCR 1682).

Furthermore, in order to target the flow of arms as accurately as possible and to prevent smuggling through the borders, regional assessments are needed. In-depth scrutiny could be made by well-trained, local researchers. Researchers expressed willingness in taking on such tasks, given some basic resources. Another possibility is to engage local communities, clans and ethnic groups, particularly at crucial transit spots, to act like watchdogs of smuggling routes. They are most knowledgeable about ongoing border trade

2.3 Individual Sanctions

Three persons were listed by the UN Sanctions Committee in February 2006. The selection of these individuals has created some consternation and a bit of ridicule. This was true both among those targeted (for instance, one of the targets "threw a large party to celebrate his listing"), and among independent observers who saw little point in the present selection of targets. In many interviews and discussions it came out that, at least two of the three targeted individuals were not seen as "big fish". Given the long period with a threat of sanctions, the actual use of them were now seen as something "to scare children" with, nothing more. It was often pointed out that the use of UN sanctions was not consistent with the four Council resolution criteria. Instead, the present targeting appeared to stem from the threats to the UN itself, and not to the peace process as such. Hence, the signals were not clear to the audience in Côte d'Ivoire. Furthermore, targeting these three persons has not been adequate to drive home the need for fair elections and the importance of preventing renewed fighting. However, when asked to come with suggestions on 'bigger fish' to be targeted, most interviewees were not forthcoming. Some pointed to the existence of a list from 2004 of some 90 persons suspected for involvement in a massacre. Clearly, UNOCI had not specified these three particular targets to be those for targeted sanctions. There is an urgent need to improve on the UN record on this score and consider a wider application of sanctions, so as to ensure the orderly continuation of the present electoral, identification and disarmament processes, and the overall peace process.

Throughout our mission we heard about the slow pace of this process, and that more urgency was needed. To move these efforts forward,

sanctions could contribute with a more complex use of targeting. For instance, adding more significant individuals such as owners of some of the media that is the most troublesome would make the message clearer. Also this would have to include persons acting irresponsibly on both sides.

By stating explicitly why particular individuals have been selected and by specifying a first time-period of application, intentions with listing become more obvious. Those listed would know what they need to do to be removed from the list. Such a vigorous use of individually targeted sanctions against more significant individuals is likely to increase personal impact (as they are travelling and/or have resources abroad). Clearer explanations of who is on the UN sanctions list would also improve the significance and credibility of UN sanctions. Such flexible usage has been a common conclusion from the three formative international processes on targeted sanctions (the Interlaken, Bonn-Berlin and Stockholm processes).

A particular element in this conflict is the presence of UN personnel in the country. There might be retaliation against UN personnel if such measures affect significant individuals. Some precautionary measures might, thus, be needed to protect staff and peacekeepers, when the Council takes sanctions decisions.

2.4 Sanctions on Natural Resources: Diamonds

A diamond embargo was imposed on Ivory Coast in December 2005 through UNSCR 1643 (2005). Since it was so recently imposed it has been difficult to get clear-cut opinions regarding its effect. The diamond production areas are located in the north of the country and are mainly controlled by the New Forces, the rebel group challenging the government at the time, and now, in principle, part of the national government. According to the Panel of Experts for Ivory Coast a source of income for New Forces is 'taxes' from the production and export of diamonds to neighbouring countries. The greater part of their income is, however, estimated to be based on timber and, possibly, gold. With New Forces militarily holding most of the north and since UNOCI cannot control all border regions, diamonds may exit Ivory Coast fairly easy. The diamond embargo does, most likely, have the effect of preventing a

return to pre-war production levels of 200 000 carats per year (Expert Panel Report, S/2006/204, 10).

2.5 DDR, the Identification Process and the Up-coming elections

Almost all current political energy appeared concentrated on the upcoming elections. They are to take place by the end of October 2006. Sticking to the time lines, however, require an acceleration of processes of citizen identification (the ID-cards are needed for voter registration) and for disarming forces (DDR). This is why the July 5 mini-summit was significant (see under 2.1 above). Political leaders have indicated that dates may be changed by "a day or two", particularly, "if we are not ready". This opens for manipulation. If this is the preference of leaders on all sides, it, of course, has to be respected as a matter of internal affairs. Nevertheless, as soon as a date is specified, that should be adhered to and in that situation there is not much to be gained from a delay. To the contrary, the only result is likely to be growing suspicion of manipulation. The time frame is tight, as identification has to be done in a way that gives rise to general satisfaction and as some progress in disarmament has to be demonstrated, both for North and South.⁵ It seems that assistance could be contemplated in helping this process, through technical means as well as other expertise. But there are also other important measures. Further imposition of targeted sanctions might be an alternative if elections are not conducted properly.

The understanding in this report is that sanctions can be used to accelerate the peace process. The process has made considerable advances, by having a new government led by Prime Minister, Charles Konnan Banny, who has a record of responsible actions. From those concerned with the peace process he gets considerable credit for being effective. However, there is a sentiment that, for instance, civil society is not involved in the process, that peace making becomes the exclu-

⁵ Progress was reported. On July 27, 150 militiamen in a government -controlled area did hand in weapons, in return for a sum corresponding to USD 240 and free return to their villages of origin. Source: UN OCHA, reported in IRINnews.org, August 4, 2006.

sive concern of conventional political actors and takes on a technical character (on identification, on disarmament). Thus, the peace process risks becoming one that does not involve significance sectors of society, notably women, NGOs and others concerned. An idea is that there should be a National Dialogue Forum on Peace, where all actors could be participating and be helpful in generating ideas. To avoid polarization and societal tensions in connection with the elections this should be considered as a useful means.

Côte d'Ivoire is facing a tough near future. Only visionary thinking based on a realistic understanding of the dangers can help guide the country to reunification, democracy and a return to economic growth. The experience of neighbouring countries should be constantly in focus. For instance, another high-level visit by the UN Secretary-General, by a team from the Security Council (P 5), from EU (Solana) as well as from the AU mediation team led by South Africa's President Tabo Mbeki might help to direct serious attention to the conflict and support the preventive peace efforts. The United Nations must also signal that it is committed to stay as long as it takes for the situation to transform. Setting up the July 5 mini-summit was in line with these considerations, and might be a useful device to repeat, for instance, by September. At his press conference on July 5 the UN Secretary-General mentioned that such a meeting might be scheduled at the beginning of the new session of the General Assembly. Since external forces had a crucial role in stopping the fighting they should not leave without being certain that the armed conflict will not start again.

Finally, we are concerned that there is a high risk of electoral violence: intimidation and harassment may well colour the elections and affect the credibility of the outcome. Thus, a temporary strengthening of the UN forces and additions of international observers by the EU, AU and others (such as NGOs) will be required (North and South). This is also a point in time where the threat of individual sanctions could be emphasised. It is, however, important that the threats have backing and that there is a

⁶ An indication is that the violent incidents during July 2006 were all related to the process of identifiying eligible carriers of ID-cards. It resulted in at least two deaths in two separate incidents. UN Integrated Regional Information Networks (IRIN), July 26, 2006

real willingness to add more individuals that obstruct the advance of the elections and peace processes. A plausible scenario in case the elections are not respected is, no doubt, the resumption of the war efforts. One should remember that the war started in 2002 very much as a result of (perceived) manipulations in the previous elections. A repetition now, in spite of considerable efforts to achieve a fair result, is likely to generate lasting conditions of suspicion, frustration and aggression.

The armed conflict has already had an impact on people's mind and there is no 'return' to pre-war days. Matters have changed and irreversible actions have been taken. Thus, there is a need to investigate war crimes. That might be a matter for the International Criminal Court in The Hague to consider. As part of a reconciliation process, following fair elections, this is a natural, next step.

3. Liberia: Sanctions for Society Building

3. I The Challenge to the UN

In general there is a great appreciation of the UN and UNMIL in Liberia, even accepting the fact the UN is a serious source of authority in the country. War weariness and realism pervade, people are concerned, tired and hopeful, particularly after elections of the new President, Ellen Johnson Sirleaf, representing a new departure for Liberian politics. This means that the UN can operate in a remarkable climate of good will and hope. Sanctions are part of that, generally appreciated and well-known (sanctions issues are recurrent topics in national newspapers).

The inauguration of Mrs Sirleaf as the first elected woman President in Liberia (and in Africa), has created a unique chance for reconstruction and constitutes a potentially decisive break with a past which has been marked by continuous violence, economic stagnation and poverty. The support of the international community is strong and the expectations are realistic. It is also clear that Mrs Sirleaf has a period of six years for achieving significant change. All cannot be achieved even in such a period, but the directions generate hope for all concerned: fighting corruption, restoring basic services of health, infrastructure, education, economic development. The issue is what role the UN sanctions can play in this regard, particularly to what extent they should be maintained, given positive developments, and what the conditions are for their termination. This confronts the international community with unusual choices, where the task is not one of crisis management but helping in societal reconstruction. Liberia may provide lessons for the newly established UN Peacebuilding Commission as well as for the hope of finding ways to merge development cooperation with conflict prevention. 7

Typical is that the Secretary-General Kofi Annan on his visit to Liberia on July 4, 2006 was received by a joint session in the Parliament as a

⁷ The Peacebuilding Commission selected its first countries to work with in June 2006: Burundi and Sierra Leone. Liberia has also been mentioned as a candidate country, for instance, together with Haiti and Timor-Leste.

Box 2: Liberia: Important Sanctions Resolutions

Date	Resol- ution	Sanc- tions	Monitoring	Comment
1992-11-19	788 (1992)	Arms	Committee	General and complete arms embargo.
2001-03-07	1343 (2001)	Arms Dia- monds Travel	Committee Expert Panel	New arms embargo concerning Liberian support to RUF. Diamond embargo and travel ban threatened and imposed with a two month delay in May.
2003-05-06	1478 (2003)	Arms Dia- monds Travel	Committee Expert Panel	A ban on the import of Liberian timber added to the arms and diamond embargo.
2003-12-22	1521 (2003)	Arms Dia- monds Timber Travel	Committee Expert Panel UNMIL	New arms embargo, commodity embargo and travel ban, aimed at strengthening peace within Liberia.
2004-03-12	1532 (2004)	Assets	Committee Expert Panel	Freezing of funds controlled by Charles Taylor, Jewell Howard Taylor, and Charles Taylor Jr. and/or those other individuals designated by the Committee.
2006-06-13	1683 (2006)	Arms	Committee Expert Panel UNMIL	Exemptions in arms embargo granted to the Government of Liberia on a case-by-case basis
2006-06-20	1689 (2006)	Timber Dia- monds	Committee Expert Panel UNMIL	Timber embargo lifted, but to be reviewed after 90 days, diamond embargo remains.

tribute to the UN efforts. His press conference included many sanctions-related questions. Relevant responses will be referred to below.

3.2 The UN Arms Embargo

The first arms embargo on Liberia was imposed in 1992 and terminated in March 2001 (UNSCR 1343). With this resolution a second arms embargo was established to end Liberian support to RUF (the armed grouping in Sierra Leone). In December 2003 UNSCR 1521 dissolved this Sanctions Committee and created a third round of sanctions. The new goal was to have the cease-fire respected, the disarmament, demobilization and reintegration process (DDR) and the Security Sector Restructuring (SSR) completed, the Comprehensive Peace Agreement fully implemented, and significant progress made in establishing and maintaining stability in Liberia and the sub-region. In total, an arms embargo against Liberia has now been in place for 14 years, one of the longer in UN experience.

A common belief is that in order to really prevent the flow of arms more countries in the region should have been targeted with arms embargo measures. Although the borders are leaky the arms embargo did, according to our interviewees, have a positive impact on the situation in Liberia. The impact was partly symbolic (a political cost) since the Liberian government under Charles Taylor was clearly named and shamed, and partly substantial (economic cost) since the embargo made the purchase of new weapons more difficult and expensive while delivery became more unpredictable.

The latest arms embargo, established in December 2003, is also generally assessed to have had a constructive effect. Even if the borders are difficult to control and some small arms may have entered, the obstacles have increased for importing major arms or larger quantities of small arms. It is difficult to undertake major shipments without detection. This was seen already during the second arms embargo, when heavier equipment which could affect the military situation on the ground, such as attack helicopters, could only be imported with great difficulty. For instance in February and March 2001 two helicopters destined for Liberia were stopped by Slovak and Moldovan customs and security services (Expert Panel Report, S/2001/1015, pp 53-54).

Judging from an analysis of battlefield developments the arms embargo had a stabilising effect since the actors know that they, as well as their opponents, could only with difficulty acquire material that could rapidly change the situation on the ground (see Strandow 2006). With these considerations in mind, we observed unanimity of views in maintaining the arms embargo.⁸

One observation is that the international community might need to consider types of arms that are used on the ground in an open conflict and concentrate its attention on this. Instead of preventing large amounts of some arms reaching the country, a focus might be laid on the kind of arms, which are most likely to be used for restarting a war. However, UN conferences have emphasized small arms in general, and a more targeted approach may be difficult to implement.

Moreover, arms are now in Liberia seen as symbols of an evil past as well as carriers of illegitimate power. The question that faces the new Government as well as the international community is how to refurbish the new Army and the new Police Force. Recruitment is underway and Liberian police so far remains unarmed. This means that the UN has constituted the country's only source of coercive authority, undisputed at that, a quite unique situation. A criterion for lifting of the embargo might be based on a review of the new Army and Police in terms of meeting modern demands e.g. human rights, gender mainstreaming, conflict resolution skills and non-violent techniques.

From a gender perspective, more female police officers could set a good precedence. UNMIL might be a good training ground for this, for instance, by having international female police officers patrolling together with Liberians (especially higher rankings). The new Police Commissioner is a woman, also providing a possible avenue into new thinking. This is actually an area where countries with influential female police may have a significant role in shaping the future of Liberia. Here Sweden has experiences to provide.

When it comes to equipping the Liberian Army, sooner or later some import of arms to the government will be necessary, as UNMIL cannot be maintained at present force levels, perhaps beyond the second half of

⁸ Typical is that this issue was not raised at all during Kofi Annan's press conference in Monrovia on July 4, 2006, although it covered a range of sanctions issues.

President Sirleaf's term of office. The process has to be done with great care, and a gradual lifting with evaluation on the ability of the Army and Police to control its weaponry will be crucial. All this is likely to be part of the SSR programs now set in. This cautionary approach seems to be the one taken by the UN Security Council. In UNSCR 1683, adopted on 13 June 2006, it was decided that weapons needed for training the security forces are exempted from the embargo and limited supplies of weapons and ammunition can be supplied if approved in advance on a case-by case basis by the Sanctions Committee. It is important that every measure is taken to ensure the trustworthiness of the security forces, for instance, by continuing the close cooperation between UNMIL and the Liberian Police. As the Sanctions Committee is to be responsible for monitoring this gradual increase of import of arms, a close and effective dialogue between New York and Monrovia is needed.

3.3 Individually Targeted Measures

The targeting of individuals was included in the March 2001 decision (UNSCR 1343) and the measure was imposed with a two-month delay. The sanctions were intended to pressure the Taylor Government to end its support for RUF. As that war ended and a peace process was underway in Liberia, sanctions were revised in December 2003 through UNSCR 1521. The new, individual sanctions were explicitly aimed at strengthening the peace process in Liberia and not concerned primarily with Liberia's role in the security of the region, as had been the case with the earlier measures. Individuals already listed remained under sanctions. The updating of sanctions was generally perceived to lead to a tighter enforcement of the travel bans. Assets freezes were also instituted on the same individuals. Initially it appeared that the effects of the bans were mostly symbolic but as the implementation improved the sanctions have meant tangible restrictions on the behaviour of targeted individuals. It is difficult to distinguish substantial effects for the period when the conflict was raging. Nevertheless, we conclude that the UN sanctions is one of the factors that contribute to keeping the post-war situation calm.

The individual sanctions are also generally supported among the many interviewees in this study. A problem frequently mentioned was that the sanctions were not properly applied on the domestic level. In Liberia, no freezing of individual assets was made, although measures could have been taken. For instance, some of the actors receive salaries and have invested in large companies. While sanctions were not implemented domestically, it was known that the USA had been instrumental in freezing assets in that country. This made some interviewees express a gratitude to the USA. At the same time others remarked that targeted individuals still held untouched accounts in that country. US action not withstanding, there is a discrepancy between UN expectations and Liberia's behaviour. Asked about Liberia's performance, Kofi Annan – while acknowledging not having the details on this – said at his press conference on July 4 that the "resolution was passed under Chapter VII and each government has an obligation to implement it, including the Liberian government...". 10

Although there is a call for freezing of assets domestically, little political energy has been used to enforce this (despite the existence of local commercial banks and some financial infrastructure). There are legal and political reasons for this. But it also means that a UN Member State benefiting most from international UN measures is not applying them itself. The issue needs to be kept on the agenda. Liberia has to be reminded of its duties under the UN Charter.

Obviously, the government's fear is that a necessary sanctions law could be blocked by the Parliament as some of the listed individuals have now been elected and hold seats in this body. In addition, there is said to be a problem with retrospective legislation. There is, for the time being no indication that these individuals are engaged in armed activities in the country or among neighbours, although they are still on the sanctions list for this as an ultimate reason. This sends mixed signals to the electorate, and can be used for propaganda by those that are on the sanctions list. Still, many observe a sobering of behaviour of the individuals that are under targeted sanctions. This suggests that

⁹ On July 18, 2006 the US President decided on a one-year continuation of American special measures on Charles Taylor and other persons, White House Press Release, July 18, 2006.

¹⁰ Monrovia, Liberia 4 July 2006, Sectetary-General's press conference (unofficial transcript), UN SG website, www.un.org/apps/sg/offthecuff.asp?nid=899

being listed has a disciplining effect, even on those that were previously on the list. The threat of Liberian action on this account may serve to reinforce this effect.

Many of the issues raised by those under personal sanctions dealt with de-listing. Obviously many of the listed persons want to get off the list; some indicated that they do not "understand" why they are targeted or what they could do to be removed. Hence, there could be reasons to consider a UN policy for informing on how sanctions listing is made and on the procedure for de-listing. There is, no doubt, a degree of "suffering" for some individuals, but for most interviewees this "hardship" is hardly comparable to what the entire nation has gone through. There is little to gain from a blanket lifting of individual sanctions. As times passes and 'new' behaviour appears sustained, there might be reasons for a more generous exemption policy.

It is important to note that the current sanctions list needs to be constantly updated, which is not necessarily the case for the latest versions. The political landscape changes and actors that were directly engaged in war efforts are now incorporated into functions of society. This needs to be reflected in revised sanctions lists. One way to do this is to update the sanctions lists as soon as there are changes on the ground e.g. after elections. Adopting such a procedure makes the entire listing more fit to unfolding realities and turns it into a dynamic tool that can change with the political conditions. The incentive/disincentive aspects become clearer

3.4 Sanctions on Natural Resources: Diamonds

The decision to impose a diamond embargo was taken in the March 2001, in UNSCR 1343 and was, as part of the package, imposed with a two-month delay. In May 2003 the commodity embargo was extended to include timber (UNSCR 1478). The Council cited Liberia's active support of RUF in Sierra Leone and the government's lack of compliance with UNSCR 1343 (2001) as reasons for the extension of the sanctions. About six months later, with UNSCR 1521 (December 2003), the goals of the commodity and the other sanctions were revised, as mentioned earlier, to include supporting the implementation of the peace agreements. A specific goal before lifting of the sanctions on diamond

exports was that Liberia must join the Kimberley certification scheme. The idea behind this is to allow the government to control the country's foreign trade and generate needed tax revenue for state operations.

There is a debate on the future of the diamond sanctions. A common argument in favour of lifting these measures is that there are many local producers who are dependent on diamond exports, and, thus, trade would generate local income and contribute to alleviating poverty. Although the requirements for Liberia's compliance with the Kimberley scheme had not yet been met, at the time of our visit, it was obviously progressing and is likely to soon be finalised. On the other hand, there are valid arguments against lifting the sanctions, notably that middlemen and international interests are likely to wage in, and take control of the trade. These are often closed networks operating with little transparency. The aims of the government in generating revenue may then be difficult to accomplish, once controls are relaxed. Thus, we conclude that a prudent course is to find a way to see that the established control system actually functions. This could be done by lifting sanctions for a shorter period and closely monitor the following events by international and national experts. The aim would be to ensure competent operation of a prospectively lucrative source of income. In that regard, we also find it important to connect licensing of production and trade to environmental restoration requirements.

As this report understands it the diamond sanctions have been important in many regards, not the least reducing government income (during the Taylor regime), thus contributing to ending the war. It is, nevertheless, important to state that they did not succeed in stopping illegal extraction of diamonds. In fact, an estimated 50 000 individuals are currently engaged in this work. Many of these are ex-combatants. Illegal mining is made possible through agreements between mining companies and local tribes where the former are able to utilise property belong to the latter.

In addition, we find it important to establish clearer Liberian ownership and responsibility of the diamond production, trade and income, not the least through increased transparency. This means that there is a need for increased efforts from the international community to support the Liberian government to control this resource for the Liberian people as a whole. Several experiences and much knowledge can be gained through NGOs involved in this issue, not the least local ones.

Finally, we are aware that incomes from diamonds are not enough to make Liberia rich. As there are many other valuable resources such as iron, gold, rubies, offshore oil and timber, the way diamonds are handled may set a precedent. With the Kimberley process a new school of though is emerging in responsible international trading. It provides standards for other precious resources.

3.5 Sanctions on Natural Resources: Timber

Liberia's forests are an important asset for the country's future development. For instance, logs are now needed for the country's reconstruction. The UN sanctions are directed towards export, meaning that logging can take place for internal purposes. Again, a policy such as the one outlined for diamond mining is important, particularly with ways to evaluate necessary control mechanisms, in matters such as taxation, labour conditions and environmental concerns. Preferably such government regulations should be in place before permanently lifting the prohibition on international trade. The idea is that these resources should come to benefit the local producers, local communities, national economy as well as the international investors, without having significant sources ending up in the pockets of shady interests. Historical experience makes clear that transparency is a must.

The Security Council decided on 20 June 2006, in resolution 1689 (2006), that the timber sanctions are not to be renewed. They will instead be reviewed after 90 days and reinstated if the new Liberian forestry legislation has not been approved by that time. The easing of the timber sanctions is from a technical viewpoint peculiar since the Forest Development Authority has not yet developed a full capacity to control all aspects of logging. Thus, it is significant that the resolution contains a threat that sanctions could be reinstated. This provides an incentive for the concerned interests to keep up the much-needed restructuring of Liberia's logging industry.

A particular issue is that some forest companies have employed their own security guards. We heard reports that some are former excombatants that have dropped out of the security sector reform (SSR) program. Hence, there is also a security concern with the timber trade that has to be dealt with by the government and has to be attended to by international organs.

3.6 Liberia in a Post-Sanctions Era

Liberia now finds itself at a juncture. The outcomes of the national elections and the sympathy of the international community provide an unusual window of opportunity. It is our conclusion that international efforts have been an important factor in achieving this, through peace-keeping, sanctions, negotiations and development cooperation. Liberia is a sovereign country and there is a limit to how much international involvement is effective. Gradually lifting sanctions, in close cooperation with the present government, is a way to strengthen a peaceful future. Among the sanctions, it appears that the arms embargo is the one to be maintained the longest, as the conditions for lifting should be such that a return to civil war is unlikely. This means a new Army and a new Police Force need to be operative, professional, and closely adhering to the Constitution as well as to democratic principles of governance.

A question that will need to be faced is the one of war crimes. With former ruler Charles Taylor at the Sierra Leone tribunal (in the premises of the International Criminal Court in The Hague), a most urgent issue has been solved. Soon, however, attention will focus on other events in the country's recent history, notably a series of political murders that will have to be prosecuted locally. This is perhaps of particular concern to the European Union, much the way it has acted on the Balkan countries (with an emphasis on war crime issues in return for negotiations, aid and possible future membership). In the case of Liberia, however, the entire judiciary needs an overhaul (courts, police, lawyers, prosecutors) and credible trials are still far off. A tribunal of truth and reconciliation has been created and is now being trained. It might be the most appropriate transitory measure that can be conceived and is thus worth of determined international support. To support Liberians building a new Liberia should be something of specific concern for the European Union that has otherwise been slow in living up to its responsibility for Africa.

4. Implications for UN Policy

UN is a global actor that often sets the norms for other international organizations, including EU, also in the field of sanctions policies. Thus, the way the UN utilizes the sanctions instrument requires careful consideration in choice of situation for sanctions, goals, targeting, composition of measures, implementation, and duration of the measures. With the advent of individually targeted sanctions there are increasing concerns with respect to the situations, the persons and the procedures for selection, the reasons for listing and ways for delisting. A set of general conclusions can be drawn from the two cases described in this report.

1. On monitoring of sanctions:

The experiences from Liberia and Côte d'Ivoire illustrate the importance of the UN to be in place on the local scene, so as to monitor actual developments. The combination of global sanctions and local verification schemes has been illustrated in other instances to be an effective tool, notably in the ambitions to achieve the elimination of Iraq's capacity to develop weapons of mass destruction (see Wallensteen et al. 2005). This suggests that it is not realistic to expect governments that themselves are targets for sanctions (or have targeted individuals in their legislature) to carry out all necessary actions. The monitoring by Expert Panels can only be a complement to a more regular monitoring. It is simply not enough to have random visits, even though they may function as surprise inspections and thus be a control of the systems set up. If the warring parties are less cooperative (such as in Côte d'Ivoire, where the DDR process was to start already in 2003 according to the Linas-Marcoussis agreement) or do not have the political or administrative means (such as in Liberia, where the government is just being organized according to international standards) UN schemes take on a particular significance. Thus, the seemingly randomized arrivals of Expert Panels serve a significant function. However, actors on the ground are likely to learn quickly. One way to strengthen the implementation and the enforcement of targeted sanctions is to provide UN peacekeepers with a better mandate for implementation.

In the two cases, clearly Liberia has benefited the most from the presence of a robust UN force in a situation where there was also a determined program of DDR. In the case of Ivory Coast, the ONUCI had considerable difficulties to get a corresponding role. Its requests to UN headquarters even for police to deal with demonstrations outside its offices took long to be supported, making it difficult for the peacekeepers to maintain their own security. This is not acceptable and the credibility of sanctions will also depend on the credibility of the peacekeeping mission. In the case of Liberia the QRF has been significant in that regard, whereas the robust French presence in Ivory Coast has a mixed record of being useful assistance in some monitoring and a complicating factor, due to the link between France and Côte d'Ivoire. Our conclusion is that, whenever there are UN missions in place and the Security Council imposes sanctions, it is important to strengthen these missions to also have a role in sanctions monitoring, in addition to the Expert Panels.

2. On arms embargoes, more global scrutiny required:

The Liberia case points to the significance of connecting the removal of sanctions with DDR and SSR requirements. The advances in building of a new Army and Police Force are also highly relevant criteria for a discussion on the termination of sanctions. The recent easing of the arms embargo seems cautious and leaves control in the hands of the Sanctions Committee. It is our conclusion that deliveries of new weapons for Liberia's police and military should be done when they are meeting such criteria. Also, producers and exporters should adhere to export restrictions, such as the Wasenaar arrangements. Arms embargoes activate a series of connections from the producer (often far away from the conflict scene, located in more affluent societies), via the middlemen (often shady figures) to the users (be they legitimate governments or warlords). Such connections require a closer scrutiny that goes beyond the individual cases, as many of the same network reproduce themselves from one conflict to the next. A global study in this field would be welcome

3. On individual sanctions, the need for more elaborate procedures: This study indicates that targeted sanctions have had a sobering effect on the targeted individuals. Their basic believes are not likely to change, nor are their political convictions. However, there might be a discernable pattern of more restraint in agitation and more responsibility in carrying out civic duties. Thus, there might be a behavioural change, for instance, in the individuals not sabotaging peace efforts as they did before. This raises the issue of what type of change is expected, by the UN and by the targeting of persons.

There are different considerations. For many advocating individually targeted sanctions this is also a way of administering punishment, helping to generate compassion for victims of the condemned policies and even lead to repentance. Our interviews do not suggest that such reconsiderations are typical. On the contrary, there is a basic lack of understanding of why one has been selected. There is a tendency to display innocence, victimization and martyrdom (even using the sanctions as an illustration of justice in their 'struggle' and making themselves into 'heroes'). Typically, the individuals will claim that they had "no idea" that their names were contemplated and that the listing was known "only from the Internet". This should not necessary be taken at face value. Many of the individuals in fact understand very well why they are listed as they often are experienced political operators. The sanctions are used by them to further their own goals. There is no change of heart, but there is a discernable pattern of changed ways of operation. There might, however, also be cases where listing is unwarranted. It suggests that there is a need of reforming the procedure of information on listing and delisting by the UN Sanctions Committees. This relates to what kind of change one is expecting.

Some ideas are the following:

• The goal of targeting particular individuals needs to be clearer. We observe a sobering effect, but is this what is intended? In that case, sanctions are quite successful. This, however, is no guarantee for what will happen once sanctions have been lifted. Furthermore, as many interviewees noted: one cannot undo ones deeds. If repentance is required that needs to be spelled out. If there is an element of the UN administering justice that is also a

different matter. If the hope is that the persons should somehow disappear from the political scene that is a third type of ambition. These goals, furthermore, will raise the question of whether the 'right' person is targeted: the one that has the most to repent, the one who has done the worst crimes or the one that is key for political change. The goals and the selection of target are closely connected, of course, and it is important to explain this in a way that is consistent to the victims, to the general public and to the UN decision-makers themselves

- Several of those that are being targeted express a desire to face their accusers. While this is not always possible or necessary, the Sanctions Committees need clear policies and guidelines for this. This will help the target, the mission, as well as those working in the Committee. Informing the individuals directly, with the notification of rights of reply and ways of response, the possibilities for delisting (different procedures seems to have been used), and transparency on the removal of individuals (to avoid rumours about unequal treatment that now can be heard). Human rights claims of these individuals need to be given serious consideration. The improvements in procedures that have been seen since the 2003 Stockholm Process are still not convincing and not obvious to the targeted personalities.
- Several targeted individuals testify to considerable personal impact of the sanctions, for instance, difficulties in getting medical treatment or family exemptions. The reluctance to grant exemptions is mostly a realistic attitude of the Sanctions Committees, as there are likely to be hidden assets abroad and as telecommunications still provide for interactions across borders. However, if a more generous exemption policy was to be implemented it may be combined with a closer reporting by the person on matters such as travel destinations, meetings and other activities, possibly to the point of being accompanied by UN staff.
- Also there is a specific UN need: what should be the UN policy for contacts with targeted individuals? Peacekeepers need guidelines, practice seems to vary (which was obvious when comparing Ivory Coast with Liberia). In general we recommend that contacts could be established, kept and maintained, as part of maintaining options for peaceful solutions to a crisis. This can only be main-

tained through impartiality and trust. However, in order to avoid accusation of double-standard, official high-level interactions should be minimized and remain invisible. A related question is what guidelines Expert Panels and Chairs of Sanctions Committees should follow once they are out in the field. For instance, should a chairperson be allowed to meet with targeted actors? It was noted in our interviews that listed persons were aware when the Committee chair was around, and saw it as a missed opportunity not to have had the possibility to meet to get first hand information on de-listing, for instance.

- An important aspect of individually targeted sanctions is if those that are being targeted should be allowed to run for public office. We have noted that individuals seemed to have entered into election campaigns for the sake of getting immunity, so to say taking cover under the country's Constitution (it should be noted, though, that many constitutions do not provide immunity if their elected officials constitute a threat to peace and security). When it comes to travel bans it was noted that with some effort faked passports could be obtained on the black market (also false IDcards). This is a delicate problem the international community is already trying to tackle. We suggest that an additional way is to make sure that travel agencies are not allowed to issue tickets to those that are on UN sanctions lists.
- Another issue the international community needs to come to terms with is how the sanctions list is established in the first place. Troughout our interviews with inside and outside actors, nobody really knew how the sanctions were conceived. To make the listing more credible, the Sanctions Committee might have to inform the individuals on which governments or organizations suggested their names. In fact in some Committee guidelines, it is stated that the targeted actor needs to turn to such a 'designated' state in case he or she wants to be taken off the list.
- 4. On Sanctions on Natural Resources: What is the Purpose? Both timber and diamond sanctions have had a discernable effects on the conflicts. The selection of these resources was well-conceived and very much a result of alert civil society organizations, such as Global Witness. At least in the case of diamonds the sanctions on Liberia,

Sierra Leone and Angola have contributed to international efforts and certification of diamonds, to reduce their utility as a source of conflict financing. Corresponding efforts have not had the same effect with timber or other crucial resources, which also appear as possible sanctions commodities. To undertake such efforts will require other inputs than the sanctions needs, however.

A difficulty is often to establish, on a global level, the origins of the commodities in question. However, in the cases we studied, the issue appeared simpler as it was quite possible to decide in which fields mining was going on and institute local or near-by controlling measures. Furthermore, it might not be necessary to stop all trade, only enough to reduce the flow of goods in an reasonable way. This, we believe, seems to have taken place in the cases where the international community has considerable oversight, such as Liberia today. However, the trade going on through northern parts of Ivory Coast is presently beyond the scope of international sustained monitoring. Thus, further use of this instrument of sanctions will have to require accompanying permanent monitoring measures.

The idea behind sanctions on commodities such as diamonds and timber is basically to reduce income to the government or to an organized opposition in order to reduce its possibility to purchase arms for war and/or repression. Targeted actors may instead shift to other commodities, which indeed is what happened in the case of the Taylor regime in Liberia. A reduction in revenue seems to have been accomplished, nevertheless. At this point, one may ask if not targeted financial sanctions could have accomplished the same goal, i.e. by preventing international borrowing or freezing of assets in national bank accounts, as accompanying measures. There has been little discussion of such sanctions, and it might be time to bring them to the agenda. A vigorous use of financial sanctions, in other words, may create difficulties for governments and organized opponents. The drawback is that it might endanger the economy of a whole country or region, and thus go beyond the idea with targeted sanctions.

However, the cases of Liberia and Côte d'Ivoire demonstrate that actors can shift from one commodity to another, and that the international control measures will be late in following such changes. Indeed, for

many commodities there are no certification schemes at all to draw on. To build up dynamics corresponding to the Kimberley process for all commodities seems impractical and will, nevertheless, take considerable time. It will also have to be generated from other concerns, such as labour conditions or environmental considerations. Thus, there is need to stimulate a debate on alternative means of targeted sanctions.

The experiences from Liberia and Côte d'Ivoire generate new lessons for UN sanctions and for international involvement in conflict prevention and peacebuilding. This reports contains some such observations. It is hoped that it serves to bring forward these lessons and stimulate analysis of others. There is more to be learned from the UN sanctions history.

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BBCNews

Expert Panel reports

International Crisis Group reports

IRIN

SPITS: www.smartsanctions. se

UCDP conflict database: www.ucdp.uu.se

UN News Service

APPENDIX

Institutions, organizations of individuals consulted

Côte d'Ivoire/Ivory Coast

ACEFI, Agence Communale Pour L'Emploi, la Formation et L'Initiative

Diplomats

FPI, Front populaire ivorien, Ivorian People's Front, party of President Laurent Gbagbo

Independent Researchers, notably at Université de Bouaké à Abidijan, other independent observers and activists

Ivorian League for Human Rights, and other Human rights representatives

PDCI-RDA(Parti Démocratique de Côte d'Ivoire – Rassemblement Démocratique Africain, Democratic Party of the Ivory Coast – African Democratic Rally), party of former President Félix Houphouët-Boigny.

RHDP (Rally of of Houphouetistes for Democracy and Peace)

Sanctions Expert Panel on Ivory Coast

The Office of the Special Representative of the UN Secretary-General (SRSG)

United Nations Operation in Côte d'Ivoire (ONUCI), different sections

Women rights and protection (AFJ-CI)

Women's organization (OFACI)

Liberia

African Methodist Episcopal University (AME), Presidency, teachers, students

Diplomats

Independent researchers, observers and activists

Institute for Peace and Conflict Resolution, Monrovia

Parliament of Liberia: Senators, Representatives, Staff

The Daily Observer

The New Democrat

United Nations Mission in Liberia (UNMIL): Civil Affairs, Human Rights, Swedish contingent, staff

University of Liberia: Presidency, Center for Conflict Transformation

Women of Liberia Peace Net Work (WOLPNET)

Sierra Leone

Centre for Development and Security Analysis (CODESA)

Government Membersw (former)

Parliament of Sierra Leone, Members

The New Vision (newspaper)

University of Sierra Leone, Fourah Bay College

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