行政院國家科學委員會專題研究計畫　成果報告

歐洲聯盟對非會員國之制裁：懲罰與誘因

計畫類別：個別型計畫
計畫編號：NSC92-2414-H-343-002-
執行期間：92 年 08 月 01 日至 93 年 07 月 31 日
執行單位：南華大學歐洲研究所

計畫主持人：鍾志明

計畫參與人員：洪千雅； 簡子婷

報告類型：精簡報告

處理方式：本計畫可公開查詢

中　華　民　國 93 年 11 月 4 日

歐洲聯盟對非會員國之制裁：懲罰與誘因

Sanctions of the European Union against Non-Member States:

Punishments and Incentives

中文摘要

本文探討歐洲聯盟對第三國實施制裁的法律架構，並且檢視該項政策之演進。作者發現，過去二十年來的實際運作，為了確保對外行動的一致性，事實上已導引出歐盟制裁機制的跨越支柱特性。然而，調整對非會員國實施制裁所運用之外交政策工具，正好突顯出此一政策領域之特殊性質。同樣地，這樣的政策發展路徑，亦可見之於目前所進行中的歐盟憲法化過程。

本篇論文乃先著手回顧過去實際的運作情形，以認識及界定歐洲聯盟的制裁機制究竟為何。緊接著分析歐盟各主要機關在對外制裁決定過程中所扮演的角色、會員國之間的合作、以及歐洲法與國際法上之相關問題。本文將引近來歐盟對非會員國執行制裁行動的例子，來說明政府間合作取向的轉變。最後，總結此一政策改進的兩個關鍵要素—懲罰與誘因，作為歐盟憲法化過程裡健全制裁機制的主要考量。

關鍵詞：歐洲聯盟；制裁；非會員國；共同外交暨安全政策

Abstract

This paper deals with the legal framework of EU's sanctions against third states and explores how its application has evolved. It argues that practices over the last two decades have led to a cross-pillar approach applied within the sanctions regime of the European Union, an evolution that runs along the line of ensuring consistency of its external activities. However, the reconfiguration of foreign policy instruments used in the sanctions regime reflects the distinctive characteristics defining this policy area. This policy development could be read in the context of EU ongoing constitutionalization process.

The paper hence begins by introducing and defining sanctions regime of the EU. It then provides a brief overview of the EU's sanctions practices. The following section analyses the role of the EU Institutions in the decision-making process, cooperation between the Member States and the remaining legal problems concerning the

imposition of sanctions by the Union. The paper will point out the recent restriction measures employed to non-member countries and show how the intergovernmental approach has shifted. It concludes by analyzing and drawing out some of the implications of this development, which will be significant for the constitutionalization of the EU.

Keywords: European Union; Sanctions; Non-Member States; CFSP

EU Constitutionalization and Supranational Governance in Its Sanction Policy - the Legal Basis and Practice[1]

I. Introduction

In the present day, at least from the end of the East-West confrontation onwards, military strength is generally regarded as less suitable instrument for solving international or regional conflicts. However, the necessity of conflict management in world politics is needed more than ever. It has the consequence that sanctions are more often used in the modern diplomacy. The importance of sanctions as means of foreign policy has been therefore dramatically increased in a democratizing world society.[2] In addition to the United Nations, it is open to each state or group of states to seize political and economic punitive measures as long as they do not violate their international obligations.[3]

With the purpose of keeping the repressive element of the intended punishment in the background,[4] neither the Charter of the United Nations nor the Treaty on the European Union (TEU) use the word "sanctions", but speak, both consciously and neutral, only of *measures*. On the other hand, the terms of sanctions which available in the literature are just as numerous as contradictory.[5] However, the facts we should not ignore are that at least since the League of Nations, sanctions are widely regarded as an alternative to military force and, according the UN Charter, military actions require authorization from the Security Council of the UN (UNSC). In this context, the author defined the EU sanctions against third states as following: The European Union – as well as its predecessor European Economic Community (EEC) – applies autonomous non-military enforcement measures to non-Member States; these actions are

---

[1] Paper presented for the "Constitutionalization of the European Union", December 12-13, 2003, Institute of European and American Studies, Academia Sinica, Taipei.

[2] John Mueller, „The Essential Irrelevance of Nuclear Warfare. Stability in the Postwar World", in: *International Security*, 2/1988, pp. 55-79; Peter van Bergeijk, *Economic Diplomacy, Trade and Commercial Policy. Positive and Negative Sanctions in a New World Order* (Aldershot: Edward Elgar, 1994), pp. 1, 7.

[3] Friedhelm Solms, „Embargos als Druck- und Einflussinstrumente. Sanktionen – erfolgreicher als angenommen", *Das Parlament*, 5.4.1996, p. 9; Klaus Zeleny, „Zur Verhängung von Wirtschaftssanktionen durch die EU", in: *Zeitschrift für öffentliches Recht (ZöR)*, 2/1997, pp. 199-200.

[4] Ulrich Beyerlin, „Sanktionen", in: Rüdiger Wolfrum/ Christiane Philipp (eds.), *Handbuch Vereinte Nationen* (München: Beck, 2nd ed., 1991), p. 722; Kathrin Osteneck, „Die völkerrechtliche Verpflichtung der EG zur Umsetzung von UN-Sanktionen", in: *Zeitschrift für Europarechtliche Studien (ZeuS)*, 1/1998, p. 104.

[5] Kim R. Nossal, „International sanctions as international punishment", in: *International Organization*, 2/1989, pp. 302-303.

motivated by foreign policy interests and with the intention to pressure target to defuse a crisis or adopt a certain course of action.[6]

Such sanctions are based on resolutions in the framework of the Common Foreign and Security Policy (CFSP) and then implemented by legal acts of the European Community (EC). According to the existing Article 301 of the Treaty on European Union:

> Where it is provided, in a common position or in a joint action adopted according to the provisions of the Treaty on European Union relating to the common foreign and security policy, for an action by the Community to interrupt or to reduce, in part or completely, economic relations with one or more third countries, the Council shall take the necessary urgent measures. The Council shall act by a qualified majority on a proposal from the Commission.

Military measures, such as "tasks of combat forces in crisis management, including peacemaking" (Art. 17 (2) TEU), are excluded at the outset from the above-mentioned definition. In practice, nonetheless, the imposition of EC/EU sanctions concerns so far only peaceful actions. It had resulted in the past a set of actions and measures: from interruption of communication connection, travel ban, sport boycott, weapon and trade embargo, to the reduction of development assistances and degradation of diplomatic relations. Excluded from this paper and the definition used here are sanctions applied only with the goals of guaranteeing market access[7] and of protecting European economy from outside influences.

II. Evolution of legal basis for imposing sanctions

In order to get a comprehensive picture of European sanctions policy, it is necessary to describe in brief the legal basis and practices before the entry into force of the Maastricht Treaty. Up to the end of 1980s, the question about the competence of the Community to impose sanctions was a controversial subject between the Member States and the Commission. Decisive for the competence disputes is the fact that

[6] Cf. Makio Miyagawa, *Do Economic Sanctions Work?* (New York: St. Martin's Press, 1992), p. 7; Bernd Lindemeyer, *Schiffsembargo und Handelsembargo. Völkerrechtliche Praxis und Zulässigkeit*, Köln, Diss., 1975, p. 183; Delegation of the European Commission to the United States, "European Union Sanctions Applied to Non-Member Countries", 2003/10/30 (http://www.eurunion.org/legislat/Sanctions.htm) .

[7] Cf. Richard Haass (ed.), *Economic Sanctions and American Diplomacy* (New York: Council on Foreign Relations, 1998), p. 1.

economic embargos can be part of both trade and foreign policy. A sanction regime requires usually economic instruments while it is motivated by foreign policy consideration. In accordance with the Treaty of Rome, the Community enjoys a comprehensive and exclusive authority in the field of the Common Commercial Policy as entitled in Article 113 of the Treaty Establishing the European Economic Community (TEEC); without authorization from the Community, the Member States cannot be active domestically.[8] However, on the other hand, the Member States were and still remain responsible for the conduct of foreign policy. The classification of economic sanctions as pure commercial policy measures proved thereby as problematic.

Different approaches and an increased density of application cases characterized the evolution of the European sanction regulations. As succession of change of national preferences regarding foreign policy co-operation, accompanied by the deepening of the European integration, three development stages can be differentiated: the first phase (1966-1980) with the denying of the Community competence; the second one (1982-1992) with the rope pulling between commercial and foreign policy; and the third phase (since 1993) with the establishment of the two-tier decision-making procedure.[9]

I. First Phase: Intergovernmental Approach

The European Community faced for the first time in its history the sanction question when the Security Council of the UN decided to impose economic sanctions against Southern Rhodesia in 1966.[10] The Member States of the EC accomplished UN sanction resolutions, at different time and in different way, according to their own national laws. On the other hand, the EC adopted general trade regulations even in contradiction to the sanction resolution of the UNSC.[11] The Six as well as the Council took this intergovernmental approach and referred to Article 224 TEC, which states that a Member State may be called upon to take measures "in order to carry out obligations it has accepted for the purpose of maintaining peace and international security". This article also asks Member States to "consult each

[8] Roger Kampf, „Artikel 113 EWG-Vertrag als Grundlage für Embargomaßnahmen seitens der EWG", in: *RIW*, 10/1989, p. 794.

[9] Florika Fink-Hooijer, „The Sanctions Policy of the European Union. Evolution and Assessment", in: *CFSP Forum*, 4/1994, pp. 4-5.

[10] UN Doc. S/RES/232 vom 16.12.1966. See further Wolfrum/Philipp (eds.), *op. cit.*, p. 725; Pieter J. Kuyper, „Sanctions against Rhodesia. The EEC and the Implementation of General International Legal Rules", in: *Common Market Law Review (CMLR)*, 1975, pp. 231-244.

[11] Schriftliche Anfrage Nr. 526/75, *ABl.* C 89/6-7 of 16.4.1976.

other with a view to taking together the steps needed to prevent the functioning of the common market being affected" by individual measures. This obligation ensured the institutional discourse with respect to analyzing the impact of a sanction regime on the Common Market[12], where the Treaty empowers the Commission to take responsibility. The Commission took no clear legal position, however, on whether it regarded a competence of the EEC apart from the authority of the Member countries in this area also as given.[13] In connection with the economic embargoes against Iran in 1980, the suggestion of the Commission that the EC should ensure a joint action based on Article 113, encountered hereby however resistance of France, Italy and Denmark. They held that the goal of the measures is decisive and, therefore, economic measures, which were taken as highly political in nature, could not fall under the Common Commercial Policy. Such actions fell within the competences of the Member States and could only be based on Article 224 TEEC.[14]

II. Second Phase: Combined Approach

The Treaty of Rome did not explicitly empower the Community to impose sanctions against non-Member countries for political ends. In 1970s, however, the Court of Justice began to interpret the Common Commercial Policy in an extensive way. It encouraged the EC institutions to take economic punitive measures under the Article 113 framework.[15] Consequently, the Community as a whole changed its approach in 1982 when the Council adopted a Regulation reducing the import of certain products from the former Soviet Union — a legal act based on Article 113 TEEC.[16] At this phase of the EC sanction policy, the Community still had no total initiative right concerning the adoption of sanctions under Article 113. In practice, recourse to this article for the imposition of (economic) sanctions against third states was only possible after a related decision had been taken in the framework either of European Political Cooperation (EPC) or of consultation procedure under Article 224 TEEC.[17] That is to say, foreign ministers made sanction decision first in the EPC framework and then the Community executed them by using the EEC policy instruments. Despite the fact that there was no formal link in the EC Treaty between these two frameworks (the intergovernmental EPC and the

12 Fink-Hooijer, *op. cit.*, p. 4.

13 See Schriftliche Anfrage Nr. 5/73, *ABl.* C 57/27-28 of 17.7.1973; Schriftliche Anfrage Nr. 526/75, *ABl.* C 89/6-7 of 16.4.1976, p. 9.

14 Werner Meng, „Die Kompetenz der EWG zur Verhängung von Wirtschaftssanktionen gegen Drittländer", in: *ZaöRV*, 4/1982, pp. 783-784; *Bull. EG*, 5/1980, Ziff. 1.5.3.–1.5.5.

15 Fink-Hooijer, *op. cit.*, p. 4.

16 *ABl.* L 72/15 of 16.3.1982.

17 Fink-Hooijer, *op. cit.*, p. 4.

supranational Community), political practice drew both closely together. In the end, the compromised joint approach became the new basis for implementing external sanctions. Within this second phase of the EC sanction policy, sanctions also incorporated positive measures such as humanitarian aid to refugees or financial and logical assistance to opposition groups along with the negative measures being inherent to any sanction regime.[18] In spite of these improvements, but because the EC sanctions left too much room for national maneuvers, the application field of Article 113 TEEC remained restricted. This was particularly true in terms of financial sanctions (such as the freezing of foreign assets), arms embargoes and export ban on so-called dual-use products, which could have been taken under Article 113 TEEC but were withheld as a sovereign domain by the Member States. National measures, which can differ substantially from one state to the other, could persist in parallel to Community action. Thereby, the effectiveness of a sanction regime was often undermined. The main problem was that "there was no specific appropriate basis for a comprehensive Community sanction policy"[19].

III. Third Phase: Cross-Pillar Approach

Since the coming into force of the Treaty on European Union in November 1993 and the introduction of the Common Foreign and Security Policy, the Member States now rely on Articles 12, 14 and 15 (TEU) to initiate EU sanctions. The specific legal basis for Community sanctions was to be found in the new Articles 228a of the TEC. It states that the Council shall, on a proposal from the Commission and by qualified majority, take the necessary urgent measures to interrupt or reduce the economic relations with third state(s) when such action is provided for in a *common position* or in a *joint action* under the CFSP framework. For the EU sanction policy, since then, there exists a set of specific legal basis and decision procedure in the European law. It took into account the political and legal aspects around the pillar structure of the EU. First, Article 228a TEC forms a "coherence-promoting bridge construction" [20] which link up the Community competences with regard to the Common Commercial Policy under the first pillar and the EU competences concerning the second pillar (CFSP). It, thereby, codifies the combined

[18] See further Torsten Stein, „Das Zusammenspiel von Mitgliedstaaten, Rat und Kommission bei der Gemeinsamen Außen- und Sicherheitspolitik der Union", in: *Europarecht (EuR)*, Beiheft 2/1995, pp. 69-81.

[19] Fink-Hooijer, *op. cit.*, p. 5.

[20] Matthias Pechstein/ Chrsitian Koenig, *Die Europäische Union. Die Verträge von Maastricht und Amsterdam* (Tübingen: Mohr Siebeck, 2nd ed., 1998), pp. 8-9.

(two-tired) approach developed under EPC mechanism. Secondly, it constitutes a specific procedure to impose and implement economic sanctions for political ends. Actually, the sanction policy becomes an integral element of the European external relations. Finally, concerning financial sanctions, the Article 73g was introduced into the EC Treaty. According to this article, the Council of Ministers may take the necessary urgent measures on the movement of capital and on payments against third countries. However, unlike the Article 228a TEC, the application of Article 73g is not mandatory. Individual Member States can hence impose unilateral financial sanctions on their own initiatives.

III. Still a legal gray area

Although these improvements was widely regarded as important steps toward common European sanction policy, the sanctions of following years[21] showed that the same limits, which appeared in EEC's time, persist after the coming into force of the Maastricht Treaty. These sanction regimes demonstrated clearly that their content and scope depended entirely on the political will of the EU Members. For a common position or joint action, the adoption of which is a pre-condition before invoking Article 228a TEC, requires unanimity. Hence, every Member State can use its veto under the second pillar to block Community taking measures. As a result, "possible politico-historical constraints of certain Member States vis-à-vis third states can seriously hamper the effectiveness of the EU sanction policy by only allowing for the adoption of a limited and modest course of punitive action".[22]

The interplay between Articles J.2 TEU and 228a TEC calls for a direct involvement of the Commission in the underlying CFSP decision-making. In fact, the Commission complaint about being placed outside this process under the second pillar. From its point of view, the implementation of EU sanctions was "in contravention of Article J.9 TEU according to which the Commission shall be *fully* associated with the work carried out in the CFSP"[23]. In particular, the Council common position regarding the sanction regime under CFSP is directly encroaching on Community competence and the subsequent execution of this political decision is a *de facto* obligation for the Commission under Article 228a. Repeatedly, the Commission appealed to the Member States that the Intergovernmental Conference should address this problem.

[21] Sanctions against Sudan, Rwanda and Haiti. Fink-Hooijer, *op. cit.*, p. 5.

[22] *Ibid*.

[23] *Ibid*.

Yet far from being satisfactory, neither the legal bases nor the situation of involvement of the Commission did change by the *Treaty of Amsterdam*. The regulations of the Articles 301 and 60 TEC/Amsterdam are, except new numbering, identical to the wordings of the Articles 228a and 73g TEC/Maastricht. *The Nice Treaty* has not amended these two articles as well.

IV. Rugulation in the Draft Treaty

The application of EU sanctions is set out in Article III-224 of the *Draft Treaty Establishing a Constitution for Europe*, which adopted by the European Convention on 13 June and 10 July 2003. The first paragraph of this article explicitly states that the Council of Ministers shall, on a joint proposal from the Union Minister for Foreign Affairs and the Commission and by a qualified majority, adopt the necessary European regulations or decisions to interrupt or reduce, in part or completely, the economic and financial relations with one or more third countries when such action is provided for in a European decision on a Union position or action under Title V ("The Union's External Action") of the *Draft Treaty*. On the first sight, the two-tired decision-making procedure and general regulation regarding EU sanctions are not altered by the *Draft Treaty* and widely taken over from the Article 301 TEU. In order to improve the competence of the European Parliament in this field, the Convention requires that the European Parliament shall be informed of the EU sanction decision. The second paragraph of Article III-224 states further that "(i)n the areas referred to in paragraph 1, the Council of Ministers may adopt restrictive measures under the same procedure against natural or legal persons and non-State groups or bodies". It incorporates the measures taken under the exiting third pillar and is better to be understood in terms of the effort of European campaign to eradicate terrorism. In addition, it conforms the ideology of the so-called "smart sanctions" [24]: the elites of the target should be punished while the innocent people stay outside the negative influences of economic sanctions. Surely, the Draft Treaty makes many institutional and legal changes, such as the introduction of the Union Minister for Foreign Affairs and new legal forms. The pillar structure is also reconstructed into a Union with legal personality. All of these can enhance the coherence

[24] David Cortright/ George A. Lopez/ Richard W. Conroy, „Are Travel Sanctions `Smart´? A Review of Theory and Practice", Bonn International Center for Conversion, First Expert Seminar, *Smart Sanctions, The Next Step: Arms Embargoes and Travel Sanctions*, Bonn, 21.-23.11.1999 (http://bicc.uni-bonn.de/general/events/unsanc/cortrightlopez.pdf), p. 5.

between EU institutions and different policy instruments and present a speaking-with-one-voice EU internationally. Concerning financial sanctions, the question whether the non-mandatory character of Article 73g TEC indicates that Member State action under CFSP take "supremacy" over action in the Community framework or whether Article 73g presents a strictly limited exception is settled by the first paragraph of Article III-224 of the Draft Treaty. It seems that the old controversy over the competence of the EC to impose sanctions against third states is thus overcome. But it will still depends on the political will of the Member States to decide and carry out the EU sanction policy.

ANNEX

Article 301 (ex Article 228a) TEC

Where it is provided, in a common position or in a joint action adopted according to the provisions of the Treaty on European Union relating to the common foreign and security policy, for an action by the Community to interrupt or to reduce, in part or completely, economic relations with one or more third countries, the Council shall take the necessary urgent measures. The Council shall act by a qualified majority on a proposal from the Commission.

Article 60 (ex Article 73g) TEC

1. If, in the cases envisaged in Article 301, action by the Community is deemed necessary, the Council may, in accordance with the procedure provided for in Article 301, take the necessary urgent measures on the movement of capital and on payments as regards the third countries concerned.

2. Without prejudice to Article 297 and as long as the Council has not taken measures pursuant to paragraph 1, a Member State may, for serious political reasons and on grounds of urgency, take unilateral measures against a third country with regard to capital movements and payments. The Commission and the other Member States shall be informed of such measures by the date of their entry into force at the latest.

The Council may, acting by a qualified majority on a proposal from the Commission, decide that the Member

State concerned shall amend or abolish such measures. The President of the Council shall inform the European Parliament of any such decision taken by the Council.

Article III-224 of the Draft Treaty

1. Where a European decision on a Union position or action adopted in accordance with the provisions on the common foreign and security policy in Chapter II of this Title provides for the interruption or reduction, in part or completely, of economic and financial relations with one or more third countries, the Council of Ministers, acting by a qualified majority on a joint proposal from the Union Minister for Foreign Affairs and the Commission, shall adopt the necessary European regulations or decisions. It shall inform the European Parliament thereof.

2. In the areas referred to in paragraph 1, the Council of Ministers may adopt restrictive measures under the same procedure against natural or legal persons and non-State groups or bodies.

計畫成果自評

有關歐洲共同體是否有權對第三國實施經濟制裁—即經濟制裁究應屬各國外交政策抑或是共同體共同貿易政策之領域，一直是共同體及其會員國間長久以來爭議的問題。由於羅馬條約並未就此作出明確規定，共同體執委會試圖擴大解釋條約第七章(共同貿易政策)第 113 條之作法，雖未獲全體會員國一致的認同，但也得到相當程度之默認與實踐，如對伊朗、阿根廷、南非以及伊拉克之外交、經濟制裁等例證。

隨著馬斯垂克條約之簽定，其新增第 228a 條終止了以 113 條作為共同體對外制裁法源之爭論，並確立兩階段的決策模式：「當依歐洲聯盟條約共同外交安全政策條款所採取之共同立場或聯合行動中規定，共同體應與一個或一個以上之第三國全面或部份斷絕或降低經濟關係時，理事會得依據執委會之提案，以條件多數決通過必要之緊急措施。」

歐洲聯盟現行對外實施制裁之法律基礎已如前述，然而尚有諸多國際法與歐洲法上的問題仍待進一步釐清，首先，共同體對第三國進行制裁是否僅限於和平、非軍事的範疇？依聯合國憲章第 53 條之規定，安理會得授權「區域辦法或機關」執行軍事性「強制措施」，歐洲聯盟雖不具國際法主體性，但滿足「區域辦法或機關」之充分條件，問題在於歐洲聯盟是否為憲章第 53 條意義下之「區域辦法或機關」；特別是西歐聯盟有漸行整合為歐洲聯盟軍事與安全機制之趨勢，而歐盟亦未排除將來以武力維持和平或進行人道干涉的可能性。

其次是歐洲聯盟與聯合國之間的關係。例如，聯合國憲章對「強制措施」未予清楚界定，因此在歐洲共同體決定進行貿易禁運之前，是否需以安理會依憲章第 41 條已作成的相關決議為前提？而共同體片面對外制裁之措施，是否亦可包含上開條款中所列舉之項目？有無違反世界貿易組織規章之虞？又如，共同體會員國皆同時為聯合

國之成員國，共同體是否因此負有執行安理會經濟制裁決議之義務？或是共同體制裁措施違反國際法時(如報復行為之比例原則)，應由會員國或共同體負起該項國際責任？

最後則是有關歐洲聯盟內部法律上的問題。共同體條約第 228a 條是否只適用在該條款內所稱之「緊急措施」、而第 113 條則仍可運用在制訂中長期的制裁政策？按歐洲聯盟條約第 J.3 條第 4 項之規定，「聯合行動」對會員國具約束力，一旦在共同外交安全政策架構下作成「聯合行動」之決議後，會員國是否仍可在理事會表決時反對依 228a 條採取制裁之措施？ 再者，歐盟倘欲中止與第三國所締結之「混合協定」之部份或全部，其法律基礎何在？共同體與會員國各自之法律權責又為何？

本計畫之撰寫係分兩階段進行。第一階段著重在分析歐盟會員國於國際事務上追求共同立場與行動之合作架構，而以往因外交動機所引發共同體對第三國之制裁措施，正可作為度量會員國移轉國家權限至共同體機構之指標，並用以檢驗其執行成效是否符合其整體對外活動應確保一致性之條約目標。第二階段則將焦點置於與共同體制裁措施相關之國際法與歐洲法方面的爭議，俾進一步探究共同體與會員國在對外實施制裁上之權限劃分，以及因此所衍生之法律及政策調合問題。

本項研究已初步完成歐洲聯盟內部法律上的架構分析，並於去年底在中央研究院歐美研究所舉辦的一項國際學術會議上發表，現正進行論文之修改。然而在計畫執行過程中，因書商採購進口書籍嚴重延誤，雖經再三催詢，仍未及時告知計畫主持人，致有關個案分析之資料不足，無法進行深入探討和比較，故完整之研究成果尚未完成，但預計將可於明年完稿，並發表於學術期刊上。

參考文獻

Abdullah, Hussaina/ Said Adejumobi/ Muyiwa Adekeye, *Democracy in Nigeria: Continuing Dialogue(s) for Nation-Building*. 2002.

Adebajo, Adekeye, *Liberia's Civil War: Nigeria, Ecomog, and Regional Security in West Africa*. Lynne Rienner Pub 2002.

Alikhani, Hossein, *Sanctioning Iran: Anatomy of a Failed Policy*. I. B. Tauris & Company, 2000.

Andryszewski, Tricia, *Kosovo: The Splintering of Yugoslavia*. Millbrook Press, 2000.

Askari, Hossein, *Economic Sanctions: Examining Their Philosophy and Efficacy*. Greenwood, 2003.

Beck, Christiane, *Zimbabwe zwischen Einparteienstaat und Zivilgesellschaft*. Iko-Verlag für Interkulturelle Kommunikation, 1997.

Blanchard, Jean-Marc F./ Edward D. Mansfield/ Norrin M. Ripsman, *Power and the Purse: Economic Statecraft, Interdependence, and National Security*. Frank Cass, 2000.

Bujosevic, Dragan/ Ivan Radovanovic, *The Fall of Milosevic: The October 5th Revolution*. Palgrave, 2003.

Commonwealth Secretariat, *Election Observer Group Report on the Zimbabwe Elections, July 2000*. Commonwealth Secretariat, 2001.

Cortright, David/ George A. Lopez (eds.), *Smart Sanctions: Targeting Economic Statecraft*. Rowman & Littlefield Publishers, 2002.

Delang, Claudio O. (eds.), *Suffering in Silence: The Human Rights Nightmare of the Karen People of Burma*. Universal Publishers, 2000.

Ellis, Stephen, *The Mask of Anarchy: The Destruction of Liberia and the Religious Dimension of an African Civil War*. New York University Press, 2001.

Fredland, Richard A., *Understanding Africa: A Political Economy Perspective*. Burnham Inc. Publ., 2001.

Gehring, Thomas, *Die Europäische Union als komplexe internationale Organisation. Wie durch Kommunikation und Entscheidung soziale Ordnung entsteht*. Baden-Baden: Nomos, 2002.

Haass, Richard N./ Meghan L. O'Sullivan, *Honey and Vinegar: Incentives, Sanctions, and Foreign Policy*. Brookings Institution Press, 2000.

Hau, Andre, *Sanktionen und Vorfeldmaßnahmen zur Absicherung der europäischen Grundwerte. Rechtsfragen zu Art. 7 EU*. Baden-Baden: Nomos, 2002.

Hudson, Kate, *The Breaking the South Slav Dream: The Rise and Fall of Yugoslavia*. Pluto Press, 2003.

Jachtenfuchs, Markus, *Die Konstruktion Europas. Verfassungsideen und institutionelle Entwicklung*. Baden-Baden: Nomos, 2002.

Landfried, Christine, *Das politische Europa. Differenz als Potential der Europäischen Union*. Baden-Baden: Nomos, 2002.

Lewis, Peter M./ Barnett R. Rubin/ Pearl T. Robinson, *Stabilizing Nigeria: Sanctions, Incentives, and Support for Civil Society*. Century Foundation Press, 1998.

Loth, Wilfried, *Entwürfe einer europäischen Verfassung. Eine historische Bilanz*. Bonn: Europa Union Verlag, 2002.

Ludwig, Klemens, *Birma*. C.H.Beck, 1997.

Lyons, Terrence, *Voting for Peace: Postconflict Elections in Liberia*. Brookings Institution Press, 1999.

Maier, Karl, *This House Has Fallen: Nigeria in Crisis*. Westview Press, 2003.

Marhold, Hartmut (ed.), *Die neue Europadebatte. Leitbilder für das Europa der Zukunft*. Bonn: Europa Union Verlag, 2001.

Mbeke-Ekanem, Tom, *Beyond the Execution: Understanding the Ethnic and Military Politics in Nigeria*. Writer's Showcase Press, 2000.

Meredith, Martin, *Our Votes, Our Guns:*

Robert Mugabe and the Tragedy of Zimbabwe. Public Affairs, 2002.

Na'allah, A. Rasheed (ed.), *Ogoni's Agonies: Ken Saro-Wiwa and the Crisis in Nigeria*. Africa World Press, 1998.

Naylor, R. T., *Economic Warfare: Sanctions, Embargo Busting, and Their Human Cost*. Northeastern University Press, 2001.

Newnham, Randall E., *Deutsche Mark Diplomacy: Positive Economic Sanctions in German-Russian Relations*. Pennsylvania State University Press, 2002.

Niblock, Tim, *Pariah States & Sanctions in the Middle East: Iraq, Libya, Sudan*. Lynne Rienner Pub, 2001.

Ojo-Ade, Femi, *Death of a Myth: Critical Essays on Nigeria*. Africa World Press, 2001.

Okome, Onookome, *Before I Am Hanged: Ken Saro-Wiwa--Literature, Politics, and Dissent.* Africa World Press, 1999.

Omoweh, Daniel A., *Shell Petroleum Development Company, the State and Underdevelopment of Nigeria's Niger Delta: A Study in Environmental Degradation*. Africa World Press, 2003.

Osaghae, Eghosa E., *Crippled Giant: Nigeria Since Independence*. Indiana Univ. Press, 1998.

O'Sullivan, Meghan L., *Shrewd Sanctions: Economic Statecraft in an Age of Global Terrorism*. Brookings Institution Press, 2003.

Rodman, Kenneth A., *Sanctions Beyond Borders: Multinational Corporations and U.S. Economic Statecraft*. Rowman & Littlefield Publishers, 2001.

Schwartz, Richard, *Coming to Terms: Zimbabwe in the International Arena*. I. B. Tauris & Company, 2001.

Simons, Geoff/ G. L. Simons, *Imposing Economic Sanctions: Legal Remedy or Genocidal Tool?* Pluto Press, 1999.

Suu Kyi, Aung San, *Letters from Burma*. Penguin Books, 1997.

Tomasevski, Katarina, *Between Sanctions and Elections. Donors' Human Rights Performance*. Continuum International Publishing Group, 1997.