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Targeted Sanctions Against Human Rights Violators: A Question of Efficacy

An Honors Thesis submitted in partial fulfillment of the requirements for Honors in
International Studies

By

Jennifer Dillard

Under the Mentorship of Dr. Kate Perry

ABSTRACT

Human rights violations occur all too frequently, with authoritarian regimes at the forefront of abuses. Countries that respect human rights engage in various initiatives, one such example being targeted sanctions to try and stem the tide of human suffering at the hands of unscrupulous dictators. Currently, Uyghurs are victims of genocide in China, dissidents in countries such as Russia and Belarus are falsely imprisoned, and individuals in Saudi Arabia are persecuted and imprisoned solely for advocating for freedom of speech and equality for women. Each of these countries have been the subject of sanctions. This paper seeks to answer the question: to what extent are targeted sanctions effective when applied to states or individuals when they are deemed guilty of human rights violations? I argue that the sanctions are rendered ineffective because the targeted state does not manifest any positive behavior changes regarding the treatment of its citizens. This is revealed in the authoritarian behavior of state leaders who believe that only they are qualified to run their countries. I conduct a mixed methods research approach combining a broad quantitative analysis of a country's human rights practices with a narrow qualitative analysis of the authoritarian regime of the Russian Federation and find support for my argument.

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Introduction

Since January 2021, Alexei Navalny, a Russian attorney and dissident, has been imprisoned by the Russian Federation for daring to speak out against the regime of Russia's president, Vladimir Putin (Talmazan, Bodner & Smith, 2021). Likewise, in May 2021, Raman Pratasevich, a journalist and dissident, was removed from a plane and imprisoned by government authorities in Belarus after it had been grounded due to a faux bomb threat. Pratasevich's only crime was his propensity to criticize the regime of the president of Belarus, Alexander Lukashenko (Committee to Protect Journalists, 2021). What is the common thread that lies between these two gentlemen, their risky actions despite persecution, and the similarity of responses of the authoritarian governments under which they reside? Belarus and the Russian Federation have both been subject to targeted sanctions due to human rights violations (U.S. Department of the Treasury, 2006: 2014). However, as the previous examples illustrate, the sanctions imposed have not seemed to have the desired effect.

To what extent are targeted sanctions effective when applied to states or individuals guilty of human rights violations? I endeavor to answer this question because it is crucial to determining whether targeted sanctions are an effective tool to use against states who are guilty of violating the human rights of their citizens. I argue that if targeted sanctions are imposed against authoritarian regimes, sanctions are rendered ineffective as the targeted state does not manifest any positive behavior changes in its treatment of its citizens. The reasons for the inefficacy of these sanctions largely stems from the belief of the authoritarian leader that they are the sole person capable of ruling their country.

I raise the question regarding whether sanctions should be used as a tool to encourage behavior change, particularly within autocratic regimes. To examine this

question, I employ both qualitative and quantitative analysis methods. The quantitative study examines a wide range of countries sanctioned, while the qualitative study takes a micro view of sanctions within the Russian Federation. This combined study methodology provides a more comprehensive viewpoint of the efficacy of targeted sanctions.

Human rights and the regimes that restrict them should be of concern to each of us because our human rights are not given to us by governments, but are innate (Office of the High Commissioner, 2022: para. 1). Therefore, rights should never be restricted or denied. Examining the reasons behind the efficacy or inefficacy of targeted sanctions will provide a clearer picture regarding how the international community can better address regimes that violate its citizens' rights. My conclusions will add to the body of literature on human rights and sanctions and further expand our knowledge regarding the efficacy of targeted sanctions.

Literature Review

Current literature suggests that targeted sanctions have been largely unsuccessful when addressing regimes or individuals who are violators of human rights. According to Pape (1997) the success rate of targeted sanctions is only ten percent. Before I discuss efficacy, however, I will elaborate on the differences in sanction type.

Comprehensive Sanctions vs. Targeted Sanctions

Comprehensive sanctions are sanctions that are applied widely in response to poor leadership behavior. This means that instead of targeting a single entity guilty of human rights violations, comprehensive sanctions target a state more broadly. After the end of the Cold War, sanctions were increasingly considered a feasible option to avoid or prevent war. However, according to Knorr (1975) a study was done in which twenty-two examples

of sanctions were examined, and the majority were unsuccessful. When sanctions were applied, all countries in agreement would refrain from trading with the country under sanction. However, comprehensive sanctions also caused much harm to the civilian population within the targeted country. According to Garfield (1999:4) comprehensive sanctions were the catalyst for “up to 227,000 deaths among...Iraqi children...between 1991 and 1998.” Due to the catastrophic effects of sanctioning Iraq in the 1990s, a transition was made to targeted sanctions (Cilizoglu & Early, 2021:6). Tostenson & Bull (2002:31) argue that sanctions are flawed due to a range of issues including “legal loopholes, institutional weaknesses...and political constraints.” Peksen (2009:60) agrees and states that “comprehensive trade and financial restrictions appear to be more detrimental to human rights...” Since the catastrophic results of comprehensive sanctions in Iraq, the United Nations ceased its use of comprehensive sanctions in the late 1990s (Biersteker, 2010:1). The focus since then has shifted to imposing targeted sanctions.

Targeted sanctions were designed to be a more precise tool and impact human rights violators more directly without affecting the entire citizen population. These sanctions focus on “individuals, organizations, firms, and economic sectors...” (Cilizoglu & Early, 2021:2), and commonly involve the freezing of assets and restriction on investments and trade (United States Department of Treasury, 2021), as well as denial of entry into the United States (United States Department of State, 2021). According to Biersteker (2010:2), targeted sanctions “can be applied gradually...and relaxed more readily in the case of...compliance.” Targeted sanctions have been met with mixed results. Tostenson & Bull (2002:31) state that while “smart sanctions ...seem compelling...and attractive...they are no panacea.” For example, from 2005 to 2008, the United Nations levied sanctions against

the Democratic Republic of Congo (DRC) to induce adversaries to come to an agreement to hold elections and end the violence and turmoil in the DRC. These included sanctions restricting freedom of movement and asset freezes (Biersteker et al., 2016:283). In this case, targeted sanctions were successful, and the opposition came to the table to negotiate holding elections (Biersteker et al., 2016:306). Conversely, the United Nations subjected the Democratic People's Republic of Korea (DPRK) to targeted sanctions from 2009-2013 to persuade them to stop violating the United Nations Security Council's directives regarding the creation and testing of nuclear weapons technology (Biersteker et al., 2016:303). These sanctions included restrictions on freedom of movement and asset freezes for the individuals targeted (Biersteker et al., 2016:282 - 283). The DPRK government has chosen to ignore the sanctions, rendering them ineffective (Biersteker et al., 2016:303).

Measuring the Effectiveness of Sanctions

The efficacy or inefficacy of sanctions is usually a blanket measurement. Either the individuals or regime targeted complied one hundred percent with the sanctions or they did not. Any compliance below one hundred percent is recorded as non-compliance (Peksen, 2019:4). When dealing with sanctions targeting human rights violators, however, a scale measuring even slight positive or negative changes regarding human rights issues within a targeted state may more accurately reflect sanctions effectiveness. According to Peksen (2019), instead of measuring effectiveness as equaling total compliance, and counting anything less as rendering sanctions ineffective, a more nuanced view could be taken and any progress regarding positive behavior change could be viewed as a sanctions success.

Peksen (2019:3) further elaborates that if the nuanced approach is adopted, “sanctions are successful tools about 35% of the time.”

The use of “sanction busters” by a targeted state to circumvent the sanctions implemented by a sending state can explain one reason why targeted sanctions seem to be ineffective. If a targeted regime can bypass the sanctions levied, then there is no incentive for behavior change. Early (2011), uses the example of Cuba and the assistance it received from the Soviet Union to thwart the sanctions placed on it by the United States. The sanctions were further thwarted after the Cold War due to “commercially motivated sanctions-busters” (Early, 2011: 396) from Spain, Canada, Japan, and Great Britain. This underscores the reality that sanctions busters can have an impact on the success or failure of sanctions.

However, Peksen (2019:3) states that the effect of sanctions-busting can be mitigated if there is “broad international support” for applying sanctions. A large coalition of support reduces the targeted country’s options of finding a willing state to collaborate with to reduce the effect of sanctions.

The effectiveness of sanctions also depends on whether the target country believes that the issue for which they are being targeted is important enough to respond and acquiesce to the changes demanded for the sanctions to be lifted. Ang and Peksen (2007:138) state that if a targeted country perceives that an issue for which they are about to be sanctioned is of great salience, then because the issue is of importance to them, they are increasingly likely to cooperate with the sender state and mitigate the costs that will be incurred due to the application of sanctions. However, if the issue is not of consequence to the targeted government, the sanctions are likely to be unsuccessful. Ang and Peksen

(2007:138) further state that the targeted country could see the sanctions that are threatened by the sending country as an incursion on their governmental authority. For instance, the United States is currently sanctioning individuals in China due to the ongoing Uyghur genocide (U.S. Department of the Treasury, 2021a). Currently, the Chinese government and the individuals being sanctioned do not see this as a salient issue and have not responded to ameliorate the human rights abuses suffered by the Uyghur population (Seytoff, 2022). According to Biersteker et al. (2016:202), targeted sanctions result in unintended “negative humanitarian consequences...44 percent of the time.”

Consequences – Repression and Reduction in Human Rights

Instead of achieving positive behavior change, targeted sanctions can have the opposite effect and push an authoritarian regime to further repress its population. According to Allen (2005:8), leaders of authoritarian regimes seek to retain power at any cost, even in the face of mounting hardships due to sanctions application. This can be seen in the previous mentioned example of China and its treatment of the Uyghurs. Despite sanctions being levied by the United States and other countries, China has continued its relentless campaign of disappearance and torture of the Uyghurs. Allen (2005:18) also states that some of the reason for an authoritarian regime’s refusal to agree to concessions so that a sender state will lift sanctions is due to the authoritarian nature of the regime. Democratic regimes tend to acquiesce quickly because of a fear of public backlash and “bearing the economic burden of sanctions” (Allen, 2005:18). Conversely, an authoritarian regime does not hold itself accountable to its citizens, leaders are usually sheltered from economic suffering, and there is no incentive to acquiesce to sanctions demands.

Power Of Regime Type on Effectiveness

The literature is more ambiguous when measuring the percentage of efficacy, the role of “sanctions busters,” and why a regime is resistant to change its behavior, even when faced with sanctions. Ang and Peksen (2007:138) argue that issue salience is one reason why regimes do not change their behavior. For instance, an issue, such as respect for human rights, is considered salient to the sender state, but the targeted state does not consider the issue salient because it finds that violating its population’s human rights is integral to retaining its position of power. It is easier for the targeted regime to bear the sanctions imposed rather than respect the rights of its citizens and possibly be removed from its position of power.

Authoritarian regimes seem to resist sanctions demands more readily than democratic regimes. One reason for this is because authoritarian regimes believe that they have more to lose if they acquiesce to sanction demands, and the issue of concern to the sanctions sender is not salient to the targeted state (Ang & Peksen, 2007:2). However, democratic countries who are sanctioned tend to rectify their behavior because they do not want to jeopardize the relationship between themselves and the country from whom they have been sanctioned (Peksen, 2019:4)

Also, authoritarian regimes are not as concerned about losing power in an election or having to deal with protests that they cannot easily contain as are democracies. According to Cilizoglu and Early (2021: 5) “sanctions are found to increase the use of repression by authoritarian leaders to minimize protest behavior...” Therefore, citizens under an authoritarian dictator understand that protests will likely get them at the least arrested, and at the extreme killed. Because the odds are stacked heavily against the

population in an authoritarian regime, the consequences of protesting and suffering dire consequences are great. This can be illustrated by the protests in 2021 when the Russian Federation wrongly imprisoned activist Alexei Navalny. Russian citizens protested, but many were arrested or jailed, (Heintz & Isachenkov, 2021) and Navalny and his organization were subsequently labeled as an organization involved with terrorism (RFE/RL, 2021; Price, 2021).

Another factor is a dictator's belief that they are the only ones sufficiently qualified to lead their country. This attitude is evident in the behavior of Syria's dictator, Bashar Al-Assad. During his reelection campaign in May 2021, he campaigned on the platform that "[he] is the only person who can manage the resumption of order...from the chaos of the Syrian conflict" (Afp, 2021: para. 16). This belief can transfer to the already oppressed population within a regime and transform into a movement known as the "rally round the flag" effect. While this effect has been mainly confined to describing surging support for US presidents when the nation is in crisis, I argue that extrapolation is correct in this case (Frye, 2017: para. 2). A dictator targeted with sanctions will use this technique to gain domestic support and convey a message that the sanctions are an attack against the entire country (including civilians) and only he can "save" them. The sanctions levied are transformed into a tool to propagate "us against them" propaganda. A good illustration of this effect would be the Russian Federation's constant propaganda that it is "...Russia versus Foreign Devils" (Pomerantsev, 2014: 187), and only President Putin can save them from the impending disaster that their enemies wish to inflict

Targeted Sanctions and Authoritarian Repression in Theory

Compared to comprehensive sanctions, targeted sanctions have not shown a great deal of efficacy. The literature provides some clues regarding why targeted sanctions have not worked such as issue salience, differences between regimes sanctioned, and an adversarial relationship between the sanctions sender and target regime or individual. The literature also provides adequate background information regarding the switch from comprehensive sanctions and targeted sanctions.

I have endeavored to address the question, to what extent are targeted sanctions effective when applied to states or individuals when they are deemed guilty of human rights violations? I argue that sanctions targeting human rights violators do not work because the sanctions have failed to effect positive behavior change in the individuals targeted and the authoritarian regimes under which they safely reside. This lack of behavior change is due in large part to beliefs by authoritarian leaders that they alone are equipped to lead the country.

According to Cilizoglu and Early (2021:1), “modern sanctions now most commonly involve targeted and financial sanctions and are imposed against individuals, organizations, and firms.” This means that the individual or the entity targeted will lose their ability to move freely, their assets may be frozen, and they may be barred from entering the sender country from which the sanctions have been issued. These sanctions are meant to provide discomfort and prod the individual or entity to enact positive behavior change when it comes to the issue about which the sender is concerned, such as the violations of human rights, though authoritarian leaders still persist in poor behavior despite these consequences.

For example, the U.S. Department of the Treasury (2020) has sanctioned Union Development Group, Co., Ltd. (UDG), a Chinese company, because it unlawfully seized land from Cambodian citizens to build a tourist attraction (Fromer, 2020). These sanctions mean that any property that is majority-owned in the United States by UDG is now frozen. Also, it cannot conduct transactions with “U.S. persons...that involve any property or interests in property” (U.S. Department of the Treasury, 2020: para. 10). For the sanctions to be lifted against UDG, it would have to exhibit positive behavior change. In the case of UDG, a positive behavior change would mean that it will refrain in the future from seizing private land, and registering to build in Cambodia under pretense. However, the behavior of the company, controlled ultimately by the Chinese President Xi Jinping, has not changed under sanctions.

In addition, targeted sanctions for human rights violators also address states and individuals who wrongfully imprison, torture, disappear, or cause the deaths of their citizens. For example, the Chinese government is currently using the above methods to persecute and kill their minority Uyghur population. As a result, the U.S. Department of the Treasury (2021a: para. 9) levied sanctions against some key individuals within the Chinese government involved in the persecution of the Uyghurs. Due to the sanctions, any assets these officials may own in the United States are “blocked and must be reported to OFAC.” They are barred from conducting any type of financial arrangements with Americans or individuals within the United States, or through American entities (U.S. Department of the Treasury, 2021a). Yet again, behavior of these leaders has not altered. This unyielding resistance despite sanctions is evidenced by the statements of President Xi Jinping regarding the ongoing genocide of the Uyghurs. President Xi has stated that his

actions in the Xinjiang Uyghur Autonomous Region (XUAR) are “totally correct” and he will continue his endeavors to “imprint the Chinese national identity ‘deep in the soul’ of the Uyghurs residing in the XUAR” (Buckley, 2021: para. 1). President Xi continues with his belligerence and states that, “viewed overall, Xinjiang is enjoying a favorable setting of social stability with the people living in peace and contentment...The facts have abundantly demonstrated that our national minority work has been a success” (Buckley, 2021: para. 3).

In some cases, individuals involved in human rights violations are placed under visa sanctions and are no longer allowed to enter the United States. For example, five Bulgarians involved in corruption that “undermined the rule of law and the Bulgarian public’s faith in their government...” were placed under visa sanctions by the U.S. Department of State (2021a: para. 1). To get their sanctions lifted, the Chinese and the Bulgarians would need to exhibit positive behavior change. This would entail the Chinese officials refraining from assisting in the genocide of the Uyghurs, and the Bulgarians would need to prove they are reformed and no longer involved in corruption. Therefore, targeted sanctions place severe restrictions on violators with the intention that those targeted will positively change their behavior so that sanctions will be lifted, though these violators refuse to change.

I argue that while targeted sanctions do not work for several reasons, one of the most important reasons is the regime’s belief in their exclusive ability to rule the state better than anyone else. Regimes and individuals within regimes tend to use the presence of sanctions to solidify their support and ensure that they remain in power. According to Peksen (2019:62) “sanctions strengthen the authoritarian regime’s ties with prominent

social groups because [they] are dependent on...distribution of scarce resources.” While Peksen is referring to comprehensive economic sanctions, I believe that extrapolation to targeted sanctions is acceptable. For example, Venezuelan authorities have been subjected to targeted sanctions due to human rights abuses. President Maduro, along with his allies, has worked to undermine the effects of the targeted sanctions. As a result, President Maduro and his comrades have not felt the sting of the sanctions levied (Rendon, 2019). Currently, it appears that Maduro is planning to bring the general elections scheduled for 2024 forward to 2023. He is still planning to stay in office, despite sanctions and the international community’s view that his election in 2018 was invalid, tweeting “The truth is that we are prepared to achieve a big victory when elections come” (Reuters, 2022b: para. 1 - 6).

As noted above, the Uyghur genocide occurring in China is of great importance, and sender states have sanctioned officials in China due to their behavior. Despite sanctions, their behavior has not changed. The Chinese government believes that they are justified in their treatment of the Uyghurs because they are engaging in “counterterrorism, deradicalization, and vocational training policies” (Greitens, Lee, Yazici, 2020).

Finally, human rights violations in Russia escalated after Vladimir Putin’s rise to power. During Putin’s years in office, human rights violations increased, despite sanctions against perpetrators in his government. Clearly, these sanctions were not working because human rights violations were continuing unabated, and in some cases increasing. Some glaring evidence of this would be that the sanctions applied in 2012 due to the death of Sergei Magnitsky did not stop the Russian government from sending operatives to England

to poison and assassinate the Skripals. In the face of increasing sanctions, Vladimir Putin remains defiant and repressive of his own people. This leads me to my two hypotheses:

HYPOTHESIS 1: If targeted sanctions are applied against human rights violators in authoritarian regimes, human rights practices in the target state will worsen.

HYPOTHESIS 2: If targeted sanctions are applied to officials within the Russian Federation, they will be ineffective, and repression of Russian citizens will increase.

Quantitative Research Design

To test my hypotheses, I have adopted a mixed-methods research design, beginning with a broad, quantitative analysis of the overall ineffectiveness of targeted sanctions against human rights violators, and following up with a qualitative single case study analysis to unpack the causal mechanism of my theory in step two of this process. I chose to conduct both qualitative and quantitative research because I believe that combined, they provide a clearer picture regarding the effects of targeted sanctions, rather than using solely one method.

To test hypothesis one, the large-N, quantitative analysis of UN imposed targeted sanctions episodes inflicted on human rights violators will include a basic linear regression model of cross-national data on targeted sanctions and human rights violations.

Dependent Variable

The dependent variable is the level of human rights violations in the target state. This has been measured using the Cingranelli-Richards Human Rights Database (CIRI), and the variable Physical Integrity Rights Scale (Cingranelli, Richards & Clay, 2014). The

CIRI database spans from 1981 to 2011, measures “15 internationally recognized human rights” (Cingranelli, Richards & Clay, 2014), and contains records of 202 countries regarding their respect for human rights. The Physical Integrity Rights scale includes human rights such as freedom from torture, disappearance, executions, and false imprisonment. The data is quantitative and is commonly utilized in academia and government to “test theories about the causes of human rights violations...” (Cingranelli, Richards & Clay, 2014: para. 1). In addition to physical integrity rights, the dataset measures civil liberties, worker’s rights, and the degree to which women’s rights are honored. These are measured via “country-year...one country in a particular year” (Cingranelli, Richards & Clay, 2014). Each country is scored on a scale from 0 – 8, with zero classified as the most severe and egregious violations of human rights. For example, in 2011, Luxembourg scored 8, which is indicative of a high degree of respect for human rights, while Iran scored 0, an indicator that state respect for human rights is almost non-existent (Cingranelli, Richards & Clay, 2014).

Independent Variable

The independent variable is the presence of targeted sanctions for the purpose of human rights violations. This variable comes from the EUSANCT Dataset. The EUSANCT Dataset is comprised of “sanction threats and imposed sanctions by the European Union, the United States, and the United Nations” (Weber & Schneider, 2020: para. 3) The dataset covers 199 countries and spans the years 1989 – 2015. These have been used to determine the presence or absence of targeted sanctions imposed for human rights violations.

Control Variables

Control variables are the Global Domestic Product (GDP), population, and conflict presence in the target country. GDP and population were retrieved from the World Bank database (The World Bank, 2021). The UCDP/PRIO Armed Conflict Dataset was used to control for the presence of civil war.

I decided to use GDP as a control variable because lower income countries that are sanctioned cannot withstand the consequences of sanctions as opposed to wealthier nations which can ignore sanctions because they have enough national wealth to create a buffer. This is reinforced in a study conducted by Gutmann, Neuenkirch, and Neumeier (2021). They state that “ [sanctions] exert their adverse effect over the first years of a sanction episode and that sanctioned countries fail to recover during or immediately after the episode...” (2021). The GDP is a good indicator because depending on the GDP status, states may or may not respond favorably to sanctions.

Population within a country targeted for sanctions was controlled using the World Bank database because countries with larger populations under authoritarian rule tend to suffer more human rights violations (Clay, 2018: 140).

Using the Uppsala Conflict Data Program/Peace Research Institute Oslo (UCDP/PRIO) Dataset, I have controlled for the presence of civil war, and ensured that the effects of civil war do not contaminate the results regarding the effectiveness of targeted sanctions. This dataset is comprised of data from the Department of Peace and Conflict Research at Uppsala University and the Centre for the Study of Civil War at PRIO (Peace Research Institute Oslo) regarding internal conflicts from 1946 – 2008 (PRIO, 2020).

The second part of the research design will be used to trace the causal mechanism in my theory and to test hypothesis two. I have analyzed a single case study, namely, targeted sanctions against leaders of the Russian Federation for human rights violations.

Quantitative Analysis

The method of estimation is a time-series, cross-national panel regression analysis and include 187 countries from 1989-2011. All models have been tested for heteroskedasticity and multicollinearity problems. Table 1 below illustrates the results.

Table 1: Impact of Targeted Sanctions on Physical Integrity Rights in the Target State

<i>Variables</i>	
UN Targeted Sanctions	-0.254* (0.103)
US Targeted Sanctions	0.146 (0.108)
EU Targeted Sanctions	-0.216** (0.066)
Any Sanction	-0.766* (0.435)
Democracy	0.0007* (0.0003)
GDP Per Capita (log)	0.134** (0.030)
Population (log)	-0.560** (0.035)
Civil Conflict	-0.965** (0.109)
Constant	13.13** (0.633)
Observations	4,583
Number of ccode	187

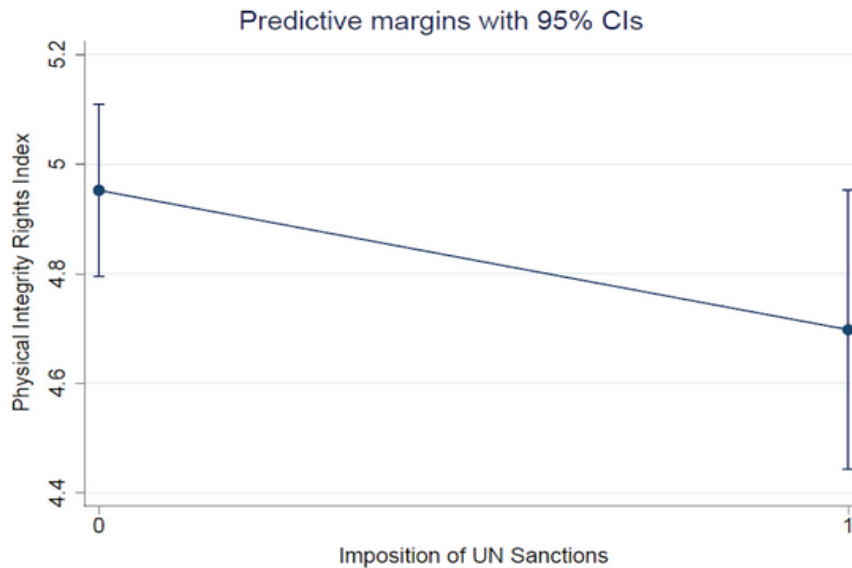
Note: Standard errors in parentheses; **p<0.01, *p<0.05

Recall that according to my theory, when UN Sanctions are imposed upon a state, the physical integrity rights of the state will deteriorate. As Table 1 shows, the coefficient on UN Targeted Sanctions is negative and significant at the .05 level. This indicates that physical integrity rights in the state do worsen under UN Sanctions. The model also reveals that targeted sanctions by the European Union (EU) worsen physical integrity rights in the targeted state, as do other sanction types such as comprehensive sanctions. However, the coefficient on US sanctions is positive, suggesting improved human rights, but given that this result is not significant at least at the .10 level, I do not interpret this finding as reliable. Therefore, I argue that these results confirm my hypothesis that targeted sanctions, rather than becoming a catalyst to encourage respect for human rights, actually results in the worsening of personal integrity rights.

Countries that are more democratic have better physical integrity rights scores, as do countries with higher levels of GDP per capita as these respective coefficients reveal. However, countries with higher populations and those involved in a civil conflict have worse physical integrity rights scores as each of those coefficients is negative and statistically significant at the .01 level.

For more substantive findings beyond the direction and strength of coefficients, Figure 1 below illustrates the marginal effect of regressing physical integrity rights on the presence of UN targeted sanctions.

Figure 1: Marginal Effects of Physical Integrity Rights and UN Targeted Sanctions



As illustrated above, when there are no UN targeted sanctions on the country, the physical integrity rights score is at 4.95. However, when UN targeted sanctions are imposed, the physical integrity rights score drops to 4.69. This seems like a small change at first glance, however the average change in score from year to year on the Physical Integrity Rights Scale is .08. This change illustrated above is 3.2% higher than the average change in a given year without sanctions. Therefore, under UN Sanctions, the state is 3.2% worse-off in its human rights practices, or in other words, nearly a full point lower on the CIRI scale. Given these results, I accept my hypothesis.

Research Design Qualitative Analysis

I decided to use Russia and its abuses of personal integrity rights as my qualitative analysis due to my familiarity with the Magnitsky Act. The Magnitsky Act was the first legislation of its kind passed by the United States Congress specifically targeting

perpetrators of human rights violations and was originally limited to perpetrators within the Russian federation (U.S. Congress, 2012). Later, similar legislation was passed which expanded the act's scope and gave the U.S. Department of the Treasury the ability to sanction members of governments globally.

The Russian Federation is notorious for its imprisonment, harassment, attempted assassinations, and assassinations of anyone deemed to be a threat. A well-known case is the poisonings of Sergei Skripal and his daughter, Yulia. Sergei Skripal formerly worked in Russian intelligence and shared secrets with England's intelligence bureau, MI6. Due to Skripal's defection and sharing of secrets, the GRU, which is Russian military intelligence, was ordered to travel to England and assassinate Mr. Skripal. Mr Skripal and his daughter did not die, and the perpetrators were identified, but could not be extradited from Russia (Associated Press, 2018). This narrative underscores Russia's long history of reaching out to punish those it deems wayward, either at home or abroad. The Magnitsky Act was created to punish the perpetrators of actions such as these.

I argue that Russia is a good case study regarding targeted sanctions for human rights violations because it is a mirror of other authoritarian countries' human rights abuses. While other countries may not possess Russia's keen ability to utilize transnational repression, human rights violations, such as disappearances, assassinations, imprisonments, and poisonings are all quite similar. For instance, Hafeez Junaid has been imprisoned in Pakistan and sentenced to death due to charges of blasphemy against the prophet (United States Commission on International Religious Freedom, 2022). This case could be mirrored in Russia's imprisonment of Alexei Navalny, a Russian dissident dedicated to exposing corruption in the Russian government. Also, the assassination of

Jamal Khashoggi by the Kingdom of Saudi Arabia (Office of the Director of National Intelligence, 2021) is a mirror of similar actions taken by the Russian federation.

The Magnitsky Act was passed by the United States Congress in 2012 (U.S. Congress, 2012). The Act targeted government officials within the Russian Federation who were guilty of human rights violations leading to the death of Sergei Magnitsky, a whistleblower (U.S. Department of the Treasury, 2013). In 2016, the Global Magnitsky Act was enacted, which allowed individuals outside of Russia who were guilty of human rights violations to be added to the Magnitsky sanctions list (U.S. Congress, 2016).

Because of the Russian Federation's long history of denying its citizens their human rights, and history of imposition of targeted sanctions against human rights violators by other nations, I argue that it is a suitable case to help determine whether sanctions against human rights violators work. Furthermore, the rhetoric of Vladimir Putin presents a strong example of authoritarian rigidity and determination to remain in power, making this a robust illustration of the core of my theory.

Independent Variable

I investigated the Russian Federation's record regarding human rights after the imposition of targeted sanctions, and whether the sanctions have exerted any force on the Russian regime that resulted in positive behavior change regarding human rights. Therefore, the independent variable is the presence of targeted sanctions. These targeted sanctions include limits on freedom of movement, which means that government authorities who are sanctioned cannot obtain a visa to visit the U.S., they are also prohibited from investing in U.S. interests, and any of their assets held in U.S. banks are frozen (U.S.

Dept. of Treasury, 2021). Since the Magnitsky Act was passed by Congress in 2012, and U.S. Department of the Treasury sanctions records are public, researching targeted sanctions records and a regime's response, in this case, the Russian Federation, is an acceptable method to determine targeted sanctions effectiveness.

Dependent Variable

To determine this, I decided to measure whether targeted sanctions are effective based on a regime's positive behavior change. This would mean that in response to targeted sanctions, a regime would change its behavior and reduce or stop persecuting dissidents. For instance, Alexei Navalny, a Russian dissident, has been held in a Russian prison since January 17, 2021 (Kim, 2021). Multiple governmental officials have been sanctioned regarding the poisoning of Alexei Navalny (U.S. Department of the Treasury, 2021b). In this case, positive behavior changes in response to targeted sanctions due to the poisoning would mean that Alexei Navalny would be released from prison and harassment would cease. Positive behavior change, especially regarding the Russian Federation, is measured by looking at several major human rights cases in which governmental authorities have been sanctioned and determining whether the regime has improved their respect of personal integrity rights.

Qualitative Case Study Analysis

Various officials within the Russian Federation have been sanctioned for their actions resulting in the violation of Russian citizens' human rights. However, the sanctions have not appeared to have had an effect regarding changing the Russian Federation's respect for its citizens' human rights. Targeted sanctions were recently imposed by the

United States via the Magnitsky Act in 2012. Since then, the list of Russia's infractions has only increased. The U.S. Department of State's 2021 Country Reports on Human Rights Practices: Russia (2021b: para. 4), states that "significant human rights issues included credible reports of: extrajudicial killings and attempted extrajudicial killings...enforced disappearances...pervasive torture, harsh and life-threatening conditions in prisons; arbitrary arrest and detention...."

The list of the Russian Federation's transgressions regarding human rights is lengthy. Anna Politovskaya was an investigative journalist dedicated to reporting the truth about the abuses and corruption occurring within the government of the Russian Federation. Due to this, Ms. Politovskaya was shot dead in her apartment building in Moscow in 2006 (Walker, 2016). Prior to her shooting death, Ms. Politovskaya was poisoned by the regime in 2004 (Politovskaya, 2004).

In 2015, Boris Nemtsov, a Russian dissident and former deputy prime minister under Prime Minister Boris Yeltsin, was shot and killed in Moscow. He was assassinated after speaking at a gathering protesting Russia's 2014 aggression against Ukraine (BBC, 2015). Mr. Nemtsov had a long history of speaking out against the Russian Federation's human rights and economic abuses and was assassinated for his opposition.

Since Nemtsov's and Politkovskaya's murders, Vladimir Putin has continued to consolidate his power as Russia's authoritarian leader. This is evidenced by Russia's parliament passing a bill in 2008 extending the president's term to six years, which had previously been set at four years (Shukla, 2008). This change allowed Putin to seek another term in 2012 and in 2018. In 2018, Putin stated that, "[regarding changing the constitution] I had an opportunity, I was even asked to change the constitution at one time...I did not do

it, and I don't intend to do it in the future" (Smith, 2021: para. 2). However, in quite an about-face in 2021, Putin "signed a law that will allow him to run for the presidency twice more in his lifetime..." (Roth, 2021: para. 1). While the law officially "limits Russian citizens to two presidential terms...[it] does not count terms served until it entered into force...Putin's past four terms (including the current term) do not count..." (Roth, 2021: para. 5 - 6) This means that he has successfully consolidated power until at least 2036.

LGBTQ+ individuals in Russia have long been targets of the Putin administration. In 2012, a law was enacted prohibiting "propaganda of homosexuality and pedophilia among minors" (Kirillova, 2022: para. 1). The law was designed to limit the LGBTQ+ community's public expression. Since the law was passed, attacks on the community increased, and no help could be found from Russia's law enforcement. According to Igor Kochetkov, an LGBTQ+ activist, the law was designed to be "used in information campaigns to generate hatred..." (Kirillova, 2022: para. 6). President Putin has fully supported the law, stating, "It seems to me that the law we have adopted does not hurt anyone...Moreover, individuals of non-traditional orientation cannot feel like second-rate humans because they are not discriminated against in any way" (Radia, 2014: para 2-3). Currently, the Duma, Russia's legislative body, is considering raising fines for anyone promoting LGBTQ+ information to minors. The fines could escalate to 5 million roubles, approximately \$80,000 US dollars, depending on the location in which the "crime" was committed, with the higher fine reserved for cyber and press offenses (Reuters, 2022a).

To underscore this modest list of people targeted by the Russian Federation, Freedom House (2022) has given the Russian Federation a score of 19/100. A score close to 100 denotes a free country in respect to civil liberties and political rights. Russia's score

of 19 places them squarely in Freedom House’s “not free” category. Freedom House ranks Russia in 24 categories concerning issues ranging from adherence to the rule of law, freedom of speech and assembly, anti-corruption measures, and whether the press is allowed to report freely. Each category is ranked on a scale from 1 – 100, with Russia scoring 1 or 2 in most of the categories. Freedom House uses “developments in...countries...from January 1, 2021 through December 31, 2021” as the basis for determining each country’s score. For example, the imprisonment of Alexei Navalny, and labeling of organizations as extremist played a part in calculating Russia’s freedom score (Freedom House, 2022: para. 3,5).

I argue that this list presents credible evidence to the assertion that targeted sanctions have not influenced the Russian Federation to positively change their stance regarding respecting the human rights of their citizens. In my hypotheses, I asserted that targeted sanctions applied would be ineffective because authoritarian regimes consistently violate their citizens’ human rights, regardless of targeted sanctions, and that authoritarian leaders will increase repression. I argue that the Russian Federation qualitative study demonstrates this, and thus I confirm hypothesis two.

Conclusion

This paper and study were undertaken because I determined that there was a gap in the literature regarding the effectiveness of targeted sanctions specifically against human rights violators. Much literature exists covering the effectiveness of broad-based sanctions, but the literature is scant regarding sanctions in the human rights arena. Due to my interest in the area, and some knowledge of foreign affairs, I did not believe that I would find that

targeted sanctions were efficacious. This was confirmed as I conducted my broad-based quantitative and my narrow qualitative study focusing on Russia.

The quantitative data illustrated that physical integrity rights are not improved, but worsened when targeted sanctions are applied, confirming my hypothesis that targeted sanctions are detrimental to citizens residing in authoritarian regimes.

The qualitative data revealed that the Russian Federation has a pattern of violating human rights which has not changed, even when targeted sanctions have been imposed. This confirms my hypothesis that targeted sanctions within the Russian Federation are ineffective. I argue that targeted sanctions are ineffective, and I assert that my hypotheses support my argument. However, my focus in this paper was to determine whether targeted sanctions were effective, without doing in-depth research into the reasons why.

Further research could be done to ascertain the precise reasons why targeted sanctions are ineffective and what would be feasible alternatives. The focus of my paper's qualitative research has been the Russian Federation and Putin's behavior as an authoritarian leader. However, it would be advantageous to delve into the motives of authoritarian leaders such as China's Xi Jinping, Belarus' Alexander Lukashenko, and Venezuela's Maduro. Each are doing their best to retain power while using repression of their citizens to do so.

For example, Xi Jinping has just assumed his third term as China's supreme leader. He "has more power than ever...[and] the country's trajectory is shaped by...one man" (McCarthy & Gan, 2022: para. 1, 3). President Xi has stated that "the path ahead is also beset with 'high winds, choppy waters, or even dangerous storms' (McCarthy & Gan,

2022: para. 3). This statement does not sound like it will bode well for the Uyghurs in the XUAR, or the repression of Chinese citizens in general.

Alexander Lukashenko has been in power in Belarus since 1994 (Encyclopedia Britannica, 2022: para. 1). He is notorious for cracking down on any type of dissent or efforts to change the authoritarian status quo in Belarus. His methods of suppression include having dissidents or protestors record “the video of shame, in which citizens are forced to make humiliating “confessions” while stripped to their underpants, wearing Santa hats or draped with their own pro-democracy banners” (Dixon, 2022: para.1). This past January 2022, “a flawed constitutional referendum vote empowered him to rule until 2035...and granted Lukashenko amnesty from future prosecution” (Dixon, 2022: para: 28).

Despite the 2018 election results being considered flawed, Venezuela’s Nicolas Maduro continues to retain power. According to Human Rights Watch (2022: para. 1), Maduro’s government is responsible for “extrajudicial executions, and short-term forced disappearances, [the government has] jailed opponents, prosecuted civilians in military courts, tortured detainees, and cracked down on protesters.” It is clear that Maduro uses the denial of human rights of his citizens to remain in power.

Each of these leaders has experienced sanctions, but each continues to resist them due to a strong desire to remain in power. Trying to ascertain their motives, and if there is a correlation between the three could help with finding out how best to target authoritarian leaders in the future.

It is my hope that this paper will contribute a bit to the vast literature already in existence regarding the inefficacy of sanctions, and possibly help guide policymakers and legislators to develop alternatives to sanctions regimes.

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