

Preface

At the time of this volume's publication, further rounds of economic sanctions have been imposed against Russia in response to the situation in Ukraine. Economic sanctions against Iran have been heralded as a success for supposedly bringing the Iranian government to the nuclear roundtable. And the general appeal of economic sanctions has grown as major developed States are under domestic pressure to avoid military involvement in foreign disputes, while they remain under an expectation to prevent the spread of global conflicts.

While the resort to economic sanctions in addressing foreign policy disputes has increased over years, and particularly since the end of the Cold War, it is now universally accepted that the imposition of economic sanctions, be they uni- or multilateral, have broad-ranging and often unintended effects on the targeted State's civilian population. Equally, it is also without question that States do, and should, have the right to impose economic sanctions in circumstances where the targeted State is a threat to the sanctioning State's security or to international peace and security. The increased use of sanctions in lieu of military measures has, and can, ensure that more peaceful efforts are taken to resolve international disputes before resorting to military means. But due to the dichotomy of realities between the need to impose economic sanctions and their harmful effects, it becomes all the more necessary that more discussions and efforts are had to ensure that economic sanctions programs are restrained by a legal order that ensures they are humane in their implementation and effects.

The aim of this volume is to canvas the varying arguments and opinions pertaining to economic sanctions and their relationship to human rights and humanitarian law, economic development, international judicial institutions, and the accountability of States and regional and international organizations. This volume is, in part, a production of a symposium held at The Hague Center for Law and Arbitration at the Asser Institute in The Hague in July 2013 on the topic of unilateral sanctions and international law featuring distinguished speakers, panelists, and government representatives—including from States that have used or been the target of economic sanctions—from over 40 countries. While the viewpoints expressed about the effectiveness and legality of economic sanctions at that

conference were diverse, the underlying common belief was nonetheless that international law should continue to serve as a baseline by which all coercive actions, including the imposition of economic sanctions, should be regulated. It is to that aim that the editors of this compilation seek to address and for which the authors of this compilation have graciously contributed.¹

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¹ The points of view that the authors have expressed here are their own and are not necessarily those of any associated institutions or of the editors themselves.

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Unilateralism, Multilateralism, Legitimacy, and
Consequences

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