Politics of UNSC Sanctions: The Issue of Nuclear Weapons Development

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I. Introduction

Iran and North Korea’s quest to become nuclear weapons states has led to some international turmoil over the last few years. The United Nations Security Council (UNSC) has imposed sanctions on Iran and North Korea as a reaction to their alleged development of a nuclear weapons programme. The actions of the UNSC are in accordance with Chapter VII, Article 41, of the United Nations Charter that says that the UNSC could take non military measures to tackle situations that pose a threat to peace. However, it also raises an important question: Why did the UNSC impose sanctions on Iran and North Korea for developing nuclear weapons technology, but did not impose sanctions on India and Pakistan for developing and testing nuclear weapons?

While individual countries like the United States imposed sanctions on India and Pakistan (as per the Glenn amendment, Section 826-a of the Nuclear Proliferation Prevention Act of 1994) the UNSC did not impose any sanctions on India and Pakistan after they conducted nuclear tests in 1998. All that the UNSC did was to publicly condemn the nuclear tests conducted by India and Pakistan.

This issue has relevance for policy analysis and theory. A debate still exists on whether sanctions are a useful tool of statecraft or not? And why and when sanctions are generally used. These are theoretical issues that are relevant to this paper as well. This topic is of importance for policy analysis. Policy analysts must understand when sanctions are most likely imposed by the sender country on the target country. This will help policy analysts and states to evaluate their bargaining power when sanctions are used. It would also help policy analysts in understanding how the UNSC acts and thus help in charting out a behavioural pattern for the UNSC which will be useful for states in developing policies.

The cases that have been chosen are India, Pakistan, Iran and North Korea. These are all countries that are at different stages of their strategic nuclear programmes. India and Pakistan have a declared and tested nuclear weapons programme. The nuclear arsenals of India and Pakistan have been growing. North Korea has also conducted a nuclear test. Iran has been accused of developing strategic nuclear technology. But the Iranian programme is still in its initial stages and Iran does not have a nuclear device that can be tested as yet. These four cases will be compared by having the independent variables (discussed later) as the parameter.

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II. The Issues At Hand

Risa Brooks defines sanctions as the “imposition of punitive measures on a target state, measures which seek to limit the state’s access to economic resources or cultural and social engagement, and limit movements of its nationals in order to elicit a change in the target’s policies consistent with the imposer(s) preferences.” ³ Nikolay Marinov borrows the definition given by Hufbauer, Shott and Elliot, and defines sanctions as “government inspired restrictions on customary trade and aid designed to promote political objectives.” ⁴

In this definition the role of international organizations such as the UNSC is downplayed or marginalized, as states are considered to be the main driving forces behind imposition of sanctions.

The paper tries to explain the imposition of sanctions by the UNSC on Iran and North Korea and the absence of UNSC sanctions on India and Pakistan. Although there are aspects in the sanctions on Iran and North Korea which are specific to each country, there are basic criteria that are central to the sanctions imposed on both countries. The main objective of the UNSC sanctions on North Korea and Iran were to 1) stop any kind of nuclear trade with these countries; 2) to stop any conventional military trade; 3) to stop the export of any dual-use technology to these two countries; 4) Freeze on the financial assets of these two countries and 5) to prohibit the movement of personnel affiliated with the nuclear programmes of these two countries.⁵

Therefore, UNSC sanctions are operationalized or defined in this study as a UN resolution that forbids any kind of nuclear trade, forbids conventional military trade, stops the export of dual use technology, freezes assets of the target country and forbids the movement of personnel affiliated with the nuclear programme in their respective countries.

Most literature on sanctions revolves around the issue of effectiveness and why sanctions are used. This literature proves helpful in developing this paper as this paper assumes that the UNSC considers whether a sanction would be effective or not in achieving their objective before imposing them on a particular country. The objective could range from coercing the target country and making it comply by the wishes of the UNSC, to increasing its bargaining power with respect to the target state, or simply an action to please the international community.

Risa Brooks, an Assistant Professor at Northwestern University, states that sanctions that tend to hurt the median voter and the macro economy tend to be more effective against democracies than against authoritarian or non-democratic regimes. The rationale for this argument is that sanctions that affect the median voter put more pressure on the government that relies on its population for power.\(^7\)

Conversely, Risa Brooks states that in the case of authoritarian regimes, sanctions that are targeted towards the elite and the ruling class of a country tend to be more effective. She states that comprehensive sanctions tend to have a greater impact on the population than targeted sanctions. Therefore while comprehensive sanctions can yield the desired results in a democratic country, it may worsen the problem in an authoritarian country where the ruling class may not be concerned with the suffering of the general population (like in Iraq during the 1990’s).\(^8\) Similarly, targeted sanctions would not inflict enough political damage in a democratic country as the general population is not hurt by the sanctions. However, one may wonder as to what kind of targeted sanctions may work against the Ayatollah and other clerics in Iran who have significant political influence.

Nikolay Marinov, Assistant Professor at Yale University, argues that “(economic) sanctions work only when they generate political costs for the leaders in the target country.”\(^9\) The primary goal according Marinov is to impose sanctions that directly affect the ruling class. He does not talk about sanctions and regime types; it cannot be assumed that he would necessarily disagree with Risa Brooks.

Robert Pape, Professor at University of Chicago, states that while sanctions are useful in purely economic disputes they do prove ineffective in achieving political objectives\(^10\) (such as abandoning nuclear weapons development). Pape argues that “pervasive nationalism often makes states and societies willing to endure considerable punishment rather than abandon what may be considered as important national interests”\(^11\) (Such as the nuclear weapons programme). The nationalistic sentiment was utilized by the State Bank of India when it issued “Resurgent India Bond” which were denominated in foreign currencies and called on the patriotism of Non-Resident Indians.\(^12\) Robert Pape’s argument has been proven right even in the case of Iran as successive sanctions have failed and the Iranian government is trying to create a rally around the flag effect domestically.

Dean Lacy, Associate Professor at Ohio State University, and Emerson Niou, Professor at Duke University, state that “sanctions are likely to be imposed when they are not likely to succeed in changing the behavior of the target country…when

\(^7\) Brooks, n.3, p.2.
\(^8\) Ibid.
sanctions are likely to be successful, it is the threat of sanctions, not imposition that changes the behavior of the target state.”

Han Dorussen, Professor at Norwegian University of Science and Technology, and Jongryn Mo, Professor at Yonsei University, state that “to explain the occurrences and duration of sanctions, the incentives of states to improve or protect their bargaining position matters. The government of the sender country ties its hands to convince the target country that future costs are inevitable as long as it is unwilling to give in…in return the target country can tie its hands and indicate its unwillingness or inability to comply by the wishes of the sender country. Or find a way to avoid the costs stemming from the sanctions.”

Therefore, given the views of different authors, sanctions can be imposed based on 1) regime type (Brooks); 2) hurt the political leaders (Marinov); 3) sanctions are imposed when they are most likely to fail (Lacy & Niou); 4) sanctions are imposed to increase bargaining power of the sender country (Dorussen, Mo) and 5) Robert Pape believes that sanctions cannot achieve political objectives. These points are discussed in the following sections (alternative explanations) and help in putting the actions of the UNSC in perspective.


IV. Alternative Explanations

The issue at hand is that the UNSC imposed sanctions on Iran and North Korea to punish them for the development of nuclear weapons technology, but did not impose sanctions on India and Pakistan for testing nuclear weapons. Three factors help explain this: 1) target country’s relationship with the US; 2) target country’s membership in the NPT; and 3) target country’s regime type.

It is argued that a country’s relationship with the US plays a critical role in determining whether the UNSC will impose sanctions on a country or not. Since the Iranian Revolution in 1979 and the American hostage crisis, Iran and the US have had no political relationship and have had very little trade relations. Furthermore, recent years have seen an increase in acrimonious rhetoric between the US and Iran over Iran’s development of nuclear weapons technology. Similarly, North Korea has had very little trade relationship with the US and political relations have also been cold. In sum, the level of hostilities between US-Iran and US–North Korea has been very high. Due to the hostile relations of the US with Iran the volume of trade flow and US aid has been virtually non-existent. North Korea had been receiving a relatively larger amount of US economic aid than Iran, India and Pakistan until 2002 (US$5.92 per capita). Beginning in 2003, this figure started to decrease drastically and by 2006 this figure came down to US$0.05 per capita.

On the other hand, Pakistan has been a very close American ally. It was a member of the Central Treaty Organization (CENTO), which had American support (but the US was not a member) and since 2001 has emerged as America’s major non-NATO ally thanks to Pakistan’s crucial role in assisting the US in Afghanistan. Therefore, American sanctions on Pakistan effectively lasted only for about three years. Another important aspect to note is that among the four countries analyzed, Pakistan is the only country that has received any kind of military aid from the United States in the past. But recently, there has been some military trade between India and the United States. With the signing of the US–India Civilian Nuclear Agreement, the possibilities of military trade between India and the United States have greatly increased.

While India did not have as close a relationship with the US as Pakistan did, trade flows between India and the US have been steadily increasing over the years. In comparison to the figures of 1998, India’s exports to the US increased by almost 900 million dollars in 1999. This helps reinforce the point that sanctions imposed on India were not meant to inflict serious wounds on the Indian economy. Indian exports to the US steadily grew over the last decade. US imports from India increased from US$8237 million in 1998 to US$21,832 million in 2006. US exports to India also grew from US$3,564 million in 1998 to US$10,056 million in 2006. Similarly US trade with Pakistan in 2006 was three times higher than it was in 1998. Furthermore, the total US foreign assistance to Pakistan increased by three times from 2001 to 2006. The total US foreign assistance to North Korea has declined, while it has remained constant for India. US foreign assistance to Iran has been non existent.

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16 Ibid.
17 Ibid.
19 Ibid.
20 Ibid.
21 US Overseas Loans and Grants, n.15.
and North Korea reveals that Pakistan and India enjoy a much better relationship with the US compared to North Korea and Iran.

Furthermore, in 1998, the year India and Pakistan tested nuclear weapons, “the US Congress intervened on behalf of the US wheat growers by passing the Agriculture Export Relief Act. This act amended the Arms Export Control Act to exempt various forms of US Department of Agriculture backed financial support from sanctions.” 22 This was signed by President Clinton in July 1998 itself. Similarly, many other economic sanctions were also eased within months of the nuclear tests. President Bush took further steps to improve trade relations and political relations with India starting in 2001 and signed the 123 Civilian Nuclear Agreement with India in March 2006 that was cleared by the Nuclear Suppliers Group on October 1, 2008, thus virtually ending the sanctions regime on India and bringing India out of three decades of nuclear isolation. Therefore, as Dean Lacy and Emerson Niou argue, “sanctions are likely to be imposed when they are not likely to succeed in changing the behavior of the target country…”23

One can make the argument that any kind of long lasting sanctions on either Pakistan or India would have hampered American economic interests and security interests in the long run. Thus good relations between the US – India and US – Pakistan was important for the US and vice – versa. Conversely, given the bad US – Iran and US – North Korea relationship, the cost of imposing sanctions on Iran and North Korea is not so much for the US.

The sanctions that were imposed on India and Pakistan by the US right after their nuclear tests in 1998 were targeted sanctions. The US imposed sanctions on India and Pakistan as per the Glenn amendment that “included a ban on financial assistance, except for humanitarian purposes; a ban on financing from Trade and Development Agency, Overseas Private Investment Corporation, and Export-Import Bank; restrictions on US exports of high-technology products; opposition to loans from international financial institutions; and a ban on US bank loans to the government of India.” 24 Risa Brooks’ argument could be applied here. One can argue that targeted sanctions did not work in the case of India because the median voter was not affected significantly. Any minor inconveniences to the public at large were easily outweighed by the pride associated with being a nuclear weapons state.

Robert Pape’s argument that nationalism would cause the state to undergo any kind of hardship is also true. As mentioned earlier, the nationalistic sentiment was utilized by the State Bank of India when it issued “Resurgent India Bond” which were denominated in foreign currencies and called on the patriotism of Non-Resident Indians. 25

Many of these sanctions were lifted within months of being imposed because they were affecting American economic interests. Former adviser to the Indian Prime Minister, Pramod Mahajan issued a statement saying that “There is one message American businessmen naturally get: If you don’t come, there are others who will. If it is not GE, it is GEC. If it is not Boeing, it is Airbus. If it is not American banks, it is European banks.”26 Therefore, targeted sanctions were not able to force India to stop the development of nuclear weapons.

The second aspect that seems to have an effect on whether the UNSC imposes

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24 The Peterson Institute of International Economics, n.2.
25 Ibid.
26 The Peterson Institute of International Economics. “Response of Target Countries.” [http://www.petersoninstitute.org/research/topics/sanctions/india.cfm#chronology](http://www.petersoninstitute.org/research/topics/sanctions/india.cfm#chronology)
sanctions is the target country’s commitment to the NPT. India and Pakistan are non signatories to the NPT and have never suggested that they will sign it in the future. North Korea was a signatory to the NPT but withdrew from the treaty NPT in 2003 after it was accused of illegally enriching uranium. Iran being a signatory to the NPT has been involved in developing nuclear weapons technology. It looks like the aspect of cheating and breaking the commitment to the NPT has attracted more criticism (in the form of sanctions) than having a straightforward anti-NPT stance (like India does).

The third aspect that influences the decision of the UNSC to either impose or not impose sanctions on a country is its regime type. The generally held assumption that authoritarian regimes are inherently more aggressive and violent has made the UNSC to impose sanctions on Iran and North Korea. The “madman” image of North Korea and inflammatory statements of Iranian President Mahmoud Ahmadinejad have made Western countries think (wrongly or rightly) that North Korea and Iran would act irrationally if they possess nuclear weapons destabilizing East Asia and the Middle East. Whether this assumption on Iran and North Korea is correct or not is beyond the scope of this paper, but the perception of irrationality seems to have played a role in the imposition of sanctions on Iran and North Korea. On the other hand, UNSC seems to have spared India and Pakistan because they are democracies (Pakistan in 1998 had a democratically elected government with Nawaz Sharif as the Prime Minister). Although the power behind the civilian administration has always been the military, Pakistan’s close relations with the US and the existence of a civilian government (its true influence notwithstanding) may have helped Pakistan escape UNSC sanctions. Another argument suggests that given the simultaneous testing done by India and Pakistan and the historical animosity between them, each country could not be looked in isolation from the other. Therefore, if the regime type of India and other economic interests kept the UNSC from imposing sanctions on it, one can assume that the UNSC may not have seen it fit to punish one of the two “culprits.”

As stated above, the paper considers three variables that have an effect on the decision to impose sanctions. They are: 1) a country’s relationship with the US 2) the target country’s commitment to NPT; and 3) the target country’s regime type.

In this study, the relationship of the target country with the US is measured by looking at the total trade flow (in terms of $ million) between the target country and the US27 and by looking at the amount of US military and economic aid per capita ($ constant prices) that is received by the four target countries from 1998 (when India and Pakistan tested) to 2006.28 Some scholars like Strom Thacker have used the “degree of coincidence between the votes of the sample countries and the US in the United Nations General Assembly on about ten to fifteen issues where the US has deemed key vote.”29 Thacker uses this method to operationalize (define) the relationship with the US in his paper “High Politics of IMF Lending.”

But in this case economic relations provide a good measure because decisions regarding granting military and economic aid are driven by political considerations among other things. While US trade with North Korea from 1998 to 2006 has been virtually non-existent, US trade with Iran has increased but continues to be very low.30

A country’s commitment to the NPT can be assessed by seeing whether a country is a signatory to the NPT or not. The list of signatories can be found on the website of the United Nations Office for Disarmament

27 US Census Bureau, n.18.
28 US Overseas Loans and Grants, n.15.
30 US Census Bureau, n.18.
Among the four cases studied in this paper India and Pakistan are the two countries that have not signed the NPT. Although India may have adhered to the provisions of the NPT with respect to non-proliferation, the fact that it has not joined the NPT formally classifies it as a non-signatory country to the NPT. North Korea was a signatory, but withdrew from the treaty in 2003 when it was accused of illegal uranium enrichment. Iran is a member of the NPT. A country’s commitment to the NPT must not be considered to be the same as a country’s commitment to non-proliferation. Although Pakistan is not a member of the NPT, elements within its administration were involved in the A.Q. Khan nuclear proliferation case.

The third independent variable that is used in this study is the regime type of the four countries, India, Pakistan, Iran and North Korea. Specifically, this paper is interested in looking at the regime type of the target country. The regime type can be determined by looking at the type of government that exists in each of the four countries. Regime is operationalized by looking at the classification each country has received according to the Polity IV Project, a study conducted by the Political Instability Task Force, which has been set up by the CIA. In this study a score of 10 stands for a consolidated democracy and a score of -10 stands for a hereditary monarchy. A score of -10 to -6 is given to autocracies. A score of -5 to 5 is given to anocracies, which are defined as countries “that are more susceptible to civil wars than pure democracies or pure dictatorships;” and a score of 6 to 10 is given to democracies. According to this study, Pakistan has been classified as an anocracy (as of 2007, but the administrative salutation may have only marginally improved), but the study states that it has been heading towards democratization. It received a score of -5. The authority trend chart shows that in 1998, Pakistan was a democracy. India has been classified as a democracy and got a score of 9. North Korea and Iran have been classified as autocratic regimes. North Korea got a score of -9 while Iran got a score of -6.

Another source that proved to be helpful in the process of operationalizing regime type was a study conducted by The Economist called the “Index of Democracy 2008”. This study classifies countries into four categories: full democracies, flawed democracies, hybrid regimes and authoritarian regimes. Although the classification of countries seemed to make intuitive sense, the lack of clear operationalization of important terms like full democracies, flawed democracies, hybrid regimes and authoritarian regimes did not prove helpful. However, it provided a good overview of the regime types and its results are similar to the results provided by the Polity IV Project. This paper has relied on the results provided by the Polity IV Project.

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34 Marshall, et. al. n.32.
V. Testing Procedure

The main method that is used in the study to test the cases is the “Mill’s Method of Difference.” The reason why this method is chosen is because it is the comparison between the four countries based on the three independent variables that proves helpful in seeing how the three independent variables influence the decision of the UNSC to impose sanctions or not. The three independent variables are 1) Relationship of the target country with the US 2) Membership in the NPT and 3) Target country’s regime type.

One point that needs to be noted from the table is that Pakistan has had one of the most volatile regimes. During the 1998 nuclear tests, Pakistan had a democratically elected government. When the US imposed sanctions on Pakistan in accordance with the Glenn Amendment, Pakistan was a democracy. That is why the result for Pakistan’s regime in the truth table has been marked with an asterisk “*”. At present, Pakistan has taken steps towards returning to democracy, but at present it is classified as an anocracy by the Polity IV Project.

North Korea was a member of the NPT until 2003. It chose to withdraw from the treaty when it was accused of not complying with the NPT and illegally enriching uranium. According to the National Intelligence Estimate in June 2002, North Korea may have been acquiring more centrifuges in August 2002. If this is true, it can be said that North Korea was also guilty of non compliance, but unlike Iran chose to withdraw from the NPT. That is why the result of North Korea’s membership in the NPT has been marked by an asterisks “*” as well.

The table below will be used to test each independent variable. As we can see from the table above, the UNSC did not impose sanctions on the countries that had a good relationship with the US, were not signatories of the NPT and that were democratic (noting that Pakistan was a democracy in 1998). The lessons that can be drawn from the table above are that: 1) good/healthy relationship with the US is necessary to avoid UNSC sanctions; 2) the punishment for non – compliance with the NPT seems to be harsher than the punishment for being a non – signatory and 3) the present international system is biased in favor of democratic regimes.

<table>
<thead>
<tr>
<th>Cases (Country)</th>
<th>Good Relationship With the US</th>
<th>Member of the NPT</th>
<th>Democratic Regime</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iran</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Pakistan</td>
<td>Yes</td>
<td>No</td>
<td>No*</td>
</tr>
<tr>
<td>India</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>North Korea</td>
<td>No</td>
<td>No*</td>
<td>No</td>
</tr>
</tbody>
</table>

VI. Conclusion

The objective of the paper is to understand what causes UNSC to impose sanctions on a target country? This is an important subject as the answer to this question can help countries design their foreign policies. Scholars like Dean Lacy and Emerson Niou state that sanctions are imposed when they are not likely to succeed. Han Dorussen and Jongryn Mo state that sanctions are imposed to improve the bargaining position of the sender country and the target country tries to escape the costs stemming from sanctions and uses that to increase its bargaining power. Therefore, this issue not only has policy implications for countries, but also has a lot of scope for the development of newer theoretical frameworks, given the intense debate that exists in the academic world on this issue.

The paper concludes that the US is an extremely important player in the international system, and a target country’s relationship with the US will have a significant impact on the way it is treated by the international community, especially multilateral frameworks like the UNSC. Furthermore, evidence has been presented that shows that US trade relations and interests with the target countries have kept the UNSC and even the US government from imposing stiff sanctions on India while US strategic interests, post 9/11, made Pakistan a critical ally in the “War on Terror” which led to lifting of sanctions.

It looks like the aspect of cheating and breaking the commitment to the NPT has attracted more criticism (in the form of sanctions) than having a straightforward unwillingness to joining the NPT stance (like India does). It must be duly noted that while India has rejected join the NPT, it has not propagated against the treaty or been a party to any kind of nuclear proliferation activities or networks.

The generally held assumption (right or wrong) that authoritarian regimes are inherently more aggressive and violent has made the UNSC to impose sanctions on Iran and North Korea. The “madman” image of North Korea and inflammatory statements of Iranian President Mahmoud Ahmadinejad have made Western countries think (wrongly or rightly) that North Korea and Iran would act irrationally if they possess nuclear weapons destabilizing effect in East Asia and the Middle East. Regardless of the degree of aggressiveness of authoritarian regimes, it is clear that the international community and the UNSC have a bias for democracies.

The effectiveness of sanctions as a tool of statecraft is a debated issue in the academic circles. Yet they are used by various countries and international organizations with varying degrees of effectiveness. In the cases discussed in this paper, UNSC sanctions on Iran and North Korea do not seem to have affected the resolve of the leadership to pursue a nuclear weapons programme. To this effect the hypothesis of Robert Pape mentioned in an earlier section is true. Hence one may deduce that no economic costs seem great enough to dampen the sprit of nationalism and patriotism. However, Risa Brooks does argue that sanctions that affect the median voter in a democracy and sanctions affecting the ruling classes in authoritarian countries are effective. We have not seen sanctions yield the desired results in Iran and North Korea with respect to nuclear weapons development. India and Pakistan were never under comprehensive sanctions, and thus one could only speculate at best the way Indian economy and polity would have responded.

In sum, sanctions can be thought of as softer tools of statecraft that are used to
express disapproval and create hurdles for the target country. In the case of a nuclear programme, while sanctions may delay the development of nuclear weapons, its ability in preventing a nation from developing a nuclear weapon (once the country has the technological know-how) is suspect at best.
VII. Bibliography

ARTICLES


WEBSITES


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