University of Nairobi
Institute of Diplomacy and International Studies.

Enforcing UN Sanctions: An Analysis Of Charcoal Trade In Somalia

Jacqueline Owigo
( R50/68937/2011)

A research project submitted in partial fulfillment for the degree of Master of Arts Degree in International Studies of the Institute of Diplomacy and International Studies, University of Nairobi

2013
DECLARATION

This research project is my original work and has not been submitted for an award of a degree in any university.

Signed_____________________________________________Date_________________

Jacqueline Owigo
R50/68937/2011

This research project has been submitted for an examination with my approval as university supervisor.

Signed________________________________________Date____________________

Dr. Ochieng Kamudhayi
DEDICATION

This research project is dedicated to God for making it possible and my family for their moral support.
ACKNOWLEDGEMENT

My special thanks go to God for giving me good health, provision and strength throughout the entire course.

To Kobe, Himish and Abdi thank you for the invaluable insights on Somalia affairs. To Jonas, Olish and Josephine thanks a lot for making sure I had all I needed to keep the fire burning. To Silas you are truly God sent. Thank you.

I would also like to thank my supervisor, Dr. Ochieng Kamudhayi, for his support and guidance. His insightful and valuable comments and ideas were of immense help during the writing process, and the positive feedback he provided served to keep me focused and motivated.

A special appreciation goes to the entire staff at Institute for Diplomacy and International Studies (IDIS) and my MA classmates who have made my two years of postgraduate studies so interesting and enjoyable.
ABSTRACT

The study was about enforcing UN Sanctions; an Analysis of the ban in Charcoal trade in Somalia. Specific objectives were; to analyze charcoal trade in Somalia and establish if the UNSC ban on charcoal exports has been successful in attaining its objectives which was to deny Al-Shabaab cash flow from the charcoal exports, establish the key determinants in ensuring sanction efficacy and offer recommendations that will contribute to sanctions effectiveness in the case of Somalia. Statement of the problem; Sanctions are usually imposed on actors perceived to be breaking the norms. There has been a shift to the use of targeted or smart sanctions instead of the comprehensive sanctions which have been found be catastrophic on humans. Al-Shabaab has been an impediment to the peace process in Somalia and they have waged war and terror on the vulnerable Somalia people and impacting the international security. Charcoal trade is believed to be one the sources of funding for Al-Shabaab. Data collection method was through unstructured interview for primary data. Sampling population was 80 and sample size 30, chosen purposively by the researcher. Key findings include; political and economic costs to the target should be greater than the political and security costs of complying with sanctions demands. For a successful sanction effort, the cost of defiance borne by the target must be greater than its perceived cost of compliance. The sanctions imposed in Somalia has suffered challenges as a result of the defiance costs to the target being lower making them more defiant hence managing to adapt to the sanctions. The findings indicate that international support for sanctions is supposed to curb the target’s options for circumvention. Monitoring experts have also expressed their frustrations due to lack of cooperation between them and the sanction regimes or some member states. Leaders of non democratic regimes can withstand sanctions better compared to their democratic counterparts. Conclusion, sanctions need to be thought out prior to their use. Clear cut goals and objectives must be defined and communicated to the target country. Furthermore, a potential target country's economic and political situation must be analyzed to determine whether or not sanctions would be effective. Recommendation’ need for significant international cooperation, tree planting campaigns and negotiation with Al Shabaab, Tackle the issue of governance and capacity building.
LIST OF ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMISOM</td>
<td>African Union Mission in Somalia</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>GCC</td>
<td>Gulf Cooperation Countries</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>GNP</td>
<td>Gross National Product</td>
</tr>
<tr>
<td>HSM</td>
<td>Harakat Al-Shabaab Al-Mujahideen</td>
</tr>
<tr>
<td>IGAD</td>
<td>Intergovernmental Authority for Development</td>
</tr>
<tr>
<td>IGO</td>
<td>International Governmental Organisation</td>
</tr>
<tr>
<td>KDF</td>
<td>Kenya Defence Forces</td>
</tr>
<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
</tr>
<tr>
<td>NGO</td>
<td>Non Governmental Organisation</td>
</tr>
<tr>
<td>TFG</td>
<td>Transitional Federal Government (of Somalia)</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>US</td>
<td>United States</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>USA</td>
<td>United States of America</td>
</tr>
<tr>
<td>USSR</td>
<td>Union of Soviet Socialist Republics/Soviet Union</td>
</tr>
<tr>
<td>UNSC</td>
<td>United Nation Security Council</td>
</tr>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>HoA</td>
<td>Horn of Africa</td>
</tr>
<tr>
<td>IGAD</td>
<td>Inter-governmental Authority on Development</td>
</tr>
<tr>
<td>EAC</td>
<td>East Africa Community</td>
</tr>
<tr>
<td>UAE</td>
<td>United Arab Emirates</td>
</tr>
</tbody>
</table>
TABLE OF CONTENT

DECLARATION ........................................................................................................................ i
DEDICATION........................................................................................................................... ii
ACKNOWLEDGEMENT......................................................................................................... iii
LIST OF TABLES ..................................................................................................................... ix
LIST OF FIGURES .................................................................................................................. x

CHAPTER ONE
UN SANCTIONS AND CONFLICT RESOLUTION
1.1 Introduction .................................................................................................................. 1
1.2 Statement of research problem ...................................................................................... 3
1.3 Objective of Study ........................................................................................................ 4
1.4 Justification ................................................................................................................... 5
1.5 Definition of key terms ................................................................................................. 7
1.6 Theoretical framework .................................................................................................. 8
1.7 Literature review ......................................................................................................... 14
1.9 Research methodology ................................................................................................. 24

CHAPTER TWO
SANCTIONING TOOL -SHIFTING PARADIGM FOR SUCCESS
2.1 Introduction ..................................................................................................................... 32
2.3 Beyond the Comprehensive Sanctions Model ................................................................. 34
2.5 UN sanctions and the various conflicts ........................................................................ 38
2.6 Key Sanctions Actors .................................................................................................. 43
2.7 Varieties of Targeted Sanctions .................................................................................... 48
  2.7.1 Arms sanctions/embargoes .................................................................................... 49
  2.7.2 Travel Sanctions .................................................................................................... 50
  2.7.3 Aviation Sanctions ............................................................................................... 50
  2.7.4 Assets Freeze ........................................................................................................ 50
  2.7.5 Commodity Sanctions .......................................................................................... 51
  2.7.6 Luxury Goods ....................................................................................................... 52
CHAPTER THREE
AN ANALYSIS OF CHARCOAL TRADE IN SOMALIA

3.1 Introduction.........................................................................................................................60
3.2 Al Shabaab Charcoal Exports in 2011-2012 .................................................................62
3.3 Main markets for Somalia Charcoal.................................................................................64
3.4 Al Shabaab Charcoal for Sugar Trade cycle and taxation for ports and villages ...........65
3.5 UN Security resolution 2036 and its objectives.................................................................69
3.6 Sanctions Obligations for member states ........................................................................70
3.7 Impact of Charcoal trade on environment ........................................................................73
3.8 Lack of government capacity and communities to enforce ban ........................................74

CHAPTER FOUR
DATA ANALYSIS, INTERPRETATION AND PRESENTATION

4.1 Introduction.........................................................................................................................77
4.3 Critical analysis of the secondary data...........................................................................83
  4.3.1 Companion policy measures......................................................................................83
  4.3.2 International Cooperation .........................................................................................86
  4.3.4 Friends supporting the target...................................................................................88
  4.3.5 Prior relations between sender and Target .................................................................90
  4.3.6 Target’s level of democracy .....................................................................................91
4.4 Economic Variables..........................................................................................................92
  4.4.1 Estimating the economic costs to targets.................................................................92
  4.4.2 Country size and trade linkages and type of sanctions used ..................................93
4.5 Conclusion.........................................................................................................................93
CHAPTER FIVE
SUMMARY CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction ..................................................................................................................... 95
5.2 Summary of Findings ........................................................................................................ 96
5.3 Discussion of findings based on Specific Objectives and Hypothesis ......................... 97
  5.3.1 Need for international support ................................................................................... 97
  5.3.2 Target’s level of Democracy ....................................................................................... 98
  5.3.3 Type of sanction used ................................................................................................ 99
  5.3.4 Cost to target and allies supporting target ................................................................. 99
  5.3.4 Prior relations with the target and role of military ..................................................... 101
5.4 Conclusion ..................................................................................................................... 101
5.5 Recommendations ......................................................................................................... 103

BIBLIOGRAPHY ................................................................................................................... 108

APPENDIXES ........................................................................................................................ 115

Appendix 1: Questionnaire on enforcing United Nations’ charcoal ban in Somalia .......... 115
  Appendix 2: Unstructured interview guide/ topics about enforcing United Nations’ charcoal
  ban in Somalia ....................................................................................................................... 118
Appendix 3: Map showing political situation in Somalia ..................................................... 120
Appendix 4: Map showing regions in Southern Somalia ...................................................... 121
LIST OF TABLES

Table 1; Showing the choice of sample size ................................................................. 27
Table 1:2 Illustration of success equation ................................................................. 54
Table 1.3: Illustration of level of success with UN charcoal ban in Somalia .............. 79
Table 1.4 Illustration of the response on the determinant for successful UN sanctions ....... 80
LIST OF FIGURES

Figure 1.1 Pie chart representing responses on success of UN charcoal ban ..................78
Figure 1.2 Percentage representation of determinants of successful ban ......................81
CHAPTER ONE

1.0 UN SANCTIONS AND CONFLICT RESOLUTION

1.1 Introduction

The United Nations (UN) Organization as an international institution with global mandate and responsibilities over international affairs, leads measures in maintaining global peace and security. The imposition of sanctions against states deemed to contravene norms of international community has increased sharply since the end of the Cold War. Between 1945 and 1990, there only occurred two instances of UN authorized sanctions; against Southern Rhodesia (now Zimbabwe) in 1966 and South Africa in 1977. But since the 1990’s, a period that marked the end of the Cold War, the use of sanctions in diplomacy have increased drastically to largely deal with internal conflicts in states which have been tagged “failed states”, such as Somalia, Iraq, North Korea, Sierra Leone, Angola, Congo and Haiti.

The UN, as the global body is mandated through its Security Council under chapter VII of the UN charter which provides for coercive measures to be employed against states or entities, such as terrorist groups who are regarded as norm breakers. One such coercive measures of the UN is the recourse to sanctions. The wisdom behind sanctions is that if the economic lifeblood of a state or a group is cut off or seriously hampered, it will be forced to modify its behavior without the need for military intervention. For this purpose, economic sanctions have become an attractive alternative in the sense that UN, seeking to
avoid the use of military intervention. For instance, in South Africa, during the era of apartheid, the UN approved sanctions which were considered to having contributed to the end of white minority rule in that country in 1994. The use of sanctions against Libya over the Lockerbie bombing and its nuclear programme 1992, forced the government of Gaddafi to abide by the international norms.¹ The UN sanctions on Iran and North Korea however failed to stop them from abandoning their nuclear programmes, but these sanctions have seriously damaged the economies of the two countries. In this case therefore, sanctions have not been generally effective. Indeed not, all sanctions on the whole can be generally considered effective and at times they have been seen as faulty and unreliable means of settling issues in the international system level.

In looking at the reasons which led to the enforcement of the UN ban on charcoal export in Somalia, one will see that the UN, through its Security Council clearly saw the need to starve Al-Shabaab militia group of the financial capacity to wage war. The influence of Al Shabaab, as well as its perceived damaging and in human behaviors, be it in Somalia or across the borders of Somalia has continued to be an impediment to the peace process. The international community has therefore persistently linked it to varying atrocities and terrorist activities within Somalia and in the neighboring states. This group has not only become a problem to the peace and security of Somalia, but it has equally been a threat to the international security as well.² The export trade on charcoal, in effect was identified as the backbone of Al-Shabaab revenue. The need to stem cash flow to this

---

group was therefore manifested in the imposition of these sanctions. Secondly, Somalia over the years has seen a deteriorated environment as a result of this trade, which was exacerbated due to the need to sustain cash flow for Al Shabaab activities and also provide a source of livelihood for the Somalia people. It is believed that the need to salvage the environment was seen as another reason for the ban on the charcoal trade, even though this second reason is deemed lesser than the first. The Al Shabaab threat is a real factor, it is seen as reason behind the charcoal ban by the world body to diminish this threat.

1.2 Statement of research problem

Concept of sanctions has been used as a blunt tool of diplomacy since the times of the ancient Greek. Sanctions imposed at the international level have increased significantly since post cold war. Sanctions are usually imposed on actors perceived to be breaking the norms. There has been a shift to the use of targeted or smart sanctions instead of the comprehensive sanctions which have been found be catastrophic on humans. Al-Shabaab has been an impediment to the peace process in Somalia and they have waged war and terror on the vulnerable Somalia people and impacting the international security. Charcoal trade is believed to be one the sources of funding for Al-Shabaab.

The Former government of Said Barre which fell in 1990 coup had banned the export of charcoal and imposed stiff penalties on violators. After the death General Aideed in

\[Nijhoff\ M (1994).\ International\ economic\ law\ and\ armed\ conflict\ (edited\ by\ H.\ H.\ G.\ Post)\ pg\ 125\]
1996 charcoal export soared. It is reported that a bag of charcoal currently fetches $10 or more in Gulf States that have banned their own production of charcoal to prevent deforestation in their countries\(^4\) hence proving to be a lucrative business in Somalia. The aim of this study is focus on the UNSC resolution 2036 which banned charcoal exports from Somalia. By using a sanction efficacy framework, the researcher identified the key determinants for an effective sanction implementation and analysed whether it has been effective or not by identifying challenges being faced in implementing it. This study was guided by the following pertinent questions; what are the determinants of an effective sanction? and what are they key lessons learnt?

1.3 Objective of Study

The purpose of this study is to establish whether the United Nations Security Council (UNSC) resolution 2036 which banned the trade of charcoal has been effective in addressing the threats imposed by Al Shabaab.

1.3.1 Specific objectives of the study

- To analyze charcoal trade in Somalia and establish if the UNSC ban on charcoal exports has been successful in attaining its objectives which was to deny Al-Shabaab cash flow from the charcoal exports.
- To establish the key determinants in ensuring sanction efficacy.

• To offer recommendations that will contribute to sanctions effectiveness in the case of Somalia.

1.4 Justification

Conflicts can also contribute to sanction ineffectiveness as there are various factors involved, some who are determined to exacerbate the conflict to ensure they benefit themselves. Lack of a proper governance and political instability in the targeted regime would result to an environment that may lead to difficulty in implementation of the sanctions and also sanction bursting where alternative means have been sought to as experienced in South Africa, Iraq and Somalia.

The United Nations (UN) ban on the export of charcoal in Somalia has led to varying reactions on the effectiveness and usefulness of sanctions in the international system. The implementation of these sanctions has been observed to be ineffective. Some analysts observe that the over reliance of the UN on its member states to make this sanctions workable has not worked. This means the UN may have actually imposed sanctions that do not widely meet international consensus in reality.

Clearly, the trade on charcoal export has not stopped. It has even been observed that the volume of charcoal export has even increased. But on the other hand, Al Shabaab has been put out of business in the port city of Kismayo, this on its own has been viewed as a major setback to the group. How about the turn over to Al Shabaab, in term of funds from the trade? It is estimated that the cost of charcoal has even astronomically increased, which may suggest that the anticipated effect of the ban on the charcoal export on the
group may not have been achieved. It should also be mentioned here that the group has access to ports in areas they control and its business as usual for them.

The United Nations (UN) has sanctions committees which are now developed to implementation of regimes. There has also been an increased use of panel of experts to monitor/monitoring mechanisms used. The first panel established was used to monitor arms embargo in Rwanda in 1995\(^5\). Others have been formed to ensure the sanctions in place are not being violated. This includes panels for Sierra Leone, Afghanistan and Liberia. In light with these developments Non-Governmental Organization’s (NGO’s) are increasingly taking an active role in exposing those who violate the sanctions might have on the population. Implementation also depends on domestic governments and how they regulate private actors\(^6\).

The study aims to provide additional information and analysis to the gap in literature on importance of designing efficient and workable sanctions taking into account the cultural and historical characteristics of a target. There lacks a clear distinction in literature on the types of authoritarian regimes which have been sanctioned. This study will also offer useful recommendations for more effective sanctions implementation especially when dealing with collapsed states such as Somalia. In the same vein, Somalia’s conflict has evolved over the years and the UN initially had to impose an arms embargo which was imposed during the civil war in 1992.

\(^6\) Alex Vines’ *Effectiveness of UN and EU Sanctions*’ *International Affairs*. Volume 88, Issue 4, pp875
An understanding of this will enable the policy markers formulate proper frameworks to ensure sanctions adhere to certain set standards which will ensure efficacy and also meet the objectives of the sender. This research will also contribute to the existing knowledge of sanctions implementation and design.

### 1.5 Definition of key terms

This section provides definitions for key terms that are used across the project

#### 1.5.1 United Nations (UN)

The UN is a world international organization with the mandate with a variety of responsibilities and tasks, ranging from serving as the ultimate arena for diplomatic relations among sovereign states to being entrusted with the trying duty of maintaining international peace and security.7

#### 1.5.2 Sanctions

The term ‘sanctions’ can be used to describe action which aims to place physical restrictions upon the ability of a target to engage in the use of force itself, or to depict action which seeks to restrict the target’s freedom in other respects, such as in relations of an economic, financial, diplomatic or representative, sporting or cultural nature.8

Throughout this study I use the term “sanctions” to refer to a broad group of actions that states take against one another. I focus on actions taken by a “sender” state that limit economic linkages with a “target” state, including individuals living in the target state as well as companies that do business there.

---

7 Article 7(1) of the UNC established the following principal organs: the General Assembly; the Security Council; the Economic and Social Council; the Trusteeship Council; the International Court of Justice and the Secretariat.

1.5.3 Charcoal ban export

This is the restriction imposed on the exportation of Somalia charcoal by the United Nations Security Council (UNSC).

1.5.4 Effectiveness

This is the achievement of the intended target or objective. In this case, it refers to the extent in which the UNSC ban of the Somalia charcoal export has been achieved its objective which is to deny Al Shabaab a source of income.

1.6 Theoretical framework

In explaining this research work two theories will be used; the theory of multilateralism and the theory of economic sanctions. There is a correlation between these two theories as they both depend on institutionalized corporations and shared interests in order for sanctions to be effective. Punishment model theory; despite extensive and ongoing debate about economic sanctions, policy makers disagree about their effectiveness. The most basic way of judging sanctions effectiveness has been the punishment model. This predicts that sanctions will work if they credibly and sustainably impose costs that outweigh the target state’s expected gains from its behavior. In that light, sanctions aim to reduce the target state’s economic welfare. Key to the model is its assumption that the target state will face the consequences and bears the cost of sanctions and decides

---

whether to change course. The punishment model focuses on the economic impact of sanctions, identifying aggregate income lost as the critical gauge of sanctions intensity.\textsuperscript{11} As a result, successful sanctions will be those that have a high toll on the target state’s national income. If that toll exceeds the target state’s expected gains from its current behavior, the target state, it is assumed, will comply with the sanctioner’s demands. This model leaves little room for negotiation and often relies on the threat of even more severe sanctions or military force. This model predicts that the sanctioner will not accept outcomes short of full compliance.\textsuperscript{12}

1.7.1 Theory of Economic Sanctions

Economic sanctions involve measures that aim to prevent the flow of commodities or products to or from a target. One of the challenges for research on economic sanctions is that there is no common accepted definition in the literature. Some definitions are broad and encompassing; some are narrow; some, as Kim Richard Nossal laments, “idiosyncratic often sloppy.”\textsuperscript{13} The important elements this definition seeks to highlight is that, first; this is a coercive act, secondly; that the instrument is economic. The basic theoretical debate under this theory is often between traditionalists and revisionists. Traditionalists see efficacies in sanctions while revisionists believe that sanctions have the likelihood of failure. Revisionists like Henry Bienen and Robert Gilpin who accept the nearly unanimous conclusion of sanctions that sanctions seldom achieve their purchase

\textsuperscript{11} Ibid


\textsuperscript{13} Nossal K, \textit{International Sanctions as International Punishment}, \textit{International Organisation} (43 Spring 1989) pg 304
and more likely to have severe counterproductive consequences. In the same vein, Charles Kindleberger posits that most sanctions are not effective.\textsuperscript{14} The works of revisionists like M. S Daoudi and M. S Dajani conclude that sanctions are useful and effective political weapons in international politics.\textsuperscript{15} Elizabeth Rogers has made it clear that economic sanctions are more effective than what most analysts suggest.\textsuperscript{16} The revisionists, it will seem relate the theory of economic sanctions to economic statecraft.

Just as it is with the definition, there is huge variation in the literature in the terms of conceptualization of the objectives of sanctions. Consistent with the purposes of this paper, my focus will be on those objectives that relate most directly to conflict prevention, conflict resolutions and conflict management. Additionally my interest will also focused on effectiveness of these sanctions. Apart from the damage which the charcoal trade has had on the environment, the main target of the UN sanction on charcoal trade is Al-Shabaab’s group. Here the effort is to contain, to limit its military and other relevant capabilities so as to constrain its capacity for causing conflicts. The believe is that this sanctions will deter or compel the Al Shabaab to refrain from or cease military or other aggressive actions.

The working definition of this concept portrays that it is a coercive bargaining strategy meaning, that sanctions both have economic impacts and also convey political credibility. According to Bruce Jentleson sanctions need to hurt. The target state, or in this case the target entity the Al-Shabaab and its related associates need to feel their

\textsuperscript{14} Jentleson Bruce W. \textit{Economic Sanctions and Post-Cold War Conflicts: Challenges for Theory and Policy} pg 123
\textsuperscript{16} Elizabeth S. Rogers, Using Economic Sanctions to Control Regional Conflicts,(Security Studies,5) pg72
economic impact if and when imposed. The theory of economic sanctions is challenged by the frequent cause of the failure of sanctions through the activities of states acting as alternative trade partner for the target state or entity. This is in line with the position of Albert O Hirschmann who stated in his classic 1945 work, *National Power and the Structure of Foreign Trade*, “A country menaced with the interruption of trade with a given country…has the alternative of diverting trade to a third country; by so doing it evades more or less completely the damaging consequences of the stoppage of trade with one particular country. The stoppage or the threat of it would thus lose all its force.” Another dimension that can challenge the theory of economic sanctions is the defense capacity of the target state or entity.

### 1.7.2 Theory of Multilateralism

Multilateralism can be defined as international governance of the ‘many’ according to Miles Kahler. This theory essentially deals with the effort of building consensus on matters regarding the use of force or laying down universal norms. This means that this effort allows for contemporary problems even in their complexities to be globally dealt with. Some recent contributions to the literature on international relations theory, which focus on the role of multilateralism in the post-Cold War era, rightly assert...
that international norms and institutions appear to be playing a significant role in the management of a broad array of regional and global changes in the world today.\textsuperscript{20}

Multilateralism is associated with global governance, which is a collective attempt to identify, understand and address worldwide problems that go beyond the capacity of individual, nation-state to solve International Organizations such as the UN, ICC, WTO and the OPCW are multilateral in nature. In particular, it is widely believed in policy circles that sanctions are much more effective when they are applied multilaterally than when they are imposed by a single state.\textsuperscript{21} The United Nations (UN) sanction in Somalia on charcoal exports is a multilateral effort to ban the charcoal exportation in Somalia, a trade that has not only damaged Somalia environment, but has equally empowered Al-Shabaab financially to wage terror in Somalia and even export conflict beyond the borders of Somalia.

The UN as a global body is mandated to apply sanctions in such a situation and through its member states and regional organizations. A multilateral effort is then sort for the application and enforcement of these sanctions. Al Shabaab has been tagged a terrorist group, and therefore an armed group in the same league with the Taliban and the Al Qaeda. This introduces another dimension to its military capability which has to be confronted by the peacekeepers of the contributory states of the UN. Multilateralism, from this position shows that it also based on the theory of collective security of the


global community. One modern instance of multilateralism occurred in the 19th century Europe after the end of the Napoleonic wars where the great powers met to redraw the map of Europe at the congress of Vienna also called the concert of Europe.

It should be pointed out clearly, that before sanction enforcement can be effective, consensus building among the international community must be achieved. It should be stated here that the chief aim of these sanctions is to deny Al–Shabaab of income. It is this multilateral effort that brought the involvement of AMISOM, the AU, the EU and other member states of the UN including the members of UNSC who pass the resolutions. The UN peacekeepers are the most visible symbol of multilateralism. This is why in order to effectively enforce the UN Sanctions it sometimes require a commitment of sending peacekeepers to the target country. Getting a consensus among a myriad of nations e.g. the UNSC is not always easy as several states have got different ideologies. This situation demands a commitment from all to bring out the best outcome of the desired result. Many have questioned the UN multilateral relevance. Has the UN achieved a consensus in its application of sanction on the export of charcoal trade in Somalia? Are there member states that are still engaged in the charcoal trade despite the ban? Have the regional members of Somalia been properly sensitized and carried along in this effort? Woodrow Wilson’s 14 point plan, which was aimed at forging international consensus to resolve international disputes, also gave credence to the multilateralism concept. Multilateralism

---

as anchored by Wilson, resulted in the formation of the League of Nations, an arrangement which he called a “general association of nations.”

1.7 Literature review

This part will be broken down into three parts whereby part one will discuss the various sanctions terminologies followed by literature on design and implementation. Part two will analyze literature on sanctions debate and how they can be assessed and appraised. Finally I will look at the role of international organizations such as EU in a UN sanction episode. A distinction is sometimes drawn between 'embargoes' and 'sanctions' the former represent prohibition against export of a particular product or commodity while sanctions encompasses either export to or import from the target or particular product or commodities. Sanctions upon arms are often referred to as 'arms embargoes' due to the fact that they usually prohibit the export to rather than the import from a target of arms.

As Hufbauer, Schott and Elliott argue, whilst war is nothing but the continuation of politics by other means, sanctions frequently serve as a junior weapon in the battery of diplomatic artillery aimed at the antagonistic state during an international confrontation. Pape restricts his definition of sanction success to cases in which the target met the

23 Office of the historian US department of State http://www.history.state.gov/milestones/1914-1920/League accessed on 08/08/13 1555
demands of the imposing state\textsuperscript{26} he excludes cases in which sanctions coincided with a credible threat of military force or other pressure.

According to Pape to be defined as successful, sanctions had to have done all the work on their own. James Lindsay defines economic sanctions as “measures in which one country (the initiator) publicly suspends a major portion of its trade with another country (the target) to attain political objectives.”\textsuperscript{27} Sanctions are employed as a deterrent which is difficult to gauge its level despite its reason for employment. Brooks notes that states seek ways to avoid military measures and sanctions can convey a signal that the sender doesn’t condone the action of the target hence supports its view with action and will act to safeguard it environment nations interests\textsuperscript{28}. Pape believes that the conventional view of sanctions as a better option to the use of excessive force such as war has ultimately flawed.\textsuperscript{29}

Francesco Giumelli suggests that there are three phases of sanctioning: implementing, designing and monitoring; and that in designing sanctions designers should lay emphasis on ‘whether a target should be coerced, constrained or signaled.’\textsuperscript{30} Mikael Erikson also tries to evaluate inconsistency by refining the analysis of sanctions regimes into separate episodes. He advises how efficiency in sanctions can be achieved even in a highly politicized context which he calls the ‘black box’ processes.\textsuperscript{31} He suggests that

\textsuperscript{26}R Pape (1998), \textit{Sanctions Still Do Not Work}, International Security Vol 23 No 1 pp. 77
\textsuperscript{29}R Pape(1998), \textit{Sanctions Still Do Not Work}, International Security Vol 23 No 1 pp. 77
\textsuperscript{30}Giumelli F, Coercing, Constraining and Signaling: Explaining UN and EU sanctions after the Cold War. (Colchester: ECPR Press. 2011) pp 149
\textsuperscript{31}Eriksson M. \textit{Targeting peace: understanding UN and EU targeted sanctions}. (Farnham: Ashgate. 2011) pp 235
Sanctions committees should make use of information that has been collected over the years. He notes that this hasn’t been done making hence preventing future sanctions from being effective. He also points out that lack of meetings between officials working in different sanctions committee, ‘unwarranted lack of transparency, over sensitivity regarding the interests of members of UNSC, as well as little information sharing.’\textsuperscript{32} has prevented implementation of effective sanctions.

Over the last decade the UNSC has frequently mandated the groups of experts to monitor sanctions investigate cases of alleged sanctions violating and draw up regular reports making recommendations on basis of the findings to the Sanctions committee. The first such group was mandated by UNSC Resolution 1013(1995) which established the UN International Commission of Inquiry to investigate reports of arms embargo violation in Rwanda. Alex Vines further illustrates this concept further by giving an example of an establishment of a ten-member expert panel for Angola to follow up suspected violations in the field, publicize results and make recommendations for more effective implementation\textsuperscript{33}. Mikael Erickson points out that the choice of country to chair the sanctions is important and can determine their effectiveness.\textsuperscript{34} It’s important that they should be located in closer proximity to the sanction regime or that target state. He also notes that greater scrutiny and feedback on what is produced by the expert group is required.

\textsuperscript{32} Ibid pp123-134  
\textsuperscript{34} Eriksson M. Targeting peace: understanding UN and EU targeted sanctions. (Farnham: Ashgate. 2011) Pp 146
1.8.1 Sanctions’ effectiveness

Theoretical debate is often cast as traditionalists’ versus revisionists. Traditionalists see little efficacy in sanctions. Recent empirical research on sanctions suggests that the success of sanctions varies by the target country regime type. Nooruddin and Lektzian and Souva. The findings in these studies suggest that sanctions are unlikely to be effective when the target regime is a non democracy. According to Lektzian and Souva trade sanctions are much more likely to generate chances for the target state’s leaders to seek rents than financial ones. Brooks argues that different sanctions are effective against different regimes types. Sanctions most likely to elicit a positive response from democracies are counterproductive when applied to authoritarian states. Sanctions create opportunities for politicians in democratic societies to look for new policies to alleviate the stresses of the sanctions while in contrast authoritarian leaders tend be insulated from micro economic pressure.

Instead these leaders are more likely to more selective sanctions instruments that harm pivotal constituencies In that they buttress the “state”, redistribute income to a small but influential section of the elite. “Autocrats seldom bend under pressure from sanctions. However, researchers have yet to distinguish empirically among different types of authoritarian rule. Hufbauer and Oegg argue that advocates of smart sanctions

---

35 Economic Sanctions and Post-Cold War Conflicts: Challenges for Theory and Policy B Jentleson pg 123
40 Keith Bradsher Trade Embargoes”Do they work” New YorkTimes 14th July 1991
are guided by the intuition that sanctions must hurt politically salient groups within the target if they are at work.\(^{41}\) Cotright and Lopez note that sanctions are more likely to be effective in some societies where there is some degree of freedom than states where its more rigid.\(^{42}\) Sanctions may also be redundant, productive or useless depending on the economic health and the political stability of a target.\(^{43}\)

Inconclusiveness over sanctions is best explained in the study Economic Sanctions reconsidered by Gary Hufbauer, Jeffrey Schott, Kimberly Ann Elliot and Barbara Oeg; hereafter referred to as the HSEO study. This is cited by both traditionalists and revisionists as supporting their arguments.

Revisionists hail the 34% success rate in the HSEO study as higher than traditionalists claimed while tradionalists raise methodological issues about the validity of the 34 percent rate and question even if its valid, just how impressive it is. Uncertainty over the sanctions efficacy has become more controversial in the post cold war era due to the frequency of the sanctions used by many different actors. Some cases have involved the UN acting unilaterally while others involve multilateral action by the UN and other international actors. Friends of targets often undermine sanctions by providing assistance or access to markets.\(^{44}\)

It appears that likelihood of sanctions’ success appears to depend on myriad factors. The effectiveness of sanctions has been shown to depend systematically on, among other

things, the cost of the sanctions which should be greater if several states are imposing sanctions. In the same vein, sanctions can lose their effectiveness if the target can find alternative markets and suppliers, which should be harder to accomplish if many states are involved in the imposition of sanctions. These empirical findings are so counterintuitive that explaining them may provide a key element to an understanding of economic sanctions as an instrument of policy. Charron notes that until the late 1990’s UN sanctions had little impact. According to Michael Brzoska there have already been academic assessments of the effectiveness of UN arms embargoes, and the points these have highlighted are that the sanctions tend to be symbolic rather than practical; that their application is often late; that they lack effective monitoring; that violators are rarely punished; and, most importantly, that there is a lack of political will by member states, including those in the Security Council, to see them become effective. Much effort has been made in monitoring compliance but despite the new enthusiasms for advocating sanctions the record remains variable. Sanctions can be more useful if imposed as a part of a wider diplomatic package.

---

47 Brzoska Michael Design and implementation of arms embargoes and travel and aviation related sanctions: results of the ‘Bonn-Berlin process ’ed (Bonn: Bonn International Center for Conversion, 2001)
48 Damien Fruchart, Paul Holtom and Siemon Wezeman, United Nations arms embargoes: their impact on arms flows and target behaviour (Stockholm: Stockholm International Peace Research Institute, November 2007)
Lopez and Cortright illustrate this with an example of the mandatory sanctions against South Africa which was limited to an arms embargo. Recommendations for the country to be expelled from the UN were vetoed by western powers. However individual states and organizations such as Commonwealth and the Organization of African Unity imposed diplomatic and membership sanctions, sports, culture boycotts and severance of air links. Rather than the arms embargos, these boycotts turned the country into a pariah status that became increasingly unwelcome to both the apartheid regime and the business community. The key to a successful sanction episode is the majority political will on the part of the Security Council to implement and monitor the sanctions.

1.8.2 Need for an efficient appraisal

Several assessments of UN sanctions have been conducted in the recent years. However there lacks detailed lessons learnt from assessments of previous sanctions and its monitoring. External processes have also had their impact on wider process thinking, most notably the Interlaken Process in 1999 and 2000 on financial sanctions, and the Bonn–Berlin Process on design and implementation of arms embargoes and travel- and aviation-related sanctions during the same period. This was followed by the Stockholm Process on the implementation of targeted sanctions during 2002. The Stockholm Process was stimulated by due process issues tied to listing and delisting targeted individuals, and was followed up by a meeting in New York and the production of a white

50 Alex Vines’ Effectiveness of UN and EU Sanctions’ International Affairs. Volume 88, Issue 4, pp 867–877
51 Wallensteen et al., eds, Making targeted sanctions effective
paper on the issue by the Watson Institute in March 2006.\textsuperscript{52} On ensuring sanctions efficacy Lektzian and Souva argue, that non cooperation with the sender decreases efficacy. \textsuperscript{53}

1.8.3 Targeted Sanctions as the way forward

The need for smarter sanctions is demonstrated by empirical analysis of sanctions episodes but also in the theoretical analysis performed by scholars such as Morgan and Schwebach (1997). In their study, they argue that by employing a bargaining model to analyze their effectiveness, that comprehensive sanctions can only be effective in a rare number of instances.\textsuperscript{54} They conclude that “carefully crafted sanctions may be a useful instrument for changing target states’ behaviors. Lopez main point of contention can be best summarized when he argues that it’s the implementation of sanctions that is the culprit, not the tool itself. He views that unethical sanction occurs because imposers do not deliver on approaches e.g. by taking humanitarian concerns into account. It can be argued that the UN makes sanctions a policy towards a target country as opposed to employing it as a flexible component of a coercive strategy that may contain a number of alternative tools including incentive.

As Lopez argues, “there exists a moral dilemma of ethnic responsibly” this suggests that more needs to be done to make sanctions more ethical by re designing them to increase potential effectiveness as a coercive tool to ensure that they are politically

\textsuperscript{52} Alex Vines' \textit{Effectiveness of UN and EU Sanctions' International Affairs}. Volume 88, Issue 4, pp 874
effective and accommodative to vulnerable group. Targeted smart sanctions tailor a particular instrument to a designated, politically salient constituency. The goal of targeted sanction is to put maximum pressure on the elites who are influential rather than seeking to undercut the macro economy. As such smart sanctions are like smart bombs meant to focus their impact on leaders, political elites and segments of the society while reducing the collateral damage to the general population.

The United Nations (UN) changed its approach to Sanctions from comprehensive sanctions which had a great humanitarian toll to now targeting sanctions such as arms, cash earning commodities e.g. diamonds, travel bans, freezing assets? The UN method for mounting sanctions has improved. Lopez argues that it now encompasses support and investigative missions, expert monitors resulting to a more effective accountability system. Lopez quotes Liberia as an example where sanctions were eventually paired with larger international organizations and regional bodies such as European Union aid or UN peacekeeping."Sanctions within a larger framework of dispute resolution become more robust and more effective.

Targeted sanctions have drawn criticism once a person lands on the UN list is it impossible to be deregistered. Domestic political acceptance of the human costs of sanctions, domestic acceptance of whatever economic costs such as inflation, high cost of living there may be in the country doing the targeting. Additional issues include more reinforcement to the targeted country and even more patriotism as the population blames

the country imposing the sanction. The physiological and target perception of sanction regimes need to be considered in evaluating impact. According to Alex Vines understanding the effectiveness of sanctions requires a detailed country expertise.\textsuperscript{57} Targeted sanctions cannot be seen as a stand-alone measure, or assessed in isolation. They are multi-faceted and require a detailed assessment of political context, episode and institutional process. He further writes that sanctions are bound to remain political and variable in their impact but will continue to be a favored international response to crisis.

1.8.4 Sanctions imposed by Regional Organizations

Clara Portela examines sanctions as a political tool on European Union (EU) sanctions and evaluates on their efficacy. Autonomous EU sanctions have been in place since 1980; originally developed in Rhodesia. They then shifted in response to the invasion of Falklands islands by the British. She notes that since then sanctions under EU has involved a logic of incrementalism.\textsuperscript{58} Success of EU sanctions have partly been linked to the fact that EU is mostly a trade or aid partner and they play an important role in signaling and constraining when the UN sanctions are weak or not available as with the case in Burma, Somalia, Iran and Zimbambwe. International policy increasingly needs the lead of regional and continental bodies.\textsuperscript{59} African institutions have also played a role in imposing sanctions. For instance, during the Ivory Coast post election crisis in 2010-2011, ECOWAS and African Union suspended Ivory Coast and threatened sanctions in

\textsuperscript{57} Alex Vines' \textit{Effectiveness of UN and EU Sanctions' International Affairs.} Volume 88, Issue 4, pp876
\textsuperscript{58} Clara Portela `European Union sanctions and foreign policy: when and why do they work?'. (Abingdon: Routledge. 2010)
\textsuperscript{59} Alex Vines' \textit{Effectiveness of UN and EU Sanctions' International Affairs.} Volume 88, Issue 4, pp875
December 2011. The EU and the US imposed sanctions banning Ivory Coast’s cocoa to cut the flow of funds to Gbagbo and his supporters. Understanding EU and UN sanctions require considering US Sanctions too as it imposes more sanctions than other countries. Michael Eriksson further emphasizes that the building bricks provided by regional economic communities such as African Union and Arab League are increasingly important for EU and UN sanctions.

1.9 Research methodology

This section gives the methodology that the researcher engaged. It accommodates both the primary source and the secondary source. The information is presented in the following format; research design, data collection methods, target population, sampling of the population, scope and limitation and data analysis and presentation. The primary data was collected through unstructured interviews on a one-on-one basis. Efforts were made in asking open-ended questions. Secondary data was collected from published and unpublished materials. This comprised of text books, conference and academic papers, journals, news from media. Electronic articles and other periodicals important documents like reports of the United Nations Security Council monitoring group were also used.

---

60 Ibid
62 Mikael Eriksson, Supporting democracy in Africa: African Union’s use of targeted sanctions to deal with unconstitutional changes of government’ (Stockholm: FOI, June 2010).
Research Design

This research to greater extent is qualitative, with small portion quantitative. Qualitative research design gives emphasis to the description of data collected. Lodge (1984)\textsuperscript{63} argues that research design is a guideline on how a research is carried out. The purpose of the research design is to help in giving answers to the hypotheses and the research questions.\textsuperscript{64} The research focuses on the United nations (UN) sanctions and conflict management in Somalia. The overall targeted population of the study was forty respondents, among which regional bodies on Somalia-Inter Governmental Authority on Development (IGAD), East African Community (EAC), African Union (AU), civil society organizations, government officials, academicians, conflict managers and diplomatic community. The study used purposive sampling of the respondents.

Study site

The researcher was comprised of three sites that were in Mogadishu-targeting the Somalia Federal Government officials, Bossaso-targeting the Puntland authorities, Hargeisa-targeting the Somaliland authorities, regional organizations in Nairobi and the diplomatic community.

Data collection methods

Data collection method comprised of unstructured oral interviews to the respondents, where direct questions were asked to the respondents. The advantage of the

\textsuperscript{63} Law J, and Lodge, (Science for Social Scientists. London, Macmillan, pp 23-56
\textsuperscript{64} Ibid
oral interview is that, it gave the researcher opportunity to assess the responses through observation when in the field collecting the primary data. Open ended questionnaires were also used; a list of topics was prepared in advance by the researcher and unstructured interviews scheduled the sampled population for response. It was with advantage because the respondents had the opportunity to answer the question without being limited. The researcher managed to get much information as possible from the respondents since they were not limited in giving answers.

**Sampling frame**

Sample frame in this study is the overall list that the sample was picked. Babbie and Mouton (2006) affirmed that a good sample provides variety of information that gives description of the existing elements in the sampling frame. The study involved the organisations, institutions and people in diplomatic missions; and civil society involved in the management of the Somalia conflict as the sample frame. According to Neuman (2006), the sampling frame is the target of the population under study by the researcher. The sample is acquired based on the criteria set by the researcher. In this study, the researcher had a target of 80, chosen through stratified sampling. The study aims to reach about 30% of the sample population by using purposive sampling, which involved picking from each representative population. The target sample frame is shown in table 1.1 on the next page.

---

Table 1.1 Showing the choice of sample size

<table>
<thead>
<tr>
<th>Source of population</th>
<th>Estimate population chosen</th>
<th>Sample size chosen</th>
</tr>
</thead>
<tbody>
<tr>
<td>African Union</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Diplomatic community</td>
<td>15</td>
<td>4</td>
</tr>
<tr>
<td>Somalia Federal Government</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>Puntland Authorities</td>
<td>10</td>
<td>3</td>
</tr>
<tr>
<td>Somaliland Authorities</td>
<td>10</td>
<td>3</td>
</tr>
<tr>
<td>Civil society</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Academician</td>
<td>10</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td><strong>30</strong></td>
</tr>
</tbody>
</table>

Source: Field data

Non probability sampling was used by the researcher. This means that the sample was chosen due to its relevance to the study topic rather than its representativeness.\(^68\) The sample size is 30 from the total population of 80 (30% of the study population).

Validity and Reliability

The researcher carried out a pilot study aimed at pretesting and validates the data collection instruments. Cooper R (2003) affirmed that, the pilot group can range from 15 to 100 subjects relating to the method to be tested.\textsuperscript{69} To establish the validity of the research instrument, the researcher sought opinions of experts in the field of the study topic. They include the supervisor and conflict managers at the regional and the international organizations. Others were the diplomatic community and programme managers on Somalia conflict at the British High Commission.

The researcher selected a pilot group of 8 individuals from the target population, and tested the reliability of the research instrument. However, the pilot data is not included in the actual study. This enabled the researcher to familiarise with the unstructured interview and the procedure of conducting the interview. The outcome assisted in correcting gaps coming out of the data collection instrument. Besides this, the researcher held a key informant interview session with Somalia conflict managers and validated the responses from the unstructured interview. Regarding the information accuracy, the researcher did triangulate the collected information.

Ethical Considerations

As a guiding principle, researchers need to be knowledgeable of the acceptable and not while conducting research.\textsuperscript{70} The researcher ensured that there was no harm of any sort to the respondents. This is in line with the arguments of Neuman (1997), he notes that

ethical research does not inflict harm of any sort, be it physical, psychological abuse or even legal jeopardy⁷¹. In the long run, this does not only benefit the researcher while in the field, but also the readers of the researched piece of work.⁷². All these factors were put into consideration in ensuring the credibility of this research.

**Data analysis and presentation**

The collected data through unstructured interview and observation during the field work was assigned codes by allocating all statements numeric codes in line with the meaning based on data captured. The coded response was then followed by data entry and analysis. In this case, qualitative content analysis was used. Presentation is through tables and pie charts, presented in narration.

**1.9.1 Limitation of the study**

There were quite a number of limitations during this study. The inability to travel to Somalia, due to the security challenges was a limitation, however, the researcher engaged a research assistant for primary data collection. Finally, the time frame since the charcoal ban is not long enough. It was in 2012 that the imposition of the UN sanctions on the charcoal trade was made, hence still very recent, and the sanctions are still being monitored and observed. But due to the importance of this research, it should be appreciated that the effort expended in this direction was meant to analyze this UN sanction at the early stage.

1.9.2 Hypothesis

In assessing the enforcement of the UN sanctions on charcoal trade in Somalia, this study will evaluate the following hypothesis:

- The more democratic the target, the more likely sanctions are to succeed
- Sanctions regimes will only succeed if all actors including state and non-state actors are ready to fulfill their responsibilities in maintaining peace and security
- Imposition of sanctions in a conflict environment is unlikely to be effective

1.9.3 Chapter Summary

Chapter one consists of the project proposal, that consist of introduction on United Nations (UN) sanctions and application in Somalia, statement of the problem, objectives, justification for the study, theoretical frame, literature review and the research methodology. Chapter two explores the evolution of sanctions practice throughout the 1990s from comprehensive to smart sanctions and illustrate the institutional architecture of sanctions imposition and the conflict types and present the types of smart sanctions and their basic designs and limitations. The chapter also looks at the determinants for implementing a successful sanction episode according to framework set by Hufbauer et al which is referred to as HSEO study.

Chapter three introduces the UN Security Council's Resolutions that implemented the sanctions regime and analyzes the case study which describes the charcoal trade cycle in Somalia, who the main actors are and the details and implementation of UNSC resolution 2036.
Chapter four presents the outcome of the research, it explores the theoretical arguments by HSEO to analyze if the variables have influenced Somalia Sanction episode.

Chapter five gives summary of findings, key findings, conclusions of the study, and recommendations; and provides suggestions for areas for possible research.
CHAPTER TWO

2.0 SANCTIONING TOOL - SHIFTING PARADIGM FOR SUCCESS

2.1 Introduction

Sanctions have been considered to lack effectiveness and it has been argued that the method of implementation is ineffective especially when it comes to political goals aimed at bringing change of a regime in a targeted state. Agreements to impose a sanction on a state or actor may stem from different reasons such as seeking to charge a targets policy which may involve impairing the targets military capability.

Sanctions have also been found to punish vulnerable groups who have not played a part in creation of the policies of decisions of the state. The conventional theory underlying the imposition of sanctions is that economic pain creates economic gain. Such comprehensive sanctions have had humanitarian toll leading to a public outcry in countries like Haiti, Yugoslavia and Iraq. The crumbling of the Berlin wall in the early 1990s sparked a ‘new era’ in the realm of UN sanctions, for the Cold War period (1947 – 1991) saw very little action taken by the UNSC inherently due to the veto power and its polarized nature.\(^{73}\) Post cold war era witnessed exponential rise in comprehensive sanctions imposed on many different countries by the UNSC who were seen as breaking the international norms.\(^ {74}\) Critics maintained that comprehensive sanctions did not bring

\(^{74}\) ibid
about the anticipated behavioral change, because those in effective control of the targeted country were able to protect themselves from the effects of the sanctions, whilst the vulnerable masses suffered as a result of policies they had no say in.

2.2 Evolution of sanctions

The shift from comprehensive to targeted sanctions occurred gradually in the early to mid-1990s. An early case of targeted sanctions included Libya, which consisted of an arms embargo mixed with an assets freeze, travel ban, aviation ban, and a prohibition on the import of some oil-transporting equipment. Sanctions targets were expanded to non-state actors (individuals and entities) in the form of assets freezes or travel restrictions applied for reasons such as breaches of human rights or international humanitarian law, obstructing humanitarian aid, recruiting children in combat, sexual violence in conflict, engaging in or providing support to international terrorism, obstructing the peace process, or the proliferation of weapons of mass destruction. Sanctions on natural resources such as diamonds and oil in Angola, diamonds in Sierra Leone, Liberia, and Côte d'Ivoire, timber in Liberia, were applied to prevent the illegal diversion of revenues and to curtail the use of such funds for fueling conflict.

Between 1999 and 2003, non-council member states played an important role in the shift from comprehensive to targeted sanctions, by collaborating with members of academia, officials of the UN system, civil society, and others, to sponsor a number of processes to enhance sanctions design and implementation. The Interlaken process

---


2.3 Beyond the Comprehensive Sanctions Model

Comprehensive sanctions are used to describe a sanctions regime that seeks to prevent the flow to and from targets to all commodities and products\textsuperscript{79}. In practice Security Council (SC) has applied comprehensive sanctions on the following regimes as part of SC Res 232 Southern Rhodesia\textsuperscript{80} SC resolution 661 Iraq\textsuperscript{81} SC resolution 757 FRYSM\textsuperscript{82} SC resolutions 820 Bosnian Serb\textsuperscript{83} and SC resolution 841 Haiti.\textsuperscript{84} One of the important purposes of the sanctions processes was to address the issue of sanctions' unintended consequences. Apart from their collateral effects on vulnerable groups in the target state, comprehensive sanctions have numerous flaws. As early as 1967, Johan


\textsuperscript{80} SC Res. 253(29 May 1968), para. 3.

\textsuperscript{81} The sanctions against Iraq were comprehensive from the time of their application until May 2003. See SC Res. 661 (6 August 1990), para. 3 (applying comprehensive sanctions SC Res. 1483 (22 May 2003), para. 10 (terminating all measures except the arms sanctions);

\textsuperscript{82} SC Res. 757 (30 May 1992), para. 4; SC Res. 787 (16 November 1992), para. 9; SC Res. 820(17 April 1993), para. 15

\textsuperscript{83} SC Res. 820 (17 April 1993), para. 12.

\textsuperscript{84} The 841 Haiti sanctions regime initially consisted of an arms embargo, a petroleum embargo and financial sanctions: SC Res. 841 (16 June 1993), paras. 5, 8. The Council applied comprehensive sanctions eleven months later: SC Res. 917 (6 May 1994), paras. 6–7.
Galtung considered the premise that ‘pain equals gain’ as inherently naïve. The idea that economic pain translates into political gains is not supported by experience. As he and others have shown, economies tend to adapt or find ways to circumvent comprehensive sanctions. Autocratic leaders are adept at deflecting the pain of sanctions on to the people. Populations in target countries often rally around their beleaguered leaders and in any case, seldom have the power to influence the regime. Other unintended consequences of comprehensive sanctions include the weakening of opposition groups and criminalizing effects on the economy of the target state.

A great example to the first major challenge to the legality of comprehensive sanctions involved Iraq. Although the 1990 sanctions were eventually shown to have contained the Iraqi regime's ability to develop and sustain its weapons of mass destruction program, sanctions were politically insupportable because of their catastrophic humanitarian impact. In the early and mid-1990s, the Security Council faced a global outcry against the high costs human suffering caused by the sanctions. This strong reaction then led to strong reaction to achieve reforms in sanctions that culminated in the design and refinement of sanctions aimed at applying pressure directly to elite and political leaders while minimizing their impact on the common people.

Concerning the notation of sanctions as punishment rather than a bargaining tool, critics recall when the Security Council seemed unable to muster the will to meet

---

concessions with reciprocity in some of the earlier sanctions cases. Competing interests
got in the way of agreement among the permanent members on re-tailoring Iraq sanctions
to target the leadership while easing hardship on the general population. Similarly, in the
first Libya sanctions case, Qaddafi's early proposal for a trial of the terror suspects in The
Hague was rebuffed, until several years later when regional organizations, impatient with
the protracted stalemate, pushed the Council to agree to a compromise.\textsuperscript{88} In the same vein,
the United States and the European Union have imposed their own sanctions either before
or following UN sanctions for instance in the Somalia regime. Some observers argue that
Security Council sanctions have devolved into merely a means to legitimize stronger
unilateral measures by powerful states on the Council.

Even though the issue of the humanitarian impact of comprehensive sanctions was largely
resolved by the evolution to targeted sanctions, the ghost of Iraq still looms large.
Sanction resolutions have also been seen to contain unclear objectives and even hidden
vendetta such as regime change (notable in Iraq and Liberia) the Council has been
accused of practicing double standards in various regimes. For instance; why are some
state and non-state actors held to account for flouting international norms while others are
not? Why so many cases in Africa and so few in other regions? What about
consequences for human rights and other sanctions violators? And the due process rights
for violators who make it in the sanction list.\textsuperscript{89}

\textsuperscript{88} E. Carisch & L. Rickard-Martin (2011) | Global Threats And The Role Of United Nations Sanctions pp 6-7
\textsuperscript{89} http://library.fes.de/pdf-files/iez/08819.pdf accessed on 11/07/13 1233pm
\textsuperscript{89} Ibid

The members of the UN have conferred upon the UNSC the primary responsibility of maintaining international peace and security\(^{90}\) and its decisions but not its recommendations\(^{91}\) are binding upon all member states\(^{92}\). In fulfilling its duties, the UNSC must act in accordance with the purposes and principles of the UN and is empowered to exercise certain powers as laid down in Chapters VI, VII, VIII and XII of the UNC. For purposes of this thesis, I will lay emphasis on action taken by the UNSC under Chapter VII concerning threats to the peace, breaches of the peace, and acts of aggression.\(^{93}\) The UNSC may, under Chapter VII, take such enforcement measures in order to maintain international peace and security ranging from economic and/or other sanctions not involving the use of armed force, to action involving the use of armed force.\(^{94}\)

### 2.4.1 Articles 39 and 41 of the UNC

The bone of contention in sanctions includes Articles 39 and 41 of the UNC, which concern sanctions not involving the use of force. Article 42 on the other hand provides for sanctions involving the use of force in the event that the UNSC considers the action taken under Article 41 to be inadequate Article 39 reads as follows:

---

\(^{90}\) Article 24(1) of the UNC

\(^{91}\) M.N. Shaw, *International Law*, 6th ed, Cambridge University Press, 2008 at p1208 Cf. Article 36 of the UNC(pacific settlement of disputes) and Articles 41, 42 and 44 of the UNC (enforcement actions)

\(^{92}\) Article 25 of the UNC

\(^{93}\) Chapter VII of the UNC is comprised of thirteen articles ranging from A 39-51

\(^{94}\) G.L. Willis, Security Council Targeted Sanctions, Due Process and the 1267 Ombudsperson, 42 Georgetown Journal of International Law 673
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.95

Given the absence of an exact definition and the relative ambiguity that surrounds the meaning of the words ‘threat to the peace, breach of the peace, or act of aggression’, it is no wonder that this provision, in particular the phrase ‘threat to the peace’, has given rise to much debate.96 When the UNC was drafted, most analysts would obviously have interpreted a breach of the peace to mean a full scale armed conflict between states, a threat to the peace to mean a situation likely to result in such a full scale armed conflict, and an act of aggression to mean an act of military intervention by one state against another.97 The notation of threat to peace has evolved over the years giving rise to various categories of conflict as discussed below.

2.5 UN sanctions and the various conflicts

The United Nations Security Council (UNSC) sanction is applied mostly to address threats to international security and peace. They can be grouped in four categories; Intra-states conflict, Inter-state conflict, norm-breaking states and terrorism.98 It’s important to note that the Council has a variety of tools from which to draw in conflict. Two most applied tools dealing with international conflict are UN missions and

---

95 Article 39 of the UNC  
98 Bloomfield, S 2008 ‘Somalia: The World’s forgotten catastrophe.’ The Independent
sanctions. Sanctions research has mostly focused on the context but not the tool. Therefore the question of whether the council adopts different sanctions measures for particular categories of threat to international peace have yet to be answered. Once the Council has identified that a particular conflict endangers international peace and security, it begins to look at the major actors in the conflict and establishes the stage of the conflict. Normally conflicts are rarely addressed in the beginning but mostly in its latter state when peace agreements and negotiations are in place.  

The sanctions to be imposed will be linked to the type of conflict usually at the stage where the council gets involved it aware of what exactly is happening on the ground. In few cases the Council’s understanding of a conflict will change over time. For example the council first addressed the invasion of Kuwait by Iraq in 1990 sanctions among others. Once the interstate conflict has been settled in 1991 UNSC then turned its attention to Iraq’s WMD programme and applied different sanctions. This then placed Iraq between the norm breaking category between 2003 – 2010 the council then placed sanctions against non-state actors to recapture lost and stolen assets from initial invasion in Kuwait and thus turning it back to interstate category. However in most sanctions regime they each address one category of sanction.

In interstate conflicts majority occurring in Africa are most likely to prompt UNSC to apply sanctions. Half of the other mandatory sanctions address intrastate

---

100 Ibid
conflict, norm breaking, interstate and terrorism. The council targets non state and state actors with sanctions. Arms embargoes remain the most applied sanction tool. They are normally changed to exempt the democratically elected government of the day and peace keeping missions deployed within the state to provide them with the support.

The council applies financial and travel sanctions targeting members of rebel groups, while sanctions on lootable natural resources can be applied to aid government gain legitimacy and funds and cut off potential source of funds to rebels who tend to prolong interstate conflict. These types of sanctions have been imposed in resource rich African states which have experienced conflict. ‘Liberia is the model par excellence of sanctions application in an intrastate conflict type. While sanctions cannot be credited with all of the changes to this country, they have played a significant role. In its first civil war led by Charles Taylor between 1990 and 1997, one tenth of the country’s pre-war population or 2.5 million Liberians died, one-third became refugees and nearly all the rest were displaced at one time or another. Today, it boasts Africa’s first woman President, who has enforced a forest management policy (rubber is Liberia’s biggest export) and adopted the Kimberley Certification Process for the trade of diamonds.

Intrastate conflict has been the testing ground for smart sanctions. Its features include delisting and listing process, creating of panel of experts and even the creation of tribunals to try out war suspects.

102 Ibid
103 Ken Menkhaus, Somalia, a country in peril, a policy nightmare, Enough strategy paper, 2008
There is a greater link between sanctions and UN missions- the latter is mandated to enforce and monitoring the sanction is done by the former. Due to the complexity of intra state conflicts the council has devolved much of the coordination and monitoring of sanctions to experts in addition to local intelligence. However this has not been without issues as experts have been accused of bias, falsying information and spreading propaganda. Missions have become more costly and donors are scarce. Sanctions can therefore be viewed as most important and more economically efficient conflict settlement tool.

**International norm breaking states**

The council has identified two types of norm breaking states; Human rights and nuclear weapons offenders. Norm breakers present a challenge to the council since one hand there is need to condemn the behavior violating the norm which means the state will be ostracized and at the same time the council’s goal is to bring back the state to conform to the international norms. In the application of sanctions in intrastate the council supports the government here the government now becomes the problem. The council must therefore balance their relations with norm breakers with enough coercion to induce a change in behavior ensuring that the situation doesn’t not deteriorate and affect humanitarian conditions.

---

Force cannot be used as it may be viewed as too coercive and might not be justifiable politically. Negotiations also may not yield desired results. Sanctions are therefore perceived as a coercive tool at the disposal of the council. Much has been written about the sanctions employed against Southern Rhodesia (now Zimbabwe) and South Africa – not only were they the first mandatory sanctions to be adopted by the Council, but they did help to achieve the objectives laid out in successive Council resolutions. Both Southern Rhodesia and South Africa eventually held all-race elections and adopted new Constitutions that outlawed white minority rule over the black majority.

The WMD category of norm-breakers includes Iraq, North Korea, Iran and South Africa. The comprehensive sanctions against Iraq are different from the target sanctions among the other norm breakers and are a clear representative of change of ideologies among the P5 after the coldwar. UNSC has therefore chosen not to pursue comprehensive sanctions to deal with norm breakers like North Korea and Iran opting instead to apply limited sanctions to induce them to continue talks.

Terrorism

This is a new category which is made of two types; state-sponsored and non-state sponsored form. Under state sponsors category, the primary objective is to make sure that investigation is conducted and suspects tried by the appropriate internationally recognized courts. Normally state-sponsored sanctions are very similar to those applied against norm

---

108 Ibid
breakers. However the Security Council address non state sponsored form of terrorism with different sanctions regimes. The council through the 1313 Counter terrorism and 1540 committee has focused more attention on global approach to ending terrorism.\textsuperscript{109}

Primarily by cutting off the financing of terrorism and imposing travel ban reduces non-state actors military capability and movement. Sanctions were helpful in encouraging Libya to renounce their support to terrorism.\textsuperscript{110} The now global 1267 targeting Al-Qaeda, the Taliban and associates has been primarily been the focus of attention by human rights activists and legal experts who criticize the lack of transparency and the process in which names are added to the infamous “consolidated list” The argue that the full weight of the council once applied to states is applied to individual with no fair trial. One of the intended sanctions objective was to hand over Osama bin Laden to US but he left Sudan for Afghanistan just days after the first sanctions were imposed on Sudan. He then managed to enlarge his terrorist base and launch the 9/11 attacks pointing to the unexpected and unintended consequences of the applications of sanctions.\textsuperscript{111}

2.6 Key Sanctions Actors

2.6.1 Security Council

The UN Charter established the Security Council as a political organ, with primary responsibility for the maintenance of international peace and security.\textsuperscript{112} It is arguably the most powerful organ in the word. It is made up of a 15 member panel- five

\textsuperscript{109} Andrea Charron’ UN sanctions and conflict: responding to peace and security threats’. (Abingdon: Routledge. 2011) p 34
\textsuperscript{111} Ibid 36
\textsuperscript{112} UN Charter, Chapters III and V.
permanent members with veto power and ten non-permanent members, elected by the General Assembly for a two-year term. Under provisions of the United Nations Charter, the Security Council, faced with a conflict, may begin with actions under Chapter VI (Pacific settlement of Disputes), before resorting to more robust actions under Chapter VII (Actions with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression). Once it progresses to the Chapter VII stage, the Security Council may choose sanctions as an appropriate tool, in which case it would decide on the design of a sanctions regime, usually involving an arms embargo and a mix of other targeted measures.\footnote{Carisch & L. Rickard-Martin (2011) Global Threats And The Role Of United Nations Sanctions pp4 \url{http://library.fes.de/pdf-files/iez/08819.pdf} accessed on 11/07/13 1233pm} Sanctions are imposed by the Council through the adoption of a resolution. A resolution imposing sanctions normally establishes a Sanctions Committee (Committee) to monitor the sanctions regime and frequently requests the Secretary-General to establish a Panel of Experts to monitor compliance.

2.6.2 Sanctions Committee

Committees are established under rule 28 of the Security Council's provisional rules of procedure. Committees are normally chaired by the Ambassador of an elected state member of the Council, and their membership consists of the fifteen members of the Council. The Committee's task is to monitor implementation of the sanctions measures. In order to do so, the Committee seeks information from states regarding specific measures they have taken; considers requests for sanctions exemptions; considers and acts on reports of sanctions violations; and designates persons and entities subject to individual
targeted sanctions. Committees take decisions by consensus, and most meetings are informal and held in closed session.

Experience has shown that the level of activity of the Chairperson has an important impact on sanctions effectiveness. For example, Robert Fowler of Canada, who chaired the Angola sanctions Committee in 1999 and 2000, pushed for effective sanctions monitoring and implementation and through his activism set the standard for Committee chairs.  

2.6.3 Panels of Experts

The Council usually mandates a Panel to assist the Committee in monitoring the sanctions regime. Panels gather information on compliance and make recommendations to the Security Council, normally through the Committee, on ways to improve sanctions effectiveness. Panels are created for an initial period of six months to a year and normally consist of five to eight members, each with a particular area of expertise, such as arms, finance, aviation, or commodity sanctions. Until recently, most candidates were chosen from a roster maintained by the Secretariat, based on their qualifications, expertise, the principle of equitable geographical distribution, and gender. Panels are based in New York (Al-Qaida / Taliban, DPRK, and Iran) or in Nairobi (Somalia and Eritrea) or Addis Ababa (Sudan), or operate mostly in the field (called home based) without a common home base.

---

While Panels are appointed by the Secretary-General, their members are not United Nations staff rather candidates are recruited for several short consultancy periods up to a maximum of five consecutive years. At the end of their final contract, Panel members are barred from UN employment for at least six months. Panels are considered to be independent in the sense that they are expected to resist political pressure from any and all sources, and are solely responsible for the conduct of their work and the content of their reports. They are expected to maintain high methodological and evidentiary standards including allowing alleged sanctions violators (state or non-state) an opportunity to review, comment and respond to their allegations.\textsuperscript{115} Expert panels have produced numerous detailed reports documenting evasion tactics of sanctions violators and made hundreds of recommendations to the Security Council including on ways to improve the effectiveness of sanctions.\textsuperscript{116}

2.6.4 UN Secretariat

The principal UN Secretariat body tasked with assisting the implementation of sanctions is the Security Council Subsidiary Organs Branch, commonly referred to as the Sanctions Branch situated in the Security Council Affairs Division (SCAD), within the Department of Political Affairs. Each Committee is assigned a Secretary who heads a Secretariat team that provides support to the Committee and the related Panel. Given the fluidity of the Council's elected members, from whose ranks the Sanctions Committee


chairs are elected, and the short-term mandates of expert panels, Committee Secretaries perform an important function of institutional continuity for both bodies. Yet, once they are promoted from the ranks of Secretariat professionals in the chronically under-resourced Sanctions Branch, they receive no specialized training to prepare them for their tasks. As noted by Cortright et al, the Sanctions Branch's current capacity and resources are not adequate to the task of managing the existing number of sanctions and expert panels. Nor is it capable of assuming the task of integrating these efforts with an increasing array of UN peace and security policy initiatives.

2.6.5 Member States

Member States are obliged to comply with sanctions under Article 25 of the UN Charter. Once a resolution is adopted by the Council, states are expected to change the resolution into laws that allow implementation. Resolutions require states to report to the Committee within a specific time-frame on measures they have taken to implement the sanctions regime. States are also expected to cooperate with expert panels. The link between low political will and capacity constraints is difficult to gauge and there is no system in place for providing assistance to states, except in the area of counter terrorism, where most of the assistance is carried out bilaterally (facilitated by the UN Counter Terrorism Executive Directorate).

http://library.fes.de/pdf-files/iez/08819.pdf accessed on 11/07/13 1233pm


http://library.fes.de/pdf-files/iez/08819.pdf accessed on 11/07/13 1233pm
through the UN by bilateral partners for regimes related to non-proliferation and trade in conflict minerals. Usually, most state reporting is perfunctory.

2.6.6 Other Actors

Effective sanctions implementation requires the active support and participation of a range of actors including states, United Nations peace support operations, UN departments and agencies, Special Representatives of the Secretary-General, regional organizations, the private sector, and civil society. Panels have also found it useful to interact with some intergovernmental organizations such as INTERPOL, the International Civil Aviation Organization (ICAO), the World Customs Organization (WCO), the International Maritime Organization (IMO), the International Atomic Energy Agency (IAEA), and the Financial Action Task Force (FATF). Moreover, non-governmental organizations, companies or industries such as banking or transport, and their trade or industry associations, all play a pivotal role in gathering information on sanctions busting. Obviously, variations in UN sanction regimes are not only a matter of the role that particular actors play, but are also related to the different types of sanctions imposed.

2.7 Varieties of Targeted Sanctions

In designing a sanctions regime, the Council has a range of targeted sanctions options to choose from. They may include arms embargo, travel ban, assets freeze or commodity ban, according to where specific sanctions might impact most effectively on

---


122 Ibid
the target. It is likely that as the spectrum of targeted measures has changed over time they will continue to evolve. For instance, access to Internet signals or satellite communications, and specialized products and industrial agents critical to the nuclear industry, could in future become part of the sanctions repertoire. This study will consider those types of particular sanctions that have already been employed by the Security Council in one or more of its sanctions regimes.

2.7.1 Arms sanctions/embargoes

An arms embargo is a ban on the import and/or export of arms and related material and spare parts, technical assistance, training, and financial or other assistance related to military activities. Arms sanctions have been the most frequently applied form of particular sanction. Exemptions normally include non-lethal military equipment for humanitarian or protective use; and may include assistance to the security sector, subject to approval by the Committee. Arms embargoes may be total or partial, meaning that they may be imposed on an entire territory, or on a government or group of non-state actors, or on an individual. Examples of such sanctions regimes include Ethiopia and Somalia.

125 SC Res. 1298 (17 May 2000), para. 6.
126 SC Res. 733 (23 January 1992), para. 5. Partially lifted in 2013
2.7.2 Travel Sanctions

Travel sanctions are measures that seek to prohibit or inhibit the ability of individuals associated with the target of a sanctions regime to travel internationally. Travel sanctions have been applied both against a target population as a whole, as well as against individuals and entities designated by the relevant sanctions committee. The Committee may exempt persons traveling for humanitarian reasons such as medical treatment or religious purposes; for a judicial process; or to advance the peace process.

2.7.3 Aviation Sanctions

Aviation sanctions aim to prohibit flights to and from a target or to inhibit a target’s ability to utilize flights within its own area of influence. An aviation ban may prohibit all flights within a particular airspace, or may oblige states to prevent the entry into their territories of aircraft registered to a particular state, an effective way to ground a national airline carrier or its subsidiaries which are often owned by the state. Humanitarian flights are usually exempted. Examples of regimes where the Security Council has employed aviation sanctions banning all flights to and from a target include Southern Rhodesia and Iraq.

2.7.4 Assets Freeze

An assets freeze obliges states to freeze all funds and assets on their territories, owned or controlled by individuals or entities, or their associates, listed by the Council.

---

129 SC Res. 670 (25 September 1990), para. 3
(sometimes annexed to the resolution) or by the Committee.\textsuperscript{130} Exemptions for funds for basic expenses such as food, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or legal services, are allowed upon notifying the Committee, and extraordinary expenses are subject to Committee approval\textsuperscript{131}. Examples UNSC assets freezes against lists of designated individuals and entities include Iraq\textsuperscript{132} and Côte d’Ivoire.\textsuperscript{133} The Security Council has imposed chemical sanctions on one occasion, as part of its Afghanistan/Taliban/Al Qaida sanctions regime, requiring states to prevent the sale to Taliban-controlled areas of the chemical acetic anhydride, which is used in the production of opium.\textsuperscript{134}

2.7.5 Commodity Sanctions

Commodity sanctions have included the import or export of oil, fuel, diamonds, petroleum and timber. Diamond bans have been imposed in Angola\textsuperscript{135}, Sierra Leone\textsuperscript{136}, and Côte d'Ivoire\textsuperscript{137}. Timber sanctions were imposed on Liberia in 2003\textsuperscript{138}. Because of the potential for impacting civilian livelihoods, an impact assessment was requested by the Council before the timber embargo was imposed.

\textsuperscript{132} SC Res. 1483 (22 May 2003), para. 23.
\textsuperscript{133} SC Res. 1572 (15 November 2004), para. 11.
\textsuperscript{134} SC Res. 1333 (19 December 2000), para. 10.
\textsuperscript{135} SC Res. 1173 (12 June 1998), para. 12(b).
\textsuperscript{136} SC Res. 1306 (5 July 2000), para. 1
\textsuperscript{137} SC Res. 1643 (15 December 2005), para. 6.
\textsuperscript{138} SC Res. 1478 (6 May 2003), paras. 16–17.
2.7.6 Luxury Goods

Under the 1718 North Korea sanctions regime, the Council required UN member states to prevent the sale, supply or transfer to North Korea of luxury goods. The Council however doesn’t not make it clear what goods fall under this category, nor did it explicitly delegate such a responsibility to the 1718 Sanctions Committee. An innovative form of trade ban currently operates in the DRC, whereby persons or entities trading in minerals from the Eastern Congo have to demonstrate that they meet certain due diligence standards regarding the origin of the minerals and possible linkages to those promoting violence and conflict.

2.7.7 Listing of individuals

Persons and entities subject to individual targeted sanctions (arms embargo, assets freeze, and travel ban) are designated by the Council or by the respective Committee, and their names and identifying information entered on lists annexed to resolutions imposing sanctions, or published by the Committee. An example includes list maintained by 1267 committee targeting groups, entities and individuals associated with Al-Qaeda. It has been a bone of contention by human rights activists and legal experts who criticize the lack of transparency and the process in which names are added to the infamous

[139] SC Res. 1718 (14 October 2006), para. 8(a)(iii).
“consolidated list” The argue that the full weight of the council once applied to states is applied to individual with no fair trial.

2.8 Economic Sanctions - Theoretical Arguments

HSEO studied 204 sanction episodes since World War I with the purpose of identifying circumstances where economic sanctions succeed in attaining foreign policy goals. Their work focuses on three major questions: "What factors - both political and economic - usually result in a positive contribution of sanctions to the achievement of foreign policy goals? What the costs are of sanctions to both target and sender countries, and to what extent do they influence policy decisions? And what lessons can be drawn from this experience to guide policymakers on the use of sanctions in the future?"143 This section will summarize HSEO's answers to these questions. These answers, derived from case studies, will be used to analyze the sanctions episode in Somalia.

2. 8.1 Determinants of sanctions effectiveness and the success equation

Most of the literature on sanctions point out that they do not always achieve policy goals, it is therefore important to explain under what conditions they are likely to succeed. A range of factors that affect both sanctioner and target state policy calculation was factored in. HSEO framework on sanction effectiveness was applied. The success of an economic sanctions episode can be divided into two: one, the extent to which the policy being sought by the sender was achieved, and two, the contribution to success made by

---

the sanctions. HSEO uses these two factors in a simple equation to determine the success of a sanctions episode. Each factor is indexed on a scale of one to four and then multiplied to get a composite score, which indicates the success or failure of an episode. Thus, the composite score has a range from one to sixteen as illustrated on the table in the next page,\textsuperscript{144}

### Table 1:2 illustrating the Success equation

<table>
<thead>
<tr>
<th>Policy result</th>
<th>Sanction contribution</th>
<th>Success(policy result*sanction contribution)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scale</td>
<td>Scale</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Failed outcome</td>
<td>(1*1)=1 Sanction failed to achieve goal</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Negative contribution</td>
</tr>
<tr>
<td>2</td>
<td>unclear but positive outcome</td>
<td>(2*2)=4 Sanction made substantial contribution and goals met</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Little or no contribution</td>
</tr>
<tr>
<td>3</td>
<td>Positive outcomes -senders goals partially realized</td>
<td>(3*3)=9</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Substantial contribution</td>
</tr>
<tr>
<td>4</td>
<td>Successful outcome -senders goals largely realized</td>
<td>(4*4)=16 Sanctions have led to a successful outcome</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Decisive contribution</td>
</tr>
</tbody>
</table>

HSEO (2007) determine that a score of nine or higher to be a successful episode. A score of nine and above would indicate that sanctions made substantial contribution to the goal; Farrall (2007), notes that, a score of sixteen indicates that sanctions were a significant contribution to a successful outcome.\footnote{Farrall, J (2007), \textit{United Nations Sanctions and the Rule of Law}, Cambridge Studies in International and Comparative Law, Cambridge University Press.}

2. 8.2 Types of foreign objectives

When analyzing the effectiveness of economic sanctions in achieving foreign goals, HSEO classified the case histories foreign policy objectives into five groups: modest changes in the policies of the target country, destabilization of the target government, disruption of military adventures, impairment of military potential, and other major policy changes (for example, getting Saddam Hussein to withdraw from Kuwait).

2. 8.3 Variables that Influence a Sanctions Episode

A sanctions episode is influenced by a number of variables, both domestic and international, which can affect the outcome of the episode. In other words the political and economic costs to the target from sanctions must be greater than the political and security costs of complying with the sanctions demands.\footnote{Hufbauer, Gary, Jeffery. J, Kimberely Ann Eliot, and Barbara Oegg, \textit{Economic sanctions reconsidered}, (3rd ed. Washington, DC: Peterson Institute for international economics. 2007) p51} HSEO identify a number of these underlying variables and groups them into two categories: political variables and economic variables.

Political variables include five variables; the duration economic sanctions were in force, the extent of international cooperation in imposing sanctions, presence of...
international assistance to the target country, political stability and economic health of the target country, the prior relations between sender and target countries and democracy vs. autocracy.\textsuperscript{147}

Economic variables include; the cost imposed on the target country (expressed in absolute terms, in per capita terms, and as a percentage of its gross national product)\textsuperscript{148}; the nature of commercial relations between the sender and target countries; the relative economic size of the countries, measured by the ratio of their GNPs; the type of sanctions used, namely, export, import, or financial sanctions; and the cost to the sender country.\textsuperscript{149}

2.8.4 HSEO’s Recommendations

HSEO found sanctions to be 34\% effective out of the 174 case analysed. They then determined that sanctions are most likely to be effective when the following seven recommendations are followed\textsuperscript{150}. Policymakers need not to overestimate what sanctions can accomplish. While the economic impact on the target country may be pronounced, there other factors that can also influence the impact of sanctions in determining political outcomes. According to HSEO study "...sanctions are seldom effective in impairing the military potential of an important power, or in bringing about major changes in the policies of the target country."\textsuperscript{151}

\textsuperscript{148} Ibid
\textsuperscript{151} Ibid
In their second recommendation, HSEO attribute that economic sanctions are most effective when aimed against erstwhile friends and close trading partners. These countries have more to lose, diplomatically as well as economically, than countries with which the sender has limited or adversarial relations.

Third, autocratic regimes are likely to build resistance to economic measures. Moreover, senders should not expect that sanctions will work as well against large targets that are strong, stable, hostile, and autocratic.

Fourth, efforts should be made to avoid military escalation if sanctions are deployed with maximum impact. HSEO’s study conclusion in 1990 regarding Iraq and it equally remains their policy advice in 2007 in the confrontation with Iran over its ambitions to develop nuclear weapons.

Fifth, a number of states imposing a sanction may not necessary make a sanction episode successful. Cooperation is generally sought only when the objective is very ambitious and is often not needed when goals are more modest. The greater the number of sender countries for the enforcement of sanctions the longer the sanction duration and by extension the greater the difficulty of sustaining and maintain an effective coalition.152

In their sixth recommendation HSEO note that there is need to choose the right tool. Sanctions often are the first course in a menu of actions against belligerent states153. In many instances, sanctions are deployed in conjunction with other measures directed against target. These could be; covert action, quasi military measures, or regular military

operations\textsuperscript{154}. It is clear, in some cases that economic sanctions merely provided an interim response until military action could be organized—as President George H.W. Bush admitted in his memoirs about the first Gulf War.

Finally, senders need to match costs imposed on domestic constituencies (and allies) to expected benefits; otherwise, public support for the sanctions policy may quickly erode.\textsuperscript{155} But senders also need to take care not to worry so much about minimizing self-inflicted costs that they devalue the impact of the overall exercise.

2.9. Conclusion

Sanctions cover all ‘measures not involving the use of armed force’. This might imply that sanctions can be considered to be the continuation of diplomacy with other means\textsuperscript{156}. The present volume clearly indicates that the international community as well as individual states should be very careful in applying this instrument. It has not been very successful in many ways and the negative consequences for innocent citizens are considerable. Drastic measures are needed to rapidly restore a proper balance between achievements and humanitarian damage.\textsuperscript{157} Much of the criticism of the use of sanctions is based on the lack of focus and precision in many Security Council resolutions as well as in the decisions taken by states to start unilateral sanctions. Political considerations (showing the world that decisive steps are taken) are often more important than a strict


\textsuperscript{155} ibid

\textsuperscript{156} Genügten W (1999) United Nations Sanctions:Effectiveness & Effects especially in the field of Human Rights

definition of objectives and indicators to measure progress towards those objectives. Sanctions lose their effectiveness if the target can find alternative markets and suppliers, which should be harder to accomplish if many states are involved in the imposition of sanctions. Independent monitoring mechanisms are therefore indispensable and should be an integral part of every sanction regime.\textsuperscript{158} The negative impact of sanctions on third parties (civilian population, neighboring countries) should be objectively assessed and considered as an integral part of any resolution adopted by the Security Council or a decision taken by a specific government. A generally adopted framework to make such an impact assessment is presently lacking, but should be developed as part of decision-making processes.

CHAPTER THREE

3.0 AN ANALYSIS OF CHARCOAL TRADE IN SOMALIA

3.1 Introduction

The charcoal trade has continued to flourish in Somalia’s conflict. The political situation characterized by lack of proper governance with no rule of law with most of the community resorting to cutting trees to earn a livelihood and the prevalence of local militia – Al Shabaab engaging in commercial activities has created a situation that has allowed this trade to thrive leading to indiscriminate cutting of trees. As a result, it has impacted negatively on Somalia’s fragile ecosystem. The huge demand from the Persian Gulf States has made this industry very profitable albeit unsustainable in the long run. In the controlled part of south in early 1990s with the death of Gen Mohammed Farrah Aideed had banned the trade on ecological grounds, but unregulated charcoal industry has become a lucrative business for the poverty stricken Somalis.\(^{159}\) Almost all of Somalis charcoal which is made from acacia trees end up in Persian gulf states. These countries exhausted their own wood supplies for charcoal which is used to burn incense, boil coffee and for water. Gulf cargo ships bringing food and consumer goods to Somalia and get away with charcoal.\(^{160}\)

Profits from these transactions are attractive especially in a turbulent nation whereby majority earn was less than a dollar a day. Charcoal business has also increased

\(^{159}\) Somalia Plundered for Profit March 31, 2002 by Paul Salopek, Tribune foreign Correspondent

\(^{160}\) Mohamed M(Aug 16 2012) Sabahi Online: Illegal charcoal exports generate huge revenues for al-Shabaab

http://sabahionline.com/en_GB/articles/hoa/articles/features/2012/08/16/feature-01 accessed on 01/08/13
since exports were burnt due to fear that the animals carried rift valley fever\textsuperscript{161}. The mango tree has also been suffering the severe consequences of the charcoal trade. These trees are targeted particularly because its charcoal has a soft texture and burns slowly. The profit from the sale of this charcoal is as much as its environmental devastation. UN security through KDF and Ras Kamboni brigade have been accused of permitting charcoal exports out of Kismayo defying the president’s directive and posing a challenge to his determination to keep Kismayo a strategic part of Somali.\textsuperscript{162}

They export charcoal to some of the countries in the area where logging is forbidden and the local forests more protected making the countries more vulnerable to the impacts of climate change and affecting the livelihoods of local communities. A bag of charcoal fetches $10 or more in Arab countries that have banned their own production of charcoal for environmental reasons.\textsuperscript{163} The illegal exportation of charcoal is currently considered Al-Shabaab’s main source of revenue.\textsuperscript{164} Through charcoal trade revenue it is able to finance its combat activities. This chapter will provide an analysis of the Somalia sanctions episode and determine what extent sanctions have been effective in achieving the foreign policy goals in Somalia of importance in that chapter is the resolution of HSEO’s recommendations, namely the effectiveness of unilateral versus multilateral sanctions, determining the role of companion policies in a sanctions episode, and the

\textsuperscript{162} Ibid
\textsuperscript{163} Owigo J, interview with Mohamed Horn of Africa Senior Research analyst, International Crisis Group, Nairobi, 27\textsuperscript{th} July 2013
\textsuperscript{164} Mohamed M(Aug 16 2012) Sabahi Online: illegal charcoal exports generate huge revenues for al-Shabaab
\url{http://sabahionline.com/en_GB/articles/hoa/articles/features/2012/08/16/feature-01} accessed on 01/08/13
importance of conducting an analysis of the target's economy prior to sanction implementation.

3.2 Al Shabaab Charcoal Exports in 2011-2012

Charcoal is gathered from pastoralists and agricultural areas, mainly the Acacia trees in riverine zones between the Juba and Shaabelle rivers. 3.5-4.5 million sacks of charcoal is exported from Southern Somalia per year165 as a result, generating revenue for Al-shabaab in excess of $15 million a year. Revenue generated is in turn used to finance import of commodities, with large quantities subsequently smuggled in neighboring countries particularly Kenya166. UNSC resolution 2036(2012) determined that “such a commerce may pose a threat to peace security or stability of Somalia” It decided that “Somalia authorities take the necessary steps to prevent the export of charcoal from Somalia and that all Member States shall take necessary measures to prevent the direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia”167. Despite the passage of this resolution, there has been evidence that exportation of charcoal still continues in the Al Shabaab controlled parts of Somalia. Somalia authorities haven’t taken significant measures to prevent the export of charcoal. Some member states have failed to take the necessary measures to prevent direct or indirect import of this commodity. It has also been noted that Somali charcoal to this

states have indeed increased. The charcoal trade is affected by seasonal factors and most trading activities occur between Oct and June.\textsuperscript{168}

According to the UN monitoring group GCC (Gulf Cooperation Council)-Somalia trade pattern noted in SEMG report(S/2011/433) persists despite the active ban. UNSCR 2002 (2011) considers” all non-commerce via Al Shabaab controlled ports that constitutes financial support for a designated entity, poses a threat to the peace, stability, and security of Somalia.”\textsuperscript{169} Ships that discharge their goods from UAE to Mogadishu port discharge only part of their cargos, in order to deliver the rest to Kismaayo and to collect charcoal cargoes that are destined to the Gulf. This happens in full knowledge of Somali authorities\textsuperscript{170} Total volume of charcoal exports from southern Somalia in 2011 has increased over the years to between 9-10 million sacks generating revenue for Al Shabaab in excess of $25 million a year\textsuperscript{171} The following factors help to explain the increase in volume of charcoal exports;

Higher demand for charcoal from GCC countries especially Saudi Arabia and the UAE. Due to increase in total trade volume between GCC countries and Somalia, there are more demand for vessels to transport goods and commodities into Somalia, which in turn allows vessels to collect charcoal on their return.\textsuperscript{172} Also increased need for humanitarian assistance to Central and Southern Somalia requires more ship to deliver aid through the port of Mogadishu before heading to the southern ports of Kismaayo,

\textsuperscript{168} Goldberg M (Feb 22 2012) UN Dispatch: How the Charcoal Trade Fuels Terrorism http://www.undispatch.com/how-the-charcoal-trade-fuels-terrorism accessed on 21/06/13


\textsuperscript{170} Monitoring group on Somalia para 4 http://www.securitycouncilreport.org/atf/cf/%7B65BFCFC9B-6D27-4E9C-8CD3-CF6E4FF96F9%7D/Somalia%20S%202012%20544.pdf accessed on 21/06/13

\textsuperscript{171} Ibid 2.4

\textsuperscript{172} The SEMG 2011 report (S/2011/433) paras 69-71 http://documents.un.org/mother.asp accessed on 03/05/13
Baraawe and Marka to load charcoal since having a full load on both inward and outward trips significantly reduces transportation costs. The export of charcoal from Southern Somalia has increased in order to compensate for the loss of charcoal exports from the ports of Buur Gabo and Quda which were seized by the Kenya Defence Forces (KDF).

3.3 Main markets for Somalia Charcoal

Middle East countries are the main importers of charcoal from Somalia. The major importers of Somali charcoal are the United Arab Emirates and the Kingdom of Saudi Arabia. The UN Monitoring Group on Somalia confirmed that neither country has taken measures as required by the UNSC resolution 2036(2012) to prevent this trade. Somali charcoal is packaged for exports in sacks weighing 23-25 kg each. Neither UAE authorities nor Somali representatives in the GCC inform these traders of the pending ban. UAE imports of Somalia charcoal have been growing steadily since Al Shabaab seized the port of Kismaayo in 2009, when imports in 2009 jumped 47 per cent over the previous year, from 83 million kg to 122 million kg. The total value of the UAE charcoal import from Somalia also grew from AED 64 million in 2010 to AED 71 million in 2011—an increase of 10.9 percent.

---

174 Interview with Mohamed Ismail, Programme Officer, Department for International Development, Nairobi, 17 July 2013
175 Ibid
177 Ibid
Charcoal represents between 85-93 percent of total of the UAE import volume from Somalia. This ratio has remained constant since 2008. In addition to charcoal, UAE also import from Somalia live animals and their products, as well as vegetables such sesame seeds. The creek of Sharjah, UAE is the main port of entry used by charcoal traders to discharge cargoes originated from Somalia. Charcoal imports to Saudi Arabia also increased in 2012. Saudi Arabia imports between 200,000 and 300,000 sacks of charcoal from Somalia per month through the ports of Jizan, Damam and Jeddah. It is packed and sold in sacks weighing 23-25kg each. 80% of the charcoal produced in Somalia is exported mainly to the Gulf States and the remaining 20% used for internal consumption.

3.4 Al Shabaab Charcoal for Sugar Trade cycle and taxation for ports and villages

A businessman named Saleh Daud Abdulla is believed to be the most important charcoal trader. He is the general manager of Al Baoon Trading Co LLC who is said to be an ideological officiate of Al Shabaab. His bank account has been used by Al Shabaab to raise contributions. Money is paid through his account to be remitted to Al Shabaab. Charcoal traders with privileged relationships with Al Shabaab are not taxed at the port though producers and charcoal transporters are taxed until the point of export.

---

179 Interview with Mohamed Ismail, Programme Officer, Department for International Development, Nairobi, 17 July 2013
180 Ibid
181 SEMG report (S/2011/433)
182 Mohamed Ibrahim, interview, Horn of Africa Senior Research Analyst, International Crisis Group, Nairobi, August 2013
183 Ibid
184 Owigo J, interview with UK, Political Officer, Nairobi, 26th June 2013
185 Owigo J, interview with UK, Political Officer, Nairobi, 28th June 2013
186 SEMG report (S/2011/433) pg 181 http://documents.un.org/mother.asp accessed on 03/05/13
Smaller traders with no Al Shabab links are taxed at export locations. While Al Shabab doesn’t directly control this trade, it welcomes it as it generates additional revenue for its group.\textsuperscript{187}

Local charcoal producers pay a production tax of 2.5% in return for a certificate. The charcoal is then transported to the ports on trucks. The truck owners are also required to pay a tax of 2.5% of even imprisonment.\textsuperscript{188} The main ports of charcoal exports in Southern Somalia are: Majority still controlled by the insurgents include; Kismayo; liberated from Al Shabaab in 2012 October, Baarawe, Marka, Bur Gabo, Eel Ma’an, Quda. Major exports points for charcoal are from Kismayo in lower Juba & Baarawe in Lower Shabelle. High grade charcoal is exported from Kismayo on large vessels while lower grade charcoal is exported by barges to be transported to the large vessels anchored offshore. This is because Baarawe has no capacity to accommodate large vessels hence they can’t dock on Baarawe.\textsuperscript{189} In April 2011 Kismayo port authorities fixed charcoal export tax to $1.20 per sack up from $0.90 per sack in February 2011 and $0.50 per sack in December 2010. Large vessels can export between 75,000 – 250,000 sacks of charcoal hence in addition to docking fees each vessel generates $90,000 - $3,000,000m in Kismayo or $45,000 - $150,000 off Baarawe. While smaller vessels generate about $18,000 - $66,000 in Kismayo or $9,000 - $33,000 in Baarawe.\textsuperscript{190} Owners of barges that

\textsuperscript{187} Goldberg M (Feb 22 2012) UN Dispatch: How the Charcoal Trade Fuels Terrorism \texttt{http://www.undispatch.com/how-the-charcoal-trade-fuels-terrorism} accessed on 21/06/13

\textsuperscript{188} Mohamed Ibrahim, interview, Horn of Africa Senior Research Analyst, International Crisis Group, Nairobi, August 2013

\textsuperscript{189} Goldberg M (Feb 22 2012) UN Dispatch: How the Charcoal Trade Fuels Terrorism \texttt{http://www.undispatch.com/how-the-charcoal-trade-fuels-terrorism} accessed on 21/06/13

\textsuperscript{190} SEMG report (S/2011/433) para 64 \texttt{http://documents.un.org/mother.asp} accessed on 03/05/13
carry charcoal from Baarawe to offshore vessels pay a tax of 2.5% of the estimated value of their cargo with smaller boats charged 0.5 per sack\textsuperscript{191}. Porters who have been employed to load and offload cargos also contribute 2.5% of their salaries to Al Shabaab. The charcoal price varies as per the season e.g. charcoal is more expensive during the rainy season.

**Tax on traders and control of vital port of Kismayo**

Al-Shabaab extracts money from the local traders. On July 9\textsuperscript{th} 2012 Al-Shabaab arrested ten traders for failure to pay Somali Shillings 400,000 each to the group. Their release depended on a payment of Somali Shillings 600,000 as a form of punishment. Business people in Kismayo are also meant to pay the insurgent $50 each.\textsuperscript{192} For about four years after its inception in 2006, Al Shabaab focused its violence in Somalia only. In 2008, its leader, Ahmed Abdi Aw-Mohamed "Godane," pledged loyalty to al Qaeda and the goal of global jihad\textsuperscript{193}. In 2008, Al took over Kismayo after heavy fighting against pro-government militias. The group quickly imposed harsh administrative rules based in shari'a law on the port's business community. To raise revenue, al Shabaab increased the fees for importing and exporting goods through the port, one of the largest in the country, by 30 percent.\textsuperscript{194}


\textsuperscript{193} David Shinn, “Al-Shabaab Tries to Take Control of Somalia,” Foreign Policy Research Institute, http://www.fpri.org/enotes/201011.shinn.somalia.html accessed on 01/08/13

The most important economic activities in Kismayo are fishing, the import of goods like rice from Pakistan, and the export of primary goods such as livestock (camels, sheep, and goats), charcoal, and khat to the Gulf States. One analyst for African affairs estimates that the taxes al Shabaab collects from the business community in Kismayo include "over $1 million quarterly in port-use charges alone." Al Shabaab earns considerable money from the charcoal industry, one of Somalia's main exports, and the chief commodity to pass through Kismayo's port facilities, "The cutting down of trees in large areas is evidence of the booming trade in charcoal that was a source of income for the militia group. Vast deforestation in the areas under Al Shabaab's control is another sign of the lucrative charcoal trade between al Shabaab and the Gulf States. It is estimated that Al Shabaab exports charcoal worth $500,000 per month to the Gulf States. Since 2008; hence the port of Kismayo has become the main source of revenue for the terrorist group.

It is believed that "Al Shabaab collects an estimated U.S. $35–50 million annually in custom tolls and taxes on businesses in Kismayo and two secondary ports higher up the coast." This is one reason that Kismayo is referred to as the nerve center for the militants. Instead of using the large sums of money collected in Kismayo to maintain the

---

CTX Vol No2


port and city and meet the needs of the local population, Al Shabaab sends most of the funds to other areas under its control to advance its insurgency. Al Shabaab declared an embargo on and transportation of goods and foodstuffs to the port of Kismayo to areas no longer on its control. Al Shabaab taxes traders and those not remitting funds are identified and arrested.

3.5 UN Security resolution 2036 and its objectives

On February 22, 2012, recognizing that charcoal exports from Somalia form a big income source for Al-Shabaab and thus aggravate the critical condition of humanitarian activities, the UN Security Council adopted UN Resolution 2036, under which all UN members are required to take measures to prevent direct or indirect imports of charcoal from Somalia and report the results to the UN Security Council Sanctions Committee within 120 days. It also mandated the monitoring group to assess the impact of the charcoal ban and give a report. The British sponsored Security resolution 2036 was unanimously adopted on 22 Feb 2012. It main objective was to deny Al-Shabaab income its generated from a well coordinated charcoal trade and also help save Somalia’s environment that was being devastated by the cutting of the trees. It determined that “such commerce may pose a threat to peace security, or stability of Somalia.”

---


201 Ibid

202 SC Resolution 2036 para 18
3.6 Sanctions Obligations for member states

Somali authorities were to take the necessary measures to prevent the export of charcoal from Somalia while member states are to report to the Security Council Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (“the Committee”) within 120 days of the adoption of this resolution on the steps they have taken towards effective implementation of this paragraph. Monitoring group was mandated to assess the impact of charcoal ban in its final report. Recalling paragraph 22 of Security Council resolution 2036 (2012) and paragraph 18 of resolution 2111 (2013), the Committee encourages Security Council 751 and 1907 Committee on Somalia and Eritrea has expressed its concern over the violation of the charcoal ban and requested all member states involved to immediately take the necessary measures to prevent the direct or indirect import of charcoal from Somalia.203

UN resolution 2036 states as follows;

**Charcoal ban**

“18. Reiterates that the Somali authorities shall take the necessary measures to prevent the export of charcoal from Somalia and requests that AMISOM support and assist the Somali authorities in doing so, as part of AMISOM’s implementation of its mandate set out in paragraph 1 of resolution 2093, and reiterates that all Member States shall take the necessary measures to prevent the

---

direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia;

“19. Expresses its deep concern at reports of continuing violations of the charcoal ban by Member States, requests further detailed information from the Monitoring Group on possible environmentally sound destruction of Somali charcoal, reiterates its support for the President of Somalia’s task-force on charcoal issues, and underscores its willingness to take action against those who violate the charcoal ban;

“20. Reminds all Member States, including police and troop contributing contingents to AMISOM, of their obligations to abide by the charcoal ban, as set out in resolution 2036 (2012);

Military incursion in Somalia

For years, Kismayo port was under Al-Shabaab and who generated lucrative campaign of high-seas piracy and smuggling. Al-Shabaab not only caused havoc inside Somalia, but their attacks spilled over into neighboring Kenya where they relentlessly attacked civilians; including grenade attacks in villages and kidnapping tourists and aid workers. In response, Kenya launched a military campaign which eventually succeeded in ejecting Al-Shabaab from Kismayo. Kenya’s first initiation was to support Azania headed
by Mohamed Abdi Mohamed (Gandhi) who belongs to the Ogaden. This didn’t work as he lacked fighting units on the ground. When KDF entered Somalia they teamed up with Ahmed Madobe’s Ras Kamboni bridge as he knew the terrain and contributed to Kenya’s successfully liberating Kismayo on 1st October 2012.

A “liason team” made up of fourteen persons - seven representatives from Ras Kamboni Bridge and seven from Somalia national army to represent the federal government was formed. After the committee was formed and Kismayo relatively stable and all the remnants out the charcoal issue began. When they got there, KDF found a large stock pile of charcoal lying at the port. After KDF took over they agreed to stop any sort of business services in the port of Kismayo as requested by the then Somali president Hassan Sheikh Mahmood. AMISOM deputy commander Simon Karanja assured the president that the port was closed while he knew otherwise. On 26th Oct 2013 the AU then requested the UN sanction committee to lift the ban temporarily as they realized it was destabilizing the few gains made by the AMISOM against Al-Shabaab. Since Al Shabaab could win sympathizers who could oppose the presence of AMISOM. They could also stop business people as they could come and collect the charcoal and use other ports such as Baarawe.

The Uganda provides the bulk of the peacekeeping troops to AMISOM. Other troop contributing countries include Kenya, Burundi, Djibouti, Ethiopia and Sierra Leone.

---

204 Owigo J, interview with Kobe Ogle, Political Officer, British High Commission, Nairobi, 28th June 2013
205 ibid
206 Ibid
207 Owigo J, interview with AMISOM official on 13 Aug 2013
209 Owigo J, telephone interview with Abdi Mohammed Kismayo resident on 29 Aug 2013
Since the deployment of African Union troops in Somalia in 2007, there have been military gains in the country despite some attacks from Al-Shabaab. However, Kenyan soldiers have been accused of supporting Ras Kamboni an anti-government clan militia while obstructing the work of the Federal Government of Somalia. They denied the Federal Government access to Kismayo and instead opted for a militia group that was part of Al Shabaab a couple of years ago. The Kenyan forces in Kismayo have not been working in coordination with the Security Forces of the Federal Government to ensure effective implementation of resolution 2036 of 2012 which imposed a ban on the direct or indirect import of charcoal from Somalia as one of the ways of financially crippling the Al Shaabab militants who were running the port.

3.7 Impact of Charcoal trade on environment
Charcoal production has tampered with Somalia’s fragile ecosystem exacerbating the process of desertification. This activity has led to an estimated 7% loss of forest cover in places under Al Shabaab control. As a result locals have been pushed out of their land as it has become uninhabitable. They can no longer practice agriculture or tend to their animals. Species like birds that rely on the Acacia groves have been affected by this process.

---

210 Interview with AMISOM official on 13 Aug 2012  
211 Ibid  
212 Owigo J, telephone interview with Abdi Mohammed Kismayo resident on 29 Aug 2013  
213 Owigo J, telephone interview with Abdi Mohammed Kismayo resident on 29 Aug 2013  
resulting to loss in biodiversity\textsuperscript{215}. Ultimately livelihoods of Somalis who are not involved in charcoal production has been affected\textsuperscript{216}. The acacia forest help to maintain a delicate balance that makes life in Somalia possible. For instance, pastoralists graze their cattle in grass that flourishes while the acacia grooves root system hold in ground water and prevent soil erosion. Farmers cultivate crops in the neighboring lands but without the acacia groves holding in the top soil they are now experiencing soil degradation. Due to the forest destructions these groups have been forced to turn to charcoal production further deepening the cycle of destruction.

3.8 Lack of government capacity and communities to enforce ban

Since the overthrow of Said Barre there has been so successful national framework for environmental or natural resources in Somalia due to an absence of effective central government.\textsuperscript{217} Laws on environment and natural resources are weak and outdated with natural sector policies and legislation dating back to pre-war period\textsuperscript{218}. Attempts to establish new policies and regulatory institutions have been made in the regional administrators of Somaliland and Puntland however they lack capability to implement programmes both at grassroots and national levels. The absence and weakness of this legal institution framework for environmental management in Somalia contributes to

\begin{thebibliography}{99}
\bibitem{216} Owigo J., telephone interview with Abdi Mohammed Kismayo resident on 29 Aug 2013
\bibitem{218} UN report S/2011/661- Report of the Secretary-General on the protection of Somali natural resources and waters
\end{thebibliography}
tensions in access to ownership of resources which as a result as seriously hampered the
effort to ban the trade. It is therefore important that ban on charcoal trade address the
capacity challenges both at the institutional and community level.

3.9 Conclusion

The Somalia charcoal ban United Nations Security Council (UNSC) Resolution 2036 was adopted On February 22, 2012. It was recognized that charcoal exports from Somalia form a big income source for Al-Shabaab and thus escalate the critical condition of humanitarian support activities. It main objective was to deny Al-Shabaab income its generated from the well coordinated charcoal trade and also help save Somalia’s environment that was being devastated by the cutting of the trees. The UN Security Council adopted UN Resolution 2036, under which all UN members are required to take measures to prevent direct or indirect imports of charcoal from Somalia and report the results to the UN Security Council Sanctions Committee within 120 days. It also mandated the monitoring group to assess the impact of the charcoal ban and give a report.\textsuperscript{219} The Somalia charcoal is mainly from pastoralists and agricultural areas, mainly the Acacia trees in riverine zones between the Juba and Shaabelle rivers. 3.5-4.5 million sacks of charcoal is exported from Southern Somalia per year.\textsuperscript{220} Despite the passage of this resolution, there has been evidence that exportation of charcoal still continues in the Al Shabaab controlled parts of Somalia. Somalia authorities haven’t taken significant measures to prevent the export of charcoal. The major importers of Somali charcoal are

\textsuperscript{219} UN Security Resolution 2036
\textsuperscript{220} Goldberg M (Feb 22 2012) UN Dispatch: How the Charcoal Trade Fuels Terrorism
http://www.undispatch.com/how-the-charcoal-trade-fuels-terrorism accessed on 21/06/13
the United Arab Emirates and the Kingdom of Saudi Arabia. The UN Monitoring Group on Somalia confirmed that neither of these countries has taken measures as required by the UNSC resolution 2036(2012) to prevent this trade.²²¹ Somali charcoal is packaged for exports in sacks weighing 23-25 kg each.²²² Charcoal represents between 85-93 percent of total of the UAE import volume from Somalia. This ratio has remained constant since 2008. The main ports of charcoal exports in Southern Somalia are: Majority still controlled by the insurgents include; Kismayo; liberated from Al Shabaab in 2012 October, Baarawe, Marka, Bur Gabo, Eel Ma’an, Quda. Major exports points for charcoal are from Kismayo in lower Juba & Baarawe in Lower Shabelle. Al-Shabaab extracts money from the local charcoal traders. To raise revenue, al Shabaab increased the fees for importing and exporting goods through the port, one of the largest in the country, by 30 percent.²²³

²²¹ Ibid
CHAPTER FOUR

4.0 DATA ANALYSIS, INTERPRETATION AND PRESENTATION

4.1 Introduction

The UN sanction on the charcoal export is faced with serious challenges. The implementation of this sanction has received some knocks. It has also been seen that a sizable population in Somalia are suffering as a result of this ban, as their means of livelihood on the charcoal trade has been negatively impacted. This on its own can be counter-productive. There seems to be little international cooperation to boost its impact. Sanctions regimes are likely to work effectively when the cost of defiance borne by the target is greater than its perceived cost of compliance.

4.2 Primary data analysis

The data collected from the field was according to the specific objectives of the study. The table on the next page shows the respondents’ view on the success of the UN charcoal ban in Somalia.
Table 1.3: Illustration of respondents views on level of success with UN charcoal ban in Somalia

<table>
<thead>
<tr>
<th>Responses</th>
<th>AU\textsuperscript{224}</th>
<th>DC\textsuperscript{225}</th>
<th>SFG\textsuperscript{226}</th>
<th>PLA\textsuperscript{227}</th>
<th>SLA\textsuperscript{228}</th>
<th>A\textsuperscript{229}</th>
<th>CS\textsuperscript{230}</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agree ban successful</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Not successful</td>
<td>8</td>
<td>1</td>
<td>5</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>21</td>
</tr>
<tr>
<td>Neither successful nor failure</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Cannot tell</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total responses</strong></td>
<td><strong>10</strong></td>
<td><strong>4</strong></td>
<td><strong>5</strong></td>
<td><strong>3</strong></td>
<td><strong>3</strong></td>
<td><strong>2</strong></td>
<td><strong>30</strong></td>
<td></td>
</tr>
</tbody>
</table>

Based on the responses above, majority of the response, at 21, were of the view that the UN ban has not been successful. This can be attributed to the fact that much as there is the existence of this ban, the exportation of charcoal still continues. Some related this to the weak Transitional Government before the coming into office of the SFG. The highest number of the response was from the African Union respondents. This was 8 out of the 10 sampled populations. This can be linked to the practical experience that the ban cannot be successful because of the absence of a strong government institution that can enforce the

\textsuperscript{224} African Union
\textsuperscript{225} Diplomatic Community
\textsuperscript{226} Somalia Federal Government
\textsuperscript{227} Puntland Authorities
\textsuperscript{228} Somaliland Authorities
\textsuperscript{229} Academicians
\textsuperscript{230} Civil Society
UN ban of charcoal export and the political situation in Kismayo. The same kind of response is reflected among the entire sampled population of Puntland and Somaliland Authorities. One response from African Union and another from civil society said it was neither successful nor not. According to these two responses, it was not possible to judge, while one response could not tell if success or not. It could be as a result of lack of interest in following up the progress of the ban.

Figure 1.1 Pie chart representing responses on success of UN charcoal ban

Source: Field data
As the pie chart show, majority at 70% view the UN ban as not successful, followed by 20% as successful, 7% neither successful nor failure and 7% could not tell. According to the respondents, the example of the export of the four Million bags of charcoal in Kismayo is enough evidence on the failure of the UN sanction to be implemented. This highlights the difficulty of cutting off Al Shabaab militants' funding and ensuring compliance with U.N. sanctions when there is little appetite for enforcing them on the ground. The export of the charcoal was linked to the Kenya Defense Forces (KDF) and Ras Kamboni Brigadge, but the Kenyan military denied the allegations. The argument for the high response of failure on the implementation of the UN ban can also be African Union’s advocacy that the Security Council lift the charcoal export ban, at least temporarily. Kenya supported the idea, arguing that Kismayu's angry charcoal traders could undermine the security of its troops. It is also argued that, the KDF did not hide the fact that they wanted to ease the charcoal ban because they feared it could make their job of keeping the peace in Kismayu that much more difficult. When it became clear that the Security Council would not lift the charcoal export ban, the "the KDF (Kenyan forces), Madobe and his Ras Kamboni forces took the unilateral decision to begin the export of charcoal from Kismayu port," the report said.231

231 Fred John, Conflict Adviser, Department for International Development, Somalia, Interview, 2 July 2013
The following table 1.4 illustrates the response on the determinant for successful UN sanctions

<table>
<thead>
<tr>
<th>Responses</th>
<th>AU(^{232})</th>
<th>DC(^{233})</th>
<th>SFG(^{234})</th>
<th>PLA(^{235})</th>
<th>SLA(^{236})</th>
<th>A(^{237})</th>
<th>CS(^{238})</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Political factors</td>
<td>6</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>14</td>
</tr>
<tr>
<td>Regional factors</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>International interest</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>All above</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total responses</strong></td>
<td><strong>10</strong></td>
<td><strong>4</strong></td>
<td><strong>5</strong></td>
<td><strong>3</strong></td>
<td><strong>3</strong></td>
<td><strong>2</strong></td>
<td><strong>2</strong></td>
<td><strong>30</strong></td>
</tr>
</tbody>
</table>

From the table, 14 responses were of the view that political factors are key determinants in the successful implementation of the UN charcoal ban. Good political governance institutions contribute to the enforcing of the ban. Absence of such institutions as it is the case for Somalia, leads to in action on the ban. 9 responses were for the regional factors. These relates to the three regions of Somalia (South Central, Puntland and Somaliland), it is also about the support of the countries within the Horn of Africa. International interest was at 3, which implied the genuine support at all level. While 4 viewed that it should be a combination of all the political, regional factors and the international interests.

\(^{232}\) African Union
\(^{233}\) Diplomatic Community
\(^{234}\) Somalia Federal Government
\(^{235}\) Puntland Authorities
\(^{236}\) Somaliland Authorities
\(^{237}\) Academicians
\(^{238}\) Civil Society
The above information is presented in the figure 1.2 below on the next page.

**Figure 1.2 Showing percentage representations of determinants of successful ban**

![Pie chart showing percentage representations of determinants of successful UN charcoal ban in Somalia]

- **Political factors**: 47%
- **Regional factors**: 30%
- **International interests**: 10%
- **Combined efforts**: 13%

Source: Field data
4.3 Critical analysis of the secondary data

HSEO (2007) identified variables that may influence the outcome of a sanctions episode. These variables have been grouped into two categories, political and economic. The political variables include: companion policies used by the sender, the extent of international cooperation in imposing sanctions, the presence of international assistance to the target country, the political stability, type of sanction used, and the warmth of prior relations between the sender and target countries. The economic variables include: estimated cost to the target country, the commercial relations between sender and target countries and country size, the relative economic size of the sender and target countries, the type of economic sanctions used (trade, and/or financial), and the cost to the sender country. This section will identify these variables and analyze them in order to determine how the variables affected the sanctions episode.

4.3.1 Companion policy measures

HSEO (2007) classify companion policy measures into three types, covert action, quasi-military action, and regular military action. Companion policies such as these are often invoked when the policy goal is to destabilize the target government or to exhort a major policy change from the target country.\(^{239}\) The goal in Somalia is to counter Al Shabaab insurgency using quasi-military activity and regular military by increasing the AMISOM troops presence, it is believed that this will apply pressure on Al Shabaab and

eject them out of the controlled areas. According to HSEO (2007), examples of quasi-military activity include the stationing naval vessels off shore and the massing of troops at the border. In an effort to curb piracy which has skyrocketed due to its nexus with Al-Shabaab, EU Naval Force under the Forces of Operation Atalanta deter, prevent and repress acts of piracy and armed robbery off the Somali coast by offering protecting vessels that belong to AMISOM and WFP in Somali waters.

The SC Resolution 2036 expanded the capacity and mandate of the African Union Mission in Somalia (AMISOM) in an effort to intensify pressure on Al-Qaida linked Al-Shabaab militants. By increasing the military pressure on Al-Shabaab it would lead to an improvement in peace and stability and further decreasing the space available to them. The resolution authorized an increase in the AMISOM force from 12000 to 17731 and allowed for an expansion of the UN support package for the mission, expanding AMISOM's presence and operations beyond Mogadishu, and empowered AMISOM to take all necessary measures, as appropriate, to reduce the threat posed by Al-Shabaab. It also incorporated the KDF forces who had been involved in a military operation in Somalia. AMISOM need to fight in one unit and they are making efforts to gain in the war against Al-Shabaab. They have divided themselves in different sectors in Southern Somalia with the aim of countering the insurgents. Troops from Uganda and Burundi are deployed in Sector 1, which comprises the regions of Banadir, Lower and Middle Shabelle, as well as in Sector 3 which covers the Bay and Bakool regions. Kenyan

---

240 Owigo J, interview with UK Political Officer on 23rd July 2013
241 Countering Piracy off the Coast of Somalia [http://eunavfor.eu/](http://eunavfor.eu/) accessed on 12-08-12 p 1
242 Owigo J, Interview with AMISOM official on 13th August 2013
forces are responsible for Sector 2 comprising Gedo, Lower and Middle Juba; and the Djiboutian contingent is in charge of Sector 4 which covers Hiraan region.\textsuperscript{243}

\textbf{Kenya’s invasion into Somalia}

HSEO describes regular military action as actually armed hostility preceding a sanction\textsuperscript{244}. This can be demonstrated when Kenya invaded Somalia with the aim of liberating Kismayo from Al-Shabaab. In 2008, Al Shabaab took over Kismayo, the third-largest city in Somalia, after fighting a fierce three-day battle, later called the "Battle of Kismayo," against pro-government militias\textsuperscript{245}. The group quickly imposed harsh administrative rules based in sharia law on the port's business community. To raise revenue, Al Shabaab increased the fees for importing and exporting goods through the port, one of the largest in the country, by 30 percent.\textsuperscript{246} The most important economic activities in Kismayo are fishing, the import of goods like rice from Pakistan, and the export of primary goods such as livestock, charcoal, and Khat to the Gulf States. It is estimated that the taxes Al-Shabaab collected from the business community in Kismayo include "over $1 million quarterly in port-use charges alone."\textsuperscript{247} It was impossible to implement the charcoal ban at that time since Al-Shabaab had control of the port and blatantly violated the ban. In October 2012, Kenya launched a military campaign which

\begin{footnotes}
\item[243] AMISOM military Component \url{http://amisom-au.org/mission-profile/military-component/} accessed on 12/08/13
\item[245] Kambere G(2011) Financing al Shabaab: The Vital Port of Kismayo \textit{CTX Vol No2}
\end{footnotes}
eventually succeeded in ejecting Al-Shabaab from Kismayo. When KDF entered Somalia they successfully liberated Kismayo from Al Shabaab on 1st October 2012.\textsuperscript{248}

4.3.2 International Cooperation

HSEO index the extent of cooperation into four categories: non cooperation, minor cooperation, modest cooperation, and significant cooperation. Non cooperation is typified when a single sender country imposes sanctions with no outside cooperation. Minor cooperation is defined when the sender country enlists verbal support and possibly token restraints from other countries. Modest cooperation exists when the sender country obtains meaningful restraints - but limited in time and coverage - from some but not all the important trading partners of the target country. Finally, significant cooperation exists when the important trading partners make a major effort to limit trade, although leakages may still exist through neutral countries.\textsuperscript{249}

Based on the above literature, m findings show that modest cooperation exists in sanctions episode against the Somalia. It can be seen that former trading partners have made a major effort to limit charcoal trade with Somalia. One of the measures to be taken by member states was to report to the sanction committee in 120 days after the adoption of resolution 2036 in February 2012 on what measures they have taken to implement the ban. Majority of major trade partners responded by issuing unilateral sanctions. For instance on May 28\textsuperscript{th} 2012 Japan responded by revising its law to ban charcoal imports

\textsuperscript{248} Owigo, Jacqueline interview with Kobe Ogle Political Officer British High Commission Mogadishu on 24\textsuperscript{th} June 2013
from Somalia in accordance with its Foreign Exchange and Foreign Trade Act. President Obama also ordered a ban on Somalia charcoal imports to USA. Australia also has classified charcoal as prohibited in its territory. Regional organizations like the EU have also expanded their sanctions to include charcoal trade.

**Member states violating ban.**

Despite the passage of this resolution, there has been evidence that exportation of charcoal still continues in the Al Shabaab controlled parts of Somalia. Somalia authorities haven’t taken significant measures to prevent the export of charcoal. It has also been noted that Somali charcoal to this states have indeed increased. Charcoal cargoes that are destined to the Gulf leave the port loaded with charcoal. This happens in full knowledge authorities at the port and in Al-Shabaab controlled areas. Some member states have failed to take the necessary measures to prevent direct or indirect import of this commodity. Middle East countries are the main importers of charcoal from Somalia. The major importers of Somali charcoal are the United Arab Emirates and the Kingdom of Saudi Arabia. There countries serve as markets for Somalia charcoal despite the ban. The high demand for charcoal in the Gulf States due to their strict laws on preventing local has led to a strong incentive for traders to continue to export Somalia’s natural resources.

---


253 EU expands sanctions against Somalia targeting charcoal trade [http://www.whitecase.com/alerts-07202012/#.UhnsxH_gna8](http://www.whitecase.com/alerts-07202012/#.UhnsxH_gna8) accessed on 12/08/13

254 Monitoring group on Somalia para 4 [http://www.securitycouncilreport.org/atf/cf%7B65B65BFCF9B-6D27-4E9C-8CD3-C6E4FF96F97D/ Somalia%205%202012%20544.pdf](http://www.securitycouncilreport.org/atf/cf%7B65B65BFCF9B-6D27-4E9C-8CD3-C6E4FF96F97D/ Somalia%205%202012%20544.pdf)
since there are opportunities for large profits, Certain traders in the gulf states have been more than willing to engage in this trade taking advantage of political situation to gain access to the much needed energy sources at a much lower cost.

4.3.4 Friends supporting the target

Mirror image of international cooperation with the sender is the support received by the target from its allies and neighboring countries. Assistance to the target country usually comes from its neighbors and allies, either overtly or covertly. HSEO state, Target countries are seldom cut off from alternative markets or financing sources when sanctions are imposed; trade and financial channels usually remain open, even though at a higher cost. For this reason, we [HSEO] do not count evasive and covert trade as “assistance”\(^{255}\) As such; HSEO's study is only concerned with evidence of overt economic or military aid to the target country in response to the imposition of sanctions. They argue that the impact of sanction on target can be reduced if it relies on friends to compensate for the burdens imposed by the sanctions.\(^{256}\) In Somali sanction regime, it can be demonstrated that Al-Shabaab relies on several funding options and not only on charcoal trade. It has also gotten support from its allies such as Al Queda, Elite Somalia business and even Eritrea has been accused of funding the Al-Shabaab albeit evasively accusations which Eritrea vehemently denies\(^{257}\). Yemen has also been accused on providing Al-Shabaab with military assistace. For instance in January 2010, the

---


\(^{256}\) Ibid pg 59

Transitional Government's Minister of Defense, Sheikh Yusuf Muammad Siad—alias Indho Adde—reported that Yemeni rebels had sent two boatloads of light weapons, ammunition, Kalashnikovs, and hand grenades to then Al Shabaab-controlled port of Kismayo.258

Somalia diaspora and Hawala

One large source of its funding is the Somali diaspora. The CIA World Fact book estimates that the total amount of remittances sent annually by the Somali diaspora to Somalia is $1.6 billion.259 The primary method used to send these remittances is hawala, an informal value transfer system that operates outside of the formal banking system, leaves no paper trail, and since 9/11 has become a leading problem in combating illicit financing and money laundering. “Since all transactions are between private persons, inter-clan support makes it hard to differentiate support to the insurgents from ordinary diaspora remittances.”260

Charity Contributions and (Zakat)

Al-Shabaab also generates funds through strict enforcement of zakat, one of the five pillars of Islam that obliges all Muslims to donate approximately 2.5% of his/her annual income to the poor and benefit of the greater Muslim community261. In line with the Islamic tradition in Somalia, where zakat is paid to the father of the family, “Al-Shabaab

---

261 Owigo J interview with Mohames Senior Research analyst at International Crisis Group on 22 August 2013
has made a practice of visiting all heads of family at the time of the Islamic year when charity tax is paid. It is not clear whether all of the funds Al-Shabaab raises through the 
*zakat* are allocated appropriately. For example, it is quite possible that the majority of the money collected by Al-Shabaab through *zakat* intended for the Muslim poor and needy is applied towards funding militant jihad.

### 4.3.5 Prior relations between sender and Target

Sanctions are imposed on friends and adversaries alike. Depending on the nature of the prior relationship, sanctions may be forceful in nature against adversaries or mild and suggestive against friends. HSEO classified the state of relations between the sender and target countries prior to the implementation of sanctions in three categories: antagonistic (Illustrated by most cold war cases), neutral (illustrated by relations between Spain and the United Kingdom despite centuries of dispute over Gibraltar), and cordial (U.S. relations with the United Kingdom and Malta prior to base negotiations). HSEO's findings indicate that sanctions are most effective when aimed against erstwhile friends and close trading partners. Senders and targets are both less likely to bargain with adversaries than with friends. Adversaries are particularly defiant targets. In the case of Somalia Al Shabaab who are designated as a terrorist organization.

---


265 Office Of The Coordinator For Counterterrorism [http://www.state.gov/j/ct/rls/other/des/102446.htm](http://www.state.gov/j/ct/rls/other/des/102446.htm) accessed on 15/08/13
Most of the United Nation Security Council members such as US and UK are known for their tough stance not allowing negotiation with terrorists. This is in the view that negotiations give legitimacy to terrorists and their methods and undermine actors who have pursued political change through peaceful means. Resolution 2036 was sponsored by Britain. Britain has been the front runner in working to find a long lasting peace solution in Somalia. It can be therefore see seen as a close ally of Somalia but not with the Al Shabaab.

4.3.6 Target’s level of democracy

Sanctions are less likely to be effective in autocratic regimes. Sanctions most likely to elicit a positive response from democracies are counterproductive when applied to authoritarian states. Sanctions create opportunities for politicians in democratic societies to look for new policies to alleviate the stresses of the sanctions while in contrast authoritarian leaders tend be insulated from micro economic pressure. Instead these leaders are more likely to more selective sanctions instruments that harm pivotal constituencies In that they buttress the “state”, redistribute income to a small but influential section of the elite. “Autocrats seldom bend under pressure from sanctions”\(^\text{266}\) However; researchers have yet to distinguish empirically among different types of authoritarian rule. Hufbauer and Oegg argue that advocates of smart sanctions are guided by the intuition that sanctions must hurt politically salient groups within the target if they are at work. In the case of Somalia there has been no rule of war since the outbreak of the

\(^{266}\) Keith Bradsher Trade Embargoes”Do they work” New YorkTimes 14\textsuperscript{th} July 1991
civil war. It is however worth noting that sanctions have been effective in areas with good governance structures in place.

4.4 Economic Variables

HSEO further classify sanctions determinant under economic factors which will be critically analysed as below;

4.4.1 Estimating the economic costs to targets

Sanctions that inflict heavy costs are usually successful. In theory the target country will weigh the costs imposed by the sanctions against the benefits derived from continuing its policies - the higher the net cost, the more likely the target will alter its policies. To make a finding one will need to study the target GNP and make a comparison. The HSEO used GNP in their analysis since it includes all outputs produced by a target’s owned inputs, no matter where they are located in the world however GDP is centered within the country’s territory. In Somalia it can be said that the sanctions on charcoal trade will definitely impact on Al-Shabaab income and the country’s economy at large. I make this assumption since 80% of the charcoal produced is exported to the Gulf States and it’s a major livelihood for most of the citizens in Somalia. As a result of the conflict, the country has maintained informal economy due which makes it difficult to gauge the variable effect on this sanctions episode. I was unable to make the comparison

---

268 Charcoal ban impacts local struggling economies http://www.voanews.com/content/as_charcoal_ban_is_enforced_in_somalia_local_economics_struggle/1382645.html accessed 10/08/13 1102
because the data relating to Somalia Gross Domestic Product (GDP) as well as its foreign trade is not available for the period of study.

4.4.2 Country size and trade linkages and type of sanctions used

Economic sanctions are most effective when aimed against close trading partners. In the cases seeking major policy changes, HSEO have identified that if the average trade linkage between the target and sender is at least 36 percent, then the sanctions episode will be successful. Somalia major trade partners include UAE, Yemen and Oman.\textsuperscript{269} HSEO argue that trade sanctions pose a greater enforcement challenge compared to monitoring financial sanctions. The sanctions regime on the Somalia utilized economic sanctions where by restrictions on imports to and exports from Somalia were instituted by SC Resolution 2036. A complete analysis, including economic, political, social, and cultural studies, of the target country must be conducted prior to the imposition of sanctions if they are to have a chance in achieving foreign policy goals.\textsuperscript{270}

4.5 Conclusion

Based on the primary data responses from the field, majority above, majority of the response, at 21, were of the view that the UN ban has not been successful. This can be attributed to the fact that much as there is the existence of this ban, the exportation of charcoal still continues. As the pie chart show, majority at 70% view the UN ban as not successful, followed by 20% as successful, 7% neither successful nor failure and 7%  

\textsuperscript{269} Trade Economics \url{http://www.tradingeconomics.com/somalia/balance-of-trade} accessed 08/25/13
could not tell. According to the respondents, the example of the export of the four Million bags of charcoal in Kismayo is enough evidence on the failure of the UN sanction to be implemented. Al Shabaab also has allies who fund its activities further increasing its defiance costs. This highlights the difficulty of cutting off Al Shabaab militants' funding and ensuring compliance with U.N. sanctions when there is little appetite for enforcing them on the ground. According to the secondary data, there are two variables in the explanation of sanction; these variables have been grouped into two categories of economic and political in nature. The political variables comprise of the networking cooperation within the international community and the existing international assistance to the target country. On the other hand, economic variables comprise of the existing relations between the sender and the target country, the estimated cost to the target country and the type of economic sanctions imposed.
CHAPTER FIVE

SUMMARY CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

Traditionalists see efficacies in sanctions while revisionists believe that sanctions have the likelihood of failure. Revisionists like Henry Bienen and Robert Gilpin who accept the nearly unanimous conclusion of sanctions that sanctions seldom achieve their purchase and more likely to have severe counterproductive consequences. According to Charles Kindleberger (1983), most sanctions are not effective.\(^{271}\)

The works of revisionists like M. S Daoudi and M. S Dajani conclude that sanctions are useful and effective political weapons in international politics.\(^{272}\) Elizabeth Rogers has made it clear that economic sanctions are more effective than what most analysts suggest.\(^{273}\) The revisionists, it will seem relate the theory of economic sanctions to economic statecraft. Another theory as discussed in chapter one is the multilateralism that is seen as international governance of the ‘many’ according to Miles Kahler (1992)\(^{274}\). This theory is a recent contribution to the literature on international relations theory, which focuses on the role of multilateralism in the post-Cold War era, rightly asserts that international norms and institutions appear to be playing a significant role in

---

\(^{271}\) Jentleson Bruce W. Economic Sanctions and Post-Cold War Conflicts: Challenges for Theory and Policy pg 123


\(^{273}\) Elizabeth S. Rogers, Using Economic Sanctions to Control Regional Conflicts,(Security Studies,5) pg72

\(^{274}\) Multilateralism with Small and Large Numbers Miles Kahler International Organization Vol. 46, No. 3 (Summer, 1992), pp. 681
the management of a broad array of regional and global changes in the world today.\textsuperscript{275} The theory essentially deals with the effort of building consensus on matters regarding the use of force or laying down universal norms. This means that this effort allows for contemporary problems even in their complexities to be globally dealt with.

There has been an evolution of sanctions practice throughout the 1990s from comprehensive to smart sanctions based on the various conflict types. This chapter will offer key findings based on the political and economic determinants for implementing a successful sanction episode according to framework set by Hufbauer et al which is referred to as HSEO study.

5.2 Summary of Findings

From the case study and sanction literature it is evident that political and economic costs to the target should be greater than the political and security costs of complying with sanctions demands\textsuperscript{276}. For a successful sanction effort, the cost of defiance borne by the target must be greater than its perceived cost of compliance. The sanction imposed in Somalia has suffered challenges due to several factors that have hindered successful implementation of the sanction. The defiance costs to the target have been lower making them more defiant and they have managed to adapt to the sanctions\textsuperscript{277}.

HSEO offers seven recommendations or conditions for implementing a successful sanctions episode. While there are some minor exceptions, this case, in general, follows

\textsuperscript{276} Chaitkin M, 2010 \textit{Understanding Sanctions Effectiveness}(New York University)
those recommendations. Their analysis states that countries in distress or are experiencing significant problems are far more likely to concede to the sender's demands, as is the situation in the Somalia case. Economic sanctions are also more effective against former friends and close trading partners; yet, the cost to the sender country is minimal while at the same time, imposing a heavy burden on the target. Leaders of non democratic regimes can withstand sanctions better compared to their democratic counterparts. They are able to gain more by looking for rent-seeking opportunities generated by sanctions.

In the Somalia case, the target country has strong economic and trade ties with the Gulf. The Somalia case's rejoinders to HSEO's recommendations come in the areas success and duration. This sanction should be given some duration before we can classify it a success or failure. It’s also important for sender governments should think through their means and objectives before implementing sanctions this will ensure that their target objectives are met.

5.3 Discussion of findings based on Specific Objectives and Hypothesis

5.3.1 Need for international support

International support for sanctions is supposed to curb the target’s options for circumvention. In the literature reviewed Lektzian and Souva argue, that cooperation with the sender decreases efficacy. 278 International support is needed for a sanction regime. Hufbauer et al (HSEO) provide a metric for rating international cooperation on a four point scale: 1 = no cooperation, 2 = minor cooperation, 3 = modest cooperation and 4 =

---

significant cooperation. In this study it evident that there is violation of sanctions mainly because member states such as United Arab Emirates (UAE) are not cooperating with other members hence generating an alternative market for the Somalia charcoal.

Monitoring experts have also expressed their frustrations due to lack of cooperation between them and the sanction regimes or some member states. For instance when a member state fail report the measures they have taken to implement sanction. From the findings international cooperation on this Somalia sanction episode can be graded at point 2 minor cooperation which explains why the ban hasn’t been successful. This therefore shows that sanctions which receive no cooperation or minor cooperation are likely to fail. However senders who receive modest to significant international support are more likely to succeed. It is important that the international community supports the target regime since the target will then have fewer opportunities to avoid the impact of the sanctions. Thus the targets are less likely to find ways to reduce their defiance costs.

5.3.2 Target’s level of Democracy

Leaders of non democratic regimes can withstand sanctions better compared to their democratic counterparts. They are able to gain more by looking for rent-seeking opportunities generated by sanctions. According to Lektzian and Souva trade sanctions are much more likely to generate chances for the target state’s leaders to seek rents than financial ones. HSEO (2007) also included a target polity variable that measures the

---

targets democracy level. The findings reveal that target polity is important factor in sanctions efficacy. The more democratic the target the more the sanctions are likely to succeed\textsuperscript{281}. This is coherent with the argument that sanctions aimed at non democratic regimes face fewer defiance costs than democratic regimes because they are more likely to capitalize on rent seeking opportunities generated by sanctions. This finding supports the many warning about the sanctioning of autocrats (HSEO 2007).

5.3.2 Type of sanction used

HSEO analyzed impact of sanctions types on outcomes. However they have only included a dummy for financial only sanctions episodes.\textsuperscript{282} Conversely, their theory predicts differences among finance, trade and mixed (both financial and trade) sanctions regimes. In their sanctions data they observe that mixed sanctions regimes increase the likelihood of success more than financials only. In my findings UN imposed only trade sanctions on Somalia which can has proved not to be a success. These results are consistent with the HSEO results that suggest that financial-only sanctions are more likely than trade-only sanctions to succeed.

5.3.3 Cost to target and allies supporting target

HSEO focus on average cost annual cost to target. However it is more likely that the costs accumulated over time are what matter to episode outcomes. Baldwin explains that the influence of economic changes tend to be cumulative.\textsuperscript{283} Based on the HSEO data

set, higher economic costs increase sanctions efficacy. In my findings I fail to arrive to a final conclusion since to arrive the time dimension on this sanction episode has been too short to make a conclusive argument. It was also not possible to get financial information such share of Somalia’s GNP during the period of study as the country lacked proper government structures.

Friends of targets often undermine sanctions by providing assistance or access to markets.\textsuperscript{284} Their assistance reduces the defiance costs felt by the target. They help facilitate illicit transactions for the target enabling the target alleviate the political and economical costs that results from sanctions. Sanctions are likely to be effective if the target receives help from third parties. Since the target allies offer means of circumvention and adaptation, lowering the impact of the sanctions. The magnitude of friends of target variable is almost identical to that of international cooperation though in the opposite direction. HSEO state, ‘Target countries are seldom cut off from alternative markets or financing sources when sanctions are imposed; trade and financial channels usually remain open, even though at a higher cost’.\textsuperscript{285} My findings indicate that support from friends of targets does indeed lower the sanctions efficacy and neutralizes international support.


\textsuperscript{285} Hufbauer, Gary, Jeffery, J, Kimberely Ann Elliot, and Barbara Oegg, \textit{Economic sanctions reconsidered},( 3\textsuperscript{rd} ed. Washington, DC: Peterson Institute for international economics. 2007) p186
5.3.4 Prior relations with the target and role of military

Senders and targets are both less likely to bargain with adversaries than with friends. HSEO reveal that better relations should increase sanctions efficacy since adversaries are particularly defiant targets. The international community is not ready to negotiate with the Al-Shabaab terrorists. This finding supports the argument that targets are less likely to concede to their enemies due to fears of confrontation and high expected concession costs.286 The use of military force in sanctions episodes is cannot be overlooked. Pape highlights the difficulty in distinguishing between the impacts of sanctions and military force, particularly when used simultaneously.287 The use of force increases the likelihood of sanctions success according to HSEO.288 By using force the sender inflicts greater defiance costs on the target and manifests greater resolve in the confrontation. My findings however doesn’t validate the claim that sanctions rarely succeed without the use of force. It is inconsistent with the HSEO (2007). Military force is a companion policy to sanctions that increases defiance costs to the target and amplifies senders resolve by demonstrating a willingness to escalate.

5.4 Conclusion

Sanctions need to be thought out prior to their use. Clear cut goals and objectives must be defined and communicated to the target country. Furthermore, a potential target country's economic and political situation must be analyzed to determine whether or not

286 Chaitkin M, 2010 Understanding Sanctions Effectiveness (New York University)
sanctions would be effective. In Somalia banning the charcoal trade was a great in the view of denying Al Shabaab a source of and also helping to conserve Somalia’s fragile ecosystem but the sender should have studied the environment as the charcoal trade involves a complex cycle in the sense that Al –Shabaab themselves don’t participate in the trade but behind the scenes they collect money from taxes imposed on the businessmen and women in Somalia. Hence when you sanction economic backbone of a community it impacts on of the livelihoods of the locals which further complicates the quest for peace solution in Somalia.

Sanctions alone are unlikely to coerce the target state to yield to foreign demands. When a sanction is complemented with other foreign policy tools it is better positioned to achieve its aims. The use of military force is an example of one such tool though it can prove to be costly and internationally politicized. The need for compromise can be awkward for leaders particularly those in western democracies whose policy options are constrained with dealing with rogue groups. In this case it might be strategically and morally imperative if allowed. Sanctioners should avoid characterizing their interests or of the targets that renders negotiation and compromise impossible. Policy makers also need to acknowledge that sanctions alone are unlikely to achieve their goals. The belligerent Al Shabaab leaders can be offered incentives. Such efforts can make a country genuinely claim cause for war as the last resort.

290 Owigo J, Interview with Ciru Mwaura Senior Conflict Adviser DFID 20 July 2013
291 Chaitkin M, 2010 Understanding Sanctions Effectiveness(New York University)
Areas for further research should be on assessment of this ban once this sanction episode is considered complete. Somalia conflict has evolved over time and cultural and historical characteristics of nations, which have been neglected in the literature, will need to be taken into account in future research.

5.5 Recommendations

By addressing the multitude of weaknesses that have now been exposed in the implementation of UNSC’s resolution 2036; the focus will now turn to proposals for improving the existing sanctions system as a whole.

Need for significant international cooperation

There is need to address the issue of alternative trade partners as the Gulf States are still fuelling this trade by offering a large market for the charcoal despite the sanction. The trade is still ongoing especially in the Al Shabaab controlled areas and charcoal traders are willing to export their charcoal through ports such as Barawe which is still governed by the Al-Shaabab\textsuperscript{292}. The member states should take serious measures to ensure that they ban the entry of charcoal in their countries. This can be achieved by inspecting shipments at the port and impounding embargoed goods. The Arab League should take measures to ensure its member states bar Somalia charcoal in their territories. They should stress the need for cooperation by taking the necessary steps to stop the importation of charcoal.

\textsuperscript{292} Owigo J, Interview with Kobe Ogle UK Political Officer on 28\textsuperscript{th} July 2013
Member states need to support implementation of UN sanctions by fully cooperating with the Security Council’s resolutions and work closely with the panel of experts providing them with information required. Some member states have not been forthcoming with the information on measures they have taken to ban charcoal imports into their territories, this therefore affects the coordination of the sanction imposed by the United Nations.

**Tree planting campaigns and negotiation with Al Shabaab**

International community should develop projects to sensitize the locals on the dangers of cutting trees and engage the youth in reforestation projects. The Federal government of Somalia needs to open dialogue with Al Shabaab. Former South African president said” you don’t make peace with your friends but you make peace with your enemy then he becomes your partner”. Policy makers also need to acknowledge that sanctions alone are unlikely to achieve their goals. The belligerent Al Shabaab leaders can be offered incentives. Such efforts can make a country genuinely claim cause for war as the last resort. Nations that share a range of cultural attributes in this case Islam could to be more effective in communicating their collective preferences and intentions than culturally dissimilar countries, thus mitigating conflict.

**Tackle the issue of governance and rotate the AMISOM sectors**

The Federal government must to do outreach and engage with all regions in Kismayo. In Somalia more time is required for the authorities to establish proper government

---

293 Quote by Nelson Mandela
structures that can engage with the regions to ensure successful implementation of the ban.  
To achieve a Federal and stable Somalia there is need to embrace inclusive political processes including, political dialogue, reconciliation with all stakeholders both at national and regional levels. This should be done while ensuring the neutrality is observed. Kenya’s continued involvement in Somalia can be seen as going beyond the mandate of securing its border. One contentious issue is whether Kenya should be moved from Sector two due to the accusations of KDF soldiers flouting the UN ban. The Federal government has accused Kenyan forces of interference in Somalia affairs. The UN monitoring group on Eritrea and Somalia has also confirmed the same in its report. Kenya has stated categorically that they are in Kismayo to stay according to a statement by the ministry of foreign affairs official. However moving them from Kismayo may disrupt the efforts and gains AMISOM has made in their way against Al-Shabaab.

Need for Capacity building and promotion of sustainable development.

75% of Somali’s population consisting of the youth suffers from unemployment. The youth are major actors in conflict, making up the majority of the participants in militias and criminal gangs, including Al-Shabaab. To address the linkage between unemployment and conflict in Somalia the international community through their capacity building programs should help expand opportunities for youth employment.

---

295 Interview with Mohamed Horn of Africa Research analyst on 13th July 2013
through job creation and skills development. This could be achieved through promoting income generating activities, implementing employment projects that can develop their skills. There is need to ensure that Somalia’s natural resources are properly managed by setting up legal and regulatory frameworks to ensure sustainability and national resources management. All stakeholders should encourage dialogue on how to develop framework on natural resource revenue-sharing. Somalia’s natural resources base is currently the back bone of the economy and presents a potential conflict driver both economically and politically at local and regional levels. The international community can also help in funding to develop management institutions.

**Engaging warlords and faction leaders**

Income from charcoal trade provides important financing for some warlords and faction leader which enables them to maintain their capability and predatory regimes. While Al Shabaab benefits from charcoal trade, it’s the more powerful businessmen that are the real power behind the industry. These powerful businessmen have links with Al-Shabaab. It is therefore very important to court this business who profit from the trade. They have proven to be influential. They need to be engaged in dialogue and negotiation towards finding a lasting peace solution in Somalia.

---

300 Owigo J, interview with Himish Mahamoud UK political officer 23rd July 2013
301 Owigo, J. Interview with Political Officer, British High Commission, Nairobi. 17 July 2013
Alternative Source of energy

Lack of a clear strategy to provide alternative source of energy has affected the efficacy of the ban. According to UNEP, lack of energy alternative is the primary cause of deforestation\textsuperscript{302}.

Most of the Somalis households depend on charcoal entirely as their only source of energy for cooking. Imposing a ban without offering an alternative source of energy will be ineffective. Consequently the knock on effect is felt by women who are the users of charcoal therefore without any alternatives this makes the vulnerable to Sexual and Gender Based Violence (SGBV) and increased domestic and livelihood burden.\textsuperscript{303} For instance use of fuel efficient cooking stoves, wind and solar energy can be explored.

\textsuperscript{302} Ismail S (2011) Somalia Report 
BIBLIOGRAPHY

BOOKS


Bloomfield, S 2008 ‘Somalia: The World’s forgotten catastrophe.’ *The Independent*


Ken Menkhaus, *Somalia, a country in peril, a policy nightmare*, Enough strategy paper, 2008


**JOURNALS**


Gary Hufbauer and Barbara Oegg, “Targeted Sanctions: A Policy Alternative?”


Shinn.D, *Al-Shabaab Tries to Take Control of Somalia*, Foreign Policy Research Institute,November 5, 2012:
http://www.fpri.org/enotes/201011.shinn.somalia.html

Vines A’ *Effectiveness of UN and EU Sanctions’ International Affairs*. Volume 88, Issue4


**ONLINE ARTICLES AND NEWS REPORTS**


Charcoal exportation from southern Somali port continues despite UN ban, 2012, October 26. *BBC Monitoring International Reports.*


Mike, P. (2012, September 21). In Somalia, UN charcoal purchases could be funding Al Shabab terror group. Christian Science Monitor, The (Boston, MA).

Monitoring group on Somalia para 4 http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Somalia%20S%202012%200544.pdf


OTHER DOCUMENTS


Amisom military Component http://amisom- au.org/mission-profile/military-component/ accessed on 12/08/1


Ban on importing Somalia Charcoal http://www.meti.go.jp/english/press/2012/0528_01.html pg 1 accessed on 12/08/13 1230


EU expands sanctions against Somalia targeting charcoal trade http://www.whitecase.com/alerts-07202012/#.UhnnsxH_gna8 accessed on 12/08/1

http://wikileaks.org/wiki/CRS:_IRAQ:_HUMANITARIAN_NEEDS,_IMPACT_OF_SANCTIONS,_AND_THE_%22OIL_FOR_FOOD%22_PROGRAM,_August_13,_1998 accessed on 03/06/13 2233


Lister. T, Fertile Territory for Al Shabaab in Chaos of Somalia, CNN news:


Valter V, *Al Shabaab: From external support to internal extraction: A minor field study on the financial support from the Somali diaspora to Al-Shabaab*, (Uppsala University, 2011)

**INTERVIEWS**

Interview with Kobe Ogle, Political Officer, British High Commission, Nairobi, 28th June 2013
Interview with Mohamed, Horn of Africa Senior Research analyst, International Crisis Group, Nairobi, August 2013
Interview with Richard Laxton, Deputy Head of Mission, British Office for Somalia June 2013
Interview with Ciru Mwaura, Senior Conflict Advisor, DFID-Somalia, Nairobi June 2013
Interview with Himish Mohammed, Political Officer, British High Commission, Nairobi. 17 July 2013
Interview, Mohamed Ismail, Programme Officer, Department for International Development, Nairobi, 17 July 2013

**UN RESOLUTIONS AND MONITORING REPORTS**

Security Council Resolution. 757 (30 May 1992), para. 4; SC Res. 787 (16 November 1992), para. 9; SC Res. 820(17 April 1993), para. 15
Security Council Resolution. 670 (25 September 1990), para. 3
Security Council Resolution. 1483 (22 May 2003), para. 23.
Security Council Resolution. 1572 (15 November 2004), para. 11.
Security Council Resolution. 1306 (5 July 2000), para. 1
Security Council Resolution. 1718 (14 October 2006), para. 8(a)(iii).

**MAPS**
UN Somalia Maps
http://upload.wikimedia.org/wikipedia/commons/thumb/9/9f/Somalia_map_states_regions_districts.png/969px-
Somalia_map_states_regions_districts.pnghttp://www.unocha.org/somalia/maps-
grahics/reference-maps/zone accessed on 12/05/13
Introduction

Good morning/ afternoon, my name is ………., a Master’s of Arts in International Studies student at the Institute of Diplomacy and International Studies, University of Nairobi.

Any response provided in the questionnaire will not be used for any other purpose apart from the academic purpose.

General information

Name of the organization

………………………………………………………………………………………………………………………………………………

Location of the organization

………………………………………………………………………………………………………………………………………………

Title at the organization

………………………………………………………………………………………………………………………………………………

Personal characteristics

Gender …………………. (Male), (Female), (Trans-gender) -Please tick the answer
UN ban on charcoal trade in Somalia

i. What is your understanding of the UN sanctions on the charcoal trade in Somalia?

ii. Give reasons for the ban of charcoal trade in Somalia?

Effectiveness of UN charcoal trade ban in Somalia

i. How effective is UN’s sanction on the charcoal trade ban in Somalia?

ii. What do you think should be the best approach?

iii. Are there any specific issues emerging from the UN’s sanction in Somalia?
Is there any other information?

I AM VERY GRATEFUL FOR ANSWERING MY QUESTIONS!

Introduction
Good morning/ afternoon, my name is ……….., a Master’s of Arts in International Studies student at the Institute of Diplomacy and International Studies, University of Nairobi.

Any response provided in the interview will not be used for any other purpose apart from the academic purpose.

General information
Name of the organization

..........................................................

Location of the organization

..........................................................

Title at the organization

..........................................................

Personal characteristics
Gender ………………. (Male), (Female), (Trans-gender) -Please tick the answer

Education: …………. (Primary) ………. (Secondary) ………

(University)………………

Age: ………………. (25-35) ………. (36-45) ……… (46-55) …….. (56 and above)

..........
Religion: ............. (Christian) ............... (Muslim)

Topics for Unstructured interview

i. UN ban on charcoal trade in Somalia

ii. Effectiveness of UN charcoal trade ban in Somalia

iii. Implementation of UN sanctions of charcoal trade in Somalia

IAM VERY GRATEFUL FOR ANSWERING MY QUESTIONS!
Appendix 3: Map showing political situation in Somalia

![Map of Somalia](http://upload.wikimedia.org/wikipedia/commons/thumb/9/9f/Somalia_map_states_regions_districts.png/969px-Somalia_map_states_regions_districts.png) accessed 15/08/13

---

[^304]: [http://upload.wikimedia.org/wikipedia/commons/thumb/9/9f/Somalia_map_states_regions_districts.png/969px-Somalia_map_states_regions_districts.png](http://upload.wikimedia.org/wikipedia/commons/thumb/9/9f/Somalia_map_states_regions_districts.png/969px-Somalia_map_states_regions_districts.png) accessed 15/08/13
Appendix 4: Map showing regions in Southern Somalia

http://www.unocha.org/somalia/maps-graphics/reference-maps/zone
accessed 12/07/13 1520