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UNDERSTANDING EU SANCTIONING BEHAVIOR

INTRODUCTION

Various works have analysed the role of the EU as a sender of sanctions (Gimelli 2017; Hellquist 2017; Onderco 2017; Portela 2010). Although, studies recognised that the EU sanctions practice is connected to that of other senders, little is known about *how* EU sanctions imposition is related to that of others, the most prominent being the United Nations Security Council (UNSC). Those few studies that look at both EU and UN sanctions do not take issue with the relationship between both sets of authors (Eriksson 2011). Until recently, the sanctions activity of the EU had not featured prominently in datasets used for large-N studies, which has led to a certain marginalization from mainstream sanctions research. The most widely used sanctions dataset, produced by US economists Hufbauer and his collaborators (Hufbauer et al. 2007), seldom includes the EU as a sender – it refers occasionally to some of its member states, and in a few instances, to the European Community. The more recent Threat and Imposition of Sanctions (TIES) database features EU sanctions cases, identifying an individual member as the key sender when the EU imposed sanctions externally (Morgan et al. 2014). Conversely, the emerging literature on the relationship between the EU and the UN (Blavoukos and Bourantonis 2017; Drieskens and Bouchard 2012) has so far obviated collaboration in the sanctions field. In the present paper, we seek to address this gap by exploring the relationship between EU and UN sanctions practice.

The present paper explores the circumstances under which EU chooses to impose sanctions in the absence of a UN mandate, acting before the UN, and when it prefers to wait for the UN to move first, limiting its role to implement its mandate. When implementing UN sanctions, the EU may adopt supplementary measures that go beyond the letter of the UN resolution (Biersteker and Portela 2015; Koenig 2017; Taylor 2010). After the UN terminated its measures, the EU sometimes opted to lift its measures immediately, or left them in place for an additional period. While EU practice features all of these scenarios, no attempt has been made so far to account for

variation. *Why does the EU sometimes wait for the UN to act before it enacts its own measures, and sometimes moves before the UN does?*

In the following section, we develop a theoretical framework that allows us to formulate hypothesis regarding when we can expect the EU to choose one option or another (autonomous vs. implementing measures). We then test our hypotheses on an original dataset comprising the entire universe of UN and EU sanctions episodes in the period 1990 to 2015. This is followed by a discussion of our findings. The paper concludes with a discussion of our findings, presenting some implications for sanctions scholarship.

THE EVOLUTION OF EU SANCTIONS

The EU began to impose autonomous sanctions, i.e. in the absence of UN Security Council Resolution, intensifying this practice in the 1990s. While EU sanctions were economic initially, during the 1990s, so-called targeted or smart sanctions came to the fore. The EU was at the forefront of the promotion of smart sanctions in the context of its CFSP, financial sanctions, freezing of assets, investment bans, flights bans, or embargoes on arms or specific goods (Brzoska 2003). Currently, sanctions are agreed by the member states within the Common Foreign and Security Policy (CFSP). The first programmatic document setting out policies for the use of sanction was the ‘Guidelines on the Implementation and Evaluation of Restrictive Measures (Sanctions)’, initially adopted in December 2003 and revised recently (Council of the EU 2018). The ‘Basic Principles of the Use of Restrictive Measures (Sanctions)’ of June 2004 (Council of the EU 2004) detailed the place occupied by sanctions in EU foreign policy. The documents are complementary in the sense that the first one sets out definitions and technical procedures, while the second sets out the objective of sanctions, which include the promotion of human rights, democracy, the role of law and good governance, the fight against terrorism as well as against proliferation of weapons of mass destruction (WMD). According to this document, sanctions – also referred to as restrictive measures – may be applied against third countries, individuals or entities, and constitute an essential EU foreign policy tool that it uses to pursue objectives in accordance with the principles of the Common Foreign and Security Policy (Council of the EU 2003).

The EU uses different mechanisms and tools to promote democratisation in target countries in its external relations. CFSP sanctions is one of the foreign policy tools that is used by the EU for democracy promotion purposes, in particular to address situations of democratic backsliding. However, CFSP sanctions are not the only instrument in the EU’s toolbox to react to democratic recessions. The EU also uses suspensions of development aid, like in case of African-Caribbean and Pacific (ACP) countries (Del Biondo 2011, 2015; Portela 2010). Finally, the EU has occasionally suspended trade preferences for political motives under its Generalised System of Preferences (GSP). The EU’s GSP regime entails a procedure for withdrawing preferential treatment from

beneficiaries that seriously and systematically violate principles of human rights and sustainable development. The withdrawal requires consultations between member states and the Commission and follows a protracted process including an investigation and exhaustive monitoring and evaluating the situation. GSP withdrawal procedures were triggered in cases such as Myanmar and Belarus (Kryvoi 2008).

THE RELATIONSHIP BETWEEN EU AND UN SANCTIONS

The EU autonomous sanctions practice developed in the shadow of UN sanctions practice. The strong link between EU and UN sanctions has been widely acknowledged (de Vries and Hazelzet 2005; Debarre 2019). It is the declared policy of the EU to encourage the UNSC to adopt its measures with a view to its multilateralization (Council of the EU 2018), something that is often achieved thanks to the French and British membership of the UNSC. EU sanctions have often preceded UNSC measures (Brzoska 2015; Charron and Portela 2015). However, while numerous studies have taken issue with EU influence at the UN, no research has yet been produced looking at the impact of UN sanctions imposition on EU sanctions behavior. This is despite the fact that the majority of innovations in the sanctions field emanate from the UNSC (Weschler 2009) or from the US (Nephew 2018), while the EU is rarely praised for its inventiveness (de Vries 2002). In this paper, we aim to close the gap by ascertaining the impact of UN sanctions adoption on EU sanctioning behaviour.

The application of sanctions by unilateral senders has proved highly controversial at UN level, sparking the so-called “floor-ceiling” debate (Eckert 2016). This controversy concerning the permissibility of unilateral sanctions is an old one, but it has gathered momentum in recent years due to the activism of vocal targets such as Iran. Some members of the UNSC’s P5, led by the US, maintain that unilateral bans are permissible under international law and they often support of UNSC objectives. By contrast, non-Western P5 members China and Russia claim that because UNSC resolutions reflect the global consensus, they should be strictly adhered to, while the application of unilateral measures by individual senders is undesirable. The UN Human Rights Council appointed in 2015 a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, who has consistently criticised the imposition of any non-UNSC mandated sanctions, pointing, among others to the practice of the EU (UNGA 2018; Jazairy 2019). Thus, the phenomenon of unilateral sanctions and their relationship to UNSC measures calls for further exploration.

“What difference does it make to the EU whether the UN imposes sanctions or a particular situation or otherwise? What is the impact of UN sanctions enactment on EU sanctioning behavior? Under what circumstances the EU is more likely to act autonomously and when does it prefer to implement or supplement UN sanctions?”

In theory, two different options are available to Brussels when it comes to the imposition of sanctions:

- a) The EU may impose autonomous measures, in the hope that the UN may impose its sanctions at some point. EU autonomous measures may accompany Washington's sanctions, or be imposed in their absence.
- b) Alternatively, the EU may choose to remain inactive, wait for the UNSC to act – if at all – and implement UNSC measures once they are in place. This option implies renouncing any independent agency.

Yet, we know very little about the circumstances under which the EU chooses one option over another. In order to give an answer to this question, we generate hypotheses on when we can expect the EU to impose measures in the absence of UN sanctions, and when we can assume the EU will refrain from doing so until the UN enacts its own measures. Our first argument relates EU behavior to the goals pursued by the sanctions, connecting them to the mandate of the EU and the UN. According to the UN Charter, its foundational document dating from 1944, the UNSC has a responsibility for the maintenance of international peace and security. Its Article 24 claims that:

“Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf”.

Moreover, Article 39 of the Charter reads:

“The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security”.

This mandate can be supported with “measures involving the use of force” or “measures not involving the use of force”, the latter option being generally associated with sanctions. According to Article 41:

“The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations”.

The UN Charter of the United Nations authorizes the UNSC to impose sanctions whose implementation is mandatory for all states in the world. Article 25 stipulates:

“The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter”.

By contrast, the EU lacks a global mandate that provides it with special powers in any specific field. It has given itself a mandate to advance a number of aims in its

international relations, which entail both the promotion of human rights and democratic principles as well as the preservation of the security of its territory. The current version of the EU's foundational treaty, the Lisbon Treaty, includes them among the objectives of its Common Foreign and Security Policy (CFSP). Article 21 (2) of the Lisbon Treaty listing the goals of the EU's external action stipulates that it shall "pursue common policies and actions", among others, in order to:

- “(a) safeguard its values, fundamental interests, security, independence and integrity;
- (b) consolidate and support democracy, the rule of law, human rights and the principles of international law;
- (c) preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external borders” (Treaty on the European Union 2009).

This excerpt from the treaty corroborates the EU's declared goal of preserving its security as well as that of promoting democracy and human rights internationally. The objectives of EU foreign policy have been the object of much academic discussion (Manners 2003; Ferreira-Pereira 2012; Pospieszna 2018).

Based on these diverging mandates, we can formulate the expectation that, when it comes to human rights and democracy crises, the EU will not wait for the UN to move. Due to the absence of a mandate to support democracy and human rights in the UN Charter, we can expect the EU to impose its measures autonomously. A second scenario refers to a crisis in which the EU reacts to a violent conflict, a situation relevant to the core mandate of the UN and international security. Here, the EU may impose sanctions without waiting for the UN, or wait for the UN to act first, depending on the gravity of the conflict. Because of UNSC politics and the possibility of a veto by any of the P5, the EU cannot rely on eventual UN intervention. If the crisis is characterised by high lethality, or is occurring in its vicinity, the EU might act. Its objective might be to contain the crisis, to attract action by the UN, or both.

Finally, a third scenario concerns the proliferation of WMD. This issue does not correspond to the traditional definition of the UNSC's core mandate; yet, it is relevant to security. In the mid-2000s, it eventually made its way to the sanctions activity of the UNSC (Biersteker et al. 2016; Charron 2011; Eckert 2009). Thus, it represents a relatively recent addition to the UN's sanctions repertoire. Because this objective does not form part of the EU's traditional human rights and democracy agenda, we can expect the EU to wait for the UN to act before it imposes its own measures.

In order to formulate our hypotheses, we subdivide sanctions objectives according to the three-fold categorisation outlined above, consistent with previous research (Borzyskowski and Portela 2018; Portela 2005). While this categorization is basic, it serves our purpose of differentiating between objectives that are included in the UNSC mandate or otherwise. Thus, we distinguish between:

- a) Sanctions regimes advancing goals of human rights and democracy, which are unrelated to the UNSC mandate;
- b) Sanctions regimes applied to violent conflict, both internal and external, which are integral to the core mandate of the UNSC;
- c) Sanctions advancing security objectives recently included in the UNSC core mandate, namely the non-proliferation of weapons of mass destruction.

We base this categorisation on the catalogue of sanctions goals defined by Hufbauer, Schott, Elliott and Oegg (2007). We grouped sanctions goals into three categories that are related to: 1) human rights and democracy (leadership change; release citizens, property, material; improve human rights; violation of constitutional order; fraud elections); 2) violent conflict (containing political influence; containing military behaviour; solve territorial dispute, retaliate for alliance or alignment choice; termination of support of non-state actors), and 3) proliferation of WMD, including to deny strategic materials that enhance political or military capabilities.

To recapitulate, our expectations are as follows:

Hypothesis 1: The EU will wait for the UN to impose sanctions in order to respond to violent conflict.

Hypothesis 2: The EU will act autonomously in the absence of UN sanctions when interested in imposing sanctions in order to advance democratic principles and human rights.

FINDINGS

In order to test our hypotheses we used the novel EUSANCT Dataset that merges and updates some of the most widely used sanction databases and which allows to trace the onset, evolution and effectiveness of economic coercion over time (Weber and Schneider 2019).¹

The data shows that the US enacts the highest number of sanctions – a total of 196 -, and that Washington is more likely to act as a unilateral sender of sanctions without the UN mandate than others. Both UN and EU sanctions are implemented in combination with others. In the case of the UN, this results from the EU implementing or supplementing sanctions shortly after the UN decision to apply sanctions against the target state.²

¹ The database is available in two versions: case-level dataset and dyadic dataset. For the purpose of our analysis, we chose the case-level version, which contains 325 individual sanction episodes. This newly created EUSANCT Dataset contains all EU, UN and US sanctions regimes implemented between 1989 and 2015.

² However, although the measures imposed by UN and EU do not always coincide, the database does not allow for straightforward analytical distinction of sanctions issues associated with the onset of sanctions and types.

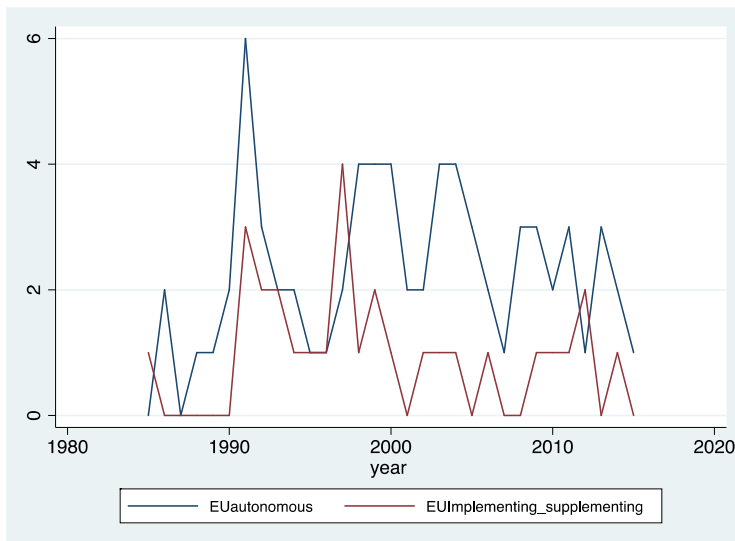
Table 1
EU and UN Sanctions: Conceptualization and Frequencies

	Sender Combination				EU	UN	Total
	EU-US-UN	EU-UN	EU-US	US-UN			
EU implementing or supplementing UN sanctions	20	9					29
EU autonomous sanctions			53		19		72
UN sanctions	20	9		7		21	57

Source: Own calculations based on EUSANCT database.

The EU is more likely to apply sanctions with the US and UN, more frequently together with the US. We define autonomous EU sanctions as those measures implemented by the EU alone or in cooperation with other senders bar the UN. By contrast, UN sanctions are defined as those implemented alone or in combination with unilateral sanctions by the two senders featured in the database: the US and the EU. These definitions allow us to identify unilateral sanctions accompanying UN sanctions as separate from measures implementing them. We find that from all episodes enforced by the EU, more than 70% were imposed unilaterally or with the US without the UN, whereas the remaining 30% of EU sanction episodes implemented or supplemented UN sanctions, advancing their goals by means not stipulated in the original UN mandate.

Figure 1
EU Autonomous and EU Implementing/supplementing Sanctions over Time 1985-2015.



Source: Own elaboration based on EUSANCT database.

Before we analyse under what circumstances the EU chooses to act unilaterally or wait for the UN, it is worth taking a closer look at its implementing behavior. Specifically, we distinguish whether the EU acted as a primary sender; when it wielded measures against the target prior to the UN, whether and when the EU maintained sanctions after or before the UN lifted, and finally whether the EU tightened or relaxed sanctions alongside or independently from the UN.

Surprisingly, the EU is very active when it implements (or supplements) the UN sanctions. There were eleven instances when EU acted as a primary sender, which meant that the EU was the main driving force behind the sanction imposition. Almost all sanctions initiated by the EU were applied on violent conflicts, with the objective of taming the military behavior of the target party. The types of sanctions that the EU imposed rarely varied — these were normally arms embargoes. The two episodes of sanctions on Yugoslavia show differences between the EU and the UN: In 1991, the UN applied its entire toolbox, which the EU supplemented with aid sanctions and the suspension of an economic agreement. In 1998, the UN wielded only an arms embargo against Yugoslavia, to which the EU added a partial economic embargo, financial sanctions, aid sanctions, and a travel ban.

Table 2

EU Implementing/Supplementing UN Sanctions: Target Country and Start or End Date for EU

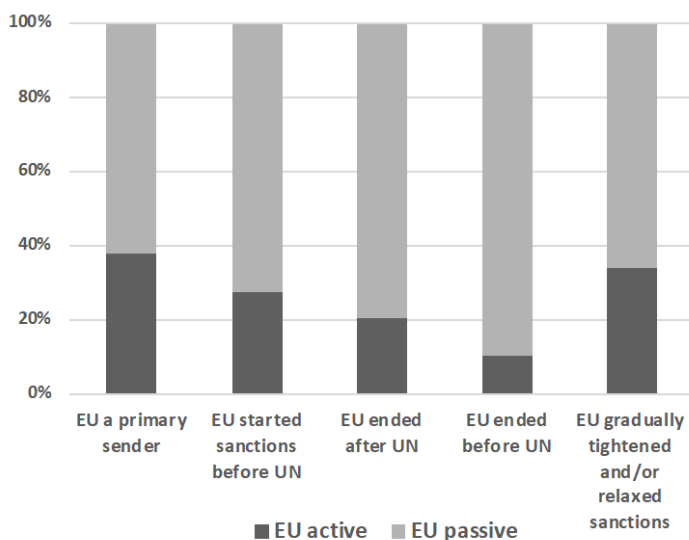
<i>EU a primary sender</i>	
not started before UN	Yugoslavia (1991/07/05), Yugoslavia (1998/03/19), Congo (1997/06/05), Ethiopia (1999/03/15), Eritrea (1999/03/15), Macedonia (1993/04/08), Croatia (1992/01/15), Bosnia and Herzegovina (1992/03/01)
started before UN	Ivory Coast (2010/12/06), Slovenia (1991/07/05), DRC (1997/05/16)
ended before UN	None
ended after UN	Congo (2001/05/17), Croatia (2000/11/20), Bosnia and Herzegovina (2006/01/23)
<i>EU not a primary sender</i>	
started before UN	Haiti (1991/10/01), Burundi 1993/10/21), Sudan (1994/03/15), North Korea (2002/11/14), Afghanistan (1996/12/17)
ended before UN	South Africa (1992/04/07), Liberia (2006/06/27), Guinea-Bissau (2014/07/14)
ended after UN	Burundi (2001/11/16), Cambodia (1999), Sudan (2004/01/09)
<i>EU gradually tightened and/or relaxed sanctions</i>	
(start date)	South Africa (1985/09/10), Yugoslavia (1991/07/05), Yugoslavia (1998/03/19), Liberia (2000/06/10), North Korea (2002/11/14), Iran (2006/03/10), Ivory Coast (2010/12/06), Libya (2011/02/23), Guinea-Bissau (2012/04/14), Bosnia and Herzegovina (1992/03/01)

Source: Own elaboration based on EUSANCT database.

Although the EU often was an initiator of coercive measures, there were only three cases where the EU started sanctions before the UN as a primary sender— Ivory Coast (2010), Slovenia (1991) and Democratic Republic of Congo (DRC) (1997) and eight where it waited for the UN. In the case of Ivory Coast, it was the leadership change and fraudulent elections that drove sanctions, while the measures employed by the EU coincided with those of the UN: travel bans and financial sanctions. In Slovenia, containing military action was the main motive behind the onset of sanctions, and the EU and UN consecutively applied the same measure: an arms embargo. The EU imposed sanctions against DRC six year before the UN in an attempt to resolve the territorial dispute and to improve human rights with an arms embargo, which was the only measure used by both EU and UN.

Figure 2

EU Sanctioning Behavior when Implementing/Supplementing UN Sanctions



Source: Own calculations based on EUSANCT database. Percentage of all UN sanctions implemented or supplemented by the EU.

The dataset identifies also cases when the EU issued sanctions against a target prior to the UN without being the primary sender: In Haiti (1991), Burundi (1993), Sudan (1994), North Korea (2002), and Afghanistan (1996). In the case of Haiti, the EU terminated aid, supplementing the UN's three measures: a partial economic embargo, financial sanctions, and an arms embargo. Regarding the duration and termination of sanctions, we found that there were six episodes when the EU continued sanctions after the UN lifted them: Burundi, Sudan, Croatia, Bosnia and Herzegovina, Cambodia, and Congo. In three cases, Brussels terminated its own measures before the UN put an end to its sanctions: Guinea Bissau, Liberia, and South Africa. These episodes which

the EU chose to lift before the UN, or chose to continue even though the UN officially terminated, addressed both violent conflict and the violation of democratic principles. As for measures used in most cases terminated by the EU before or after UN sanctions, we find that the EU wielded additionally financial sanctions or aid sanctions. In 2004, the EU terminated sanctions against Sudan, specifically arms embargo, whereas the UN had imposed in 2001 a travel ban and diplomatic sanctions. South Africa also presents a case when the EU used additional measures: whereas the UN wielded only an arms embargo, the EU applied import and export restrictions as well as financial sanctions. The EU terminated aid to Cambodia, which was an additional measure to the UN sanctions, and restored it one year after the UN lifted its measures. In case of the measures on Liberia, which the EU terminated three years before the UN, the EU chose to supplement UN measures by cutting off aid. Only in the cases of the post-Yugoslav republics of Croatia and Bosnia and Herzegovina, the EU did not demonstrate any additional activity.

Given that the EU employs targeted sanctions, it can tighten or relax them. While this option constitutes one of the key advantages of these measures (Biesteker et al. 2016), the EU makes little use of it. From all EU sanction cases enacted in parallel to UN measures, only three were gradually tightened (Yugoslavia, Guinea-Bissau, and Ivory Coast) in the course of sanction episode, while another three were eased (South Africa, Bosnia and Herzegovina, and Liberia) after the target partially acquiesced. Some cases present a mixture of both measures: sanctions were gradually tightened and relaxed during the course of a sanction episode in Iran, North Korea, or Libya. In general data show a correlation between UN and EU behavior regarding gradualism between the EU and UN, meaning that if one uses it, the other sender is more likely to follow.

In general, the EU does sometimes initiate sanctions that subsequently become UN sanctions, and we find that these are those sanctions that the EU is also more likely to supplement, as visible in Table 2. The EU makes use of gradualism only occasionally. Brussels sometimes ends its own measures before or after the UN terminates its own sanctions; however, it does so rather sporadically, and it has a preference for waiting for the UN to terminate its measures. Overall, sanctions success, defined as partial or complete acquiescence by the target, improves if EU activity accompanies the UN, as the table below shows.

We find partial support for our hypotheses. We hypothesised that the EU was most likely to imposed autonomous sanctions on the grounds of democratic backsliding, while the UN was more likely to do so to respond to violent conflict and WMD proliferation. In order to answer the question why the EU sometimes waits for the UN to act before it enacts its own measures, and sometimes moves before the UN does, we look at the relationship between goals as defined by Hufbauer et al. (2007). We find that out of thirteen issues, the dominant reason for EU sanctions imposition is ‘improving human rights’, which indicates that sanctions were enacted to induce the target state to end repressive policies or to respect individual rights. Another goal frequently pursued by sanction imposition is regime change, meaning that sanctions are imposed for

Table 3
EU Sanctioning Behaviour and Sanction Success (Pearson's Correlation)

	Sanction Success
EU implementing or supplementing UN sanctions	0.2430* 0.0000
EU a primary sender	0.1233* 0.0263
EU started sanctions before UN	0.2053 0.2854
EU ended sanctions before/after UN	-0.0417 0.8297
EU gradually tightened and/or relaxed sanctions	-0.0236 0.8344
EU autonomous	0.1911* 0.0005
UN sanctions	0.1041 0.0608

Source: Own calculations based on EUSANCT database. Statistical significant correlations in bold (with p-values of .05 or lower), p values in parentheses.

the purpose of fostering a change of leadership in the target country. We found that almost 42% of all EU autonomous sanctions are imposed on the grounds of democracy promotion and human rights. By contrast, for the UN this is not the main reason for sanctions adoption, because only 18% of sanctions in which the UN was involved were sanctions aimed at stopping human rights breaches or promoting democracy. When the UN did not act at all, the EU autonomously was involved in 45 sanction episodes in which a target country was sanctioned because it violated democratic standards or human rights. When the UN acted, however, the EU was involved in only 14 cases as a sender of pro-democracy sanctions. This shows how Brussels applies sanctions in order to restore or build democratic order in the target countries, whereas for the UN democratic backsliding or human rights breaches are not the main reason to adopt measures. In general, as the correlation between various issues associated with the imposition of sanctions and the EU behaviour in the table below shows, the EU seems to act unilaterally in sanctions imposition when human rights abuses or democratic backsliding occurs, and does not wait for the UN to act, since this issue does not feature in the UN mandate.

For the UN, violent conflict is the main reason for intervention: half of the sanctions imposed pursue this objective. Preventing the target from exercising political or military influence over a third state or compelling it to end its support for a non-state actor (e.g. a terrorist organization or a faction in a civil war) are important causes behind sanctions imposition by the UN. In such cases, the EU will not only follow this mandate, but will often supplement the measures. In the nine episodes where the UN imposed sanctions in order to prevent the escalation of a conflict, the EU only acted

as an implementer of UNSC mandate without offering additional measures. The EU went beyond UN sanctions to implement its own measures in Yugoslavia, North Korea and South Africa. The EU applies unilateral measures on violent conflicts in the absence of concurrent UN measures: in 16 instances, the EU acted even though the UN did not impose sanctions. Nevertheless, the EU is less likely to act autonomously in this area.

Table 4

EU versus UN Sanctioning Behavior and Type of Sanctions (Pearson's Correlation)

	Human rights and democracy	Conflict	Non-proliferation of WMD
EU implementing or supplementing UN sanctions	0.1046 (0.0597)	0.2140* (0.0001)	-0.0649 (0.2434)
EU autonomous	0.3401* (0.0000)	0.0212 (0.7035)	-0.0976 (0.0791)
UN sanctions	0.0243 (0.6622)	0.3050* (0.0000)	0.0981 (0.0773)

Source: Own calculations based on EUSANCT database. Statistical significant correlations in bold (with p-values of .05 or lower), p values in parentheses.

Our last category, namely the objective of halting WMD proliferation, constitutes a goal that has been recently included in the UNSC core mandate. We find that the EU hardly ever acted autonomously in this area, which confirms previous research (Kienzle and Portela 2015; Tertrais 2006). There are only four instances in which the EU was the sender of sanctions in order to prevent the target state from supplying proliferation-sensitive materials. These sanction episodes included: Iran (2006), India (1998), Pakistan (1998) and Libya (1986). In three episodes the EU acted alone. This means that the EU is not only an implementer of the UNSC resolution, but goes beyond UN sanctions with additional measures. When the EU implemented UN sanctions on Iran, it broadened the bans (Portela 2015). However, since there were only nine instances where the UN acted in this area between 1989 and 2015, observations were too scarce to establish a statistically significant correlation for the UN as a sender.

Our analysis yields a number of additional insights. Among the multiple types of sanctions a sender can choose to make the target state adjust its behaviour, the data show that the EU favours financial sanctions, aid suspensions, travel bans, and arms embargoes. The EU has never used total economic blockades. The EU has tightened sanctions in an effort to prevent the target state to continue human rights violation and to promote democracy (70% of all tightening episodes), and to stop an expansion of military actions (30% of all tightening sanctions). The EU is more likely to unilaterally escalate and tighten its sanctions than the UN. In pursuing both 'flagship' sanction objectives — democracy promotion/human rights and conflict management — the EU is likely to adjust its sanction regimes.

In sum, the data show that the EU will not wait for UNSC action before imposing sanctions to advance democratic principles and human rights. When imposing sanctions in order to respond to violent conflict, the EU is more likely to wait for the UN. By contrast, when addressing WMD proliferation, the EU will wait for UNSC. Our analysis has shown that the EU displays a far more frequent sanctions activity when addressing breaches of democracy and human rights as well as violent conflict than in the case of WMD proliferation.

CONCLUSION

The present contribution examines the employment of EU sanctions in relation to UN measures. The investigation provide statistical evidence for a phenomenon hinted at but not fully documented in the literature: the close relationship between the sanctions practice of the EU and that of the UN (Brzoska 2015; Charron and Portela 2015; de Vries and Hazelzet 2005). Most importantly, it explores the relationship between EU and UN sanctions distinguishing between goals. We hypothesise that the degree to which the pursuance of the norm is established within the sanctions practice of EU and UN influences the EU's readiness to impose unilateral measures. Thus, variation depends on the extent to which an objective is part of the established mandate and practice of both organizations. Our results confirms this insight with the help of the statistical analysis. While the EU does not shy away from imposing autonomous measures to address violent conflict, democratic backsliding and human rights breaches, it has so far proved more timid in the realm of WMD proliferation, a relative newcomer to the UNSC sanctions pallet. According to this logic, as the objective of stemming proliferation gradually consolidates as part of the UN's mandate to preserve international peace and security, as happened with the fight against terrorism in the previous decade (Eckert 2009), we can expect the EU to overcome its reluctance to enact autonomous measures in this sphere.

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Bibliography

- Biersteker T. and Portela C. (2015), "EU sanctions in context: Three types", Brief, EUISS: Paris.
- Biersteker Th. Eckert S. and Tourinho M. (eds.) (2016), *Targeted Sanctions: The Impacts and Effectiveness of United Nations Action*. Cambridge: Cambridge University Press.
- Blavoukos S. and Bourantonis D. (2017), *The EU in UN Politics*. Basingstoke: Palgrave.
- Bolks S. M and Dina A. (2000), How Long Do Economic Sanctions Last? Examining the sanctioning process through duration. *Political Research Quarterly* 53 (2):241–265.
- Borzyskowski I. v. and Portela C. (2018), 'Sanctions cooperation and regional organisations', in Aris, Stephen et al. (eds.) *Inter-organisational Relations in International Security: Cooperation and Competition*, Abingdon: Routledge, pp. 240-61.
- Brzoska M. (2015), International sanctions before and beyond UN sanctions, *International Affairs* 91(6), pp. 1339-49.
- Brzoska M. (2003), 'From dumb to smart? Recent reforms of UN sanctions', *Global Governance* 9(4), pp. 519-35.
- Charron A. (2011), *UN Sanctions and Conflict*, Abingdon: Routledge.
- Charron A. and Portela C. (2015), The UN, Regional Sanctions and Africa, *International Affairs* 91(6), pp. 1369-85.
- Council of the European Union (2003), EU Strategy against the proliferation of weapons of mass destruction (WMD), 157808/3 (ANNEX), Brussels, 10. December 2003.
- Council of the European Union (2004), Basic Principles on the use of restrictive measures (Sanctions), Brussels, 7 June 2004.
- Council of the European Union (2018), Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy (doc. 5664/18).
- Debarre A. (2019), Safeguarding humanitarian action in sanctions regimes, International Peace Institute: New York.
- Del Biondo K. (2011), EU aid conditionality in ACP countries: Explaining inconsistency in EU sanctions practice', *Journal of Contemporary European Research* 7(3), 380-95.
- Del Biondo K. (2015), Donor interests or developmental performance? Explaining sanctions in EU democracy promotion in sub-Saharan Africa. *World Development* 75(1), 74-84.
- Drieskens E. and Bouchard C. (2012), The European Union in UN Politics. In *Routledge Handbook on the European Union and International Institutions: Performance, Policy, Power*. Abingdon: Routledge, pp. 115-127.
- Eckert S. (2009), 'United Nations Non-proliferation Sanctions', *International Journal* 65(1): 69-83.
- Eckert S. (2016), The Role of Sanctions, in Sebastian v. Einsiedel, David Malone and Bruno Stagno Ugarte (eds.) *The UN Security Council in the 21st Century*, Boulder: Lynne Rienner, pp. 413-439.
- Eriksson M. (2011), *Targeting Peace: Understanding UN and EU Targeted Sanctions*. Farnham: Ashgate.
- Esfandiari D. and Fitzpatrick M. (2011), 'Sanctions on Iran: Defining and Enabling Success', *Survival* 53(5), pp. 143-156.
- Ferreira-Pereira L. (2012), 'The European Union as a Model Power: Spreading Peace, Democracy, and Human Rights in the Wider World'. In F. Bindi and I. Angelescu (eds) *The Foreign Policy of the European Union. Assessing Europe's Role in the World*, pp. 293-305.
- Giumelli F. (2017), The Redistributive Impact of Restrictive Measures on EU Members: Winners and Losers from Imposing Sanctions on Russia'. *Journal of Common Market Studies*, Vol. 55, No. 5, pp. 1062-80.

- Hazelzet H. (2001), *Carrots or sticks? EU and US reactions to human rights violations (1989-2001)*. European University Institute, San Domenico di Fiesole, Italy. PhD dissertation.
- Hellquist E. (2016), 'Either With Us or Against Us? Third Country Alignment with EU Sanctions against Russia/Ukraine', *Cambridge Review of International Affairs*, Vol. 29, No. 3, pp. 997-1021. *Research* Vol. 56, No. 2, pp. 401-418.
- Hufbauer G. C., Schott J. Elliot K. and Oegg B. (2007), *Economic Sanctions Reconsidered*, 3rd ed. (Washington, D.C.: Peterson Institute for International Economics).
- Jazairy I. (2019), 'Unilateral Economic Sanctions, International Law, and Human Rights', *Ethics and International Affairs* 33(3), pp. 291-302.
- Jeong J. and Peksen D. (2019), Domestic Institutional Constraints, Veto Players, and Sanction Effectiveness. *Journal of Conflict Resolution* 63 (1): 194-217.
- Kienzle B. (2012), 'Between Human Rights and Non-proliferation: Norm Competition in the EU's Iran Policy', *UNISCI Journal* 30.
- Kienzle B. and Portela C. (2015), 'EU Non-proliferation policies before and after the 2003 Strategy: Continuity and Change' in Spyros Blavuokos, Dimitris Bourantonis and Clara Portela (eds.) *The EU and the Non-Proliferation of Nuclear Weapons*, Palgrave-MacMillan: Basingstoke.
- Kirshner J. (1997), 'The Microfoundations of Economic Sanctions'. *Security Studies* 6(3): 32-64.
- Koenig N. (2018), 'Libya and Syria: at the Crossroads of European Neighbourhood Policy and EU crisis management'. In T. Schumacher, A. Marchetti, T. Demmelhuber (eds) *Handbook on the European Neighbourhood Policy*, pp. 358-368.
- Kryvoi Y. (2008), 'Why European Union Trade Sanctions Do Not Work', *Minnesota Journal of International Law*, Vol. 17: 119-37.
- Lektzian D. and Mark S. (2007), An Institutional Theory of Sanctions Onset and Success. *Journal of Conflict Resolution* 51(6): 848-871.
- McGillivray F. and Allan C S. (2004), Political Institutions, Coercive Diplomacy, and the Duration of Economic Sanctions. *Journal of Conflict Resolution* 48(2): 154-172.
- Manners I. (2002), Normative Power Europe. A Contradiction in Terms?, *Journal Common Market Studies* 40 (2) pp. 235-58.
- Nephew R. (2018), *The Art of Sanctions. A View from the field*. New York: Columbia University Press
- Onderco M. (2017), 'Public support for coercive diplomacy'. *European Journal of Political Research* Vol. 56, No. 2, pp. 401-418.
- Parsi R. (2011), *Iran in the Shadow of the 2009 Presidential Elections*, ISSEU Occasional Paper 90.
- Portela C. (2005), Where and why does the EU impose sanctions?, *Politique Européenne* 17(3), pp. 83-111.
- Portela C. (2010), *European Union Sanctions and Foreign Policy: When and why Do They Work?* Routledge.
- Portela C. (2015), 'European Strategies to tackle the Iranian and North Korean nuclear files' in Spyros Blavuokos, Dimitris Bourantonis and Clara Portela (eds.) *The EU and the Non-Proliferation of Nuclear Weapons*, Palgrave-MacMillan: Basingstoke.
- Pospieszna P. (2018), „Making Neighbourhood more Resilient through EU Democracy Promotion Efforts” In *Security beyond the State: The EU and the others*, Daniela Irrera and Claudia Morsut (eds.) Barbara Budrich Publishers, pp. 136-154.
- Rynning S. (2008), 'Europe's Emergent but Weak Strategic Culture: The Case of the EU, Iran and Nuclear Weapons Diplomacy, in K. Engelbrekt and J. Hallenberg (eds.) *The European Union and Strategy* (London: Routledge), pp.94-110.

- Weber P. and Schneider G. (2019), Making the World Safe for Liberalism? Evaluating the Western Sanctions Regime with a New Dataset, *Forthcoming Conflict Management and Peace Science*.
- Taylor B. (2010), *Sanctions as Grand Strategy*. London: IISS.
- Tertrais B. (2006), The European Union and Nuclear Non-proliferation: Does Soft Power Work? *International Spectator* 40(3): 45-57.
- United Nations (1945), *Charter of the United Nations*. San Francisco: UN.
- United Nations General Assembly (UNGA) (2018) *Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights on his mission to the European Union, A/HRC/39/54/Add.1*
- Vries A. de (2002), European Union sanctions against the Federal Republic of Yugoslavia from 1998-2000: a special exercise in targeting. In Cortright, D. and Lopez, G. A. (2002). *Smart sanctions: targeting economic statecraft*. Lanham, Md.: Rowman & Littlefield.
- Weschler J. (2009), The Evolution of UN Sanctions, *International Journal* 65(1), pp. 31-43.

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ABSTRACT

The European Union may impose sanctions in the absence of a mandate by the United Nations Security Council (UNSC), or after the UNSC has agreed its own measures. This creates a situation in which the UN and the EU enact sanctions in parallel. One of the issues that research on sanctions has not yet ascertained is their relation to UNSC sanctions. What impact does the imposition of UN sanctions have on the behavior of the EU as a sender of sanctions? In the present paper, we seek to address this gap by exploring the impact of UN sanctions on EU sanctions enactment.

To this aim, we develop assumptions that relate the likelihood of the EU enacting measures in the absence or in the presence of UN sanctions to the nature of the objectives followed. Equally, we relate EU behavior in the easing, escalation and termination of its sanctions to the concurrent presence or absence of UN measures.

We test our hypotheses on a new data set on economic sanctions for the period 1989-2015 (EUSANCT) which integrates and updates existing sanctions data sets, thanks to which we obtain fresh results.