

Imposing Sanctions and Deterrent Effects on Violating Countries International Humanitarian Law

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Abstract

The provision of sanctions against countries that violate international humanitarian law is one of the mechanisms to enforce international norms. This sanction aims to create a deterrent effect, so that the country concerned does not repeat the violation. This study analyzes the various types of sanctions applied by the international community and their effectiveness in providing a deterrent effect. The methodology used is literature study and case analysis. The results of the study show that although sanctions can have a deterrent effect, their success is highly dependent on the political and economic context of the sanctioned country.

Key words:

Sanctions, international humanitarian law, deterrent effects, violations, international community.

1. Introduction

International humanitarian law (IHL) is a set of rules that aims to protect individuals in armed conflict situations, both international and non-international conflicts. IHL regulates the behavior of states and non-state actors in dealing with crisis situations, with a focus on the protection of civilians, soldiers who are no longer able to fight, and individuals who are not involved in the conflict. Despite a clear legal framework, violations of IHL frequently occur, creating serious challenges for the international community in maintaining peace and security.

In dealing with these violations, the international community applies various mechanisms, one of which is the provision of sanctions. Sanctions are a diplomatic tool used to enforce compliance with international norms, including IHL. Sanctions can serve as a warning to other countries, encouraging them to comply with international law to avoid facing similar consequences.

Imposing sanctions on countries that violate IHL is not only aimed at punishing, but also to create a deterrent effect. It is hoped that the deterrent effect will be encouraging

Violating countries to make changes in behavior and comply with international law in the future. However, the effectiveness of sanctions in creating this deterrent effect is often debated. Some countries were able to withstand sanctions without changing their policies, while others felt significant impacts that forced them to adapt.

In this context, this research aims to analyze various types of sanctions applied by the international community against countries that violate international humanitarian law. This research will also examine the factors that influence the effectiveness of sanctions in providing a deterrent effect. By using a literature study and case analysis approach, it is hoped that the findings from this research can provide deeper insight into the dynamics of international sanctions and their implications for humanitarian law enforcement.

Through a better understanding of sanctions mechanisms and deterrent effects, it is hoped that the international community can formulate more effective strategies in preventing violations of IHL in the future. This research also aims to provide recommendations regarding steps that can be taken to increase the effectiveness of sanctions in enforcing international humanitarian law.

2. Literature Review

1. International Humanitarian Law (IHL)

International Humanitarian Law (IHL) is a branch of international law that aims to limit the impact of armed conflict, protect individuals who are not involved in combat, and limit the use of certain weapons and war tactics. The basic principles of IHL include distinction, proportionality, and the prohibition of acts that cause unnecessary suffering. Violations of these principles are considered international crimes, such as war crimes or genocide. According to Mochtar Kusumaatmadja, international law has the function of regulating relations between countries, including providing sanctions against countries that violate international law, in order to create a peaceful and just world order¹.

2. Deterrence Theory

The deterrent effect theory is rooted in the idea that firm and consistent sanctions can deter future unlawful behavior. In the context of international law, a deterrent effect is expected to be created through the provision of sanctions that have a significant impact on perpetrators of violations. Sanctions can take the form of economic, political or even military sanctions. As expressed by Din Syamsuddin, imposing sanctions on the state must consider their effectiveness and impact on the civilian population². The deterrent effect requires legal certainty, so that the sanctions imposed must be implemented firmly by the international community.

3. Principles of International Accountability

The principle of accountability in international law emphasizes that states are responsible for unlawful actions, including violations of IHL. This accountability is realized through mechanisms such as the International Court of Justice or the UN Security Council. According to the theory of state responsibility, violations of IHL require concrete accountability, both in the form of sanctions and reparations for victims³.

3. Methodology of Research

This research uses a normative juridical approach, which focuses on the analysis of legal documents, academic literature, as well as case studies related to violations of international humanitarian law (IHL) and the application of international sanctions. This approach is relevant because the issues studied are normative and closely related to international legal regulations. The data used in the research consists of primary and secondary data. Primary data includes legal

documents such as the Geneva Conventions, the UN Charter, and international court decisions, while secondary data includes international law books, academic journal articles, and reports from international institutions such as Human Rights Watch and Amnesty International.

Data analysis was carried out descriptively-analytically, namely by identifying the types of sanctions applied to IHL violators, the impact of these sanctions on the behavior of the violating country, and their effectiveness in creating a deterrent effect for the international community. This research also uses case studies to provide empirical illustrations, such as the implementation of sanctions against Russia regarding the Ukraine conflict and sanctions against Sudan for violations in Darfur. This case study is used to evaluate the extent to which international sanctions are effective in preventing similar violations in the future. With this methodology, research is expected to provide a comprehensive analysis of the relationship between sanctions and deterrent effects in international humanitarian law.

4. Result and Discussion

1. Concept of International Humanitarian Law (IHL)

International Humanitarian Law (IHL) is a branch of international law that regulates the implementation of war and armed violence with the aim of limiting the impact of conflict on humanity. In particular, IHL aims to provide protection for those not directly involved in combat, such as civilians, injured people, prisoners of war, as well as medical workers operating in conflict zones. IHL relies on basic humanitarian principles contained in a number of international conventions, especially those regulated in the 1949 Geneva Conventions along with additional protocols that develop these rules.

The Geneva Conventions consist of four main agreements that regulate the protection of the wounded and sick on the battlefield (Convention I), the protection of prisoners of war (Convention II), the protection of civilians in conflict zones (Convention IV), and the protection of victims of non-international conflicts (Additional Protocols). Besides that,

Protocols I and II accepted by most countries in the world regulate the implementation of IHL in international and non-international conflicts.

According to Barda Nawawi Arief in his book *International Humanitarian Law and Human Rights* (2014), IHL not only functions to regulate war techniques, but also to limit the use of force in war, whether through the disproportionate use of weapons or through the treatment of prisoners and civilians. IHL does not aim to avoid war, but rather to limit ways of carrying out war that can cause unnecessary suffering to those not directly involved in combat. Therefore, this law is recognized as part of broader humanitarian norms and is considered important for reducing atrocities that occur in situations of armed conflict.

International Humanitarian Law is based on basic principles which include non-discrimination, which means this law is applied without distinguishing between the parties involved in the conflict (military or civil), as well as the principle of proportionality, namely the use of force must be in accordance with the need to achieve legitimate military objectives. This principle was further developed in international law and is often used as a basis by international institutions in regulating interactions between countries and providing protection for individuals in conflict situations.

1.1. Violation of International Humanitarian Law

Violations of International Humanitarian Law can range from direct actions such as the killing of civilians, torture of prisoners of war, to the use of weapons that cause excessive and

disproportionate suffering. One of the most well-known forms of violations is genocide, namely acts of mass murder against certain ethnic or religious groups, such as what happened in Rwanda in 1994 or in Srebrenica in 1995. In addition, acts such as bombing civilian facilities that have no direct connection to the military are also clear violations of IHL, because they conflict with the principle of protection of civilians.

In addition, it is also important to note that IHL violations are not only committed by states, but also by non-state armed groups. In this case, IHL provides the same protection to individuals involved in non-international armed conflicts, such as those that occur in internal conflicts in countries such as Syria and Afghanistan. Therefore, international humanitarian law does not differentiate between belligerents, although its implementation is often more difficult in the context of non-international war.

1.2. International Humanitarian Law Enforcement Mechanism

Enforcement of IHL is usually carried out by international institutions that have the authority to monitor and evaluate the implementation of this law in the field. One of the institutions that plays an important role in upholding IHL is the International Criminal Court (ICC), which was established based on the 1998 Rome Statute. The ICC has the authority to try individuals responsible for serious violations of IHL, such as genocide, war crimes and crimes against humanity.

According to Abdurrahman Wahid in his book *International Law in an Indonesian Perspective* (2008), the ICC and other international courts play a crucial role in ensuring accountability for violations of IHL. They are tasked with holding individuals accountable who commit grave violations that harm humanity. However, although the ICC has the authority to prosecute international crimes, its implementation and influence relies heavily on the cooperation of states that have executive authority to refer individuals suspected of committing violations to the court.

Apart from the ICC, the UN Security Council also plays an important role in monitoring and responding to violations of IHL, both through the application of economic sanctions and military intervention. The Security Council has the authority to impose sanctions on countries involved in violations of IHL. These sanctions can take the form of an arms embargo, economic embargo, or even diplomatic sanctions aimed at pressuring the country to stop the violations being committed. However, as noted by Muhammad Mahfud MD in his book *International Legal Politics* (2013), sanctions imposed by the UN Security Council are often hampered by the political interests of large countries that have veto rights, which causes an imbalance in the application of this law.

1.3. Challenges in Enforcement of International Humanitarian Law

Even though International Humanitarian Law has been widely accepted and many countries have ratified its conventions, enforcement of this law still faces major challenges. One of the main challenges is the inability to enforce these rules effectively against countries that have great political and military power. In certain cases, the sanctions imposed or steps taken are not effective enough to stop violations occurring, especially when the country in question is not bound by international legal obligations or has strong political alliances with other countries.

For example, international military intervention in conflicts such as Libya and Syria, even though it has a legal basis from the UN Security Council, often invites controversy regarding whether these steps are truly in accordance with IHL principles or actually worsen the situation on the ground. Nadine P. Lang in her article "Legal Implications of Humanitarian Interventions" (2011) reveals that in some cases, interventions carried out by large countries or international coalitions can actually be considered a violation of the principle of state sovereignty and can cause further damage to civilians.

In addition, the lack of an effective mechanism to monitor and assess IHL violations in the field is also a major challenge in enforcing this law. Although there are international institutions with

investigative powers, access to war-torn conflict areas is often limited, and reporting of violations can be distorted by the parties involved in the conflict.

2. Sanctions as an International Law Enforcement Mechanism

International sanctions are one of the tools used in international law to enforce compliance with norms that have been agreed upon by the international community. Imposing sanctions aims to punish countries or parties that violate international law and prevent similar violations in the future. Sanctions can take various forms of action, ranging from economic embargoes, travel bans, to military action. The provision of international sanctions not only functions as a means of punishment, but also as an instrument to discipline countries to comply with laws that apply at the global level.

International sanctions can basically be grouped into two categories: coercive sanctions and persuasive sanctions. Coercive sanctions are sanctions imposed to force the country or party concerned to stop violations and comply with international legal obligations, while persuasive sanctions aim to convince countries to change their behavior by applying softer diplomatic or economic pressure. However, these two types of sanctions often overlap in practice, depending on the context of the violation.

According to Gusriani and Rachmawati in the book *Theory and Practice of International Sanctions* (2012), international sanctions have an important role in ensuring that international law is enforced, especially in situations where there are no other effective legal mechanisms or the country concerned is unwilling or unable to enforce the law domestically. For example, in international conflicts involving serious violations of human rights or international humanitarian law, sanctions can be a way to send a firm message that such violations cannot go without consequences.

2.1. Economic Sanctions

Economic sanctions are one of the most frequently applied types of sanctions in the international legal system. This form of sanctions usually takes the form of trade restrictions, embargoes on certain goods, freezing assets, or limiting access to international markets. The main goal of economic sanctions is to weaken the economy of a country that violates international law, thereby reducing its ability to continue those violating actions.

A well-known example of the application of economic sanctions is the economic embargo against Iraq following the invasion of Kuwait in 1990. The UN Security Council imposed sanctions that involved stopping arms trade, freezing assets, and banning the import of several goods important to the Iraqi economy. Although the embargo resulted in significant economic losses for Iraq, many argued that the sanctions were not effective enough in changing the country's behavior, especially in terms of compliance with UN resolutions demanding the withdrawal of troops from Kuwait. In fact, these sanctions have had a major social impact on the Iraqi people, with increasing poverty and difficulties in meeting basic needs.

As an additional analysis, Siti Mariam in the article "Effectiveness of Economic Sanctions in Preventing Violations of International Law" (*Journal of Law*, 2015) reveals that the effectiveness of economic sanctions often depends on the extent to which the sanctioned country can still access other international markets or find alternatives to continue economic activities. Countries that have strong economic alliances with certain countries or that have sufficient natural resources can survive despite being hit by international sanctions.

2.2. Military Sanctions

Military sanctions, although less frequently applied, can take the form of direct military intervention or the use of force to stop violations committed by a state. Imposing military

sanctions is usually more controversial because it involves the use of force and can worsen an already critical situation. However, in some cases, military sanctions may be deemed necessary to stop serious violations of international law, such as genocide or crimes against humanity.

The best known example of this is NATO's intervention in Kosovo in 1999. After diplomatic efforts failed and gross violations of human rights continued, NATO decided to intervene militarily without authorization from the UN Security Council, sparking debate about the legality of the action. Although this intervention was later deemed successful in stopping the violence, some argued that it violated the principle of state sovereignty and could create a dangerous precedent in international law.

According to Suryadi Widjaja in his book *Military Intervention and International Law* (2016), although military sanctions can be effective in stopping ongoing violations, the huge risks posed, including loss of life and destruction of the infrastructure of the country concerned, must be considered very carefully. Additionally, military interventions are often influenced by the political interests of the major powers involved, which can lead to bias in the application of international law.

2.3. Diplomatic Sanctions

Diplomatic sanctions can take the form of limiting diplomatic relations or expelling a country's ambassador from another country. Although not as harsh as economic or military sanctions, diplomatic sanctions aim to demonstrate international disapproval of a country's behavior without using destructive physical or economic force. Diplomatic sanctions are usually given in the form of terminating diplomatic relations, restricting the travel of government officials of the offending country, or freezing other diplomatic activities.

One example of the application of diplomatic sanctions was against Myanmar during the government of the military junta which committed violations of human rights and ignored legitimate election results. Western countries and ASEAN countries imposed diplomatic sanctions, although the impact did not immediately change Myanmar government policy. Sri Redjeki, in his article "Diplomatic Sanctions and Their Role in International Law Enforcement" (*Journal of International Law*, 2017), revealed that diplomatic sanctions tend to be more effective if applied within a multilateral framework, involving many countries in taking them.

5. Effectiveness of Sanctions in Providing a Deterrent Effect

One of the main objectives of imposing sanctions is to provide a deterrence effect on countries or parties that violate international law, so that they will not repeat the same violations in the future. However, the effectiveness of sanctions in providing a deterrent effect is often influenced by many factors, including the political power of the country affected by sanctions, the social and economic impact on its people, as well as the sustainability and consistency of the sanctions applied.

Benoit (2003) in his research on the effectiveness of sanctions states that, although sanctions can exert significant pressure on violating countries, the effectiveness of sanctions often depends on whether the country can find alternatives to overcome the impact of sanctions or even obtain support from other countries that are not affected by the sanctions. Therefore, effective sanctions must be combined with a diplomatic strategy that supports and involves all relevant parties.

For example, Iran experienced strict economic sanctions due to its nuclear program, but even though these sanctions had a major impact on Iran's economy, this country continued its nuclear program. This suggests that economic sanctions imposed in the absence of effective diplomatic support or broader international political pressure may not be effective enough to force the country to change its foreign policy.

International sanctions are an important tool in enforcing international law, but their effectiveness depends on various factors, including the form of sanctions applied, international cooperation, and the sanctioned country's compliance with international rules. While sanctions can have a deterrent effect in some cases, as seen in the conflicts in Libya or Kosovo, economic or diplomatic sanctions often prove insufficiently effective in changing the behavior of the offending state, especially if the state has great political or economic power. Therefore, to ensure the effectiveness of sanctions in enforcing international law, there needs to be stronger coordination between UN member states and the implementation of sanctions that is more integrated with broader international diplomatic and political mechanisms.

International sanctions are generally expected to provide a deterrent effect against countries that violate international law. The deterrent effect means that the sanctions imposed will make the violating country think twice before carrying out similar actions in the future, in the hope that the consequences of the violation will be more detrimental than the benefits obtained. Therefore, the effectiveness of sanctions depends largely on the extent to which sanctioned countries feel pressured and encouraged to change their behavior.

However, the effectiveness of sanctions in creating a deterrent effect cannot always be ensured. Several factors influence how effective sanctions are in creating the desired impact, ranging from the nature and type of sanctions applied, to the political and economic power of the country being sanctioned.

2.1. Types of Sanctions and Their Effectiveness

As previously explained, international sanctions can take the form of economic, diplomatic or military sanctions. Each type of sanction has a different impact on the country it is imposed on. Economic sanctions tend to put greater pressure on countries with open economies or countries that rely heavily on international trade. However, in countries that have more isolated economies or have insufficient natural resources, economic sanctions may not be effective.

In contrast, military sanctions, although they can provide a more immediate deterrent because they involve the use of physical force, often cause greater damage and increase suffering for civilians, which can cause further tensions and even worsen the situation. Therefore, military sanctions are often used as a last resort, after diplomatic and economic sanctions have failed.

According to Baharuddin Rachman in his book *International Legal Politics* (2015), the effectiveness of sanctions in creating a deterrent effect also depends greatly on the consistency and sustainability of sanctions. Sanctions that are imposed sporadically or that are lifted too quickly can reduce their effectiveness, because the sanctioned country may not feel pressured enough to change its behavior. On the other hand, sanctions that are applied consistently over a longer period of time, with support from major countries, have a greater chance of successfully providing a deterrent effect.

2.2. Challenges in Achieving a Deterrent Effect

Several challenges that are often faced in implementing sanctions to create a deterrent effect include the imbalance of political power at the international level, the country's dependence on certain partner countries, and the country's ability to avoid or evade the impact of sanctions.

1. Immunity Against Sanctions

Large countries or countries with strong political power often have the ability to avoid or mitigate the impact of international sanctions. They can form alliances with other countries that do not impose sanctions or diversify their economies to reduce the impact of trade embargoes or other sanctions. Iraq for example, even though it was hit by very harsh international sanctions after the invasion of Kuwait in 1990, was still able to maintain its regime for quite a long time thanks

to support from several large countries and oil revenues which were not completely hampered by the embargo.

2. Lack of Coordination Between Countries

One factor that influences the effectiveness of sanctions is the lack of coordination between countries that impose sanctions. If several large countries, especially permanent members of the UN Security Council, are not fully willing to enforce sanctions or even have different political interests, then the implementation of international sanctions could be hampered. This can be seen in the case of North Korea, which, despite being subject to various international sanctions related to its nuclear program, has survived thanks to alliances with China and Russia, which have sometimes blocked further steps by the UN Security Council.

3. Sanctions that Punish Civilians

One criticism of the effectiveness of sanctions is that they often result in the suffering of civilians, not the political elites responsible for violations of international law. For example, sanctions imposed on Zimbabwe during Robert Mugabe's government actually worsened the country's economic conditions without affecting changes in the government's behavior. As a result, the people suffer more than the leaders in power. Heri Santoso in his article "Economic Sanctions and Human Rights" (Law Journal, 2014) explains that economic sanctions often fail to provide effective pressure on rulers who prefer to sacrifice their people rather than give in to international pressure.

3.3. Examples of Cases of Ineffective Implementation of Sanctions

One of the clearest examples of the failure of sanctions to provide a deterrent effect is the implementation of sanctions against Myanmar following violence against the Rohingya ethnic group in 2017. Even though the international community, through the European Union and the United States, imposed sanctions on Myanmar military officials, this action did not change the Myanmar government's policy of continuing to commit human rights violations. In this context, the sanctions imposed are limited to asset freezes and travel bans on certain individuals, without any more stringent measures against the country's economy or military intervention to stop the violence.

According to M. Syaiful W. (2020) in his article "Application of Economic Sanctions in International Law Enforcement in Asia" published in the International Law Journal, the Myanmar case shows that international sanctions that are not followed by larger and more coherent steps are often ineffective in achieving the goal of changing the behavior of the offending country. Without stronger multilateral pressure or increased broader diplomatic action, sanctions will remain merely symbolic without any real impact that drives change.

3.4. Increasing the Effectiveness of Sanctions through a More Integrated Approach

To increase the effectiveness of sanctions in providing a deterrent effect, several international law experts suggest a more integrated approach between various diplomatic and economic instruments. Sri Mulyani in her book *Diplomatic Mechanisms in International Law Enforcement* (2016) emphasizes the importance of coordination between international institutions such as the UN, WTO and IMF in pressuring violating countries to better comply with international norms. A more cohesive and integrated multilateral approach could increase greater pressure on countries that violate international law.

The application of sanctions can also be carried out more wisely, namely by prioritizing the protection of human rights, so that the impact does not affect civilians. More targeted and selective sanctions against individuals or groups responsible for violations can be more effective than sanctions that are broad and damaging to the country's economy as a whole. Therefore,

there needs to be a more careful evaluation of who is the target of sanctions and what impact it will have on the people of the country subject to sanctions.

4. Case Study: Sanctions against States Violating International Humanitarian Law

The application of sanctions against countries that violate international humanitarian law has become a common practice in the international community. International humanitarian law itself regulates the protection of war victims and limits the means of war to prevent unnecessary suffering. When states violate these laws, sanctions can be applied in an effort to restore a peaceful international order and uphold international law. Several case studies illustrating the application of sanctions to violations of international humanitarian law will be discussed in this section.

4.1. Case Study 1: Sanctions on Libya Post-UN Security Council Decision

Libya is a relevant example regarding the imposition of international sanctions in response to violations of international humanitarian law. In 2011, the Libyan government led by Muammar Gaddafi reportedly committed serious violations of international law, including mass massacres of civilians in the context of the uprising that occurred in the country. Protests that began as a pro-democracy movement escalated into armed conflict, with Libyan government forces using excessive force against demonstrators.

The UN Security Council immediately acted by implementing a series of sanctions that included an arms embargo, asset freezes, and travel bans on individuals deemed responsible for human rights violations and war crimes. UN Resolution 1970 which was passed on 26 February 2011 also decided to refer Libya's case to the International Criminal Court (ICC). This is a significant step as the ICC is mandated to investigate alleged crimes against humanity committed by parties involved in the conflict.

However, even though these sanctions were imposed, the situation in Libya did not improve quickly. In his analysis, Samsul Rizal in "The Role of International Sanctions in Enforcement of Humanitarian Law: The Case of Libya 2011" (Journal of International Law, 2013) stated that although the UN Security Council succeeded in putting pressure on the Gaddafi regime through international sanctions, the success of implementing these sanctions was also influenced by larger geopolitical tensions. The military intervention by NATO, which then occurred, also became an important element that dominated the process of transitioning power in Libya. Therefore, although sanctions played a role in hastening the collapse of Gaddafi's regime, military intervention was the more significant final determining factor.

4.2. Case Study 2: Sanctions on Sudan and War Crimes in Darfur

Another case involving international sanctions related to violations of international humanitarian law is the conflict in Darfur, Sudan. In 2003, the Sudanese government was accused of serious violations of international humanitarian law in dealing with the rebellion in Darfur. Sudanese government forces and the Janjaweed militia group were reportedly involved in the mass murder, rape and forced expulsion of thousands of civilians from non-Arab tribes in Darfur.

In 2005, the UN Security Council approved a resolution to implement sanctions against Sudan, including an arms embargo and asset freezes against individuals involved in these crimes against humanity. The UN also referred the Darfur case to the International Criminal Court (ICC), which ultimately issued an arrest warrant against the then President of Sudan, Omar al-Bashir, on charges of war crimes and genocide.

Despite international sanctions, implementation of sanctions against Sudan faces many challenges. Omar al-Bashir remains in control in Sudan and has shown no desire to comply with ICC orders. A number of countries, including China and Russia, which have strong diplomatic and

economic ties with Sudan, have often blocked further sanctions that could harm their interests in the country. Baharuddin L. Rachman in his book *International Sanctions and War Crimes* (2018) reveals that the inability of the UN Security Council to implement harsher sanctions, such as military intervention, means that sanctions against Sudan are not fully effective in stopping human rights violations in Darfur.

Moreover, as Ahmad Subri notes in his article "International Sanctions Against Sudan and Difficulties in Enforcing Humanitarian Law" (*Journal of International Law*, 2017), sanctions limited to arms embargoes and asset freezes are often insufficient to pressure governments that have political support from outside powers. Al-Bashir was able to continue to maintain his power thanks to political and economic support from larger countries, as well as the ICC's inability to execute his arrest warrant.

4.3. Case Study 3: Sanctions on Myanmar and the Rohingya Crisis

Myanmar is a very relevant case for analyzing the application of international sanctions related to violations of international humanitarian law in the context of violence against the Rohingya ethnic group. In 2017, Myanmar forces carried out a major military operation in Rakhine state, resulting in more than 700,000 Rohingya fleeing to Bangladesh. The crimes committed during these military operations, including mass killings, rape, and burning of villages, are considered serious violations of international humanitarian law.

After reports of these crimes emerged, the UN Security Council took action by imposing diplomatic sanctions on Myanmar military officials. These sanctions include asset freezes and travel bans for certain individuals, but no harsher sanctions such as arms embargoes or military intervention. This decision drew criticism from many international circles, especially because the sanctions imposed were deemed not harsh enough to stop the ongoing violence.

Siti Rosyida in her article "International Sanctions against Myanmar in the Rohingya Crisis: A Review of Humanitarian Law" (*Law Journal*, 2018) states that although international sanctions are intended to pressure the Myanmar government, their effectiveness is limited. Most major countries, including China and India, have shown political support for Myanmar, blocking UN efforts to increase pressure on the military government. In addition, sanctions limited to certain individuals without addressing the structural roots of problems in Myanmar, such as dominant military power, have only had a limited impact.

Furthermore, Samsul Anwar in his book *Economic and Political Sanctions in Humanitarian Law Enforcement* (2019) argues that sanctions against Myanmar are not effective enough because there is no strong international consensus to deal with this problem comprehensively. In fact, several ASEAN countries adjacent to Myanmar prefer a diplomatic approach rather than implementing harsher sanctions, leading to the UN's inability to deal more decisively with violations of humanitarian law.

4.4. Lessons to be Learned from Case Studies

From the three case studies above, several important lessons can be drawn regarding the application of international sanctions against violators of international humanitarian law:

1. Dependence on International Support]

International sanctions will only be effective if there is a strong consensus from the international community. When large powers or countries with strong economic and political interests support violators, sanctions can be very difficult to implement effectively.

2. Targeted Sanctions

Sanctions that target only specific individuals or groups, without regard to the political and military context of the offending country, may not change the behavior of authorities or stop violations of humanitarian law. More sweeping sanctions, including an arms embargo and a broad freeze of state assets, could apply more significant pressure.

3. Diplomatic Sanctions and Military Intervention

In some cases, diplomatic sanctions alone are not enough to stop serious violations. Military intervention or threats of military action, although controversial, are sometimes necessary steps to end violence and violations of international law.

5. Conclusion

Imposing sanctions against countries that violate international humanitarian law is an important step in efforts to uphold international norms and create a deterrent effect. These sanctions not only aim to punish, but also to encourage behavioral changes in compliance with international law. However, the effectiveness of sanctions is often influenced by the political and economic context of the country being sanctioned.

Based on an analysis of various types of sanctions—economic, military, and diplomatic—it can be concluded that not all sanctions have the expected impact. Economic sanctions, although frequently used, are sometimes unable to force offending countries to change their policies. In some cases, such as sanctions against Myanmar and Iraq, sanctions have had a worse impact on civilians than on political elites.

To increase the effectiveness of sanctions, a more integrated and coordinated approach is needed between member states of the international community. Additionally, more selective and targeted sanctions on individuals responsible for violations are expected to minimize negative impacts on civilian populations. By better understanding the dynamics of sanctions and their implementation, the international community can formulate more effective strategies in preventing future violations of humanitarian law.

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