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**INTERNSHIP REPORT AT THE PERMANENT
REPRESENTATION OF PORTUGAL TO THE EUROPEAN
UNION**

**"How can sanctions interfere with the work of NGOs in
conflict scenarios?"**

Internship Report to obtain a Master's Degree
in Law, in the specialty of International and
European Law

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I hereby declare that the work I present is my own work and that all my citations are correctly acknowledged. I am aware that the use of unacknowledged extraneous materials and sources constitutes a serious ethical and disciplinary offense.

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List of Acronyms and Abbreviations

CFSP - Common Foreign and Security Policy

CLS - Council Legal Service

CNE - Foreign Affairs Council

COREPER - Permanent Representatives Committee

CSIS - Center for Strategic & International Studies

CSO - Civil Society Organizations

DG - Directorate General

DGEA - Directorate-General for European Affairs

EEAS - European External Action Service

EP - European Parliament

EPA - European Political Affairs

EUISS - European Union Institute for Security Studies

EU – European Union

EUSR - EU Special Representative

FAC - Foreign Affairs Council

GoS – Government of Syria

GSC - General Secretariat of the Council

GT - Working Group

HR/VP - High Representative of the Union for Foreign Affairs

HO - Humanitarian Operators

ISIS - Islamic State of Iraq and Syria

MNE - Ministry of Foreign Affairs

NGOs - Non-Governmental Organizations

PSC - Political and Security Committee

RELEX - Group of External Relations Advisers

REPER - Permanent Representation to the EU

RPA - Deputy Permanent Representative

TFUE - Treaty on the Functioning of the European Union

UN - United Nations

U.S - United Nations

VOICE - Voluntary Organizations in Cooperation in Emergencies

Abstract:

This internship report was prepared based on the activities developed at REPER, the Permanent Representation of Portugal to the European Union (EU), between October 2022 and April 2023, and closes the non-teaching part component of the mentioned Master's in international and European Law.

Among other foreign policy matters, the internship comprised mainly the monitoring of the Working Party of Foreign Relations Counsellors (RELEX) and, consequently, the issues related to the restrictive measures of the EU. Within the working party, a brand-new division, known as "Sanctions", was established in 2004, where its major responsibility was to exchange best practices, update common policies, and put them into practice to guarantee the efficient and consistent execution of EU sanctions regimes.

The inter-institutional framework of REPER is also introduced, followed by a brief analysis of the institutional underpinning of the report, and a short historical review of the objects that are understood to bind the founding principles and values of the EU (relevant Treaties/Declarations), as well as the proposed objectives for its external action (European Neighborhood Policy /PO).

Also, this internship report examines the impact of the Common Foreign and Security Policy (CFSP) and EU sanctions on non-governmental organizations (NGOs) operating in conflict zones. While sanctions are designed to target individuals and entities responsible for conflict or human rights violations, they can also have unintended consequences for NGOs that provide essential services in these regions. This theme constitutes the central theoretical component of this report, being explored mainly through the ways in which sanctions can interfere with the work of NGOs and offers recommendations for mitigating their negative effects.

Keywords: Working Party of Foreign Relations Counsellors (RELEX); Permanent Representation of Portugal to the European Union (REPER); Restrictive measures; EU Foreign Policy; EU Sanctions Regimes; Common Foreign and Security Policy (CFSP).

Introduction:

Since the signing of the Treaty of Maastricht, the European Union (EU) has worked to position itself as an actor who upholds standards, beliefs, and ideals on the global arena. The EU's dedication to democracy, human rights, and the rule of law are fundamental to its identity. These principles are the cornerstones of the EU's foreign policy and guide the imposition of sanctions. Under the Common Foreign and Security Policy (CFSP), the European Union may impose restrictive measures - also known as sanctions - either on its own initiative or pursuant to resolutions of the United Nations Security Council (Article 215 of the Treaty of the Functioning of the European Union, TFEU).

This is why the EU places a strong emphasis on the defense and advancement of human rights when applying sanctions, whether against states or non-state actors. In this regard, the EU works to prevent restrictive measures from escalating human rights abuses or promoting the violation of fundamental freedoms. As such, the EU affirms the inherent dignity and equal rights of all people. Sanctions are intended to promote a climate that is favorable to the enjoyment of civil, political, economic, social, and cultural rights by encouraging states and non-state actors to uphold human rights norms.

Furthermore, the EU promotes democratic governance globally and maintains democracy as one of its key values. By using restrictive measures as a tool to promote democratic principles and behaviors, such as free and fair elections, open government, and respect for the rule of law, the EU seeks to encourage democratic movements and institutions.

Another fundamental element ingrained in the EU's approach to sanctions is the rule of law. The EU stresses that sanctions must be carried out in conformity with international law, particularly international human rights law, international humanitarian law, and the tenets of the UN Charter. Sanctions ought to be reasonable, specific, and supported by solid evidence. The EU aims to provide options for review and recourse for impacted people or companies while also ensuring that due process and fair procedures are followed in the designation and implementation of restrictive measures.

The preambles of numerous EU treaties clearly demonstrate the EU's dedication to human rights, democracy, and the rule of law. For instance, the EU is established on the

principles of respect for human dignity, freedom, democracy, equality, the rule of law, and respect for human rights, according to the preamble of the Treaty on European Union (TEU). The preamble to the European Union's Charter of Fundamental Rights, which emphasizes the EU's dedication to democracy, human rights, and the rule of law, emphasizes these ideas even further.

To ensure that sanctions are used in a way that respects and promotes fundamental rights, democratic governance, and the principles of international law, the EU uses these principles as a framework for its external activities. In this sense, the EU works to create a more just, peaceful, and rights-respecting world by preserving these ideals.

Acting not as an end, but rather towards an end, the goal of which is to build secure and sustainable relations with its partners based on common interests, the *sine qua non* condition of which is a commitment to this democratic model - such is the core of its normative power. It is therefore important to introduce this comprehensive research topic that is the subject of this report.

The starting point for the sizing of this theory vis-à-vis its empirical verification is the Permanent Representation of Portugal to the EU (REPER), where the practical component on which this report is based was carried out¹.

This report consists of six chapters, each addressing different aspects of the research topic. While all the chapters are important and contribute to the overall understanding of the subject, there is one chapter that deserves a separate paragraph to discuss it further.

So, in this context, Chapter I provides a brief interinstitutional framework of the main dynamics observed by the author of this report, accompanied by the author in this institution, and which brings together Member States (MS), the European External Action Service (EEAS) and the European Commission (EC) in policy formulation.

Chapter II introduces the scientific component to answer the questions surrounding the institutional framework that legitimizes the normativity of the EU. Considering this

¹ For the sake of historical contextualization and the political developments that have culminated in the current paradigm of foreign relations, the period analyzed does not coincide entirely with the internship. For this reason, chapter II goes back to the genesis of the CFSP to frame the present moment of the narrative, which is lengthened in chapter III, by effectively focusing on the events that took place mostly during and immediately after the internship period, as well as their repercussions.

contextualization, the theories that analyze the EU as a normative and transformative power, playing a key role in setting the international agenda in projecting and universalizing its democratic and humanistic character, are reviewed. And the third one, speaks about how important this internship was important for my future personal and professional career.

The fourth chapter, entitled “The Impact of EU Sanctions on NGOs in Conflict Scenarios,” examines the overview, classification, and application of restrictive measures imposed by the European Union. The chapter also dives into the human rights duties of sanctioning nations. Furthermore, it investigates the idea, typology, and implementation of sanctions, giving vital insights into their implications on the efficacy of non-governmental organizations (NGOs) working in conflict zones.

This chapter is important because it illuminates the intricate interplay between sanctions and humanitarian initiatives, considering their possible impacts on humanitarian work. It delves into the dual nature of sanctions as a double-edged sword, exploring how economic constraints might impede NGOs' capacity to function efficiently in war zones. This chapter adds to a better understanding of the issues encountered by humanitarian actors in conflict settings by studying the impact of sanctions on NGOs. It also emphasizes the significance of reconciling sanctions' aims with the humanitarian needs of vulnerable populations.

Chapter V is critical in understanding the processes for delivering humanitarian relief in the setting of sanctions. It gives insights into the problems and potential solutions for navigating the complicated regulatory framework and assuring the provision of much-needed assistance to disadvantaged groups by examining both exclusions and derogations.

Chapter VI encompasses the "Case Study on Syria" and focuses on applying the principles and frameworks covered in earlier chapters to a specific case study: the Syrian humanitarian crisis. It gives a historical context for the conflict, outlining major events and factors that have influenced the country's current humanitarian catastrophe. Following that, the chapter investigates the efficiency of EU humanitarian exemptions in the context of the Syrian crisis. It examines the difficulties and constraints that humanitarian actors experience in delivering help and negotiating the sanctions system.

In general terms, restrictive measures are a multilateral instrument of a politico-diplomatic nature, of a non-punitive character, which aims at changing actions or policies, such as violations of international law or human rights, policies that do not respect the rule of law or democratic principles and may be addressed to governments of third countries, non-state bodies (groups or organizations) and natural and legal persons (Joachim Koops, Norrie MacQueen, Thierry Tardy, and Paul D. Williams, 2017).

In recent years, the European Union (EU) has increasingly used economic sanctions as a tool to promote human rights and democracy in countries experiencing conflict and political instability. While these sanctions can be an effective means of pressuring regimes to change their behavior, they can also have unintended consequences for NGOs working in the affected countries. This paper analyzes the ways in which EU sanctions can interfere with the work of NGOs in conflict scenarios, focusing on a case study about the Syrian conflict.

Methodological framework

The research initially focused on the analysis of primary and secondary sources, which was complemented with the unique knowledge obtained through direct and participant observation of the dynamics of RELEX during the referred period. The sources consulted were mostly Council working documents, summaries of information provided by the EEAS and/or the Commission through the channels provided for this purpose, and internal communication from the Ministry of Foreign Affairs. It is to be noted that these will not be included or referenced directly in this report for confidentiality reasons. Consultation and interpretation of official EU public documents, such as Commission Communications, Treaties, Council Conclusions, and Strategies, among others, was also essential for the inferences drawn.

Simultaneously, a critical bibliography analysis was carried out in order to extract the main theses on the subject as a whole and to develop the state of the art. Based on the perspectives of analysis chosen for the investigation of the object of study and the literature review, it was possible to delineate the multiple components of the main argument that runs through this report and the constraints that characterize it, which the author also observed in the empirical dimension.

1. Institutional Framework of the Permanent Representation of Portugal to the European Union

1.1 REPER and Council preparatory bodies

The 27 EU Member States (MS) are represented in Brussels, the capital of Belgium and the European institutions, through the respective REPER. The largest Portuguese diplomatic mission is located at number 12 Cortenbergh Avenue and usually has between 70 and 120 employees divided between technical advisors, administrative staff, and the diplomatic corps². As stated,

*"Our mission is to represent the Portuguese State in the various institutions of the European Union and to ensure the defense of its interests at the various levels and scope of decision-making. The officials of this Permanent Representation participate actively in the multiple working groups (WG) of the Council of the European Union, where in close cooperation with the Portuguese administration, they convey and defend national positions. The most important issues are discussed in the Permanent Representatives Committees (COREPER I, II, and PSC), before being placed on the agenda of the Council of Ministers and/or the European Council, which brings together the Heads of State or Prime Ministers of the Member States"*³.

It is in the conduct of the work of the Council of the European Union, called the Council, that REPER predominantly represents the Portuguese State, in addition to the other institutions, when so required. The dynamic between these actors is a core element in the traditional framework of European politics. In conjunction with the European Parliament (EP)⁴, the Council - and the more than 150 preparatory bodies⁵ (working groups) into which the ten formations⁶ break down - has legislative and budgetary

² The diplomatic corps is mostly concerned with European foreign policy issues, while the technical advisors are responsible for matters requiring specialized knowledge from the sectoral ministries.

³ Excerpt available on REPER's official website at <https://ue.missaoportugal.mne.gov.pt/pt/a-reper/missao> [consulted on 11/04/2023].

⁴ In the field of CFSP, the EP has the following internal structures: the Committee on Foreign Affairs (AFET), which includes the Subcommittee on Human Rights (DROI), the Subcommittee on Security and Defense (SEDE), the Committee on Development (DEVE), and the Committee on International Trade (INTA).

⁵ Council memo 10925/2018 dated July 6, 2018, sets out the "List of Council preparatory bodies," and informs about the structure and participation of meetings of all working groups.

⁶ These are: (1) Agriculture and Fisheries, (2) Competitiveness, (3) Transport, Telecommunications and Energy, (4) Environment, (5) Employment, Social Policy, Health and Consumer Affairs, (6) Education,

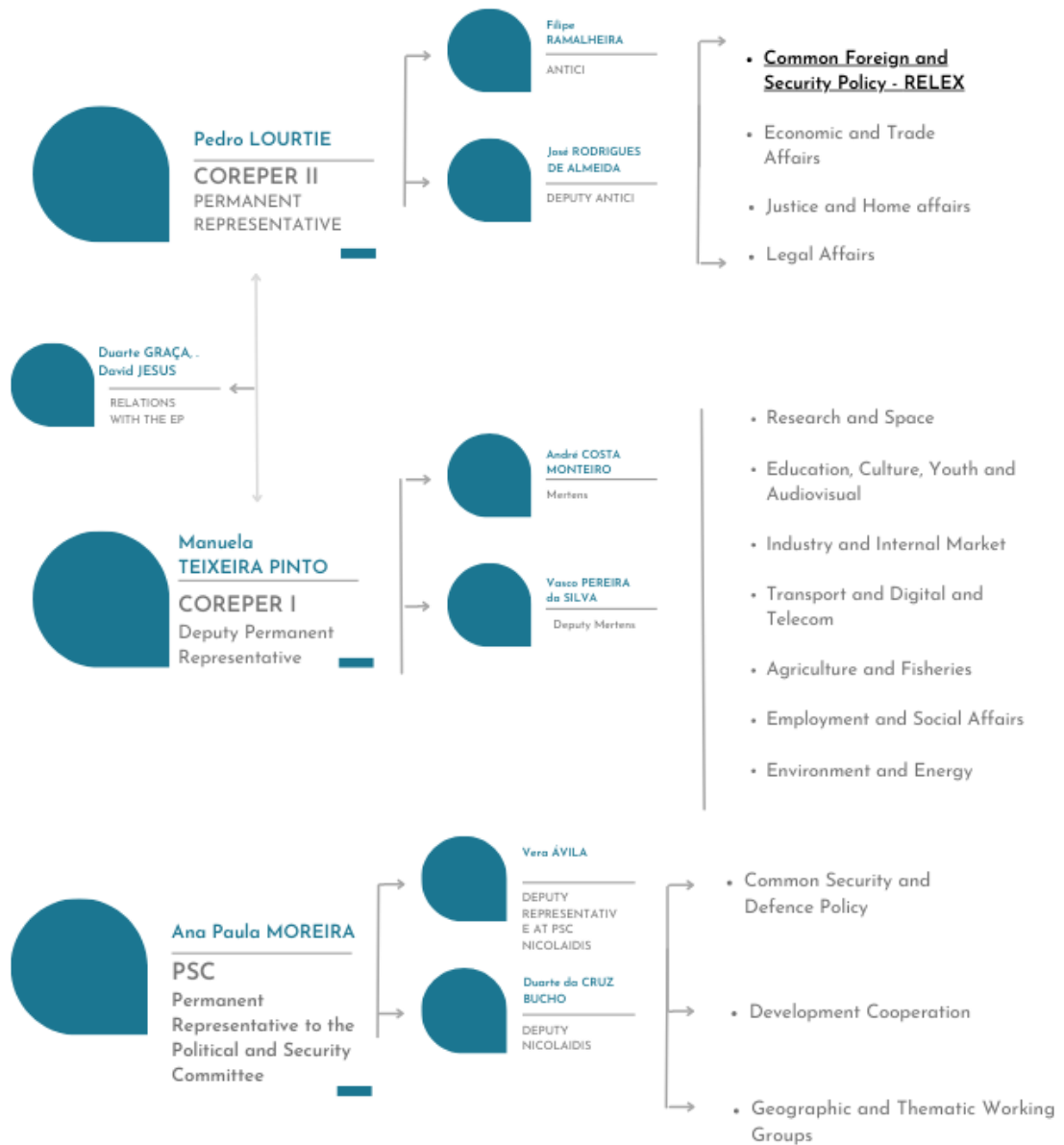
functions, based on proposals from the Commission and later laws adopted by the ordinary legislative procedure,⁷ apart from foreign policy, which is subject to specific rules and procedures (Article 24 TEU).

The main element, the Committee of Permanent Representatives of the Governments of the MS (COREPER), brings together all Ambassadors to the EU in bi-weekly meetings. The coordination of COREPER II portfolios is handled by the Head of Mission (also known by the acronym REPER), who is directly assisted by the Deputy Permanent Representative (RPA), who in turn manages COREPER I; and the Representative to the Political and Security Committee (PSC). COREPER is headed by the Representative of the MS holding the rotating Presidency of the Council and ensures the discussion of the interests of the MS when an agreement needs to be reached at an early stage, for final endorsement by the Council - the only instance with decision-making power.

prepared in COREPER II format. In turn, according to their competence, the respective national ministers or state secretaries take part in these meetings.

⁷ "The ordinary legislative procedure consists in the joint adoption by the European Parliament and the Council of a regulation, directive or decision on a proposal from the Commission". This procedure is defined in Article 294 of the Treaty on the Functioning of the European Union. (see Consolidated version of the Treaty on the Functioning of the European Union, OJ C 202, 7 June 2016).

Figure 1 - Simplified REPER organization chart (2022-2023)



Source: made by the author.

As detailed in the figure 1.1. above, REPER assumes the national representation in this hierarchical chain, which is administered by the General Secretariat of the Council (GSC) and the Council Legal Service (CLS), which coordinate and assist impartially the functioning of all the working groups (WG). From the organization chart above, the Common Foreign and Security Policy – RELEX, is directly related to COREPER II, which deals with legal and financial aspects, transforming into legal acts what has been

discussed in PSC. It turns answers to the Foreign Affairs Council (FAC)⁸. Thus, in this institutional organization, the dynamics inherent to the FAC, formed by the 27 Ministers of Foreign Affairs and chaired by the High Representative of the Union for Foreign Affairs and Security Policy and simultaneously Vice President of the Commission (HR/VP), are of particular importance for the subject of this report. These interactions are discussed again in Chapter I, namely the working areas of each FAC preparatory body, and RELEX, the central element of the practical component of this report. In the next section, the purpose of SEAE is detailed.

1.2 European External Action Service

The European External Action Service (EEAS), created by the Treaty of Lisbon (TEU), is formally described as the European diplomatic service and makes sure that the "*Voice of the European Union and its citizens is heard around the world*"⁹ through 142 delegations in countries outside the Union and various International Organizations. Like a national diplomatic mission, they promote the deepening of the relationship with a given country, in coordination with the various Directorates-General (DGs).

This body is split between the Commission and its services, as well as the GSC and EP. Thus, through the union of these two functions, previously constituted by the accumulation of the position of Secretary General of the Council, the CFSP/CSDP, traditionally associated with this institution, moved closer to the other areas of external relations administered by the Commission. This reformulation generated some interinstitutional blurring (Zotti, Antonio, 2014) (European Union Institute for Security Studies., 2016) given the overlapping portfolios in the hierarchy of the EEAS and Commission structures.

To address this issue, while the Commission has primacy in external matters such as development cooperation (DG International Cooperation and Development), humanitarian assistance (DG Civil Protection and European Humanitarian Aid Operations), and 'neighborhood' and enlargement (DG NEAR), the Council working

⁸ "The Foreign Affairs Council shall elaborate the Union's external action on the basis of strategic guidelines laid down by the European Council and ensure that the Union's action is consistent (cf. Consolidated versions of the Treaty on European Union, OJEU C 202, 7 Jun 2016, Article 16 (6)).

⁹ "...in collaboration with the diplomatic services of the Member States (...) shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services" (cf. Council Decision 2010/427/EU of 26 July 2010 establishing the organization and functioning of the European External Action Service).

groups in these areas rebalance this management by being chaired in rotation by the Council rather than the EEAS. The geographic groups of the FAC, on the other hand, are chaired by an element appointed by the EEAS, for example. These internal bickering issues were also observed by the author during participant observation of meetings of the RELEX WG. Nevertheless, the actions of the EEAS, in concert with Berlaymont, and always with the Council's endorsement, have now also enshrined the will of the MS in the consolidation of the whole foreign policy spectrum, with the ENP and enlargement standing out. This short summary of the institutions with which the author had most contact during her internship, and which also serves as an introductory framework, makes it possible to identify the projection that the EU advocates for its external action through the creation of a global, broad, and comprehensive diplomatic service.

2. The functioning and logistics of an EU Council working group

2.1 The Geographical Working Group

The working groups within the organization of the FAC meet as a rule twice a week in the Council rooms for an average of three to four hours, depending on the urgency of the agenda. The meetings are chaired by an official from EEAS¹⁰ and follow an official agenda formulated by the EEAS team, in which the formal points for discussion and the required documents relating to the topics under discussion are recorded. This folder is previously circulated to the 28 delegates of the group belonging to the staff of the respective REPER¹¹. The WG chair, together with the relevant EEAS units and the GSC, manages the logistics of the meetings, ensuring the presence of the Commission services or other institutions necessary for the discussion of the formal and informal items on the agenda.

The information traffic between Brussels, the Commission, the Council, and the MS, almost always comes from the EU Delegations, mentioned in Chapter I. Confidential documents are circulated through the COREU platform,¹² the internal secure network through which European correspondence circulates. Based on this institutional orchestration, it is in the WG meetings that the EEAS and/or representatives of the relevant Commission DGs, in charge of the various relevant themes or countries, present the information or documents for discussion on the developments in the country/region in question.

¹⁰ The chairmanship of the groups is divided into "Committees and groups chaired by a representative of the High Representative of the Union for Foreign Affairs and Security Policy" and "Committees and groups chaired by the General Secretariat of the Council", alongside the committees and groups chaired by the delegate of the MS holding the rotating Presidency.

¹¹ The 'Delegate's Portal' is the online platform where all materials and information necessary for the course of the meetings of all WGs and Committees are made available. See more on the official website "Delegate's Portal" at <https://delegates.consilium.europa.eu/> [consulted on 12/04/2023]

¹² "The COREU network allows for the exchange of information between the Member States' Ministries of Foreign Affairs and the Commission, as well as consultation on policy analyses related to multilateral issues or the situation of third countries. The network does not cover institutional questions or questions relating to the use of the Union budget to which other titles of the Treaty also apply. The network should therefore not be used to establish or deal with Union matters, nor therefore with matters which are in the field of the Union's external relations." (cf. Council Conclusions of 12 June 1995 (doc 7896/95)).

Table 1 - Foreign Affairs Council working groups

| FOREIGN AFFAIRS | |
|------------------------|--|
| C.1 | Working Party of Foreign Relations Counsellors (RELEX) * - Sanctions ³⁴ |
| C.2 | Working Party on Public International Law ** - International Criminal Court (COJUR) |
| C.3 | Working Party on the Law of the Sea (COMAR) |
| C.4 | United Nations Working Party (CONUN) (°°) ** |
| C.5 | Working Party on Organization for Security and Co-operation in Europe (OSCE) and the Council of Europe (COSCE) (°°) ** |
| C.6 | Working Party on Human Rights (COHOM) (°°) ** |
| C.7 | Working Party on Transatlantic Relations (COTRA) (°°) * |
| C.9 | Working Party on Eastern Europe and Central Asia (COEST) (°°) * |
| C.10 | Working Party on European Free Trade Association (EFTA) ³⁵ ** |
| C.11 | Working Party on the Western Balkans Region (COWEB) (°°) * |
| C.12 | Ad hoc Working Party on the Middle East Peace Process (COMEPP) (°°) * |
| C.13 | Middle East/Gulf Working Party (MOG) (°°) * |
| C.14 | Mashreq/Maghreb Working Party (MAMA) (°°) * |
| C.15 | Africa Working Party (COAFR) ³⁶ (°°) * |
| C.16 | African, Caribbean and Pacific (ACP) Working Party ³⁷ ** |
| C.17 | Asia-Oceania Working Party (COASI) (°°) * |
| C.18 | Working Party on Latin America and the Caribbean (COLAC) (°°) * |
| C.19 | Working Party on Terrorism (International Aspects) (COTER) * |
| C.20 | Working Party on Non-Proliferation and Arms Exports ³⁸ (°°) * - Non-proliferation and disarmament (CONOP) - Conventional arms exports (COARM) |
| C.23 | Working Party on Dual-Use Goods ** |
| C.25 | Politico-Military Group (PMG) (°°) * |
| C.27 | Working Party on Trade Questions ³⁹ ** |
| C.30 | Working Party on Development Cooperation and International Partnerships (CODEV-PI) ⁴⁰ ** - Neighbourhood, Development and International Cooperation Instrument (NDICI) - Global Europe - Preparation of international development conferences |
| C.32 | Working Party on Humanitarian Aid and Food Aid (COHAFA) |
| C.33 | Working Party on Commodities (PROBA) |
| C.34 | Working Party on Consular Affairs (COCON) ** |
| C.36 | Nicolaidis Group ⁴¹ (°°) * |
| C.38 | Working Party on restrictive measures to combat terrorism (COMET) ⁴² * |

Source: Council Note ^{ST 5253/2213}

¹³ Excerpt available on European Council's official website:
<https://data.consilium.europa.eu/doc/document/ST-5253-2022-INIT/en/pdf> [consulted on 03/05/2023].

2.2 RELEX Working Group

The duties of the RELEX WG include primarily the approval, and where necessary, drafting exercises of the texts proposed by the EEAS and/or the Commission which guide the action of the European delegations during the bilateral and multilateral meeting formats with partners, such as the Association/Partnership Council or Committee, but also other documents of a public nature (written procedures or joint statements). However, discussions on the proposed draft annotated agenda of the meetings, European position notes, and guidance notes, necessary for the continuation of the meetings, are the most frequent on the group's agenda. Delegates report their capital's opinions on the text and, when necessary, make proposals for written comments until the final agreement is reached.

The Common Foreign and Security Policy (CFSP)'s legal, financial, and institutional challenges are dealt with by the RELEX working group.

Its top priorities are EU crisis management initiatives sanctions; finance for foreign activity provided by EU special representatives (EUSR) and non-proliferation and other intersecting problems. Its major responsibility is to exchange best practices, update common policies, and put them into practice to guarantee the efficient and consistent execution of EU sanctions regimes. When formally requested, items go to COREPER II, meaning that they have been previously agreed upon at a lower political level and only need to be entered on the agenda for final endorsement. Their maintenance is reviewed every six to 12 months, or in the face of some unexpected event and the discussion is based on evidence provided by the EEAS and CLS, which analyzes each case.

2.3 The relationship with the capital - MFA and diplomatic missions: the telegraphy

REPER reports daily on the work done with the Council to the 'capital', i.e., to the respective MNE divisions in charge of each portfolio. Virtually all communication is maintained by the Cifra network, a data base system where telegrams are sent, regarding to meetings which were attended at Brussels and important information received from Lisbon. This encrypted system allows for secure communications between the respective services and all the Portuguese missions. Internally, telegrams concerning

RELEX are sent to different hierarchical levels depending on the importance of the subject: the Directorate General of Foreign Policy (DGFP), which includes European Political Affairs (EPA), and the Directorate of Services for International Political Organizations (DGIPO); and the Directorate-General for European Affairs (DGEA), which includes the Directorate for External Relations, Europe, and Enlargement (REA). In the external network, dissemination is carried out by the relevant Embassies and Representations, such as the Council of Europe, EU Embassies, Kyiv, Moscow, the mission to the UN Organizations and other international bodies in Geneva, and the OSCE, a mission shared with the Embassy in Vienna.

The frequency of concertation between the various missions, REPER, the advisors in the capital, and the embassy on the ground depends on the urgency and relevance of the issues for Portugal. As a rule, only instructions from the MFA are needed for the preparation of the national position at each meeting. The main role of the capital is to coordinate with the relevant sectoral Ministries or with the Ministry's internal services, in the case of the WGs for which it is strictly responsible. The instructions, or inputs, are sent in advance of the meeting, either informally, electronically, or formally by telegram.¹⁴

Telegrams are forms of private communication that predate today's formats. Communication by telegraphy involved a high cost for paying "by the letter" for the sending of correspondence, which forced short and concise communications. Today, telegraphic writing, as the noun itself indicates, remains brief and direct. Both at European and national level, it is common to use numerous acronyms and abbreviations in correspondence in the diplomatic network. For example, countries are referred to in communications by the stipulated abbreviations taken from their designation in the language of origin. Portugal (PT), Croatia (HR), and so on, such as the institutions in the fixed acronyms.

¹⁴ In the case of written comments on a meeting preparation document or if you wish to send a document about the meeting, these are sent by fax, attached to the telegram. Telecopies are always complementary to a telegram and should therefore be associated with this form of communication and should always be used when attaching documents in word or pdf format, PowerPoint presentations, and/or images.

3. Practical considerations about the REPER internship: competences acquired

The internship at REPER, as part of the non-teaching component of the Master's in International and European Law began on October 15, 2022, and ended on April 15, 2023, making up the required 800h.

The integration in this work organization required a quick adaptation to the methodologies of the institutions in question, their communication codes, and to telegraphic writing, which was only possible to learn "firsthand" through access to documents and meetings. In this context, it is important to note that trainees are not allowed to access Cifra, as mentioned before, and the Delegates Portal of the EU Council network, which cannot use these two platforms on their own to retrieve potentially useful information for their tasks. This can make it difficult to perceive the full spectrum of more complex events, necessary to follow the more technical discussions, particularly at times of greater hustle and bustle and lack of time to prepare for the team meeting. In this sense, it is pertinent to suggest that this dynamic be revised.

I had a variety of responsibilities and took part in several meetings (twice of week) pertaining to European and Portuguese foreign policy during my internship at REPER (Permanent Representation of Portugal to the European Union) related to the negotiation process of several issues in the areas of CFSP (sanctions) and CSDP (Assistance Measures under MEAP and Civil and Military Missions and Operations). As an intern, I worked on briefings, reports, and analyses on a variety of subjects, including sanctions.

I was given the chance to do research on sanctions by looking at reports, academic papers, and public materials. Both at the EU level and in the context of international law, I examined the legal framework and rules linked to the imposition of sanctions. I did research about the efficiency and effects of sanctions on the targeted nations, as well as the human rights repercussions and the difficulties in striking a balance between humanitarian concerns and political goals.

Due to security and confidentiality regulations, I am unable to share particular facts or illustrative annexes, however the internship gave me a better understanding of the dynamics and decision-making processes that exist within the EU institutions. In high-level meetings, I observed how talks about restrictive measures developed and the factors considered when establishing policies.

My awareness of European state dynamics and the challenges presented by making foreign policy decisions have both increased because of this experience. I developed my telegraphic writing skills and learnt the significance of efficient communication in diplomatic settings so that I could accurately and succinctly express information.

The REPER internship helped me develop my flexibility and resiliency personally. The work was fast-paced and unpredictable, so I had to think quickly, set priorities, and adhere to strict deadlines. Additionally, it gave me important insights into the diplomatic community and the professional abilities needed in such situations.

In general, my knowledge of European and Portuguese foreign policy was expanded during my internship at REPER. I can say that being on the receiving end of decision-making processes and having the chance to participate in research and analysis greatly accelerated my professional development and gave me insightful knowledge of the field of international relations.

All in all, observing the frontline of European and Portuguese foreign policy was a deeply rich experience in terms of personal and professional learning. The privilege of "peeking behind the stage" and witnessing the orchestration of the CFSP in the highest bodies of the EU has contributed incomparably to the understanding of European dynamics and decision-making processes, which inspired the choice of the object of study. The demanding schedule of REPER's diplomatic staff and the fast pace of work, sometimes unpredictable and with certain protocol requirements, may have less pedagogical aspects, but no less attractive for a young professional. These months resulted in a strengthening my technical and professional skills and increased resilience and adaptability.

4. The Impact of EU Sanctions on NGOs in Conflict Scenarios

4.1 Overview and Characterization of restrictive measures

As a form of restrictive measures, sanctions are used by nations or international organizations to put pressure on a targeted entity, such as a government, organization, or individual, to change its conduct or policy to comply with certain international law standards. Usually, they are enacted in response to perceived threats to global peace and security, transgressions of international law, or violations of human rights.

In this regard, the UN Security Council is empowered to enact restrictive measures under the United Nations Charter, which acts as the organization's founding document. The Security Council has the authority to enact measures, such as economic and diplomatic sanctions, to preserve or restore world peace and security under Chapter VII of the UN Charter. According to the UN Charter, the principal goal of sanctions is to uphold and maintain peace by exerting pressure on organizations that take part in actions that threaten global stability.

On the other hand, the European Union (EU) has its own system in place for applying sanctions. The EU can use sanctions as a tool in its international relations thanks to the Common Foreign and Security Policy (CFSP) of the EU. The Council of the European Union makes most of the decisions that provide the legal framework for restrictive measures in the EU. Sanctions imposed by the EU may serve a variety of purposes depending on the circumstances, but they often promote the EU's foreign policy goals, which include advancing democracy, human rights, and the rule of law as well as averting wars and countering security threats.

Even though the EU and UN have independent sanctions procedures, it is nonetheless important to include UN sanctions while analyzing EU sanctions. While the EU has the same authority to impose sanctions as an individual state because this power derives from that of its Member States, the UN, on the other hand, is tasked with the general responsibility of maintaining international peace and security. In reality, the EU applies sanctions when the Security Council is not only unjustified in acting, but is also unable to act due to a lack of unanimity (Portela, 2005).

It is crucial to emphasize that the specific characteristics and application of restrictive measures might change based on the situation, the organization or country implementing them, and other factors. Sanctions can take many different forms, depending on the situation and goals, including travel bans, financial sanctions, trade restrictions, and arms embargoes.

As far as the nature of economic sanctions is concerned, at first glance, seems to be quite peaceful. Sanctions stand out favorably from the other three strategic instruments of international law enforcement: they are more decisive than diplomacy and propaganda, and at the same time they are not as violent and destructive as military means (Reisman & Stevick, 1998). Regarding the application of sanctions, this has three forms: unilateral sanctions (implementation of sanctions by one state), multilateral sanctions (involves several states and international organizations), and universal sanctions (covers all or almost all international actors) (Galtung Johan, 1967).

As regards the types of economic sanctions, they are described in a non-exhaustive list in Art. 41 of the UN Charter. Among the various types of sanctions, such as interruption of communication or diplomatic relations, there are economic measures - the complete or partial interruption of trade relations - i.e., an economic boycott referring to goods, services, and capital. The embargo entails cutting off all imports and exports as well as financial transactions and travel by nationals. Another type of economic sanction is the freezing of financial assets. States seeking to sanction the offending state block its financial resources to limit its actions. These measures can be implemented with different levels of intensity since they depend on the objectives and capabilities of the sanctioning state. Sanctions can also be implemented through import and export controls. While the former aims at reducing the enrichment of the sanctioned country through its partial exclusion from international trade, the latter aims at preventing the export of products that may contribute to a military advantage or strengthening of the economy of the sanctioned country.

4.2 Sanctions against States v. Sanctions against non-state actors and individuals

As previously stated, restrictive measures play a big role in international relations. They are used to redress alleged transgressions of international norms and promote desired conduct in accordance with international law. Those sanctions enforced against governments and those imposed against non-state actors and individuals can be broadly divided into two types. A thorough analysis of the fundamental distinctions between these two categories of restrictive measures, emphasizing their goals, legal frameworks, difficulties in putting them into practice, and repercussions, will be offered.

These sanctions impose financial, political, or diplomatic consequences to put pressure on the targeted state. States try to deter noncompliance by imposing trade restrictions, seizing assets, or putting in place arms embargoes.

Relating to non-state actors, doctrine uses few words with what at first glance appear to be identical meanings. Non-state entities are a word some authors use¹⁵ while others mention “non-state actors”¹⁶. Regarding this, the UN Security Council defined “non-state actors” in its resolution 1540 (2004) of 28 April 2004, although only for the purpose of the resolution, i.e., in the context of suppression of nuclear terrorism. As stated in the UN Security Council decision 1540 (2004), “not acting under the lawful authority of any State” characterizes non-state actors.

The restrictive measures placed on non-state actors, such as terrorist organizations, armed groups, or people engaged in illegal actions, however, have specific goals. The main objective is to interfere with their business operations, weaken their financial systems, and reduce their ability to engage in damaging activities (A. F. Bayefsky, 2000). States seek to undermine and isolate these players, thereby reducing their threat to global peace and security, by limiting their access to cash, upsetting their supply chains, and implementing travel restrictions (A. F. Bayefsky, 2000).

¹⁵ See e.g., M.-L. BOLANI, Security Council Sanctions on Non-State Entities and Individuals, RHDI, 2003, 56, 2, pp. 401-43

¹⁶ See e.g., V. ZELLWEGER, D. KOLLER, Non-State Actors, International Criminal Law and the Role of the International Criminal Court, in: S. BREITENMOSER, B. EHRENZELLER, M. SASSOLI, W. STOFFEL, B. WAGNER PFEIFFER (eds.), Human rights, democracy and the rule of law: Liber Amicorum Luzius Wildhaber, Zürich/Baden-Baden, Dike/Nomos, 2007, pp. 1619-1634.

Sanctions on governments are primarily governed by international law, frequently through decisions made by bodies like the United Nations Security Council (UNSC). These resolutions give member states the right to enact a range of limitations, such as travel, trade, and economic restrictions. However, the legal justification for imposing sanctions on non-state actors differs depending on the jurisdiction and the precise threat. To impose sanctions on non-state actors, domestic laws or executive orders issued by states are frequently used.

Enforcing sanctions can be difficult in several ways. Gaining support from major powers or nations with significant geopolitical influence can be difficult when enacting comprehensive sanctions. Humanitarian concerns are raised by the possibility of unintentional harm being done to civilian populations. Monitoring compliance and preventing sanctions evasion can be challenging, particularly when states use illicit networks or conduct trade with countries that aren't subject to sanctions (UN Security Council, 2022).

Sanctions against non-state actors are fraught with difficulties of their own. These actors frequently traverse borders and have decentralized organizations, making it challenging to pinpoint and successfully target them. As non-state actors frequently rely on alternate funding sources, such as illicit operations or outside backing from sympathetic persons or nations, financial restrictive measures may have a limited impact.

State-level sanctions may have a variety of effects. They may result in financial instability, decreased investment, and trade problems economically. Sanctions put diplomatic pressure on bilateral and multilateral relations and may lead to diplomatic isolation.

Sanctions on non-state actors are intended to hinder their operations and weaken their capabilities. Effective sanctions can reduce the threats they represent and improve global security by restricting their access to cash, preventing the acquisition of weapons, and making it difficult for them to add members or grow their networks.

However, a few typical effects could be the economic consequences on where sanctions can lead to economic hardships, affecting businesses, trade, employment, and overall economic stability. This can result in reduced investment, inflation, scarcity of goods, and increased poverty among the population. Besides that, has also humanitarian consequences. In some cases, sanctions can inadvertently impact the general population, leading to limited access to essential goods and services such as food, medicine, and necessities. Humanitarian exemptions and safeguards are often incorporated to mitigate unintended humanitarian consequences.

Regarding political and diplomatic effects, sanctions can strain diplomatic relations, hinder negotiations, and contribute to the deterioration of international cooperation. Finally, sanctions can have security implications, especially in cases where they target entities involved in terrorism or illicit activities. By disrupting their operations and resources, sanctions contribute to countering these threats and reducing the risks they pose.

4.3 Human rights obligations of sanctioning countries

The United Nations Charter specifically authorizes the United Nations Security Council to apply sanctions to maintain or restore international peace and security under Chapter VII, as stated before. There have been repeated calls for States to avoid applying sanctions unilaterally, including through resolution 39/210 of the UN General Assembly¹⁷, which states should refrain from threatening or applying trade and financial restrictions, blockades, embargoes, and other economic sanctions, incompatible with the provisions of the Charter of the UN. And, the violation of undertakings contracted, multilaterally and bilaterally, against developing countries as a form of political and economic coercion that affects their political, economic, and social development. The Vienna Declaration and Program of Action 1993 was more specific, calling for States to:

Refrain from any unilateral measure, not in accordance with international law and the Charter of the UN that creates obstacles to trade relations among States and impedes the full realization of the human rights set forth in the Universal Declaration of Human Rights and international human rights instruments, in particular, the rights of everyone to a standard of living adequate for their health and well-being, including food and medical care, housing, and the necessary social services¹⁸.

4.4 Sanctions-concept, typology, and application

Before starting to detail the types of sanctions that exist, it is important to refer that this report is based exclusively on the analysis of the EU sanctions. In this regard, the EU has three types of sanctions regimes in existence¹⁹:

- Mandatory UN sanctions: there are UN sanctions that the EU transposes into EU legislation²⁰.

¹⁷ See here the Resolution 39/210 of the UN General Assembly: <https://www.ohchr.org/sites/default/files/Documents/Issues/UCM/Res/A-RES-39-210.pdf>

¹⁸ UN General Assembly. Vienna Declaration and Programme of Action, A/CONF.157/23. 1993.

¹⁹ See the website of EEAS with the information regarding European Union Sanctions: https://www.eeas.europa.eu/eeas/european-union-sanctions_en

²⁰ See the website of EEAS with the information regarding European Union Sanctions: https://www.eeas.europa.eu/eeas/european-union-sanctions_en

- Supplementary measures: the EU may strengthen UN sanctions by imposing stronger and additional restrictive measures (for example, against the Democratic People's Republic of Korea)²¹.
- Autonomous EU sanctions: the EU may elect to impose totally autonomous sanctions regimes (for example, in relation to Syria, Venezuela, Ukraine, and Russia)²².

Globally, there are approximately thirty EU-independent and UN-transferred sanctions regimes in effect, they have been imposed, for example, in response to the situations in Syria, Iran, the Democratic Republic of the Congo, Venezuela, Libya, Russia, Ukraine, and North Korea²³. Furthermore, the EU has implemented horizontal regimes aimed at terrorism, cyber-attacks, proliferation, and the use of chemical weapons.

When analyzing the numerous sanctions systems now in place around the world, it is crucial to emphasize, once again how these restrictions affect trade and economies. The exports and imports of the targeted nations have decreased as a result of sanctions imposed on nations including Syria, Iran, the Democratic Republic of the Congo, Venezuela, Libya, Russia, Ukraine, and North Korea as well as the horizontal regimes put in place by the EU. As a result, the sanctioned nation experiences a decrease in its purchasing power on the global market, and when this is the same as the sanctioning nation, the sanctioning nation ends up preferring its home market. Although it is not always the case, sanctions are sometimes perceived as a domestic tactic that advances the interests of the sanctioning nation. Sanctions at the import level may manifest as a blanket or specific ban on some products, like military hardware. When compared to the effect on the target country, the expenses for sanctioning countries, specifically for businesses who supplied items to the sanctioned countries, are minor in this situation.

There are some obvious disadvantages to this foreign policy measure, such as its possible inefficiency, when it fails to change a certain behavior, or even injustice in its application, in the sense that it tends to be applied in more fragile and less developed

²¹ See the website of EEAS with the information regarding European Union Sanctions: https://www.eeas.europa.eu/eeas/european-union-sanctions_en

²² See the website of EEAS with the information regarding European Union Sanctions: https://www.eeas.europa.eu/eeas/european-union-sanctions_en

²³ See on the website of EEAS the section of "Which EU sanctions regimes?": https://www.eeas.europa.eu/eeas/european-union-sanctions_en

economies, which have a lower capacity to manage increased transaction costs or to propose alternatives to the constraints imposed, unlike more developed countries. Regarding efficiency, it is estimated that only a third of economic sanctions have been successful (Davis & Engerman, 2003) and according to a comprehensive study (Thomas J. Biersteker, 2016) at 10% of situations, UN has determined that targeted sanctions are successful in forcing a behavioral change. They are more effective at reining in undesirable behavior (28% of the time) and demonstrating support for global normative frameworks (27% of the time) (Thomas J. Biersteker, 2016).

The most conventional types of sanctions are those that cover a country and prohibit any activity and transactions within that same territory. However, there are other types of sanctions that are list-based and commonly known as "smart sanctions". These are targeted at particular people, entities, or organizations, to the detriment of a nation. Targeted sanctions are increasingly common because they tend to minimize the suffering of the population, which is not one of the goals of imposing restrictions (Gordon, 2011).

There are different types of smart sanctions, namely: arms embargo; travel sanctions; trade sanctions; and financial sanctions. An arms embargo can block the flow of weapons to the entire country, to groups or areas, and to individuals or groups regardless of their location. There are also travel sanctions, which limit the travel of certain individuals, such as visa bans, or even more broadly, through bans and restrictions on airline activities.

Trade sanctions, on the other hand, seek to disrupt the flow of commodities such as timber, diamonds, or oil to damage political and military decision-makers accountable for human rights violations and aggression. They are sometimes used in conjunction with other sorts of restrictive measures (Portela, 2018).

In the 19th century, economic sanctions were manifested through peaceful military blockades in which a country, or group of countries, interrupted trade relations with a particular port or coast without a declared war. This type of strategy became a tool of persuasion for states to pay their debts and settle international disputes. Until the outbreak of World War I, twenty-one peaceful military blockades were carried out,

usually imposed by the more powerful European states against smaller countries and emerging economies in Latin America and Asia (Davis & Engerman, 2003).

Contrary to military actions, historically marked by legal codes that predict the behavior of its actors and third parties, and even though economic sanctions are both a political and economic tool, with strong impact on the regulation of international trade, have not always been framed in terms of international law. Thus, the rules of action for sanctioning bodies and countries are not clearly defined (Gordon, 2011).

In the aftermath of the application of the first official economic sanctions regimes in Rhodesia and South Africa, the discussion among international lawyers mentioned possible limitations to sanctions, namely following the standards of human rights and international law, which are essentially guided by the principle of proportionality, i.e., that punishment should be proportionate to the gravity of the offense committed. This principle, following Kantian philosophy, requires an assessment of the severity of the measures used given the objective that is being sought. Indeed, the big question was whether this principle would be sufficient to ensure that the UN would apply sanctions according to the standards imposed by the international community while preserving the basic rights of the affected populations. It was also questioned what conditions were necessary for the UN to legally apply economic sanctions.

It was concluded that the UN does have this authority but must consider the criteria and context of the application, even if this implies less efficient results from a political point of view (O'Connell, 2002).

Also, there are other provisions included to lessen the effects of sanctions on humanitarian aid. Humanitarian relief operations must be carried out in accordance with the principles of impartiality, neutrality, and non-discrimination, according to Article 214(2) of the EU Treaty on its Functioning²⁴. Therefore, in situations when sanctions are in effect, humanitarian aid providers from the EU must adhere to both the applicable sanctions regime and humanitarian principles.

²⁴ See the consolidated version of the Treaty on the Functioning of the European Union: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016E214>

Although the debate over the legal framework and authority of the UN did not completely disappear, with the increase in sanctions cases in the 1990s, the focus shifted to how effective this measure was and how it could be used in promoting human rights, democracy, and other policy objectives. It was during this debate that the concept of comprehensive sanctions emerged as a means of achieving the necessary policy impacts.

The first sanctions regime applied after the Cold War was Iraq, following the invasion of Kuwait in 1990. Days later, the UN applied a restriction comprehensive to trade and financial transactions with the country, as well as the freezing of Iraq's assets around the world; there were, however, occasional exceptions for humanitarian situations. Even after the withdrawal of Iraqi military forces from Kuwait, the UN Security Council extended sanctions under Resolution 687, which would persist until Iraq ended its weapons of mass destruction program. This regime marked a trend in diplomacy and foreign relations, whereby sanctions came to be seen as a non-violent tool to control the behavior of dictators or abusive regimes (Weiss, 1999).

Indeed, we can consider that the 1990s witnessed a boom in economic sanctions, including comprehensive sanctions on Iraq, former Yugoslavia, and Haiti. This growth can be explained by different factors, namely because this measure was seen as an opportunity for the international community to intervene in matters that were previously a sovereign competence. Furthermore, the concept of security is no longer limited to military threats, but extends to the socio-economic, environmental, and humanitarian spheres; hence there is more opportunity for intervention. Finally, economic sanctions end up being a more passive and less costly form of political intervention, i.e., they represent an opportunity for states to express their displeasure without the need for too compromising an involvement, as would be the case with military intervention (Weiss, 1999).

4.5 Sanctions as a Double-Edged Sword: The Impact of Economic Restrictions on the Effectiveness of NGOs in Conflict Zones

The application of comprehensive sanctions ended up revealing the most inhumane side of this measure and the impacts on the populations involved. In fact, sanctions can act as a catalyst for the deterioration of already existing socio-economic conditions. In certain cases, the costs borne by the sanctioned countries have been substantial (Mueller & Mueller, 1999). According Annual Report of the UN Secretary-General on Children and Armed Conflict for the year 2021²⁵, at least 5,242 girls and 13,663²⁶ boys were the targets of grave violations in 21 different country contexts and one area (Fabienne Vine, 2022).

The negative impacts and constraints of economic sanctions were recognized by the UN itself, and this topic was addressed by the Secretary-General himself in 1995, Boutros-Ghali²⁷. In a troubled period, associated with several international crises, Boutros-Ghali recognized that the increased use of sanctions, as a political instrument, revealed different failures of their application.

This happened notably at the level of objectives, monitoring of their application, and impact and unintended effects. He stressed the importance of redefining the purpose of sanctions to modify certain political behaviors and not as a form of punishment. It did not renounce the use of sanctions but reinforced the need to control their side effects, namely by facilitating the work of humanitarian agencies and avoiding restrictions on imports essential to the functioning of health-related industries (Bothe & Doerschel, 2000). The implementation of sanctions by the UN Security Council has been reviewed by various consultants so that recommendations could be drafted to circumvent their humanitarian impact. It was within this framework that the report "Toward More Humane and Effective Sanctions Management: Enhancing the Capacity of the United

²⁵ See here the Annual Report of the UN Secretary-General on Children and Armed Conflict:

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/113/09/PDF/N2111309.pdf?OpenElement>

²⁶ The number of minors includes those who were the victims of each of the four distinct crimes: kidnapping, rape, other sexual assault, and killing and maiming. The number of kids impacted by acts of attacks on schools and hospitals, as well as the refusal of humanitarian access, is not included.

²⁷ See the transcript of the press conference by Secretary-General Boutros-Ghali held at United Nations Quarters: <https://press.un.org/en/1995/19951218.sgsm5854.html>

Nations System"²⁸ was written in 1997, which focused on the recommendation of monitoring different indicators during an economic sanctions episode, namely public health, economic, population, and civil society indicators (Minear et al., n.d.).

As the literature on humanitarian impact and monitoring grew, not only political scientists but also public health experts became involved (Gordon, 2011). Later, in 2000, a debate was convened with the aim of establishing a working group to improve the efficiency of sanctions, motivated by the impact on innocent populations and vulnerable developing countries (UN Security Council, 2000). Representatives from each country stressed the true role of sanctions, to change conduct, without seeing them as a primitive tool. It was concluded that sanctions regimes should be clearly defined and targeted. Sanctions should be tailored to each situation and include humanitarian exemptions as well as an anticipation of possible side effects when applied (UN Security Council, 2000).

Targeted sanctions or "smart sanctions" have been the main solution put forward to mitigate the negative humanitarian impact of comprehensive sanctions, derived from ethical debates and criticism of the actions of sanctioning bodies. These tend to have a lower negative impact since they are focused on well-defined and well-identified groups of people. In theory, they exert pressure on policymakers without adversely affecting populations or weakening opposition movements to regimes, which are strong catalysts for change (Weiss, 1999).

The process of defining the different types of targeted sanctions has taken place at various levels, with the collaboration of numerous researchers, conferences, and forums that have allowed experts from various disciplines to give their opinions. At the time of this phenomenon, the European Union's Political and Security Committee defined some principles for their use, implementation, and monitoring of results. Although these guidelines are not legally binding on member states, in the sense that they do not

²⁸ See the report "TOWARD MORE HUMANE AND EFFECTIVE SANCTIONS MANAGEMENT: ENHANCING THE CAPACITY OF THE UNITED NATIONS SYSTEM" attached at the website of the "Relief Web" written by Larry Minear, David Cortright, Julia Wagler, George A. Lopez, and Thomas G. Weiss: <https://reliefweb.int/report/world/toward-more-humane-and-effective-sanctions-management-enhancing-capacity-united-nations>

supersede national and European laws, they were adopted by the Council of the European Union with the aim of shaping the imposition of future sanctions.

These practices include recommendations for efficient and clear identification of individuals on lists, subject to frequent review to avoid problems of mistaken identity; recommendations for Member State laws and regulations for the freezing of funds, assets, and economic resources of persons and entities subject to national restrictive measures; and evaluation of the efficiency of sanctions which should lead to adaptation of existing measures for continuous improvement (Foreign Relations Counsellors Working Party, 2022).

Moreover, in December 2019, the UN General Assembly adopted Resolution 74/200²⁹, where it urges the international community to adopt urgent and effective measures to eliminate the use of unilateral economic, financial or trade measures that are:

- not authorized by the relevant organs of the United Nations that are inconsistent with the principles of international law or the UN Charter; or
- that contravene the basic principles of the multilateral trading system and that affect but not exclusively, developing countries.

The degradation of the health systems in the targeted nations is one of the many negative effects of sanctions that has a particularly negative impact on human rights. Numerous investigations have been made into this aspect, and they have shown that countries like Haiti and Iraq have experienced grave health impacts. In 1995 one of the articles in this area appeared, published in the Bulletin of the New York Academy of Medicine, which carried out a comparative study of the deterioration of health conditions and social services in several countries when sanctions were applied (Garfield & Devin, 1995). Later, a paper published in the American Journal of Public Health in 1999 concluded that the implementation of economic sanctions in Haiti resulted in extensive human rights violations, with a particular impact on the poorest citizens. The impact included decreased income, poorer nutrition, increased infant mortality, decreased welfare and education for children, and family instability (Garfield & Devin, 1995).

²⁹ See Resolution adopted by the General Assembly on 19 December 2019: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/434/06/PDF/N1943406.pdf?OpenElement>

As a result of the negative humanitarian effects sanctions can provoke, EU sanctions policy has introduced measures known as “humanitarian exemptions” that allow for the provision of crucial goods and services like food, medicine, and water supplies during times of crisis (Gabija Leclerc, 2023). Considering current issues such as the ongoing COVID-19 pandemic and conflicts present in various regions around the globe, it becomes even more critical to evaluate how these exceptions promote peace and stability amidst areas hit by crises. The unintended consequences of these measures can have devastating effects on humanitarian actors who operate in conflict-affected areas.

So, how can sanctions interfere with the work of NGOs in conflict scenarios? The answer is complex and multifaceted. This method may impede non-governmental organizations (NGOs) from accessing critical financing and supplies required to provide help and services to affected populations. Sanctions may unintentionally boost the authority of local actors, such as rebels or corrupt officials in the government, who can take advantage of a lack of outside aid and resources to establish greater influence over the affected people. Furthermore, they erect bureaucratic barriers that complicate fundraising efforts and impede operating capabilities. In essence, sanctions are a two-edged blade that threatens both the stability of sanctioned regimes and the ability of humanitarian aid organizations to provide life-saving assistance (Danish Red Cross, n.d.).

Therefore, understanding how sanctions interact with non-governmental organizations operating in conflict zones is essential if we seek viable solutions towards alleviating suffering during times of crises without further complicating existing challenges faced by those involved in delivering aid amidst an already-complex situation.

Furthermore, even when funds do reach these organizations, they are often delayed due to bureaucratic procedures around money transfers which further hinders their effectiveness at providing support where it's most needed. Similarly, constraints imposed by sanctions legislation complicate procurement operations, increasing prices while decreasing overall efficiency (OECD, 2016).

As a result, one could argue against the use of sanctions altogether, given that they negatively impact some unintended targets like NGOs trying hard enough already

despite numerous challenges faced each day just so vulnerable communities receive much-needed assistance.

While often imposed with the intention of upholding democratic principles and protecting human rights, sanctions can have a detrimental impact on NGOs operating in areas affected by conflict. As Hudáková et al. (2021) point out, sanctions can create bureaucratic barriers that make it difficult for humanitarian organizations to obtain necessary permits and approvals to operate in conflict zones. This not only leads to further complications but also causes inefficiencies that prevent these NGOs from providing essential services to those who need them most. The delays caused by bureaucratic red tape may result in missed opportunities for lifesaving interventions, hindering efforts toward peacebuilding and sustainable development. Although there is no doubt about the importance of holding rogue states accountable for their actions, policymakers must consider alternative methods that minimize negative spillovers onto vulnerable populations such as streamlining permit approval processes or increasing financial support through international aid programs aimed at alleviating poverty and fostering stability.

As Krain (2017) notes, sanctions may inadvertently strengthen the power of local actors such as militias or corrupt government officials who can exploit the lack of outside aid and resources to exert greater control over affected populations.

This dynamic is especially prevalent in conflict zones where access to necessities like food and medical supplies becomes scarce due to economic restrictions imposed by foreign powers. Non-state actors might fill this hole in such situations through illicit trade networks or by monopolizing distribution routes at inflated prices, increasing the harm imposed by sanctions on vulnerable people. As a result, before applying sanctions as a means of attaining their goals, officials must analyze not only the designated targets but also the broader effects that sanctions may have on regional dynamics (Danish Red Cross, n.d.).

To sum up, the imposition of sanctions can have a significant impact on the effectiveness of NGOs operating in conflict scenarios. The restrictions placed on financial transactions and resources may limit their ability to provide humanitarian aid and support to those who need it most. However, beyond just the practical implications, sanctions can also create unintended consequences that further exacerbate conflicts. As

discussed earlier, one such consequence is the potential for sanctions to strengthen local actors' power over affected populations. This outcome arises from these actors having greater access to limited resources than international organizations that are struggling under various constraints imposed by these punitive measures. Moreover, while states may view sanctions as a diplomatic tool aimed at promoting peace and stability in regions plagued by violent conflicts or human rights abuses - this approach is not without its own set of challenges.

Sanctions often serve only as a temporary fix – they do not address underlying issues driving tension between different factions within communities or countries. Considering all these perspectives, policymakers must carefully weigh up both positive and negative effects before imposing any kind of sanction regime on another country or community. It is crucial that they consider how their actions might affect people's lives rather than creating new problems through restrictive measures.

Although there are valid reasons for applying economic pressure through sanctions concerning conflict areas around the world, we should always be aware that unintended consequences could arise if we fail to acknowledge them fully beforehand. Therefore, it is important to regularly review those policies regarding structures with regards to providing more humanitarian aid instead of relying upon punishment alone which will lead us towards building sustainable solutions in addressing conflicts worldwide.

For instance, in the article “Sanctions must not prevent humanitarian work in Ukraine” (Emanuela-Chiara Gillard, 2022) the significant role of sanctions in response to Russia's invasion of Ukraine was emphasized.

The article points out that trade sanctions imposed by the European Union and the UK restrict the export or supply of goods and technology to non-government-controlled areas in Ukraine, which poses challenges for humanitarian organizations operating in the region. Essential equipment and items necessary for humanitarian operations, such as water pumps, refrigerating equipment, vehicles, and office equipment, are affected by these restrictions.

Financial sanctions also present problems for humanitarian operations. The designation of the de facto republics of Donetsk and Luhansk by several countries prohibits making funds or assets available to them directly or indirectly. This prohibition includes

payment of taxes, licenses, and fees to these authorities and providing assets to ministries under their control. Additionally, designations of other entities, including Russian state enterprises operating in the region, further impact the humanitarian response.

The article also highlights the compliance challenges faced by humanitarian organizations and their commercial partners, such as banks and insurers. Due to fears of violating sanctions and the perception that humanitarian organizations are not profitable clients, risk-averse sectors like banks have restricted their services, affecting the effectiveness of humanitarian operations. The author emphasizes that while the EU, the US, Switzerland, and other states have included safeguards for humanitarian action in their sanction's measures, the UK lags in this regard.

5. Humanitarian Exceptions: Humanitarian Exemptions vs. Humanitarian Derogations

Humanitarian exceptions are provisions in EU sanctions that allow Humanitarian Operators (HO) to take out operations that would otherwise be banned on the premise that they have a humanitarian purpose. These are known as humanitarian exceptions (Mallard et al., 2020). There are two types of exceptions that EU sanctions could allow for: exemptions and derogations that are foreseen at some sanctions regimes³⁰. The inclusion of humanitarian exceptions does not prevent HO from making use of other exceptions that may be included in EU sanctions, provided that the requirements for doing so are satisfied.

When using humanitarian exceptions, humanitarian actors, should apply exceptions strictly to necessary to avoid undermining the objectives of EU sanctions. HO must also look for alternatives that do not violate EU sanctions. As a result, they must, firstly, and foremost, direct relief through individuals and actions that are not prohibited by EU sanctions.

It is important to enhance that only the authorized activities listed in the relevant sanction's regime are subject to humanitarian exceptions. HO must confirm that no additional restrictions on the same action are imposed by other clauses of the same sanction regime or by restrictive measures from other regimes (Mallard et al., 2020). Because of this, it is possible that more than one authorization will be needed, or that a HO will still need to apply for authorization under the terms of another sanction regime to carry out an action that is permitted under one regime if it is done for humanitarian reasons (*Commission Guidance Note on the Provision of Humanitarian Aid in Compliance with EU Restrictive Measures (Sanctions)*, 2022).

³⁰ See the website of Directorate-General for European Civil Protection and Humanitarian Aid Operations of the European Commission entitled "WORKING WITH DG ECHO SANCTIONS": <https://www.dgecho-partners-helpdesk.eu/sanctions/humanitarian-exceptions>

5.1 Humanitarian Exemptions

When an action is carried out with a humanitarian goal, a limitation is excluded from the application. In that situation, NGOs may proceed with the operation at hand without delay, without notifying or requesting permission from a National Competition Authorities (NCA). The humanitarian actor must make sure that there are no violations (shall employ adequate measures to ensure adherence to the outcome obligation, calibrated in accordance with the risk of their project, the area(s) in which the latter will be executed, and the people and entities that will receive cash and financial resources) because exemptions do not equate to blank checks. Additionally, they oversee ensuring that the action serves a humanitarian goal. As a result, a restricted action carried out for a non-humanitarian goal (such as maintaining peace and stability) is not exempt.

Providing exemptions may relate to sectoral limitations as well as the restriction on making money or other resources available to some people for all or only certain purposes (Mallard et al., 2020).

5.2 Derogations (Authorizations)

A derogation implies an action that would otherwise be forbidden by the sanctions may be carried out for humanitarian objectives only if the NCA has granted permission to do so in accordance with the applicable Council Regulation. Operators in the humanitarian sector must request a derogation from the applicable NCA, which must make sure they address the pertinent NCA.

According to the terms and conditions, they think suitable and in compliance with the applicable Council Regulation, the NCAs provide authorizations for each individual limitation. These situations can call for the Humanitarian Operator to adopt risk-reduction measures as well as reporting requirements. As a result of the sanctions against Syria³¹, derogation from purchasing and transporting petroleum products into Syria, or from any related finance or financial support, if done so only for the purpose of delivering humanitarian aid or aid to the civilian population in Syria.(Mallard et al., 2020).

³¹ Articles 6a (2) of COUNCIL DECISION 2013/255/CFSP concerning restrictive measures in view of the situation in Syria: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02013D0255-20230223>

6. Case Study on the situation in Syria:

6.1 Historical background of the conflict

Syria's people and the nation have suffered greatly because of the twelve years of armed conflict. Over 12 million Syrians remained forcibly displaced in the region, including almost 6.8 million within the Syrian Arab Republic (Syria) and 5.4 million living as refugees in neighboring countries, a slight decline from 5.7 million in 2022 (UNHCR, 2022). Syrians are currently experiencing the worst of the conflict's economic effects, even though major fighting has stopped, and the Government of Syria (GoS) has retaken large portions of the nation that had been under rebel control. Syrians are increasingly using detrimental coping mechanisms to survive, such as reducing their food consumption³².

The United States (U.S.), the EU, and other nations issued sanctions on the Syrian government, economy, and people in reaction to the onset of conflict in 2011. The sanctioning parties wanted to make the Government of Syria (GoS) responsible for violations of wartime laws and human rights, coerce them into ceding political control, and get them to cease escalating the humanitarian disaster in Syria (Barnes-Dacey Julien, 2020). While sanctions have not been able to change the government's behavior, they have had a significant negative impact on Syrian civilians by making it more difficult for humanitarian organizations to do their job and increasing the already intense burden on the nation's economy (Gabiya Leclerc, 2023).

Additionally, the EU has prohibited the export of European products "that fall under the scope of similar items restricted for other purposes," (Lund Aron, 2019) including some supplies that are essential to humanitarian aid programs like chlorine, which is frequently used in sanitation products and water purification but prohibited because it can be used to make chemical weapons and has been used to do so.

The economic and humanitarian crisis that the Syrian people are currently experiencing cannot be fully quantified, but (S. Moret Erica, n.d.) humanitarian organizations report that sanctions have directly hampered their programs, which, independent of restrictions, confront significant operating hurdles in Syria.

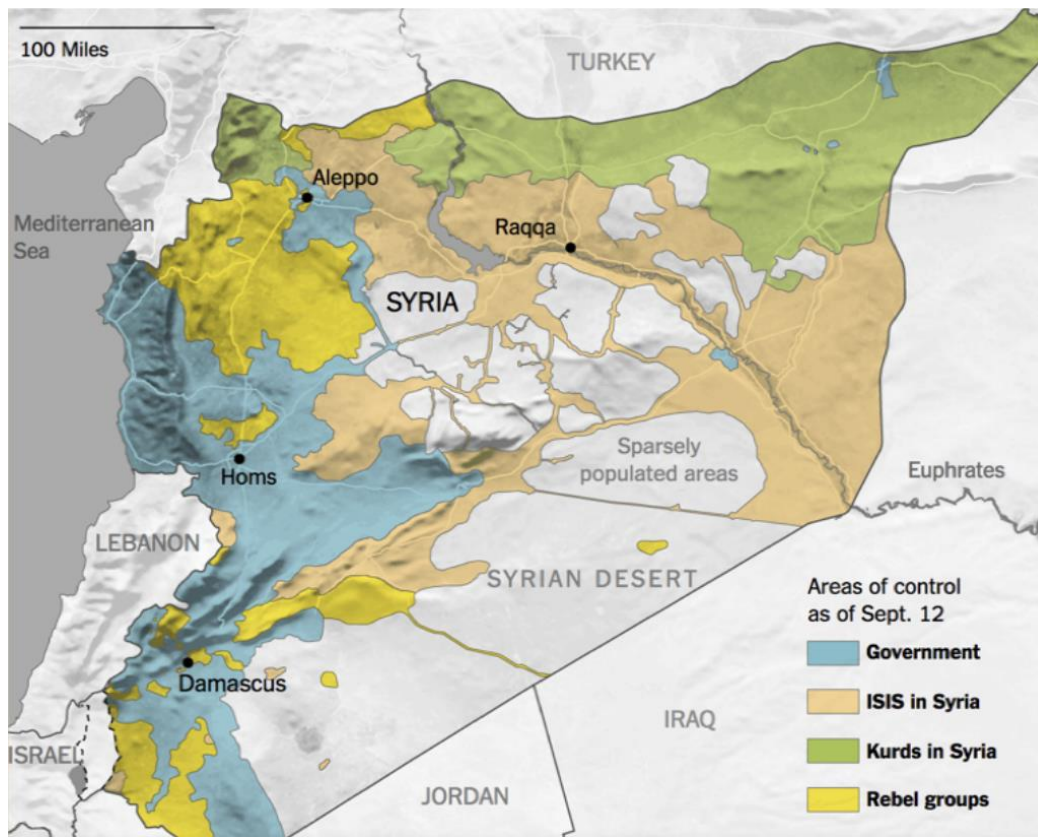
³² See "2019 Humanitarian Needs Overview: Syrian Arab Republic" on ReliefWeb (source of UN Office for the Coordination of Humanitarian Affairs): <https://reliefweb.int/report/syrian-arab-republic/2019-humanitarian-needs-overview-syrian-arab-republic-enar>

According to Gobat and Kostial (2016) the "Arab Spring"—a series of larger-scale rallies and demonstrations taking place across the Middle East—was a contributing factor to the start of the Syrian conflict in March 2011. Resentment toward the Syrian regime and a lack of freedom in Syria were the driving forces behind the movement. When President Bashar al-Assad retaliated by killing and imprisoning hundreds of pro-democracy protestors, the uprising in Syria, which had first started with nonviolent political protests the oppressive government, swiftly turned violent (Carla E. Humud, 2017). Demonstrators formed opposition groups, picked up weapons, and started fighting back in response to the brutal government crackdown.

The Free Syrian Army, a rebel group with the aim of toppling the government, was founded in July 2011 by soldiers who had defected from the Syrian military (Ferris, E. and Kirişci, K., 2016). As extremists and rebel organizations from other parts of the region started to join the rebels, a civil war broke out between several distinct groups and factions (Carla E. Humud, 2017).

The Syrian Civil War is extremely complicated and anything but simple. The Syrian government and its allies, including Sunni Arab and other rebel groups, the Free Syrian Army, the Islamic State of Iraq, and Syria (ISIS), and several nations that support one or more of these groups are among the factions engaged in combat (World Bank, 2017).

Figure 2: Map of Syria



Source: UNOCHA (United Nations Office for the Coordination of Humanitarian Affairs) (2016). *2017 Humanitarian Needs Overview: Syrian Arab Republic*. New York: UNOCHA.

Figure 2 shows the various groups in charge of various areas in Syria. Millions of civilians have been displaced as a result of the brutal civil war, which has also led to the use of chemical weapons, the emergence of violent Islamic extremist groups, and complex, multifaceted regional crises (Ferris, E. and Kirişci, K., 2016).

The Syrian government has become incredibly weak and unstable since the civil war started because a large portion of its support base has drastically shrunk and because its military has suffered greatly because of defections (Olanrewaju, F. and Segun, J., 2015). President Bashar al-Assad has tried to subjugate Syrians using brutal coercion tactics to hold onto power and retake control of the state (Carla E. Humud, 2017). This has included the use of chemical weapons, barrel bombs, and starving civilians.

Many states intervened because of the violence the Syrian government inflicted on the civilian population (Ferris, E. and Kirişci, K., 2016). The violence has caused unimaginable hardship for the civilian population of Syria.

As a result, sanctions started to be implemented against Syria as the civil war progressed and violence and fatalities started to rise. Although different countries have imposed various sanctions against Syria since 2011, there are three main objectives of the sanctions: (1) sanctions on those involved in the production and trade of Captagon³³: The Syrian regime, including President Assad's family, sections of the Syrian army, and affiliated militias, plays a significant role in the illegal production and trade of Captagon. This narcotic drug poses threats to public health in Syria and the security of neighboring countries. The profits from the Captagon trade enable the regime to maintain its position without addressing the conflict or assisting the impoverished population; (2) sanctions on perpetrators of human rights violations: the EU is imposing sanctions on individuals responsible for serious human rights violations committed by the Syrian regime. This includes notorious regime-backed militias that have evaded sanctions by changing their names and posing as private security firms. The sanctions also target those involved in the massacre of civilians in Tadamon a suburb of Damascus, occurred on 16 April 2013; (3) sanctions related to economic deals with Russia: Despite the dire economic conditions faced by Syrians, the regime is providing valuable raw materials to Russia. Russia's support to the Syrian regime, including carrying out airstrikes on civilians, has strengthened its influence on the Syrian economy. The regime controls the phosphate trade, and its economic deals with Russia deprive Syrians of a livable future. Entities responsible for facilitating the transfer of Syrian raw materials to Russia are included in the sanctions list (Government of Netherlands, 2023).

³³ Captagon is a synthetic amphetamine that is highly addictive and forbidden in most nations, including the Netherlands. The substance's main component is fenethylamine. Addiction and chronic use can cause heart palpitations, strokes, high blood pressure, confusion, and hallucinations.

6.2 Examining the Effectiveness of EU Humanitarian Exemptions in the Syrian Crisis

Experts, politicians, and humanitarian workers point out that the Syrian regime has frequently politicized and used humanitarian aid as an instrument of power (Syrians for Truth & Justice, 2023) obstructing, impeding, and diverting assistance (Natasha Hall and Will Todman, 2021). According to Human Rights Watch (Natasha Hall and Will Todman, 2021) the “Syrian government has for many years weaponized aid and obstructed it from crossing front lines from government-held parts of the country into nongovernment-controlled territory”.

So, the Syrian crisis has drawn widespread international attention, with the European Union playing a critical role in delivering help to people impacted by the violence. However, negotiating Syria's complicated humanitarian context is not without difficulties. The use of EU humanitarian exemptions has come under criticism as the EU seeks to reconcile competing assistance needs and security concerns. The implementation of EU humanitarian exemptions in Syria shows the persistent battle between reacting to urgent needs and tackling long-term fundamental causes of crises such as violence and instability. While these exemptions are vital for delivering much-needed relief in times of crisis, they must be supplemented by larger political and diplomatic measures to address underlying causes that contribute to crises such as those experienced in Syria. Accordingly, this report will address three key debate points: their practical implementation, their impact on the participants, and their viability as a response to both immediate demands and more significant systemic issues.

Firstly, analyzing the execution on the ground, the implementation of EU sanctions requires a collaborative effort between EU member states and the European External Action Service (EEAS), which oversees foreign policy. To monitor and execute the sanctions, Member states use a variety of methods, including domestic legislation, financial institutions, border restrictions, and intelligence agencies. Compliance is critical, and infractions might result in legal ramifications.

In reaction to the ongoing violence and human rights violations, the EU has launched a comprehensive sanctions system against Syria. These measures are carried out via a combination of EU legislation, regulations, and directives that are binding on all

member states. EU member states are responsible for implementing and enforcing sanctions within their respective jurisdictions, and national authorities oversee enforcing these restrictions within their own domains, frequently in coordination with EU institutions.

In terms of how the sanctions regime on Syria by the EU has affected the people, it has had major repercussions for all parties involved in the situation. They include people and organizations that are subject to the sanctions, the Syrian government, opposition organizations, and the general population. Sanctioned parties' assets may be blocked, access to foreign financial institutions may be impeded, and travel opportunities may be limited. Their ability to function, conduct business, or manage money could be adversely affected right away. Due to trade restrictions, financial resource access restrictions, and a decrease in their ability to get armaments, the sanctions also have an effect on the Syrian government and opposition organizations (Gabija Leclerc, 2023).

However, it is vital to highlight that the sanctions frequently have an indirect impact on the Syrian people. Trade and financial transaction limitations can contribute to economic hardship, unemployment, and limited access to needed goods and services including medicine and humanitarian help. The humanitarian impact of sanctions is an important concern that must be carefully controlled to avoid unnecessary suffering for the community.

Concerning a remedy for urgent needs and systemic difficulties, we can say that the effectiveness and viability of sanctions as a solution are dependent on a few elements. Sanctions have a direct effect and can exert pressure on particular people or organizations while also conveying a strong political message. Comparatively to other diplomatic or military alternatives, they can offer a comparatively swift response in emergency situations. Sanctions may also be employed as a means of voicing discontent and gaining support from other nations for a particular cause (Medecins Sans Frontieres, n.d.).

The long-term effectiveness and feasibility of sanctions in resolving structural issues, on the other hand, are more complicated. They can incite retaliation, exacerbate economic suffering for the afflicted populace, or have unexpected repercussions such as increasing

corruption or black-market activity. Furthermore, sanctions alone may not be enough to address fundamental issues, as they frequently necessitate larger diplomatic initiatives, conversation, and engagement with the targeted entities or governments.

A thorough approach is required to optimize the effectiveness of restrictive measures. This includes monitoring and changing measures based on their impact, coordinating international efforts, engaging in diplomatic engagement, providing humanitarian help to reduce the impact on the population, and being willing to lift sanctions if desired goals are met.

According to a 2021 survey (Gillian McCarthy., 2021) by the Voluntary Organizations in Cooperation in Emergencies (VOICE), many stakeholders find it difficult to balance obligations resulting from EU sanctions with respect for international human rights law and humanitarian principles.

Consequently, although the Syrian crisis has been ongoing for over a decade, the consequences of this conflict continue to be dire. Despite attempts by various agencies to alleviate the suffering of civilians affected, more needs to be done. The EU's humanitarian exemptions have failed to adequately address the needs of Syrian civilians who are victims of violence and human rights abuses. According to Mallard et al (2020) licensing requirements pose a significant challenge in accessing necessary aid (Mallard et al., 2020). These obstacles make it difficult for organizations seeking licenses or approvals from national authorities before helping within Syria. Additionally, there is always concern about unintentionally financing designated persons or entities when transferring funds into the country, which further complicates relief efforts. As if these challenges were not enough, there is also an added financial burden when transferring funds into Syria from abroad due to currency conversion rates and inflation (*Factsheet on Member State Procedures to Grant Humanitarian Derogations from EU Restrictive Measures (Sanctions)*, n.d.). All these factors combined create barriers to the effective humanitarian response in Syria. While some aid may reach those most in need despite these difficulties, much more must be done if we hope to bring true relief and support to those affected by this devastating crisis.

The European Commission (Directorate-General for European Civil Protection and Humanitarian Aid Operations, 2021) itself acknowledges that restrictive measures may

have unexpected implications and a broader effect on the provision of humanitarian aid. The Council also reiterated its commitment to "avoid and, where necessary, mitigate to the greatest extent any potential unintended negative impacts of Union restrictive measures on principled humanitarian action" in its conclusions on the Commission communication (*Communication from the Commission to the European Parliament and the Council*, n.d.) on EU humanitarian action from May 20, 2021. The Council emphasized³⁴ that all duties under international law, international human rights, humanitarian, and refugee legislation, are met by the EU's restrictive measures. The Council stated in February 2023 that "the Union restrictive measures, including those adopted in light of the situation in Syria, are not intended to stand in the way of or impede the supply."

Despite the EU's best efforts, bureaucratic barriers and political conflicts have hampered assistance distribution, reducing its impact on the ground. This implies that before any assistance is offered, petitions for humanitarian derogations across EU countries must be genuine. Furthermore, because of convoluted bureaucracy and a lack of resources, there are sometimes substantial delays in processing these applications. Furthermore, political disputes between the many parties involved in relief delivery might complicate matters by causing obstacles or bottlenecks at various stages of the process (Gabiya Leclerc, 2023). Despite the EU's enormous efforts, many individuals in need are not receiving appropriate support because of bureaucratic barriers and political difficulties. Governments must collaborate with non-governmental organizations (NGOs) to guarantee effective coordination and timely distribution of critical resources such as food, water, and medication. Individuals may continue to suffer in the absence of such coordination among all parties involved in giving aid to Syrian people affected by crisis conditions, even while worldwide attention remains focused on this issue.

The Syrian government has gotten better at using humanitarian aid as a political tool, according to a report (Hall, 2022) by the Center for Strategic & International Studies (CSIS), and as a result, "international efforts to support the Syrian people increasingly have the effect of politically and financially strengthening the Syrian government." In this regard, various delegations, notably France and Albania, emphasized that the Syrian

³⁴ See here the COUNCIL DECISION (CFSP) 2023/408 of 23 February 2023 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023D0408>

regime is to blame for the grave situation in the nation during the UN Security Council meeting on January 25, 2023 (UN Security Council, 2023). Additionally, Syria's supporters have made it difficult to deliver humanitarian aid. As an illustration, Russia used its veto power at the UN Security Council to limit UN humanitarian deliveries to the opposition-held north to only one border crossing (Syrian Network for Human Rights, 2023).

With the cooperation of the Commission, a multi-stakeholder discussion about technical compliance for humanitarian payments relating to Syria took place in February 2019 (Thomas Biersteker, Clarissa Brack Burdeu, Nina Kiderlin e Maria Garzon Maceda, 2020). The EU, the International Committee of the Red Cross, humanitarian NGOs, and state leaders were among the participants in addition to UN organizations working in Syria. A guidebook on risk-management principles for sending humanitarian aid to Syria (Dr. Justine Walker, 2020) was published as a result of the discussion. It provides background knowledge and helpful advice on how to maximize outreach to Syrian civilians in need of assistance while navigating sanctions and larger regulatory obligations.

As explained above, the humanitarian exemptions established by the EU are required for sending help to conflict-affected areas such as Syria. It can be concluded that these exclusions, however, cannot address the core causes of such crises and foster long-term peace and stability unless combined with larger political and diplomatic initiatives. The Syrian crisis has been ongoing since 2011, resulting in numerous human rights violations and a high number of casualties. The country's economy has also suffered significantly due to the war's destruction, leading to widespread poverty and food insecurity among its citizens (Thomas Biersteker, Clarissa Brack Burdeu, Nina Kiderlin e Maria Garzon Maceda, 2020). While humanitarian assistance can alleviate some of this suffering in the short term, it is not enough to solve the problem entirely. Therefore, addressing fundamental issues like governance, security sector reform, or economic development that have contributed significantly to conflicts, should be prioritized alongside with humanitarian assistance programs. This approach would ensure that local communities receive long-term relief and support instead of just temporary aid.

Additionally, promoting dialogue between conflicting parties could help to find peaceful solutions for resolving conflicts ultimately.

In conclusion, while the EU's humanitarian exemptions provide essential support for conflict-affected areas like Syria, they must be complemented with comprehensive political strategies aimed at resolving underlying issues, contributing to these crises effectively (*Commission Guidance Note on the Provision of Humanitarian Aid in Compliance with EU Restrictive Measures (Sanctions)*, 2022). Doing so, will make sure that affected communities receive sustained relief from their plight rather than just transient aid.

The case of Syria emphasizes the critical need for humanitarian assistance and help from international entities such as the European Union. However, the EU humanitarian exemptions are insufficient to handle Syria's complicated difficulties today. As a result, larger political and diplomatic measures, in addition to humanitarian relief provisions, are required if we are to address this situation in a sustainable manner. This involves encouraging competing parties to engage in dialogue, assisting local civil society organizations (CSOs), and working toward long-term solutions that address underlying concerns such as poverty and inequality. Despite its numerous problems, Syria's future remains hopeful. With ongoing worldwide attention from global powers like the EU, as well as continued grassroots mobilization from activists on the ground, there is reason to expect that peace will eventually triumph over violence. So, while EU humanitarian exemptions are an important starting point for dealing with situations like Syria's, they must be complemented by strong political action if we are aiming to achieve long-term change.

Conclusion

Growing interest in the field of research in this subject has been inspired by the sanctions theme's constant evolution, which reflects the intricate and unpredictability of international relations. Sanctions are an interesting topic for research because of their complex dynamics and wide-ranging effects as they continue to change. Studying the consequences of sanctions is complicated by the convoluted interplay between geopolitical elements, economic considerations, and human rights implications. As a result, scholars are becoming more interested in delving into the subtleties and complexities of sanctions as they realize the need of comprehending how they are in a world that is changing at an accelerated rate. The effectiveness, difficulties, and implications of these restrictive measures in various circumstances can be better understood by examining both their theoretical and practical aspects.

As emphasized in this paper, the application and enforcement of sanctions are difficult processes that call for careful consideration of several variables. These include the characteristics of the targeted entity, the precise goals to be attained, the method used to impose restrictive measures, and the potential repercussions for both the targeted entity and the imposing governments. Designing efficient strategies that maximize the desired impact while reducing unforeseen repercussions, such as human rights ramifications or harmful effects on defenseless people, is another practical factor.

Studying sanctions theoretically entails examining the underlying presumptions, justifications, and ideas. Understanding the why and how of sanctions' projected effectiveness is made possible by several theoretical frameworks. Realist viewpoints, for instance, place more emphasis on the use of sanctions as a tool for coercive diplomacy and power projection, whereas liberal perspectives place more emphasis on the development of norms, human rights, and democratic government. Constructivist methods emphasize how social norms and rhetoric may be used to shape and change behavior through restrictive measures.

There are several reasons for the sanctions theme's ongoing evolution. First, the nature of conflicts, security concerns, and violations of human rights are always changing, necessitating new plans and tactics to deal with new problems. Second, new tools and

strategies are being used to target specific people, groups, and illegal networks because of developments in communication, technology, and globalization. Third, the success of sanctions is a constant topic of discussion and evaluation, which encourages the creation of novel ways and typology of sanctions.

The efficiency and results of sanctions are influenced by the development of new actors, changing alliances, and shifting power balances. The study of sanctions is thus an ever evolving and fascinating area since academics must adjust their current analysis and understanding to consider these changing dynamics.

As a result, the ongoing development of the sanctions topic illustrates how dynamic international relations are. For policymakers, academics, and analysts to traverse the complexities of the international system and solve newly developing global concerns, it is essential to comprehend the dynamic nature of sanctions.

This paper aimed to examine the complex interaction between sanctions and the activities of non-governmental organizations (NGOs) in crisis contexts, with a focus on Syria. While sanctions are frequently used to put pressure on governments to modify their conduct, they can inadvertently interfere with NGOs' humanitarian operations, worsening the suffering of vulnerable communities.

The case of Syria demonstrates many fundamental obstacles encountered by non-governmental organizations (NGOs) functioning in war zones under the effect of sanctions. For starters, the financial constraints imposed by sanctions severely limit the resources available to NGOs, impeding their capacity to provide critical help and support to impacted areas. This financial burden makes it difficult to get critical materials, employ professional staff, and provide important services like as healthcare and education.

Furthermore, the sanctions system may restrict coordination and collaboration between non-governmental organizations (NGOs) and local players, such as civil society groups and community leaders. Restrictive regulations and legal restrictions might hinder non-governmental organizations (NGOs) from forming critical alliances and interacting with local populations, reducing their effectiveness on the ground. This lack of teamwork impairs the ability to effectively assess needs, define priorities, and implement targeted interventions, limiting the overall effectiveness of humanitarian operations.

On top of that, the unintended repercussions of sanctions might go beyond direct restrictions on NGOs. These policies frequently lead to a greater economic collapse, resulting in increased poverty, unemployment, and social instability. As a result of such negative socioeconomic conditions, NGOs are forced to meet the rising needs of a people dealing with the impacts of both conflict and sanctions.

Therefore, it is critical to recognize that sanctions alone cannot resolve complicated disputes or address human rights violations. A multifaceted strategy is required, combining targeted sanctions with diplomatic engagement, discussion, and inclusive peace-building procedures. Policymakers may enable humanitarian aid and improve human rights protection by promoting communication between opposing parties and encouraging NGOs to participate.

To lessen the detrimental impact of sanctions on NGOs working in conflict zones, authorities must take a more nuanced and flexible approach. This might include the inclusion of exclusions or carve-outs under sanctions regimes created particularly to protect and support the operations of humanitarian groups. Such approaches can help guarantee that humanitarian aid reaches people who need it the most by allowing NGOs to obtain the required resources and form successful relationships.

Ultimately, as seen in the case of Syria, sanctions might unintentionally impede the operation of non-governmental organizations (NGOs). Sanctions' financial constraints, restricted collaboration, and larger socioeconomic implications hamper NGOs' capacity to deliver critical help and support to affected communities. To solve this issue, governments should use a holistic approach that includes targeted sanctions, diplomatic engagement, and specific measures to protect and support humanitarian groups' operations. Only with such a diversified strategy the international community will be able to properly address the difficulties that NGOs confront and maintain their crucial role in conflict-affected places such as Syria.

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