Yanakaieva K.M.,

Ph.D. student,

National University «Law Academy of Ukraine named after Yaroslav Mudryi»

## CAUSES AND CONSEQUENCES OF ECONOMIC SANCTIONS UNO DURING THE 1990-1998 (IRAQ AND LIBYA)

For a long time it was commonly believed that sanctions were a human alternative to war. Former US President Woodrow Wilson stated in 1919: «A nation that is boycotted is a nation that is in sight of surrender. Apply this economic, peaceful, silent, deadly remedy and there will be no need for force».

But during the 1990s the UN dramatically increased its imposition of sanctions' regimes, leading some scholars and political actors to label this period as the «sanctions decade». Between 1945 and 1990 the UN Security Council had imposed multilateral sanctions only twice, while in 1990s they were applied in sixteen cases. During this «decade» sanctions have come under harsh criticism. In countries like Iraq and the Libyan Arab Jamahiriya, sanctions proved far more «terrible» than «peaceful».

There was substantial damage caused in the humanitarian, economic and social spheres by the coercive and unjust measures taken against the Libyan Arab people under Security Council resolutions 748 (1992) and 883 (1993) that imposed aviation and arms embargoes on Libya, as well as restrictions on Libyan diplomatic and airline offices abroad and include a freeze on some Libyan assets abroad, tightening of the aviation embargo and banning of certain types of equipment used at oil transportation terminals and refineries. As a result, all infrastruc-

ture development programmes and plans have been adversely affected, thereby dashing the hopes and aspirations of the Libyan people to achieve progress, development, stability, security and peace.

The sanctions against Iraq are the most comprehensive, total sanctions that have ever been imposed on a country. The situation at present is extremely grave. The transportation, power and communication infrastructures were decimated during the Gulf war, and have not been rebuilt owing to the sanctions. The industrial sector is also in shambles and agricultural production has suffered greatly. As has been documented by United Nations agencies, NGOs, humanitarian and human rights organizations, researchers and political leaders, the sanctions upon Iraq have produced a humanitarian disaster comparable to the worst catastrophes of the past decades. There is a broad controversy and little hard evidence concerning the exact number of deaths directly attributable to the sanctions; estimates range from half a million to a million and a half, with the majority of the dead being children. It should be emphasized that debates around the number of deaths serve only to obfuscate the fact that any deaths caused by the sanctions regime indicate grave breaches of humanitarian law.

These cases points to serious problems in the traditional theory of economic sanctions. Beginning in 2000, the UN Security Council attempted to minimize the adverse effects of UN economic sanctions on innocent populations, to subject sanctions regimes to regular reviews, and to eliminate the adverse effects of

sanctions on third parties. As a result, smart, or «targeted», sanctions were meant to ameliorate these difficulties by concentrating the hardships imposed by sanctions on the governing elites in the offending country.