

FOREWORD

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If I was asked to explain what led me to start dealing with what is commonly named “sanctions”, be that properly speaking sanctions or plurilateral/unilateral restrictive measures, I would answer by referring to a more general issue: understanding what works in pushing States and other relevant actors of the international society to bring their behavior in line with international law. Of course, sanctions are nowadays about much more than finding ways to foster compliance with international law, and clearly also have wider political, economic and strategic implications: see Erika Moret’s preface for an exemplification of the diverse goals for which sanctions may be adopted. Indeed, sanctions are not only functional to obtaining compliance with international law. Furthermore, part of the issues relate to sanctions *per se*, apart from their underlying purpose and legal basis, particularly whether, under which conditions and to what extent sanctions *work* – in relation to their target and to the intended aim. And even if sanctioning infringements of international law is the actual aim, the very violations that they are meant to respond to are not always clearly laid/spelled out, which would instead be highly desirable also in the case of sanctions targeting individuals.

The resort to plurilateral or unilateral “restrictive measures” or sanctions (economic, commercial, financial, targeted measures and so on), has at this point become a topical subject in the field of international relations. Its growing interest and relevance are also due to the fact that such measures, by States or regional organizations, are in the process of topping those decided by the Security Council of the United Nations. The institution, by the European Union, of a sanctioning mechanism of its own, and needless to say the unprecedented wave of packages of restrictive measures against Russia following its invasion of Ukraine, add to the topic's relevance. A bit like galaxies in outer Space ... sanctions too are expanding and accelerating at the same time.

The matter is however particularly complex, given the diverse issues

that it raises from a legal point of view, from a socio-economic angle, concerning *inter alia* the collateral economic effects and the technical modalities, and last but not least in a political perspective, including such important questions as the concrete impact of sanctions, their effects, the expected results and those that are actually attained. The combined legal-political issue of their legitimacy closes the circle.

Are plurilateral or unilateral sanctioning regimes, in some cases, a mere form of punishment rather than – if that is the case – a means for obtaining compliance with international commitments? Is the proliferation of unilateral/plurilateral sanctions the consequence, or a side effect, of a certain decline of United Nations sanctioning regimes, or the opposite? Is the increasingly frequent resort to sanctions affecting the international economic-financial system and in what ways? With what costs, for whom and how does this impact on an overall cost-benefit analysis? And when we look for effective tools, for example to react to serious violations of international law, is the almost exclusive focus on sanctions leading us to neglect other useful tools, perhaps ancillary rather than frontal, particularly in institutional contexts? For example, appointments for top posts, hosting or including in major international events, and the like.

The matter is also fraught with a number of serious and tricky issues of a more fundamental character. Sanctions are clearly a direct expression of the international system being – as all international law textbooks put it – a decentralised system. On the other hand, to some extent they also express the growing failure to implement multilateral mechanisms, beginning with the United Nations collective security machinery. Furthermore, given their inherent “decentralised” nature, plurilateral and even more so unilateral sanctions tend to be the prerogative of powerful states or other international actors possessing a similar leverage. This carries with it the risk of double standards: fully justified sanctions against Russia by several States and the EU for – to begin with – its involvement in occupation of Ukrainian territory as of 2014, but no sanctions at all – so far – against Israel or Israeli natural or legal persons, by the EU and those very States, for the occupation of the Palestinian territories, now approaching its 57th year ... (which issue is separate from and unrelated to the unjustified and brutal attacks waged by the Hamas movement against the South of Israel on 7th October 2023). There is also a clear need to proceed in a more orchestrated fashion, in order to avoid gaps that may well exist even within the same group of senders.

It is virtually impossible to try to gain a deeper understanding of such a complex and challenging reality without adopting a broader, holistic approach to sanctions, that is an interdisciplinary approach. And the list of

issues that need to be tackled within each one of the relevant areas is impressive.

As to the law: the legal basis or justification for unilateral restrictive measures, especially when adopted “in the general interest”; legitimacy/legality issues with regard to “counter-sanctions”; the relationship with the Security Council’s (properly speaking) sanctions; the new mechanism set up by the European Union, including its legal-institutional features and relevant aspects relating to its legitimacy under international law (special attention should also be paid to the formal motives/justifications underpinning specific decisions imposing restrictive measures); human rights implications of unilateral/plurilateral restrictive measures in relation to targeted individuals.

As to the economics: collateral economic effects, especially for the civilian population and key infrastructures and services; the actual economic/financial losses for the targeted State; the cost for the State resorting to restrictive measures and its economic actors (including the problem of “counter-sanctions”); the financial mechanisms that are used to impose restrictive measures; the latter’s impact on companies from third States (including European Union member States), especially with regard to secondary sanctions; the measures aimed at mitigating adverse effects on companies from third States; whether the restrictive measures actually hit the targeted State or its assets and relevant actors.

As to the politics: nature and logic of restrictive measures as a foreign policy tool; profile of the States/organizations that most often resort to unilateral restrictive measures and related implications; political tool versus legal tool; actual effects of restrictive measures on the targeted State’s behavior (and whether this is always a pertinent focus); whether restrictive measures actually hit the targeted State; whether the targeted State is invariably the right or the only right target; benefits in relation to costs; the problem of “counter-sanctions”; possible effects on the multilateral system resulting from the increased resort to unilateral/plurilateral restrictive measures; whether the latter are more or less effective compared to the Security Council’s sanctions/sanctioning regimes.

This book originates from a workshop that was held in Florence on 12–13 December 2021. I am particularly grateful to all those who contributed to the success of the workshop as well as to those who then accepted to contribute to this volume, including some who had not been able to make it to the workshop. Interestingly, given the interdisciplinary approach that inspired it, the workshop was organised by a multidisciplinary team, including myself and the co-editors of this book as chairs of the three multidisciplinary sessions, and, not least, thanks to the funding of the Depart-

ment of Economics of the University of Florence. Being myself an international lawyer and being fortunate enough to have my Department (of Economics) funding this book as well, together with the much appreciated financial support from the Law Department of RomaTre University, I can humbly say that our interdisciplinary experiment was not far-fetched after all. On the contrary, an interdisciplinary look now appears the more and more to be the only reasonable and fruitful way forward, at a time when “sanctions” and their rapidly developing ramifications are playing a significant part in re-shaping the dynamics of international relations.

PREFACE

Erica Moret

ABSTRACT: Sanctions have become the policy instrument of choice for many governments and regional organizations around the world in addressing breaches of international norms. While their use in tackling global peace and security has plateaued in recent years at the United Nations Security Council, the use of autonomous or unilateral sanctions has been growing exponentially in recent decades in tackling global challenges and emerging threats. This trajectory looks set to continue in the years, and probably decades, to come. Twenty after targeted sanctions were first created so as to minimise harms on ordinary civilians, the growing complexity of the contemporary compliance landscape poses new ethical, legal and practical considerations, which are explored from a variety of academic disciplines in this book.

SUMMARY: I. Introduction. – II. Rising complexity and costs associated with sanctions. – III. The global rise in autonomous sanctions use. – IV. Lower and middle income country use of autonomous sanctions. – V. Contested narratives. – VI. Effectiveness. – VII. Unintended consequences. – VIII. Conclusion.

I. Introduction

Sanctions have firmly entrenched themselves as a prominent tool of foreign and security policy in the contemporary political and economic landscape. Open any newspaper, or turn on any television news channel, and sanctions tend to figure centre stage on any given day. They impart an impact on almost every jurisdiction on earth. Most people originate from a country that either imposes sanctions, or has been the target of sanctions, at one point or another. Sanctions affect most sectors in significant ways – from international organizations (IOs), governments and law, to banks, private sector firms and non-governmental organizations (NGOs). Even areas that have long been immune to sanctions' reach on ethical grounds, such as sports and culture, are once again subject to their reach.¹ This ever popu-

¹Reuters, *IOC stands by sanctions against Russia and Belarus over invasion of*

lar, yet fiercely contested, instrument, is clearly here to stay for the foreseeable future.

Reasons for sanctions' popularity are clear. They can help to encourage a shift in direction on the part of a target's behaviour or curtail its access to vital resources.² They allow for flexibility in showing displeasure at another's actions. They can stigmatise targets through their "naming and shaming" function. They can be applied in ways that are typically less costly than military action and can represent a useful alternative or complement to diplomacy. Sanctions can be combined with other policy instruments in a variety of ways to heighten their chances of success.³ They can also be a useful leverage tool and a valuable way of showing solidarity with allies, as well as a means through which to demonstrate leadership in the global arena.⁴ They can punish a target for its misdemeanors, while making it pay for its actions.

At the same time, debates over the legality, ethics and legitimacy of sanctions are prominent in both scholarship and public debates. Legal scholars tend to disagree on the legality of autonomous sanctions,⁵ as well as the ways their use may affect International Humanitarian Law and Human Rights obligations. Others question whether they are compatible with states' obligations under the international treaties to which they subscribe (including the UN Charter as well as bilateral and multilateral trade agreements).⁶ Sanctions regimes are increasingly subject to disinformation campaigns seeking to delegitimise the tool, particularly those stemming from Russia.⁷ Also back in the spotlight are concerns over unintended humanitarian consequences – two decades after the creation of targeted sanctions that were intended to minimise negative impacts on civilians.⁸

Ukraine, 1 February 2023, available at <https://www.theguardian.com/sport/2023/feb/01/ioc-stands-by-sanctions-against-russia-and-belarus-over-invasion-of-ukraine>.

² Giumelli F., "New Analytical Categories for Assessing EU Sanctions", *The International Spectator: Italian Journal of International Affairs* (2010), 45, 3, 131-144.

³ Biersteker T.J., Eckert S.E., Tourinho M. (eds.), *Targeted Sanctions: The Impacts and Effectiveness of United Nations Action*, Cambridge University Press, 2016.

⁴ Taylor B., *Sanctions as Grand Strategy*, Routledge, 2010.

⁵ See, for example, Van Aaken A., "Introduction to the Symposium on Unilateral Targeted Sanctions", *AJIL Unbound* (2019), 113, 130.

⁶ De Vries A.W., Portela C., Guijarro-Usobiaga B., "Improving the Effectiveness of Sanctions: A Checklist for the EU", *CEPS Special Report* (2014), 95, November.

⁷ Canetta T., Danko V., Dukach Y. "Sanctions Do Not Work': Russian Disinformation Narratives About Sanctions in the EU, in Ukraine, and in Russia Itself", *euvsdisinfo.eu* (2023) available at <https://euvsdisinfo.eu/sanctions-do-not-work-russian-disinfo/>.

⁸ Moret E., *Time to Act: Harmonizing Global Initiatives and Technology-Based Inno-*

II. Rising complexity and costs associated with sanctions

The rising complexity of sanctions and other regulations, results in a confusing, costly and complicated compliance environment, fuelled by a number of drivers. First, is the rise in numerous, intersecting sanctions regimes (with a current gap in knowledge on cumulative intended and unintended impacts). Second, is the move away from carefully targeted measures (such as travel bans, asset freezes and arms embargoes) over the past ten years, to broader, sweeping measures targeting some countries' strategically important sectors, such as finance and energy.

Third, is the fact that sanctions are typically adopted alongside other related regulations, including counter-terrorism legislation, anti-money-laundering and countering the financing of terrorism (AML/ CFT) measures, Financial Action Task Force (FATF) listings, anti-corruption measures and export controls. Fourth, the dominance of the US Dollar (which is subject to US legislation the world over) in international finance further extends the reach of US sanctions. Fifth, is the US' use of extraterritorial measures (or secondary sanctions), which apply to individuals and entities outside of the US jurisdiction, even in the absence of any links to the country.

III. The global rise in autonomous sanctions use

Modern sanctions can take a number of forms, ranging from those adopted in the United Nations (UN) framework via a UN Security Council Resolution (UNSCR), to autonomous measures that supplement UN sanctions, to those adopted completely in their absence. The United Nations' use of sanctions has plateaued in recent years. In parallel, a number of countries have started employing autonomous restrictive measures with increased regularity: in an increasing variety of contexts; to tackle a growing number of challenges, and imposed against a mounting range of targets.⁹ These shifts have come hand-in-hand with multilateralism's crisis of legitimacy, at

vations Addressing De-Risking at the Interfacing Sanctions-Counterterrorism-Humanitarian Nexus, in Lohmann S., Vorrath J. (eds.), *International Sanctions: Improving Implementation through Better Interface Management*, Stiftung Wissenschaft und Politik (SWP), 2021, 74-82, available at https://www.swp-berlin.org/publications/products/arbeitspapiere/WP_International_Sanctions.pdf.

⁹ Moret E., *Unilateral and Extraterritorial Sanctions in Crisis: Implications of their Rising use and Misuse in Contemporary World Politics*, in Beaucillon C. (ed.), *The Research Handbook on Unilateral and Extraterritorial Sanctions*, Edward Elgar Publishing, 2021.

a time when cooperation across borders to tackle a broad range of international challenges has never been more pertinent.

Difficulties surrounding agreement on new multilateral sanctions regimes between the UNSC's Permanent members (P5), Russia, China, France, the United Kingdom (UK) and the United States (US), is a key reason for this rise in autonomous measures. Look no further than Russia's full-scale invasion of Ukraine in 2022, or the protracted crises in Syria and Venezuela, to see the weight placed on autonomous sanctions by wealthier, industrialised nations in addressing regional security challenges, conflicts and human rights abuses. Autonomous sanctions have been equally prominent in responses to resurgent threats like chemical weapons use (by Russia and Syria); emerging challenges like cyber security, or growing criminal enterprises, with dire human rights implications, such as modern slavery and human trafficking.¹⁰

The US is the most active and wide-ranging adopter of autonomous sanctions, which is amplified through the sizeable investigative and enforcement capabilities of the US Department of the Treasury's Office of Foreign Assets Control (OFAC). By the year 2020, the US was making use of more sanctions than the EU, UN and Canada combined; marked by some 70 sanctions programmes and the designation of around 10,000 persons (individuals, companies and other entities) around the world.¹¹

A new US-EU-UK-Canada "sanctions quad" has emerged as the norm in autonomous sanctions practice, often with similar measures imposed by a G7+ grouping, that (depending on the target) can include Australia, Japan, New Zealand, South Korea, Switzerland and Singapore. In many of these countries, sanctions capacity and resourcing has been bolstered and new sanctions units have been created over the past five years. This has particularly been the case since the intensification of sanctions against Russia since 2022 – again, marking the weight that is now placed on sanctions being used outside the UN framework. Adding to the mix, non-EU European countries tend to closely align with the EU's restrictive measures through a formalised alignment process, including Norway, Lichtenstein, Iceland and Ukraine.¹² While there is some harmonisation between auton-

¹⁰ Moret E., *What is the Role of Financial Sanctions in Tackling Modern Slavery and Human Trafficking?*, Finance Against Slavery and Trafficking Initiative (FAST), United Nations University Centre for Policy Research (UNU-CPR), 2022, available at http://collections.unu.edu/eserv/UNU:8896/UNU_FAST_FinancialSanctions.pdf.

¹¹ Demarais A., *Backfire: How Sanctions Reshape the World Against U.S. Interests*, Center on Global Energy Policy Series, 2022.

¹² Cardwell P.J., Moret E., "The EU, Sanctions and Regional Leadership", *European Security* (2022), June, available at <https://www.tandfonline.com/doi/full/10.1080/09662839.2022.2085997>.

omous this complicated web of sanctions laws and practices, major differences persist, which results in a raft of legal and regulatory risks for private sector actors and other organizations.

IV. Lower and middle income country use of autonomous sanctions

Regional organizations, such as the League of Arab States, the African Union, the Organization of American States (OAS), the Organization for Security Cooperation in Europe (OSCE) and the Economic Community of West African States (ECOWAS), have also made use of autonomous regional sanctions against their members in recent years.¹³ Even the Association of Southeast Asian Nations (ASEAN), which has long opposed the use of sanctions, recently made use of restrictive measures against one of its members (Myanmar).¹⁴ At the same time, a growing number of countries across Asia, Africa, the Middle East and Latin America are also starting to use (or have used) their own autonomous sanctions, some more transparently than others.¹⁵

Particularly notable is the regular use of sanctions by major non-Western economies that have historically opposed the use of autonomous sanctions. These include the cases of Russia (such as through halts to gas supplies and controls over agricultural trade with neighbouring countries)¹⁶ and China (such as controls over leadership visits and trade deals, state-led consumer boycotts and preferential tariffs).¹⁷ In 2019 and 2021, China went on to adopt legislation allowing for the use of Chinese auto-

¹³ Charron A., Portela C., *The Relationship between United Nations Sanctions and Regional Sanctions Regimes*, in Eckert S., Weiss T. (eds.), *Targeted Sanctions: The Impacts and Effectiveness of United Nations Action*, Cambridge University Press, 2016, 101-118.

¹⁴ Al Jazeera, “Myanmar Generals Banned from ASEAN until Peace Plan Progress”, 6 August 2022, available at <https://www.aljazeera.com/news/2022/8/6/myanmar-generals-banned-from-asean-until-peace-plan-progress>.

¹⁵ Eversheds Sutherland, “Global Sanctions Guide – Third Edition”, (2023), available at <https://ezine.eversheds-sutherland.com/global-sanctions-guide/>.

¹⁶ Moret E., Biersteker T., Giumelli F., Portela C., Veber M., Jarosz D., Bobocea C., *The New Deterrent? International Sanctions against Russia over the Ukraine Crisis: Impacts, Costs and Further Action*, Programme for the Study of International Governance, Graduate Institute, 2016, available at <https://repository.graduateinstitute.ch/record/294704?ln=en>.

¹⁷ Reilly J., “China’s Unilateral Sanctions”, *The Washington Quarterly* (2012) 35:4:121-133, Fall.

mous sanctions and measures to protect Chinese business interests from the extraterritorial reach of US sanctions.¹⁸

V. Contested narratives

The use of autonomous sanctions is described by Russia, China and a number of heavily sanctioned countries using the politicised term “unilateral coercive measures”.¹⁹ When they use autonomous sanctions themselves, however, these states tend to term them “countermeasures” or avoid terming them as sanctions, per se... In spite of this, the term is out-dated does not adequately describe the reality of sanctions’ contemporary use. With a few exceptions, very few sanctions regimes today are truly unilateral in nature.²⁰ Instead, autonomous sanctions use is increasingly “plurilateral” in nature (to borrow the term from the World Trade Organization or WTO) – often involving close coordination and alignment between 30 or more countries. The G7 also issued a statement in 2023 challenging the use of Economic Coercion used by other states.

VI. Effectiveness

Studies suggest that sanctions, when used strategically and judiciously, can sometimes play a useful role in addressing areas such as armed conflict, human rights abuses, the proliferation of weapons of mass destruction and respect for democracy.²¹ Particularly important is the way in which they are combined with other policy instruments, such as diplomacy, trade, defence and referrals to legal tribunals.²² Another important factor is collaboration between international partners: to close evasion routes; reduce cir-

¹⁸ ICLG, *Sanctions China 2023*, 2023, available at <https://iclg.com/practice-areas/sanctions/china>.

¹⁹ The same terminology is used in the mandate of the UN’s Special Rapporteur on Unilateral Coercive Measures, adopted on 26 September 2014 by the Human Rights Council through resolution 27/21 and Corr.1 on human rights and unilateral coercive measures and renewed on October 2020, through HRC resolution 45/5.

²⁰ Which, according to the Cambridge Dictionary, describes “the process or fact of deciding a policy or action without involving another group or country”. See, “Unilateralism”, (2022), available at <https://dictionary.cambridge.org/dictionary/english/unilateralism>.

²¹ See, for example, assessments on UN sanctions effectiveness, in the UN Sanctions App (www.unsanctionsapp.org).

²² *Ibidem*.

cumvention, and coordinate new listings. The degree to which a given sanctions regime is targeted is another important consideration in how effective they are. Recent studies show that a single type of sanction on its own is never effective, nor is a full-blown embargo.²³ Instead, the optimal level appears to sit at three to four measures, which include some sectoral bans, excluding those on a country's energy sector.²⁴ At a time of increased sanctions adoption, most states and organizations do not yet have a way to systematically monitor or assess the impacts and efficacy of their sanctions regimes, including those imposed collectively.

VII. Unintended consequences

A rise in concern over unintended humanitarian consequences is another feature of the contemporary sanctions' scene. This is in spite of the best efforts of policymakers to mitigate such risks through various policy interventions and progress made since December 2022, with the creation of humanitarian carveouts across all UN sanctions regimes and many of an autonomous nature.²⁵ In parallel to these landmark steps forward on humanitarian exemptions, further attention is needed to curb and mitigate financial sector derisking and wider private sector over-compliance. This refers to mounting reluctance experienced among banks and other firms in providing services to the private and non-for-profit sectors seeking to operate in, or trade with, heavily sanctioned jurisdictions, due to a combination of compliance and reputational risks, lack of financial incentives and untenable resourcing burdens.

Banking derisking, in particular, places a range of constraints on humanitarian actors, such as in Syria and Afghanistan,²⁶ including increased bureaucracy, costs, delays and difficulty accessing functioning banking channels or accounts.²⁷ Furthermore, it can contribute to financial exclu-

²³ *Ibidem.*

²⁴ *Ibidem.*

²⁵ UNSCR 2664, available at <http://unscr.com/en/resolutions/2664>, and introductions of General Licences across US autonomous sanctions available at <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20221220>, with further details in FAQs 1105 to 1108, available at <https://home.treasury.gov/policy-issues/financial-sanctions/faqs/added/2022-12-20>.

²⁶ Moret E., *Life and Death: NGO access to financial services in Afghanistan*, Norwegian Refugee Council, January 2022, available at https://www.nrc.no/globalassets/pdf/reports/life-and-death/financial-access-in-afghanistan_nrc_jan-2022.pdf.

²⁷ Dahler J., Moret E., *Invisible Sanctions: How Over-compliance Limits Humanitari-*

sion and the weakening of resilience among vulnerable communities,²⁸ including through constraints on the sending of diaspora remittances.²⁹ It can also contribute to a rise in inflationary pressures, which in turn can reduce purchasing power and push up the cost of basic goods.³⁰ The phenomenon of de-risking has been recognised as such a fast-growing problem that organizations such as the International Monetary Fund (IMF), World Bank, Financial Stability Board (FSB) and FATF have called for urgent, new measures to tackle the problem.³¹

VIII. Conclusion

The increasing complexity of legislative frameworks governing autonomous sanctions use presents novel legal, normative and compliance challenges. The explosion in plurilateral autonomous sanctions use means there is a heightened need for thinking on how best to apply, enforce and lift³² sanctions as a concerted and harmonised strategy, as well as finding collective ways to better avoid unintended consequences. This is particularly the case with measures that are of a broad, sectoral nature or when multiple autonomous and multilateral sanctions regimes overlap with one another, and with related regulations, with (as yet) poorly understood consequences. An added risk is

an Work on Syria, IMPACT, 2020, available at <https://www.impact-csr.org/invisible-sanctions/>; Walker J., “Risk Management Principles Guide for Sending Humanitarian Funds into Syria and Similar High-risk Jurisdictions”, 2020, available at <https://www.graduateinstitute.ch/index.php/communications/news/compliance-dialogue-syria-related-humanitarian-payments>.

²⁸ Pelter Z., Teixeira C., Moret E., “Sanctions and their Impact on Children”, UNICEF, February 2022, available at <https://www.unicef.org/globalinsight/media/2531/file/%20UNICEF-Global-Insight-Sanctions-and-Children-2022.pdf>.

²⁹ Moret E., “A lifeline under threat? Syrian household remittances in light of sanctions, de-risking, the Covid-19 pandemic & regional developments”, UN-ESCWA, National Agenda for the Future of Syria (NAFS) Phase II, 2022, available at <https://nafs.unescwa.org/sites/default/files/2023-02/A%20Lifeline-under-Threat-EN-Web.pdf>.

³⁰ Batmanghelidj E., “The Inflation Weapon: How American Sanctions Harm Iranian Households”, Fourth Freedom Forum, 2022, available at https://sanctionsandsecurity.org/wp-content/uploads/2022/01/2022-January-Iran-Case_Batmanghelidj.pdf.

³¹ Moret E., “More Civilian Pain than Political Gain (Again?): The Demise of Targeted Sanctions and Associated Humanitarian Impacts”, in Charron A., Portela C. (eds.), *Multilateral Sanctions Revisited: Lessons Learned from Margaret Doxey*, McGill Queen’s University Press, 2022.

³² Hudáková Z., Biersteker T., Moret E., “Sanctions Relaxation and Conflict Resolution: Lessons from Past Sanctions Regimes”, Carter Center, October 2021, available at https://www.cartercenter.org/resources/pdfs/peace/conflict_resolution/sanctions-relaxation-10-2021.pdf.

that sanctions between the world's two economic powerhouses, the US and China, are likely to become a new battleground of economic statecraft in the years to come. Additional risks are associated with the creation of alternative financial systems, payment pathways and a rise in retaliatory countermeasures.³³

With over 20 years having passed since the Bonn-Berlin, Interlaken and Stockholm Process of the early 2000s, which led to the creation of targeted sanctions, careful reflection is vital on how the UN, states and regional organizations can continue using sanctions in the decades to come in a way that adapts – judiciously and ethically – to technological, financial and geopolitical change.³⁴ Also fundamental are assessments on the intended and unintended impacts of sanctions by those who make use of them, to allow for risks and negative consequences to be minimised and mitigated, not only reactively but also preventatively. Academia can contribute to this process. The far-reaching and multi-faceted nature of sanctions lends them to be studied from a multiplicity of academic angles – from political science and international relations, to economics and history, to human geography and environmental science, and to social anthropology and public health. It is for this reason that this book, which approaches sanctions legality and effectiveness from a variety of academic perspectives, marks an important and timely contribution to the literature.

³³ Demarais A., *Backfire: How Sanctions Reshape the World Against U.S. Interests*, Center on Global Energy Policy Series, 2022.

³⁴ This is the focus of a new international stakeholder engagement at Wilton Park, UK: “Advancing Humanitarianism through Sanctions Refinement or AHSR”, launched in 2022, available at <https://sanctionsreformproject.org/about/>.