

2. Enhancing national-level capacity

Sanctions must ultimately be implemented and enforced by the member states of the sanctioning body. As was previously noted, states differ in their willingness and ability to perform these tasks. Some states lack the clear legislative and executive procedures which would enable the efficient implementation of UN-mandated sanctions. Doxey notes that a proposal has been made to elicit general information from states about their sanctions procedures.⁸⁰ As a low-cost precursor to more constructive action, this proposal should certainly be followed up.

States must also do a better job of providing the secretariat with information about their concrete efforts to carry out specific sanctions. Currently, only a small number of states provide purportedly full disclosures of their efforts in this area. Many countries find these reporting requirements irritating and presumptuous, and admit that there is not much that they can do to prevent their exporters from trying to circumvent trade sanctions. While this criticism points to the paramount significance of enforcement at the border of a target state, it also indicates a lack of appreciation among member states for the role which the UN secretariat plays in coordinating sanctions efforts.

The Security Council must recognize that it, too, will have to make an effort in order to enhance states' capacities to carry out sanctions. Promising ideas include the development of model sanctions legislation for member states, and careful attention to the crafting of clear, explicit resolutions which address, rather than evade, issues which states find ambiguous (e.g. what constitutes a legitimate humanitarian exemption.) These reforms would give states a better idea of what is expected of them when they are asked to implement sanctions.

As this study has made clear, however, procedural changes can only marginally increase the likelihood that states will cooperate fully in the implementation and enforcement of sanctions. Given that states are usually not willing to censure or punish other states for their failure to enforce collective measures, the best ways to elicit cooperation are: to ensure that the sanctions are viewed as fair, humane, and potentially effective; to monitor implementation through the use of UN ground personnel in states bordering the target; to publicize violations in the media; and to ensure that the substantive concerns of third states affected by sanctions are addressed in meaningful ways.

3. Monitoring and enforcement

Where states are unable or unwilling to effectively enforce sanctions against a neighbour, the international community must provide assistance. The most noteworthy and effective example of this was in the case of the former Yugoslavia, in which UN sanctions assistance missions

⁸⁰ Doxey, United Nations Sanctions: Current Policy Issues. pp.28-29.