



## EU AUTONOMOUS SANCTIONS: IGNITING PASSIVE REVOLUTION?

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### Abstract:

This article<sup>2</sup> intends to explore why there has been an increase in the imposition of EU autonomous sanctions in the last decade although they are accepted ‘ineffective’. Based on the coercive nature of sanctions within the areas of International Relations and International Political Economy, the emphasis has been put on a historical materialist approach, which advocates that the relationship between market intentions and political culture of sanctions is not necessarily deterministic, but rather dialectical. To understand to what extent market intentions play role in this strike, the multidisciplinary theory of Neo-Gramscianism is chosen to conduct an empirical analysis of case comparison. The concept of ‘hegemony’ that the relevant theory has brought forward, has motivated a research on how the EU utilizes autonomous sanctions as an instrument to obtain its political and cultural hegemony.

**Keywords:** EU Autonomous Sanctions, Neo-Gramscianism, Hegemony, International Political Economy, Transnational Capital Movement.

**Título en Castellano:** *Las Sanciones autónomas de la UE: Provocando una revolución pasiva*

### Resumen:

*Este artículo pretende explorar por qué se ha producido un incremento en la imposición por parte de la UE de sanciones autónomas en la última década, a pesar de que se acepta que no son efectivas. Dada la naturaleza coercitiva de las sanciones en Relaciones Internacionales y en la Economía Política, el énfasis se pone en una aproximación propia del materialismo histórico que establece una relación dialéctica, no determinista, entre las intenciones del mercado y la cultura política sancionadora. Para entender cómo las intenciones del mercado juegan un papel en esta contraposición, se escoge la teoría multidisciplinar Neo-Gransciana para realizar un análisis empírico en la comparación de casos. El concepto de “hegemonía” que esta teoría ha propuesto, ha motivado una investigación sobre cómo la UE utiliza las sanciones autónomas como un instrumento para obtener su hegemonía política y cultural*

**Palabras Clave:** *Sanciones autónomas de la UE, Neo-Granscianismo, Hegemonía, Política Económica Internacional, Movimiento transnacional de capitales*

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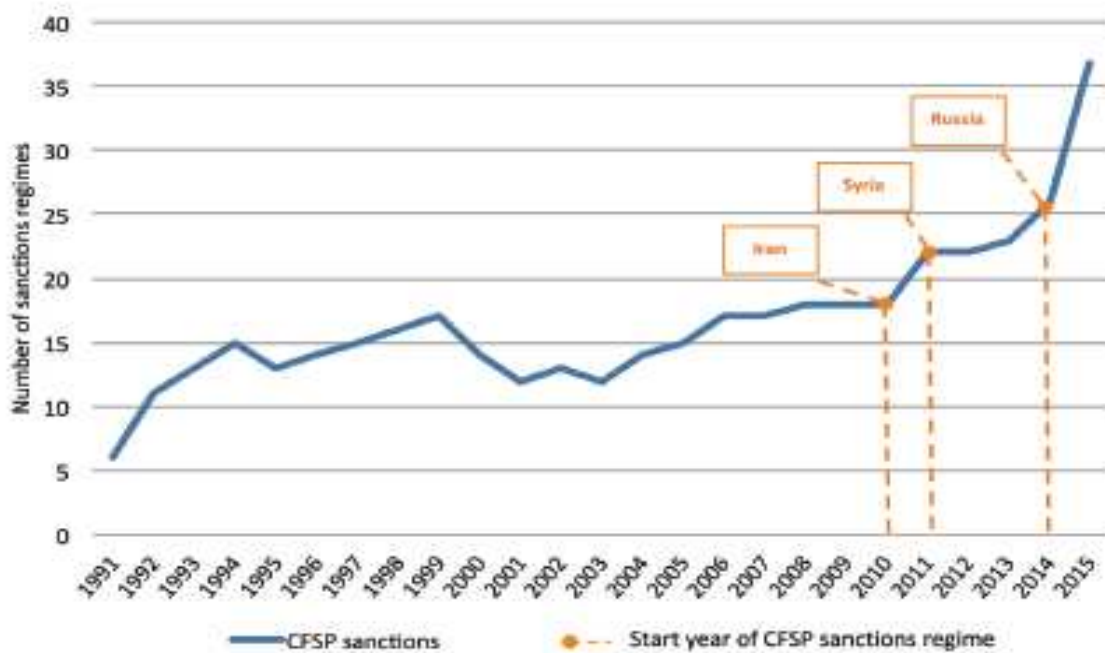
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## 1. Introduction

The role of the European Union (EU) within global political economy (GPE) is determined not only by financial and/or trade relations, but also by EU external security governance (ESG), which puts the attention to the necessity of foreign security policy instruments. Sanctions conduct the main sources of GPE since they are used as the main tools of the Common Foreign and Security Policies (CFSP). The international community (IC) witnesses the implementation of sanctions by the EU in cases of violation of international law and human rights or impudent policies against the rule of law and democratic doctrine because they are “long-term strategies”<sup>3</sup> which are designed with a diplomatic and economic nature. Therefore, the use of sanctions under the CFSP claims that sanctions are forms of political methodologies that aim to achieve a certain goal by creating an intersection with international trade and finance. The EU has increased the implementations of CFSP sanctions in the last decade; the implementation of autonomous sanctions, which are applied in the absence of United Nations Security Council Resolutions (UNSCRs), is more frequent than the implementation of UNSCRs. Statistics claim sanctions regimes in force increased from averagely 5 % to more than 25 % between 1991 and 2014, especially in autonomous sanctions after 2003<sup>4</sup>.

Graph 1: Evolution of CFSP Sanctions<sup>5</sup>



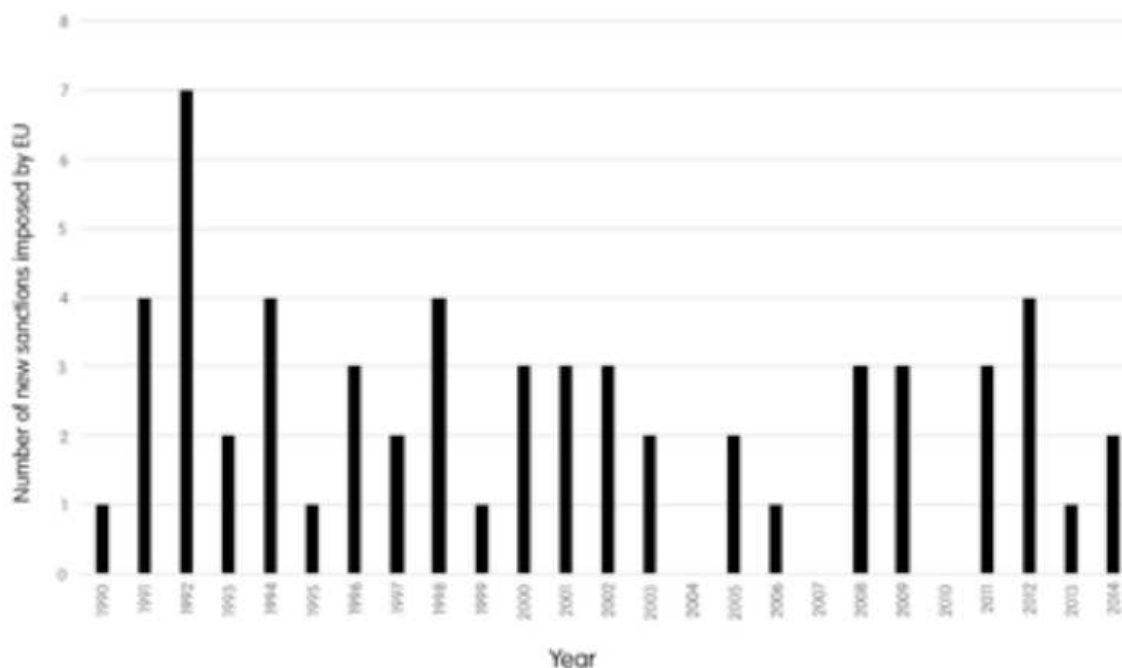
<sup>3</sup> EU External Action Service: “Civilian instruments for EU crisis management”, *European Commission Conflict Prevention and Crisis Management Unit*, (April 2003), p. 5, at [http://eeas.europa.eu/cfsp/crisis\\_management/docs/cm03.pdf](http://eeas.europa.eu/cfsp/crisis_management/docs/cm03.pdf)

<sup>4</sup> Vries, Anthonius W. de, Portela, Clara and Guijarro-Usobiaga, Borja: “Improving the Effectiveness of Sanctions: A Checklist for the EU”, *Centre for European Policy Studies*, Nº. 95, (November 2014), p. 2, at <https://www.ceps.eu/publications/improving-effectiveness-sanctions-checklist-eu>

<sup>5</sup> Dreyer, Iona and Luengo-Cabrera, José: “On target? EU sanctions as security policy tools”, *European Union Issue for Security Studies*, N.º25 (24 September 2015), p. 9, at

<sup>6</sup><http://www.iss.europa.eu/publications/detail/article/on-target-eu-sanctions-as-security-policy-tools/>

Graph 2: Number of new autonomous sanctions regimes imposed by the EU per year (1990-2014)<sup>6</sup>



To the extent that EU sanctions are complementary to UNSCRs by nature, the reasons for increasing number of autonomous sanctions require to paid attention. Functions of sanctions are usually analysed within a cost-benefit analysis in terms of their efficiency, efficacy and effectiveness; however, these characteristics do not explain why the sanctions are increasingly applied by the EU although politicians claim that sanctions are “the worst foreign policy tools”<sup>7</sup>, which is mentioned as the “sanctions paradox”<sup>8</sup>. *Then what are the motivations behind applying EU autonomous sanctions? Does the EU’s behaviour rely on the functions of sanctions or is it a rebel against the UN due to its taciturnity over the international problems that it could not take any counter-reaction?*

The main idea of this article is to solve the “sanctions paradox” through a *dialectical approach* which binds International Political Economy (IPE) and International Relations (IR). In order to actualize this research; a theory, which has its roots not only in IR but also in IPE, has been chosen. Neo-Gramscianism is a post-Marxist theory that takes its origins from the Italian School of Gramscianism. Concepts that are explained in terms of the Neo-Gramscian perspective of social science reveal to what extent the EU is able to go beyond economic determinism which extends Marxism critique of a classical political economy through changing a historical economist explanation into a historical materialist one, as well as

<sup>6</sup> Portela, Clara: “How the EU learned to love sanctions?”, in Leonard, Mark (ed.) (2016): *Connectivity Wars*, European Council on Foreign Relations, p. 38, at [http://www.ecfr.eu/page/-/Connectivity\\_Wars.pdf](http://www.ecfr.eu/page/-/Connectivity_Wars.pdf)

<sup>7</sup> According to economist and political advisor C. Fred Bergsten (1998) sanctions almost never work when they are applied unilaterally rather than multilaterally. Gelb, Leslie H.: “Sanctions against Rogue States: Do They Work?” Interview with C. F. Bergsten & R. G. Torricelli, (20 May 1998), par. 21, at <http://www.cfr.org/world/sanctions-against-rogue-states-do-they-work/p51>

<sup>8</sup> Taylor, Brendan (2010): *Sanctions as grand strategy*, London, The International Institute for Strategic Studies, p. 18



rejecting the base-structure pyramid that the Orthodox Marxists use. Since there is not a causal web of relations, neither material, nor discursive ideational dimensions of social existence can be reduced to each other. As much as political culture has an impact on the economy, the reverse relation is also highly applicable. By this way, the relationship of economic determinism extends to a relationship of political and cultural hegemony. While the cultural hegemony refers to universally dominant ideologies becoming transnational cultural norms, political hegemony refers to popular support from civil society to political elites in terms of guiding a political manoeuvre warfare of revolutionary socialism.

The EU has the capacity to ascribe its political hegemony within a form of state with reference to its sui-generis nature of external legal capacities<sup>9</sup>. However, the political interests are not stable as much as the economic ones. They rather develop and change with reference to the vulnerability of the actor's impact. The EU implies all three social forces as the representative of the political society, while the proportion of consent and coercion within the sanctions policy over its Member States (MSs) refer to the civil society through creating the transnational historical bloc (THB) including all material and discursive relations. *Then to what extent do we see the influence of actors such as the UN on the political interests of the EU? To what extent does the EU utilize the autonomous sanctions taken under the CFSP as an instrument to obtain its own political and cultural hegemony?*

## **2. The Critical Theory of Hegemony**

With respect to the description of the task of the social science by Neo-Gramscianism as to explain this relationship through the social structure, the social action and the social change, the critical theory has been utilized to analyse power structures that are shaped within GPE through explaining the dialectical relationships between social forces of institutions, ideas and material capabilities that delineate the forms of state<sup>10</sup>. These three social forces are also the instruments to maintain the hegemony which refers to the relations of domination between the coercion that is created by the political society, and the consent that is obtained by the civil society, while the legitimacy is gained under the name of mutual interests, so-called 'common sense'. Therefore, the concept of 'common sense' becomes a tool, which is used by the intellectuals to gain the consent through inducing its own interests to the civil society's interest in order to maintain the hegemony.

### **2.1 The UN and the World Order**

Ideologies and forms of state emerge with the concept of hegemony itself, because an ideology is accepted as the 'dominant' political culture, while alliances also create a 'historical bloc' that would exercise an 'intellectual and moral leadership' between the political and civil society to gain political and cultural hegemony. Therefore, the hegemony refers to the proceeding of each power structure retaining the particular order. To the extent that the critical theory of hegemony is interested in explaining the changes happening in the world order, adaptation of social forces into the IC in terms of economic relations reveals a pleasant playground for the EU to challenge the UN to form an alternative world order by creating hegemony first domestically and then internationally<sup>11</sup>.

<sup>9</sup> Wessel, Ramses A.: "Revisiting the International Legal Status of the EU", *European Foreign Affairs Review*, No. 5, (2000), p. 523 at <https://www.utwente.nl/bms/pa/research/wessel/wessel1.pdf>

<sup>10</sup> Gill, Stephen (1993): *Gramsci, Historical Materialism and International Relations*, Cambridge, Cambridge University Press, pp. 21-48.

<sup>11</sup> Rupert, Mark: "Antonio Gramsci", in Edkins, Jenny and Vaughan-Williams, Nick (ed.) (2009): *Critical Theorists and International Relations*, Philpapers, pp. 176-186.



The relationship between the EU and the world order has been formed with reference to international organizations (IOs) employing their hegemonic roles, by stabilizing them through empowering the norms and values that the UN promotes as the hegemonic bloc which refers to the dominant actors created by alliances among social forces. However, giving the EU as the primary example of an IO that employs hegemonic rules, requires the EU to be accepted as a historical bloc which has reinforced its domestic hegemony already. Therefore, the first part of this article is spared to understand whether the EU is qualified enough to form a THB to dominate the relationship between the adoption of sanctions under the CFSP and their use to accumulate the transaction of transnational capital within the external security nexus.

## **2.2. Sanctions as the Historical Framework of Social Action**

Neo-Gramscianism favours debating the relations between social forces by the discourse of hegemony rather than power in which the dynamics reveal dialectical process between coercion and consent. Sanctions policy demonstrates a reaction towards a discomfort due to violating an international norm such as the violation of human rights or construction of weapons of mass destruction (WMD) which gains its legitimacy mostly from international agreements. Therefore, when a form of state breaks the world order, policy-making elites (the political society) tend to convince that state through social forces. Thus, the sanctions policies are important examples of coercion and consent mechanisms in terms of material capabilities.

The hegemony functionalizes through the changes happening within its “spheres of activities”<sup>12</sup> which refer to the relationships between forms of state, world orders and social relations of production. This means that the forms of state, internationalize their civil society and institutionalize their competence through the consensus that the IOs provide. Therefore, with reference to the nature of the EU’s existence being a state-like organization, the increase in the adoption of sanction policies refer to a historical action within which the EU refers to THB, the UN refers to the hegemonic bloc and the sanctions policies refer to the hegemonic project since they are universal, and represent the interest of the whole IC.

## **2.3 EU Autonomous Sanctions as the Passive Revolution**

In addition to the dimension of hegemony as the “combination of consent and coercion”<sup>13</sup>, political society provides the stability against the social changes happening in the world order by creating the ‘intellectual and moral leadership’ over the civil society. To the extent that the current hegemon is not able to express its interests to the civil society, there occurs the necessity of new dominant ideologies. Since the area within which the social forces are reproduced is the civil society, the leadership that promotes a counter-hegemony is maintained by the subaltern classes of the hegemon. This clash of ideologies that are represented by the hegemon and the counter-hegemon social force, reveals itself within two ways: While the ‘war of manoeuvre’ refers to the physical control over the integral state, the ‘war of position’ refers to the ideological resistance of culture that is created within the civil society. The concept of ‘integral state’ is created by Gramscianism, and refers to a united body of ruling which is obtained by the merge of political and civil societies. In that sense, a passive revolution emerges not directly from an economic but rather an international

<sup>12</sup> Cox, Robert (1987): *Production, Power and World Order: Social Forces in the Making of History*, New York, Columbia University Press, p. 220.

<sup>13</sup> Cox, Robert W.: “Gramsci, hegemony an international relations: An essay in method”, in Gill, Stephen (ed.) (1993): *Gramsci, Historical Materialism and International Relations*, Cambridge: Cambridge University Press, p. 52





ideological development through the new intellectual elites introducing new policies, such as the targeted sanctions to break the conventional policies.

Italian School describes that the radical social changes are created through the ideology of institutionalism within the liberal democracies. Therefore, the hegemony is represented through the ideology of neoliberalism with reference to the capitalist mode of production (MoP) within which the constructions of transnational alliances control the transnational capital movement (TCM). In this article, neoliberalism is accepted as the possession of market rationality over external security governance in terms of the state becoming a market actor within the sanctions policies. As a result, to the extent that the new ideology represents the interests of the civil society, there occurs a counter-hegemonic ideology which leads to a 'passive revolution' where the political society is replaced with one of the subaltern classes. Thus, EU ESG is an area where the EU has the capacity to create a counter-hegemony against the current sanctions applied by the current hegemon.

What connects sanctions organically with these social forces is their nature of being a *collective action*: Sanctions create a marketplace in which the UN has the monopoly of collective sanctioning. In this article, it is assumed that the UN has the monopoly over collective sanctioning due to its competence to create multilateral sanctions in relation with the EU: Although the US has the leadership on implementing the unilateral sanctions with reference to being the world's biggest sanctioning power<sup>14</sup>, to some extent that the US is a member of P5, so the multilateral sanctions that it would like to undertake are limited. In order to understand to what extent a 'passive revolution' occurs, the coercing, constraining, signalling (CCS) technique is used to understand whether the targeted sanctions have material expectations or rather "bargaining chips"<sup>14</sup> that are used during negotiations. Here, while the first term refers to behavioural change through altering cost-benefit calculations in the target country, constraining refers to the intentions of making the life of targeted individual or entity harder materially and signalling refers to targets which are influenced by practices aside from imposing material damage<sup>15</sup>. Consequently, through utilizing it over case comparison, whether autonomous sanctions are instruments for a counter-hegemony is tested.

### 3. Methodology

An empirical case comparison of EU sanctions is conducted to understand strategies behind the design of sanctions. Although it has some methodological challenges, the methodological steps that Bieler and Morton<sup>16</sup> promote are followed by analysing empirically how particular social forces endeavour to build hegemonic projects as a result of neoliberal ideology which emerged with reference to globalization and to what extent these hegemonic projects are challenged by other transnational actors.

The cases are chosen with reference to the transnational nature of the relevant theory. In order to conduct a *transnational* case study, cases are selected with reference to

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<sup>14</sup> Portela, Clara: "The EU's Use of 'Targeted' Sanctions evaluating effectiveness", *Centre for European Policy Studies*, No. 391, (March 2014), p. 35, at [https://www.ceps.eu/system/files/WD391\\_Portela\\_EU\\_Targeted\\_Sanctions.pdf](https://www.ceps.eu/system/files/WD391_Portela_EU_Targeted_Sanctions.pdf).

<sup>15</sup> Giumelli, Francesco: "How EU sanctions work: A new narrative", *European Union Institute for Security Studies*, No. 129, (13 May 2013), p. 18, at <http://www.iss.europa.eu/publications/detail/article/how-eu-sanctions-work-a-new-narrative/>

<sup>16</sup> Bieler, Andreas and Morton, Adam David: "Theoretical & Methodological Challenges of neo-Gramscian Perspectives in International Political Economy", *International Gramsci Society Online Article*, (January 2003), at [http://www.internationalgramscisociety.org/resources/online\\_articles/articles/bieler\\_morton.shtml](http://www.internationalgramscisociety.org/resources/online_articles/articles/bieler_morton.shtml)



categorization of restrictive measures within the IC. With reference to their “embeddedness”, sanctions are categorized into three groups: implementing, supplementary and autonomous<sup>17</sup>.

While the first refers to the sanctions that are adopted after UNSCRs obligatorily in order to make UN measures valid, the second is relatively autonomous since it is not obligatory to be taken although it is also a demonstration of UN measures. The latter refers to measures taken by the EU independent from the UN since the UNSC was not able to take any restrictions on the relevant case. Consequently, country selection has been made with reference to the literature mentioned above, as a case comparison between the second and the third category of sanctions because those categories are the ones that the EU designs strategically with reference to its own political sovereignty and accumulation of TCM.

The cases that are taken under EU supplementary sanctions are additional measures to strengthen UNSCRs on Iran and the DPRK, and EU autonomous sanctions are applied in the absence of these UN sanctions on Syria and Russia. The main reason behind choosing these autonomous sanctions cases are based on the level of internationality of security threat. The objectives behind the adoptions of sanctions are the main focus point with reference to the nature of sanctions category division in the first place. In that sense, qualitative data sets have been created since the sanctions are the basic data themselves. Therefore, in order not to deform the evaluation of the EU as a foreign policy actor, UNSCRs are evaluated when necessary.

Data sets are structured as the collection of several sanctions policy documents which can be categorized mainly under seven groups: Basic Principles<sup>18</sup> and Guidelines<sup>19</sup>, UNSCRs (applied on Iran and the DPRK), Decisions and Regulations taken by the EU Council (applied on Iran, the DPRK, Syria and Russia), the fact sheets, TSC project papers and reports, several press releases and academic books about (especially targeted/smart) sanctions referring relevant cases. In the first group, since Council Regulations (CRs) imposing sanctions and related Council Decisions (CDs) are an essential part of the EU ‘Community Law’<sup>20</sup>, their legal bases are examined with reference to their nature of being *collective actions*.

## 4. Analysis

### 4.1. World Order: IOs to Stabilize Hegemony

The UN subjugates the sovereignty of the states and the state formation of the EU through making them its members. Although the EU is only an observer state at the UN, it sustains the dominant alliance to take *collective action* that the political elites offer in terms of *consent* as the social force of the UNSC reveals. It also provides a *bloc* to maintain restrictive measures that the political elites oblige in terms of *coercion* such as the Permanent Five (P5). These subaltern classes exemplify civil society of the UN since they became subject to *international norms* and *values* (INaV) that are taken under the foundation treaty of the UN. *Then to what*

<sup>17</sup> Biersteker, Thomas and Portela, Clara: “EU sanctions in context: Three types”, *European Union Issue for Security Studies*, No. 26, (17 July 2015), p. 1, at <http://www.iss.europa.eu/publications/detail/article/eu-sanctions-in-context-three-types/>

<sup>18</sup> Basic Principles on the Use of Restrictive Measures (Sanctions), at <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010198%202004%20REV%201>

<sup>19</sup> Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy, at <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2015114%202005%20INIT>

<sup>20</sup> Sanctions or restrictive measures, p. 8, at [http://eeas.europa.eu/cfsp/sanctions/docs/index\\_en.pdf](http://eeas.europa.eu/cfsp/sanctions/docs/index_en.pdf)



*extent does the EU promote the roles of an economic and/or political IO while applying measures beyond the hegemon has set?*

In cases of supplementary sanctions, the EU has intentions to create a THB as long as it has a market relationship with the target country. In other words, the EU applies negotiations for both diplomatic and economic relations to maintain a THB since it is economically interested in the target country; otherwise, it only promotes an *external* leadership. For instance, in the case of Iran, INaV that were on agenda, was the access to WMD and the violation of Non-Proliferation Treaty (NPT), however, the EU has changed the whole economic and financial relations mainly in order to promote INaV through sanctions. Although the negotiations between the EU and Iran were made through the Trade and Cooperation Agreement (TCA) preparations until 2002; when the government of Iran failed to explain why they started the project of Arak and Natanz nuclear plants, for the *first time* the High Representative of the Union for Foreign Affairs and Security Policy (HR) started political and economic dialogue with Iran over nuclear revelation.

However, in the case of the DPRK, the EU has been an *additional* social force that has intended to motivate the key actors to negotiate. The EU has been one of the “most enthusiastic”<sup>21</sup> sanctioning powers (along with Japan and the US) on the DPRK since it interpreted the case as an *intimidation* against Pyongyang’s provocations as well as Iran’s. *While in both cases the EU promotes INaV through changing the shape of social relations of production between social forces by creating common strategies and interests, only in the first case it innovates its own social forces.* In the case of Iran, interests of the EU and the common interests of alliances during bargaining process are revealed under the leadership of the HR and the social forces created under the EU such as the E3/EU+3 respectively. However, in the case of the DPRK, interests of the EU have been *more* diplomatic and *less* economic in terms of engaging the target country into IPE compared to Iran. Brokering to pursue the DPRK to engage with Six-Party Talks has been the strategy of the EU to gain the *consent* of North Korea as well as the already formed alliance of the US, Japan and North Korea in order to become the *cement* between political and civil society.

*In the cases of autonomous sanctions, the EU is interested in creating a THB as long as it has the competence of obtaining collective action through creating a transnational common sense of protecting the neoliberal INaV against the hegemonic bloc including the dominant state formations.* Consequently, the spheres of hegemony including the social relations of sanctions that are created by the social forces, the dominant forms of states in terms of subaltern classes and a world order lacking hegemony lead to the production process of the social structure in which the economic relations are not *primary* but *secondary*.

In the case of Syria, the UN could not obtain any alliance since two of the Permanent Five (P5) members blocked the draft. That’s why the EU intended to get the consent of the ‘civil society of the UN’ (referring Russia and China) through the strategy of *isolating Syrian Government*. Moreover, US-like measures that do not take any economic restrictions, are followed by the EU. This situation made autonomous sanctions the *trend* of some states like Turkey and regional organizations like the Arab League through changing the *common interests* and consequently affecting the collective action taking. Therefore, the EU’s interests to maintain a *common sense* under its *own* leadership has been represented by the Geneva Communiqué (2012) with the objective of reaching a political solution by mutual consent.

<sup>21</sup> Taylor, Brendan (2010): *Sanctions as grand strategy*, London, The International Institute for Strategic Studie, p. 56.





With the annexation of Crimea, Russia challenged its diplomatic place within the IC. The basic EU approach towards Russia has been implementing diplomatic measures in order to influence another social force of the Group of Seven (G7) in terms of suspending the negotiations with Russia joining the Organization for Economic Cooperation and Development (OECD) and the International Atomic Energy Agency (IAEA)<sup>22</sup>. Moreover, diplomatic bans are employed rather than economic sanctions, which reveals that the use of social forces in order to create a common sense has been deployed through creating mutual interests with the other actors of IC such as constraining the target country to change behaviour via not concluding New Agreement, which the EU and Russia started negotiating on visa-free regime in 2011, however, it got suspended after the annexation.

Despite the UN was not the primary social force to dominate the IC in that case, the EU was in favour of protecting INaV as well as the sovereignty of some of its MSs through the consent of Russia to cooperate within the Organization for Security and Cooperation in Europe (OSCE)-based world order. Intentions of creating a *transnational collective action* originate from their nature of offering “gold-plating”<sup>23</sup> solutions to international crisis, because autonomous sanctions are rather taken by state formations of mainly the EU and the US, followed by Norway, Canada and Australia, and create a totally different alliance compared to previous ones. Thus, the EU has maintained the behaviour of a state formation by promoting an *alternative* transnational system of capital accumulation such as utilizing the European Investment Bank (EIB) as the major material capability that it has, in order to affect foreign relationships as well as finding a long-term solution, as underlined by “potential multilateral mechanism”<sup>24</sup> of governmental meetings at the Statement of the Heads of State or Government in Ukraine.

#### **4.2 Social Action: Hegemonic Project of Economic Sanctions**

The UN approached the problem of implying a non-violent coercion through maintaining a moral interpretation of sanctions by target specification: Targeted sanctions are restrictions which aim to minimize the negative impact on civil population. Through the political culture that they have created, they became the essential factor of the hegemonic project. Therefore, the UN has transformed into a hegemonic bloc by maintaining alliances who assist the UN to stabilize its hegemony through ratifying international agreements and taking actions under UN measures. The way of the hegemon revealing its constraints has been *different* than how the EU utilizes the language of the sanctions when applied *autonomously*. While UNSCRs imply CCS as a form of restrictive measures, CCS as a method of coding the sanctions reveals the pattern of coercion.

*In cases of supplementary sanctions, the EU has been taking constraining and signalling sanctions rather than coercing sanctions parallel to the measures set by UNSCRs with reference to its economic relations with the target country. In other words, to the extent that EU measures are taken in adherence to UNSCRs, they provide coercion under UNSC*

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<sup>22</sup> EU sanctions against Russia over Ukraine crisis [Highlights], par. 6, at [https://europa.eu/newsroom/highlights/special-coverage/eu\\_sanctions\\_en](https://europa.eu/newsroom/highlights/special-coverage/eu_sanctions_en)

<sup>23</sup> Taylor, Brendan (2010): *Sanctions as grand strategy*, London, The International Institute for Strategic Studies, p. 75

<sup>24</sup> Statement of the Heads of State or Government on Ukraine [Press information], par. 4, at <http://www.consilium.europa.eu/en/meetings/european-council/2014/03/06/>



cultural and intellectual leadership because the hegemonic project has capacity and intention to control TCM in the first place. In the case of Iran, CCS structured nature of EU intentions are kept hidden in the *language* that the EU uses within its autonomous sanctions and international agreements. While CR 359/2011 and CD 2011/235/CFSP are taken against human rights violation and apply signalling through targeting specific names of the ‘certain persons’ whose funds require to be frozen, CR 267/2012 and CD 2010/413/CFSP are taken against nuclear issues and constrain the trade in dual-use goods and technology that can be used in petrochemical industry, and ban the import of Iranian crude oil and petroleum products. They exhibit parallelism to the UNSCR 1696 in terms of the social forces of governmental institutions which strengthen constraining.

Also in the case of the DPRK, all of the UNSCRs demonstrate how the control over TCM creates the coercion on policy making level through the assistance of transnational sources of capital. While the first sanction of UNSCR 1718 demonstrates signalling through ‘calling for’ suspending ballistic missile program and ‘urge’ the DPRK to negotiate, it constrained the exports and imports of luxury goods as well as nuclear technology weapons. As a result, to the extent that trade relations between the EU and the DPRK are *negligible*, the CR 329/2007 and CD 2013/183/CFSP mirror the UNSC measures more similarly than the case of Iran. As additional measures, they refer to the internal hegemony as well. While the former, which was taken with regards to the Treaty Establishing European Community (the Treaty of Nice), applied measures constraining the trade of dual-use technology that was strengthened in the subsequent UNSCR 1874, the latter has been the main signalling document that shows what kind of sectorial restrictions are taken including a transnational capital force of Central Bank of the DPRK.

*However, to the extent that the EU was not a party to negotiations and alliances, its capacity to coerce has remained limited with the constraining and signalling of UNSCRs.* While the two new UNSCRs of 2094 and 2270 reveal the signalling and constraining respectively through targeting specifically the Kim family regime in terms of blocking the access to cash transfers and ties to international banking system and imposing asset freeze on economic resources of the target government or the Worker’s Party of Korea that are placed outside the DPRK, the EU had to follow this trend of controlling the TCM rather than creating one.

Within a world order in which there is no application of the hegemonic project since there is no common sense within the hegemonic bloc, the gap of tacit consent is intended to be maintained by the subaltern classes to persuade the civil society via coercive methods of intellectuality. *Therefore, the EU tends to promote its intellectual and cultural persuasion through the application of autonomous targeted sanctions, because with reference to the economic relationships, it promotes coercion in terms of seeking a behavioural change in target through altering the cost-benefit calculation via controlling the TCM with the support of constraining and signalling.* As the case of Syria illustrates, CD 2011/273/CFSP is the first targeted sanction for human rights violation and has been an example in terms of *signalling* since it condemned the violent repressing and extended to Assad’s family, and *constraining* since it planned target list of individuals to be banned from travelling and assets frozen.

Following the first Decision, CR 36/2012 and CD 2013/255/CFSP have shown the examples of *constraining* rather than signalling, where *signalling* fits the nature of applying targeted sanctions due to not implying coercion and having minimum impact on civil society. However, since there are two important actors imposing autonomous sanctions, it would be



better to have a comparison of CCS technique to understand to what extent this historical action differs from each other in terms of maintaining the intellectual and moral leadership through coercion and/or consent. Coercion and constraining show themselves more than signalling due to the intensity of diplomatic and economic relations in the case of Russia, as well. Russia has been the EU's biggest neighbour and 3<sup>rd</sup> biggest partner in trade<sup>25</sup>. Therefore, not only material capabilities that the EU imposed such as in the areas of access to capital markets, defence, dual-use goods and sensitive technologies or diplomatic sanctions such as suspension of Group talks, but also the intention of creating a common sense with new alliances including target country demonstrate the *coercion* than an intention towards *consent*. Moreover, assigning the EIB for suspending new financing operations in Russia as a country reveals constraining characteristics of the political society (policy-makers within the EU). Nevertheless, sanctions that are taken against the Ukraine government in terms of reacting towards human rights violation in the Donbas region reveal to what extent the autonomous sanctions have the capacity to coerce the determined target through playing on *additional* TCM of another country: Trade and investment restrictions that the EU adopted for Crimea and Sevastopol targets the sectoral cooperation and exchanges within Russia<sup>26</sup>. Most importantly, intention of *coercion* towards Russia through *signalling*, applied within the process of negotiations, has been triggered by the main social force of the HR herself in September 2015, claiming that the EU aims to put pressure on Russia via ensuring "swift and coordinated implementation of the strategy"<sup>27</sup> towards Minsk agreements.

#### **4.3 Social Change: Targeted Autonomous Sanctions**

To the extent that the EU reveals the characteristics of a THB that has the intellectual and moral leadership of collective actions, a counter-hegemony of conventional sanctions is created by the UN. In the cases which the EU finds UN measures insufficient or lacking and decides to take autonomous sanctions, UN hegemony is challenged in terms of filling the gap of controlling the transnational market through a new perspective of targeted sanctions via its *own* institutions and policy-elites. Targeted sanctions as policy innovation differs between the UN and the EU due to their nature; while the former is a security and international cooperation organization, the second is an economic and diplomatic organization. The EU interprets targeted sanctions as the *breaking point* of the hegemonic project to create a *new* world order through a passive revolution.

To maintain hegemony internationally, it should first be obtained domestically. Moreover, as mentioned before, the passive revolution occurs if and only if the hegemony expands *horizontally*<sup>28</sup>. Consequently, it is analysed that the EU has promoted counter-hegemony by applying supplementary sanctions through its own social forces as a demonstration towards not only the hegemon but also to other powerful state formations to the extent that it had economic relations to protect. However, the point view towards autonomous sanctions has been the policy innovations to take the social change in terms of altering hegemonic measures. For instance, while engagement dimension of the dual-track

<sup>25</sup> Countries and Regions: Russia, par. 1, at <http://ec.europa.eu/trade/policy/countries-and-regions/countries/russia/>

<sup>26</sup> EU sanctions against Russia over Ukraine crisis [Highlights], par. 9, at [https://europa.eu/newsroom/highlights/special-coverage/eu\\_sanctions\\_en](https://europa.eu/newsroom/highlights/special-coverage/eu_sanctions_en)

<sup>27</sup> Council conclusions on the EU regional strategy for Syria and Iraq as well as the ISIL/Da'esh threat [Press release], art. 11, at <http://www.consilium.europa.eu/en/press/press-releases/2015/03/16-council-conclusions-eu-regional-strategy-for-syria-and-iraq-as-well-as-the-isil-daesh-threat/>

<sup>28</sup> Cox, Robert W.: "Social Forces, States and World Orders: Beyond International Relations Theory", *Millennium - Journal of International Studies*, Vol. 10, Nº. 2 (1981), 126-155



strategy reveals the enlargement horizontally through getting consent of Iran, “repackaged”<sup>29</sup> proposals that the EU offered to Iran between 2006 and 2008 demonstrate the beginning of a *new* hegemonic project since it aimed at establishing a nuclear fuel production through syndications in various locations in the world.

Moreover, the response of the EU towards UNSCRs 1803 and 1835 (which have changed the alliances of interests) via using comparatively *stronger* language in order to strengthen constraints to exercise restraint and vigilance, is a demonstration of political strategy to trigger counter-hegemony. The greatest example of this ideology can be seen as EU resistance to taking sanction against Bank Saderat of Iran although it was on the target list of UNSCR 1803 but not on the blacklist of the EU. As a result, applying differentiated sanctions than what the US has wished for, is a consequence of the EU keeping its purpose of bargaining through its *own* social forces of negotiation. For example, although the main objective of the EU was to prevent the construction of nuclear weapons and of Iran to maintain high-enriched uranium, after the signing of the international agreements of the Joint Plan of Action (JPOA) and of the Joint Comprehensive Plan of Action (JCPOA), which have been signed respectively in 2013 and 2015, neither the EU+3 could terminate the Iranian Nuclear Program (INP) nor Iran could achieve its goal. Consequently, the Geneva process, in which EU+3 negotiations were chaired by the HR as the most important social force of the EU in ESG, *changed* the initial objective of terminating the INP to main low-enriched uranium (LEU): For the next 15 years, Iran is only able to enrich uranium up to 3.67% without building new heavy-water facilities<sup>30</sup>.

On the contrary, the EU is mostly concerned about monitoring “non-diplomatic”<sup>31</sup> activities as in the case of the DPRK, although diplomatic relations only consist of delegations (embassies) of seven EU MSs in North Korea. Compared to Iran case, the EU has *not* taken actions that would promote any counter-hegemony, but rather follow the hegemonic project from a relatively *neutral* point. At this very point, the intention of creating internal hegemony comes directly from the limited investments in the DPRK of EU origin; there are 6 Bilateral Investment Protection Treaties signed with 6 MSs, and currently 5 of them are still in force<sup>32</sup>. To the extent that the EU interprets the political dialogue as an “integral part” of critical engagement strategy, it tries to promote its internal hegemony through the social force of the EEAS since the EU has an “interest to develop bilateral relations”<sup>33</sup>. This situation demonstrates that the EU uses inducements to expand its neoliberal ideology of TCM since its economic relations with the DPRK are based on non-diplomatic social forces that the EU has created.

However, a social change is a *collective action* due to its nature of being a transnational growth of cultural persuasion as mentioned<sup>34</sup>. Therefore, in the cases of lacking

<sup>29</sup> Crail, Peter: “Proposals Offered on Iranian Nuclear Program”, *Arms Control Today*, (2008), p. 13, at <https://www.armscontrol.org/print/2931>

<sup>30</sup> Joint Comprehensive Plan of Action, art. 5, at [http://eeas.europa.eu/statements-eeas/docs/iran\\_agreement/iran\\_joint-comprehensive-plan-of-action\\_en.pdf](http://eeas.europa.eu/statements-eeas/docs/iran_agreement/iran_joint-comprehensive-plan-of-action_en.pdf)

<sup>31</sup> Emmott, Robin: “EU considers more North Korea sanctions after U.N. vote: Diplomats”, *WTBW*, (3 March 2016), par. 5, at <http://wtvbam.com/news/articles/2016/mar/03/eu-considers-more-north-korea-sanctions-after-un-vote-diplomats/>

<sup>32</sup> EU-Democratic People's Republic of Korea (DPRK) relations [Fact sheet], p. 2, at [http://eeas.europa.eu/factsheets/docs/eu-dprk\\_factsheet\\_en.pdf](http://eeas.europa.eu/factsheets/docs/eu-dprk_factsheet_en.pdf)

<sup>33</sup> EU-DPRK Political Dialogue – 14th Session [Press release], par. 3, at [http://eeas.europa.eu/statements-eeas/2015/150625\\_01\\_en.htm](http://eeas.europa.eu/statements-eeas/2015/150625_01_en.htm)

<sup>34</sup> Gill, Stephen (1993): *Gramsci, Historical Materialism and International Relations*, Cambridge, Cambridge University Press, p. 23.



collective actions taken by the hegemon, autonomous sanctions intervene with the IC through taking a strategic position of struggle against the hegemon, called the 'war of position'. In that sense, EU autonomous sanctions have the potential to carry out a counter-hegemonic characteristic compared to supplementary actions, because the MSs become the civil society which would produce both social forces to stabilize its own hegemony and the political society that would form the policy-elites.

The autonomous targeted sanctions taken against Syria demonstrate the means to resist to UNSCRs since the EU supports the opposing groups with the US. Since they are only foreign policy instruments that the EU utilize against the civil war, their "rapidly evolved"<sup>35</sup> process show how the EU gets the consent of the MSs, as well as the civil population of Syria, a form of state. Although they had no impact on the government of Syria afterwards, the oil embargo on Syria which was applied in December 2011, as well as the energy embargoes on Iran, revealed the 'readiness' of the EU to 'move to broader measures', signalling the keyword for a *social change*.

Lastly, since it tends to be a THB, the EU's adoption of a "progressive approach"<sup>36</sup> in the case of Russia refers to the nature of targeted sanctions definition compared to the case of Syria: phase by phase, restrictions on limited framework of individuals and legal entities, and specific areas of EU-Russia cooperation (also known as the Common Space Partnership) including Russian operators are checked. Moreover, compared to the US and its *relatively* frequent unilateral sanctions history, the motivations behind the EU autonomous sanctions towards Russia come from the *will of punishing* the individuals who were directly a part of the annexation and advocates of Russian expansion towards Ukraine<sup>37</sup>.

The EU has employed constraining rather than signalling like the US does; the motivation of US sanctions over Russia targeted directly the persons who are able to have impact on Kremlin policy, which fits the definition of targeted sanctions more due to targeting the policy elite as well as the layer, who serves for the business and defence industry. As a result, EU perspective over targeted sanctions in the case of Russia is totally different than the other cases because the targets that are listed are not only the social actor of Russia which is mainly condemned, but another actor of Ukraine which triggered the human rights violence against its own civil society in the first place.

Consequently, the Council who notably introduced targeted sanctions over Ukraine on 20 February 2014 showed the scope of its *competence* to challenge the hegemon due to the gap of the *hegemonic project*. However, the EU's intention to create a multilateral mechanism of *common sense* has altered EU perspective towards the definition of targeted sanctions. To the extent that the sanctions reveal a marketplace for negotiations, whose objective is to allow "different economic systems" to gather on a mutual ground to protect the diplomatic relationships, sanctions applied on Russia are the most "far-reaching" ones compared to other cases because they have not only covered the sectorial cooperation but also export and import embargoes in financial, oil-drilling and defence sectors<sup>38</sup>.

<sup>35</sup> Giumelli, Francesco and Ivan, Paul: "The effectiveness of EU sanctions: An analysis of Iran, Belarus, Syria and Myanmar (Burma)", *European Policy Centre*, Nº. 76, (November 2013), p. 22, at [http://www.epc.eu/documents/uploads/pub\\_3928\\_epc\\_issue\\_paper\\_76\\_-\\_the\\_effectiveness\\_of\\_eu\\_sanctions.pdf](http://www.epc.eu/documents/uploads/pub_3928_epc_issue_paper_76_-_the_effectiveness_of_eu_sanctions.pdf)

<sup>36</sup> Cwiek-Karpowicz, Jarosław and Secieru, Stanisław: "Sanctions and Russia", *The Polish Institute of Foreign Affairs*, (2015), p. 31, at [http://www.pism.pl/files/?id\\_plik=19045](http://www.pism.pl/files/?id_plik=19045)

<sup>37</sup> *Ibid.*, p. 41

<sup>38</sup> EU sanctions against Russia over Ukraine crisis [Highlights], par. 8, at [https://europa.eu/newsroom/highlights/special-coverage/eu\\_sanctions\\_en](https://europa.eu/newsroom/highlights/special-coverage/eu_sanctions_en)





## 5. Conclusion

The starting point of this article has been the *paradox* behind implying sanctions as the foreign policy tools not only by the EU but also other IOs such as the UN, although they have a costly application process in the first place. In order to examine to what extent market interests play role within this increase, the relationship between sanctions as a culture of foreign policy and the control of TCM are evaluated. Consequently, it is analysed that *the EU promotes its political and cultural hegemony by creating a form of state that is composed of a relatively new political society and operationalizes autonomous sanctions as the foreign policy tools to activate its own neoliberal interests through its own social forces to the civil society within which UN has not maintained common sense under the language of targeted measures.*

This article sketched out the essential properties of material and discursive settings of the THB within which the autonomous sanctions policy became the political culture of foreign affairs by changing the conventional patterns. To the extent that the UN has expanded its hegemonic bloc into the IC and Europe, although supplementary measures of the EU go beyond the UN, forming a THB is limited with the transnational system of capital accumulation since it stabilizes the hegemony as an IO. However, the implication of autonomous sanctions through comprehensive regional strategies demonstrates the intention to conclude violation of INaV. *The EU forms a THB to the extent that it promotes the common sense of transnational collective action via creating mutual political intensions through its own social forces and mutual economic intensions by influencing other IOs that promote the target in the IPE.*

The EU's support to the UN hegemony until 2006 and domestically maintaining neoliberal ideology of TCM through its own social forces such as the oil companies or banks, reveal to what extent the EU wants to create alliances in economic terms while applying supplementary sanctions. The year of 2009 has been the milestone for the EU to accept targeted sanctions as instruments to promote its diplomatic status since it applied strengthened "targeted"<sup>39</sup> sanctions over gas and oil exports, which were not directly subjected to targeted multilateral sanctions before. EU supplementary sanctions against the DPRK are also the means to secure its diplomatic place through influencing other states such as Iran. Getting the consent of the target country while controlling TCM, which has been in the hands of the US such as targeting measures against the banks i.e. Bank Delta Asia, advocates although the economic intentions are not primary, they are not enough to form THB.

However, autonomous sanctions are naturally coercive tools since they serve to a civil society which is not under any hegemonic obligation to take economic measures. As a result, to the extent that they create common sense, their competence of coercing under intellectual and cultural leadership increases. In that sense, the cases of Syria and Russia exemplify the world order under the potential political leadership of the EU since they apply coercive measures through a single regulatory regime of such historical framework of sanctions as opposed to following the mainly signalling measures taken by the hegemon. *Consequently,*

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<sup>39</sup> Reynolds, Ceila L.: "Empirical Trends in Sanctions and Positive Inducements in Non-proliferation", in Solingen, Etel (ed.) (2012): *Sanctions, Statecraft, and Nuclear Proliferation*, Cambridge, Cambridge University Press, pp. 55



*the EU has managed to behave as an intellectual and cultural leader under the altering measures of cost-benefit calculation of the target country.*

Moreover, the political perspective of the EU towards targeted sanctions is different than the UN's. Although the aim of targeted sanctions is to minimize the negative effects over the civil population, as mentioned, the UN and the US have put the emphasis of the targeted sanctions over financial measures to increase constraining and signalling while the EU has put its own target list beyond and resisted applying measures to targets that are not on that list. This situation can be read as the EU's implying targeted sanctions to propose an alternative to the hegemonic project. Since the EU takes strategic position to provide INaV in terms of economic relations during the gap of an obligation, *the war of position* is strengthened through the motivation behind the passive revolution, which is to maintain consent through the application of the INaV themselves, although it cannot be created since the EU could not form a THB, yet. In that sense, the cases of Russia and Syria are the examples of a passive revolution that can happen, if and only if an active backing is maintained by co-opting elites i.e. other social forces of IOs or subaltern classes.

To conclude, targeted autonomous sanctions have been intended to create a *new hegemonic project* to the extent that it expands horizontally until it reaches a global transformative character. The EU has promoted targeted autonomous sanctions as an *alternative* to secure the protection of INaV with reference to the relationship between universalism and hegemony. In that sense, this research has indicated the concentrations of the critical theory of hegemony in terms of the roles of neoliberal ideas within EU EGS, mainly the cooperation of alliances behind protecting the INaV, from both diplomatic and economic positions to empirical pluralism which would encourage the ideologies not from a dependent but rather from an independent explanatory answer of social relations of production of sanctions.

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