

THE EFFECTIVENESS OF INTERNATIONAL SANCTIONS IMPOSED ON IRAN AND CUBA: A COMPARATIVE STUDY

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ABSTRACT: This paper aims at examining the effects of sanctions and their effectiveness to achieve the objectives which they were originally proposed by senders. The cases of Iran and Cuba are analyzed, both targets of sanctions looking for policy change attitude on themselves. Initially a theoretical conceptual approach with regard to penalties is applied although this theme brings great controversy by scholars. It is analyzed Iran and the application of sanctions, reaching the stage of negotiations on its nuclear program and implementation. Similarly, Cuba is addressed in sequence where are analyzed its external relations during the East-West ideological conflict and the implementation of the economic embargo on the 1960's evolving into rapprochement with the USA. Finally, presenting the main conclusions reached by the theme of the analysis of the effectiveness of sanctions in the cases studied.

KEYWORDS: Sanctions, Embargo, Iran, Cuba, Effectiveness.

ABSTRACT: Cet article a pour objectif d'examiner les effets des sanctions et leur efficacité pour atteindre les objectifs qui ont été originalement proposer par les sanctionneurs. Le cas d'Iran et Cuba sont analysés, les deux cibles de sanctions sont entrain de chercher une politique de changement des attitudes envers eux. Initialement une approche théoritique et conceptuelle avec un regard envers les sanctions est appliqué malgré que ce thème amène un grand controverse parmi les intellectuels. Dans cet article, l'Iran et les sanctions appliqué sur lui, sera analysé, après avoir atteindre l'étape finale de négociations sur le programme nucléaire et l'implémentation des accords. Parallèlement, Cuba est adressé en sequence ou sont analysés ces relations extérieurs durant le conflit idéologique entre les blocs est-ouest et l'implémentation des embargos économiques dans les années 1960, ont évoluer vers le rapprochement avec les États-Unis. Finalement, présenté les conclusions principaux atteinte avec le thème d'analyse de l'efficacité des sanctions dans les cas étudiés.

MOT-CLÉS: Sanctions, Embargo, Iran, Cuba, Efficacité.

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INTRODUCTION

The application of international sanctions as a foreign policy instrument has been used as means to change political behavior and enforcement by many actors. Existing means of coercion, sanctions and embargoes are tools of foreign policy with varying degrees of enforcement and impact. For Hufbauer et al (2007) who studied economic and financial sanctions, they have accompanied or preceded armed conflict throughout modern history as a means of weakening the opponent. These authors point out that sanctions are trade bans with a country in certain specific areas, while embargo is regarded as a restriction, or attempted coercion, trade with a given country by isolating it internationally. Among the most recurrent types of coercion, sanctions and embargoes could be issued by different actors, States or International Organizations².

Woodrow Wilson³ even claimed that the imposition of sanctions against a country have more severe effects and effectiveness than the use of military force, because an international isolation with a commercial boycott of the target, could produce, in short time frame, economic, commercial and financial difficulties such that it force this country to review its attitude to international community⁴. Occurs however, that some practical factors hinder the effectiveness as is advocated by Wilson, the lack of international unanimity on sanctions, with exceptions such as that applied against the South African apartheid regime. Interests business may come to "stick" the regime of sanctions hampering its effectiveness, like China and Russia on Iran (Hufbauer et al, 2007). Thus, there are two types of penalties, those unilateral when imposed by one country to another, as in the case of the Cuban embargo made by the US and multilateral when a council of countries unite and negotiate the imposition of sanctions against another. The most common cases are those where the UN Security Council approved on sanctions "Threat to international peace and security" according to the

² There are several types of coercing a State through sanctions, although there is no consensus or strict definition of it, is used in this study the most frequent types of imposition, as described by the Council of the European Union. Available at <http://www.consilium.europa.eu/pt/policies/sanctions/different-types/>

³ Twenty-eighth US president, political scientist and member of the Democratic party, illustrious humanist and considered the father of liberal idealism. Famous for proposition of 14 points to promote peace in Europe after the First World War. Among his achievements is the proposed creation of a supranational body as a forum for dispute resolution and peacekeeping international, having originated the League of Nations which later inspired the creation of the UN.

⁴ The international community is broad term and can have different scopes from sociological meanings found in the human community your organization to the definition by international law when claims to be the organized group of states and recognized internationally in which mostly holds seat at the United Nations, a term here's preference. View: AGO, Roberto. General characteristics of the international community and your right. Magazine Sequence, No 9 vol 56, p. 9-28, jun. 2008.

recommendations of the Charter of United Nations. In order for a sanctions regime to be approved and established it is necessary at least 9 out of 15 members, with no vetoes from the permanent members.

When a sanctions regime⁵ is widely discussed and implemented by a group of countries, international legitimacy thereof is much greater than when done by a single country. The United Kingdom, when Smith⁶ declared independence in Southern Rhodesia, was hesitant to impose sanctions against a regime seen as segregationist by the international community, on which the position of London was severely questioned. Already during the period in which the USA insisted in maintain the embargo against Cuba, aimed at transition regime to a democracy and isolating it economically, increasing question raises from international community when they protest via the UN General Assembly⁷ looking for the lack ineffectiveness in achieving the objectives for which it was proposed and the ideological anachronistic character after the end of the Cold War, in addition to adverse effects for the population.

Robert Pape (1997) gives in his work the main causes of non effectiveness of international sanctions. Illustrates the fact that sanctions were applied by International powers like the USA, for a condominium of countries before controversial behavior from any State, to part or against armed groups. Among the examples could be mentioned the imposition of the US sanctions against China on the grounds of disrespect human rights, against Iraq when the UN Security Council did before the invasion of Kuwait or in Cambodia against the Khmer-controlled areas. Also highlights the fact that although the UN Security Council as an International forum to pressure made with effective powers, had little activity in this matters between 1945-1990, with the exception of sanctions applied to two African countries, South Africa and Rhodesia,

⁵ Regimes are sets of principles, norms, rules and procedures for which actors' expectations converge. These rules and institutions are marked by the absence of a order hierarchical policy and implementation of sanction mechanisms. Thus there is a delimitation legitimate or permissible behavior of actors in a specific context. HERZ, Monica. *Theory of International Relations in the Post-Cold War*. Rio de Janeiro, v. 40, no. 2, p. 1997. Available at http://www.scielo.br/scielo.php?script=sci_arttext&pid=S0011-52581997000200006&lng=en&nrm=iso

⁶ Ian Smith was prime minister of non-recognized Southern Rhodesia, between April 1964 and June 1979. The United Kingdom proposed to grant independence to the territory and pass control to your black majority representation of the country, however, Smith was against the participation of black people the power of the country, unilaterally declared the country's independence in 1965, generating sanctions International against the territory, which ultimately generate a civil war that is solved in only 1978 with the black input in power and the election of Robert Mugabe in 1980.

⁷ Since 1992 the government of Havana calls for the withdrawal of sanctions at the UN General Assembly, which has led to successive votes on resolutions in this sense. Available at <http://pt.euronews.com/2015/10/27/onu-quer-fim-do-embargo-americano-a-cuba/>

for reasons of racial segregation, which fled the ideological bipolar characteristic scope of the Cold War. After 1990, in what became known as "the decade of sanctions," activities from the UN Security Council (UNSC)⁸ becomes intense were issued eight international sanctions between 1991 and 1994. That practical change could be seen as resulting from the end of bipolarity, which made dead any resolutions that were against one of the ideological camps. The clear case in this new position of the UNSC is observable when the Iraqi regime of Saddam Hussein was invaded Kuwait in violation of its sovereignty in a clear attempt to force an international bargaining. Subsequent sanctions were approved an international collective effort to stop the impulses of the Iraqi dictator.

Similarly, Cortright and Lopez (2000) show that the year of 1990 inaugurated a decade of sanctions issued by UN Security Council in a verifiable contrast in relation to the 45 previous years of operation relatively apathetic of the Council in matters of sanctions may be related the end of the Cold War and the effectivity functioning of the mechanisms envisaged by the UN Charter. After Gulf War, the sanctions system will work effectively imposing restrictions on Iraq, followed by Yugoslavia, Libya, Liberia, Somalia, Cambodia, Haiti, Angola, Rwanda, Sudan, Sierra Leone, Afghanistan, Ethiopia and Eritrea (proliferation of sanctions) with a variety of purposes which sanctions are also intended to analyze (reverse territorial invasions, restore democratic leaders to respective positions, promote human rights or disarmament between others). In some cases, the imposition of sanctions was accompanied sending UN peacekeeping and humanitarian missions. The perception of these autors' study are those sequence of sanctions are more peaceful and light pointing out due negative effects caused socially in those countries target and resulting economic burden, especially for trade sanctions as considered means of economic coercion and forced diplomacy. The sanctions imposed on Iraq, for example, were characterized as a set of restrictions and prohibitions over Saddam Hussein's regime before the invasion of Kuwait. Among these, were used the weapons embargoes, travel restrictions, freezing assets and financial sanctions as a way to force out Iraq's neighboring country.

⁸ Stricto sensu, only the UN Security Council has the power to impose sanctions. In According to Article 41 of the UN Charter states that threaten peace and security International can receive sanctions "may include complete or partial interruption of economic relations and of rail media, sea, air, postal, telegraphic, radio, and other means of communication and the severance of diplomatic relations "

Pape (1997), checking Hufbauer, Schott and Eliot (1990) study data, shows those sanctions were successful in 34% of cases analyzed (or 40 of 115 cases total). It happens, however, from the viewpoint of Pape, only 5 of 40 reported cases were actually successful in the use of sanctions, where the others had threatened use of force or concessions not made as if preview. There are two main types of restrictions for those penalties: commercial and financial. Both can be applied on a given target, before specific situations, such as the Iranian case where oil trade and international transfers were seriously affected. The goal is to affect international trade to the point that the target is required to change their political behavior, which resulted in sanctions. Pape also explain States those pressure were exerted and can generate increasing about internal dissatisfaction from the people who can revolt through public demonstrations, armed action or support opposition groups to seek the overthrow of the current government.

While seeking to achieve the commercial and financial targets, countries issue and support a regime sanctions, also with high costs. According Kaempfer and Lowenberg (1988) sanctions could mean cuts business opportunities and constraints for their balance of payments, which although aimed at changing the political behavior of the target business and harm potential financial transactions or those already negotiated. On this point, it is visible resistance of some countries to adhere a collective regime of economic sanctions, as was the case of Japan that only came to join the expansion of sanctions against Iran after hard international insistence, mainly from the US.

The limitations of trade, markets access, services and supply restrictions of goods cause large difficulties which should arise in negotiations and a possible consensus is hard to reach on the sanctions matter. Wincler (1999) shows that, although theoretically a boycott may have quite a significant range, including isolating the country, access to goods and markets is not fully restricted, with what is called "holes in the sanctions", when third part countries hinder the full implementation of regime system and end up making exceptions to exchange on what was proposed.

John Foster Dulles, US Secretary of State in Dwight Eisenhower administration, said that sanctions are not effective means of resolving disputes. In line with was said by Pape, Dulles explain the sanctions end up harm civilians, punishing them in the foreground and difficulting everyday life hardly reaching the leaders of the target

countries⁹. If sanctions are not meticulously researched and planned, in order to punish leaders, corporations and governments in its range, sanctions would ultimately be ineffective at its end, with the only result punishment of civilians, which is a collateral side effect of its imposition. The main objectives are designed to control weapons trade, impose diplomatic restrictions on international relations (States and Organizations), limit the financial flows and freeze assets (WINKLER, 1999). Government leaders and state-controlled companies, often send funds to accounts in tax havens outside the jurisdiction and scope of the review of sender sanctions countries, which make international efforts to search and consequently unavailability them, turning hard to identify and prevent those transactions.

The critical issue here is how comprehensive a system of sanctions can become. Exceptions are inevitable and the comprehensive nature of these can come up with frequency. According to the Fourth Geneva Convention of 1949, Article 23, imports of medical supplies and food should be outside the scope of any penalty or conflict and should not be used as means of bargaining or trade¹⁰. The text examines the issue from the humanitarian point of view such basic supplies like food and medicines are used for any other purpose than to take care of the civilian population not being able to be locked even in situations of armed conflict. The Convention also appoint a creation of a committee to review established exceptions and requestions for permissions to send other types of aid, such as school supplies, clothing or automotive parts, by representatives of the population, the affected government and international organizations which have to work together¹¹.

As much as there may be attempts to minimize the impact of sanctions for civilians, they are the most affected and vulnerable group in the targeted State. Ion and Vlad (2015) explains:

“Within the UN Security Council resolutions it may be observed that there is no deadline of „x” months or „y” years for which the sanctions are applied. In these conditions subjectivism

⁹ Quoted from Winkler (1999) in ELSNER, Alan. US sanctions policies coming under fire, News Library, 1994.

¹⁰ View: <http://www.gddc.pt/direitos-humanos/textos-internacionais-dh/tiduniversais/dih-conv-IV-12-08-1949.html>

¹¹ Lloyd Dumas proposed the creation of organ able to monitor, intervene and coordinate internal operations in the affected countries in order to not suffer interference from governments and existing target regimes of sanctions. He agreed with that theme then Secretary-General of the United Nations Boutros Boutros-Ghali, but the measure was not effectively implemented.

problem may raise with regard to the lifting of sanctions. There were ameliorations of conflict situations, stopping them for a period of time, but not their ending following application of a sanctioning regime. Instead, the negative results of sanctions were more than obvious and about the resulting effects on civilian population“.

The resulting humanitarian crisis of sanctions has different graduations depending on the scope of the sanctions and the target country. In Iraq and Haiti, for example, the observable impact was quite large. The Oil-for-food¹² program proposed to Iraq was an open channel in order to minimize in any way the suffering of ordinary people, exchanging oil for food and medicines looking to prevent a humanitarian disaster. Already in Haiti, it opened an international distribution channel of food in order to prevent that crisis took proportions more stringent. Drezner (2000) then raises a very difficult dilemma to solve: "How separate the effects of sanctions from other political and social causes that affect the country and affect ordinary people? ". It is essential to track the situation of any target country in verifying the application of sanctions.

The most visible impact of economic sanctions weigh on the employment of workers because sanctions affect international trade, necessary purchases to the chain of production and many necessary changes to domestic economic activities those do not occur, bringing business failure and industries, reduced competitiveness, productivity and production level. There was a proposal, under the aegis of the UN, the body responsible for monitoring the internal situation of the countries, hit by sanctions. Some theorists argue that sanctions, as a form of coercion, may be understood as a stage of war or other type of this, although not involving weapons and directly military conflict. Thomas Schelling (1966) in his study about coercions show therefore even states in the twentieth century was not the first time in which retaliation becomes part of foreign policy strategies of powerful countries, but that happens to be when countries recognize it publicly and spend use other means of pressure on a context not only bilateral. Defines two types of coercion and deterrence compellence, wherein the first type it aims

¹² Oil exchange program for basic items such as food supplies and drugs, under the UN, proposed by the Clinton administration initiative that responding to criticism that the Iraqi civilians were the most affected by the sanctions. Among the means was the creation of an account abroad without access by the Iraqi government for the purpose of delivery of items to order that there was no form of reorganization of the armed forces with resources from the program.

to threaten the use of force and punish, in order to prevent military conflict is actually needed, while the second type refers to the use of threats so that the target interrupt the course of action to which the sanctions are targeted. The basic difference between the two types is that the first is designed to interrupt the ongoing action, as applied against the Hussein regime in Iraq during the invasion of Kuwait, while the second type notes the target before attempting action objectives imposed by sanctions.

Bratton (2005) affirm that the concept of punishment involves several risks, threats and choices, by whom imposes determining how wide can be the scope these, and who is the target, changing or not the course of action to which it is involved. It also states that coercion depends on credibility or ability to meet threats which penalties are object, and persuasiveness, as measured by potential impact to which the sanctions are able to achieve. Sanctions can not achieve both characteristics depending on the situation, the State powers involved, the actors and how trenchant they can be.

The effectiveness of international sanctions is a topic much criticized in literature. Nossal (1989) focuses his study on this issue, stating that the imposition of restrictive measures in the form of sanctions has actually been ineffective for purposes for which they propose. The author then asks: "*If the sanctions do not work, why States continue to use them?*" (p.302). From the thought that sanctions are "punishment instruments," the author develops this perspective follows in an attempt to distinguish sanctions to other forms of political punishment (It is constituted as a form of international punishment in the sense that has its application legitimized by many actors) and considering the possible purposes of punishment, such as compulsion, prevention and retribution as instrumental means to achieve the desired purpose. Prior examination from sanctions imposed over the USSR by the US after the invasion of Afghanistan as seen as an act of punishment, where the United States sought to limit the sending of grains supply to the Soviets as a form to pressure them to leave the Central Asian country or change somehow the course of action. This author also declare that sanctions can be means to force application of international law by economic coercion.

States try to achieve compliance, subversion, deterrence, international or domestic symbolism, according James Lindsay (1986). Be howsoever classified sanctions are means used to exercise power and achieve political goals, placed in response to certain actions. Following the line of thought of Thomas Hobbes, there is no

legitimate authority in international politics nor law can compel any State to any attitude and that therefore no punishment, but only acts of hostility. Punishment to compel (to the Soviets take its troops from Afghanistan), to deter (prevent other countries to do the same as the Soviet Union invading third others countries, which had no effect by the little force imposed by the Carter administration when China invaded Vietnam and Tanzania did the same with Uganda) or return (do not allow impunity on violations of rights and peace).

Baldwin (1999) works with different views on the operability of sanctions given the diversity of scholars thought. The question of choice on sanctions is before whether or not options that effectively replace the use of military force. It also includes alternatives to the use of force and the costs of their implementation. This author works with the concept of effectiveness of the sanctions under the aspects of scope (tariffs, nuclear tests, respect for human rights), weight impact (high, medium or low) and domain (number of affected countries and international organizations), therefore how more difficult to ensure the effectiveness of sanctions, greater can be the impact of their value. For Robert Pape (1998) in less than 5% often sanctions are more reliable than the use of force, is not, therefore, a plausible alternative.

Penalties can be considered as an alternative of deterrence as diplomatic element or show of power having a comparable effect to advertising before the use of force. The application of sanctions is not always less expensive than use of military force and the issuer of the sanctions look hard to prevent that not create a negative image of yourself (LINDSAY, 1986).

Drezner (2003) says that although it seems logical, international cooperation and implementation of sanctions should be successful although statistical tests on his study showed no correlation between the two variables. He also says that cooperate could end up generating failures by disagreements between the countries applicators of penalties for different degrees of interaction between the sanctioning countries and because the primary sanctioning be unable to apply the enforcement shown then that multilateral sanctions may be the target of sabotage, not by bargain problems, but for difficulties to apply that enforcement with the same intensity for all stakeholders. The support of an international organization is a key to success of sanctions. Although there is no specific organization for monitoring sanctions, the role of organizations such as the International

Atomic Energy Agency (IAEA), the Organization of American States (OAS), the Organization of the Petroleum Exporting Countries (OPEC) among many others, make more efficient enforcement on the specificity of each case. Coalitions may initially be composed of countries consistent with their penalties goals, but in the process may change their positions by various incentives or lapse of time.

1 THE EMBLEMATIC CASE OF IRAN

As a signatory of the NPT Treaty¹³ (Treaty of nuclear non-proliferation), the Islamic Republic of Iran is obliged to declare all its nuclear activities for IAEA¹⁴ although Article 4 allows the development of peaceful and controlled nuclear program for energy generation. It happens that there is a great distrust of international community on the allegations made by the Tehran regime. One of the such distrust reasons is the fact that Iran has failed to communicate the IAEA progress of its nuclear program during part of Mahmoud Ahmadinejad¹⁵ administration of which has resisted the implementation of the UN Security Council resolutions: 1696 and 1737 acting without compliance (ROCHA AND PEREIRA, 2014).

According to Christy and Zarate (2014) there were two types of talks with Iran between 2002 and 2015 (when the P5 + 1 group¹⁶ achieved an agreement with Tehran) which are diplomatics and pressures. At least 28 diplomatic negotiation rounds and 33 rounds of pressure that ran in parallel involving several actors, as UNSC¹⁷, IAEA, the

¹³ Treaty signed in 1968 which seeks to limit the number of countries possessing technology nuclear for military purposes and the reduction of existing stocks. Among the controversies of this treaty is the fact that the SC-member countries maintain unequal status acquired after the war, fact questioned by India and the existence of weapons in Israel, India and Pakistan, not a signatory the Treaty. It currently has 189 members.

¹⁴ It is a UN specialized agency created in 1957 to monitor the activities of this matter the world, as well as the mineral trade which might be so used. Count with 137 members who work together for peaceful scientific and military use of nuclear energy in the world.

¹⁵ Mahmoud Ahmadinejad, 6th President of the Islamic Republic of Iran, considered controversial by its many controversial statements while he was in power. Regarded as a political hardliner, It was widely criticized by the international community, among other reasons, to deny the existence Jewish burnt offering during World War II.

¹⁶ The P5 + 1 is the group formed by the permanent members of the UN Security Council plus Germany which since 2006 has joined efforts to negotiate and reach an agreement on Iranian nuclear program.

¹⁷ United Nations Security Council, composed of the members-permanent (US, Russia, UK, France, China) plus 10 rotating members.

USA, European Union, WTO¹⁸ (this, as inclusion promise in case of normalization of economic relations and financial assistance programs of energy as part of the Geneva negotiations).

Khajepour (2013) says that the sanctions it hardly only reach the political goals proposed. The case of Iran is emblematic itself. The USA and the EU have maintained sanctions as instruments to impact the target countries only have the tendency to change the political course if convinced that their original policies, if maintained, generate high costs. The first US unilateral sanctions against the Persian country started in November 1979 in response to crisis involving hostages at the American Embassy that ended after last 444 days of tension including a ban on imports of oil from Iran and interruption of sending aid and military assistance to the country, besides the Iranian assets in the US and its subsidiaries and banks in another countries were frozen. With Argel Agreements¹⁹ of 1981 and the solution to the hostages, this first round sanctions was softened. In 1984, Iran was classified as a "state sponsor of terrorism"²⁰ and, therefore subject to new sanctions. Since 1990 the US Congress approved several acts allowing the expansion of sanctions. During Clinton administration Iran was considered a threat to the US security and interests being declared State of Emergency on the grounds of supporting movements like Hezbollah and the Palestinian Jihad threatened the peace in the region. Iran's isolation policy caused the elimination of any possibility of dialogue and trade between the two countries. In 1996, the US Congress passed the ILSA (Iran-Lybia Sanctions Act) where prohibit companies from doing business with Iran and Lybia. After 2006, Lybia was removed of this sanction act changing the acronym to be recognized under ISA. In this act, any development assistance in the area of oil coming from any American source would be prohibited, as well as any loans or international trade aided by American institutions.

¹⁸ World Trade Organization multilateral organization that aims to reduce protectionism in international trade and the proliferation of bilateral treaties, promoting multilateralism and negotiations in Spins.

¹⁹ Refers to the agreements signed in Argel, Algeria in January 1981, ending the kidnapping of 59 US citizens who were held hostage for 444 days after taking the US Embassy in Tehran during the Iranian Revolution.

²⁰ According to Department information. US State. View: <http://www.state.gov/j/ct/list/c14151.htm>

The UNSC imposed a series of sanctions looking for the suspension of uranium enrichment under IAEA rules, which are as follows²¹:

- Resolution 1696 (July 2006): determines the suspension of all activities, enrichment and processing of uranium and all radioactive materials;
- Resolution 1737 (Dec 2006): freezes the overseas assets of companies and people connected with the nuclear program and determines the suspension and cooperation with the IAEA;
- Resolution 1747 (Mar 2007): imposes arms embargo on the country;
- Resolution 1803 (Mar 2008): imposes monitoring of any banking and financial activities to the country, expands the freezing of assets and determines inspections of aircraft and boats abroad;
- Resolution 1929 (June 2010): prohibits the participation of Iran in exercises and activities with ballistic missiles, expands the weapons embargo and freezes funds and assets of the country and the Revolutionary Guards, restricting foreign institutions to operate in the country;
- Resolutions 1984 (2011) and 2049 (2012): renewed the Committee's mandate and power over Iran's sanctions.

In addition to the sanctions imposed by the UN, several other countries have imposed unilaterally sanctions cooperating with multilateral efforts to pressure Iran to suspend its nuclear program, which are: United Kingdom, Canada, Australia, Israel, Switzerland, China, India, Japan, South Korea, European Union and others, including suspending the country from the global banking system via SWIFT²².

The main purpose of sanctions is to prevent Iran had ability to develop nuclear weapons. In 5 years Iran has increased its stock uranium slightly enriched in nearly 1000% (839 kg in November 2008 to 8271 kg in February 2013) and increased the number of centrifuges from 7100 in April 2009 to 12,669 in February 2013. Iran's uranium usually reaches 20% of enrichment (MACALUSO, 2014).

²¹ Sanctions Regimes - Department of Foreign Affairs and Trade. Australia. Available in: www.dfat.gov.au/sanctions/sanctions-regimes access 29/05/2015

²² Akbar E. Torbat, US Embargoes Iran over the Nuke Issue, 8 July 2012. Available at: <http://www.informationclearinghouse.info/article31795.htm> Accessed: 28/05/2015

In 2010, Brazil and Turkey have managed to reach an agreement with Iran on its nuclear enrichment program in what became known as the Tehran Declaration whose was signed document in 2010, brokered by Brazil and Turkey enumerating 10 items objectively, offering an alternative to bilateral sanctions imposed by the US and EU and multilateral sanctions imposed by UNSC. This statement also indirectly involve the IAEA and the Vienna group²³ that was expected, came to express agreement with the document (ROCHA and PEREIRA, 2014). The goal of Brazil and Turkey was to create a trusted environment for future negotiations. They reaffirmed the commitment and the right of the signatories development of research, production and use of nuclear energy for peaceful purposes, under Article 4 of the NPT. Under the vision of the signatories the use of sanctions is problematic as causing humanitarian damage, imposing privations unnecessary to the affected population.

This process began when Iran asked the IAEA purchase LEU²⁴ fuel to 20% to fuel the reactor research Tehran that produces medical equipment for the treatment of cancer. This type material does not allow the increase in enrichment, required for military purposes, both because of its size and because of its degree of radioactivity that would have to reach 90% level required for military use, as stated by Brazilian Ambassador Celso Amorim²⁵. This request was seen by the Vienna Group as a possibility of negotiating with Iran, before which it was proposed to provide the material required in exchange for the removal of 1,200 kg of uranium existing in the country to deposit in Turkey. It happens that was offered 120 kg of uranium pellets to 20%, above the amount required by Iran and would not be used in its entirety by account of the life of the reactor and the cost of storage and safekeeping of not reusable material, which was expressed by the country with the IAEA. It occurred so that there was a insistence in those quantities and moreover the exchange of time and place, reasons which was also disagreement and who acted as Brazil and Turkey negotiators in the process called Iran Talks (VIEIRA DE JESUS, 2012). Iran fulfilled the protocol and responded in a timely acceptance of the conditions which the Vienna Group required (time, place of exchange and quantities) of which at the time, Mohammed ElBaradei,

²³ The Vienna Group are composed by the USA, France, Russia and the IAEA.

²⁴ LEU (Low-Enriched Uranium), whose uranium radioactive isotopes do not exceed 20%.

²⁵ Interview on 11 August 2015 by Ambassador at the Getulio Vargas Foundation headquarters in Rio de Janeiro, where I attended personally, at the lecture Tehran, Ramallah and Doha memories of an active and proud foreign policy, referring to the eponymous book of his own, when willing to answer questions about his period served as Brazilian foreign minister and main Negotiator of the Tehran Declaration.

then president of the IAEA, came to praise the Iranian attitude and stating that it was a unique opportunity which should not ignore. For more surprising as it may seem, the Vienna Group rejected the offer and applied new sanctions on the country, which led to more pressure on the Iranian economy.

In 2015, the Geneva Agreement is signed before long negotiations. It has 245 items, divided into three sections and preamble. It is a document restricted and provisional that aims to pave the way for future agreements, and build trust. Redefine also that Iran would have no right to enrichment uranium, in a political game which aims to accommodate and reduce the resistance of Conservatives in the United States an agreement with Iran. Unlike the Tehran Declaration, there will be no withdrawal of Iranian material, but is committed to dilute the material from 20% by at least 5%, and should have no enrichment process above 5% in six months after the signing of the agreement, not raising the level of activity of plants of Natanz, Fordow and Arak. Conversely, no more efforts to limit oil sales abroad beyond the elimination gradual sanctions related to insurance and transport related to oil, as well establish the commitment of no new sanctions by both the US and UN Security Council regarding its nuclear program. From a humanitarian point of view would be created a financial channel transfers for this purpose. This agreement, unlike the Tehran Declaration, promotes a bargain and includes alleviation of sanctions (ROCHA and PEREIRA, 2014).

It turns out that despite the gesture reliable proposed in 2010, the political context of 2015 is different. The election Rouhani for president and the negotiator Javad Zarif station granted, old Iranian diplomat at the UN and well-regarded by Westerners, it is recognized as a sign of opening this process with greater margin trading, and is best seen the international community. In the US, the first agreement was in the first term of President Obama, adopting a conservative stance. In the Geneva Accord, the US president in his second term, act more independently of internal pressures and has more willingness to negotiate with a more moderate government. Moreover, Obama's government has sought to reduce dependence on energy resources of the Middle East exploiting shale gas, promoting the construction of a pipeline with Canada and buying more oil from the South Atlantic countries. Another reason is the provision that the Obama administration has to renew the US relationship with the UN, which was quite worn out by the government of his predecessor, and the Declaration of Tehran was

headed by an unusual group of countries which does not depend of UNSC decisions. What actually weighed in this process, according to Rocha and Pereira (2014) was the political timing and not Iran's bad faith as exhibited widely in the media, for reasons of political interest of the leaders. According to the American government, all sources of acquisition of uranium and plutonium and enrichment of nuclear material are blocked with a 2015 signed agreement. It is then necessary hundreds of thousands of centrifuges and uranium highly enriched for possible to construct a nuclear weapon and then stock enough material to build 8 to 10 of these devices with the available material which is estimated at about 19,000 centrifuges. It would be so simple matter of time to enrich uranium on its territory and mount the nuclear arsenal, which are of concern of the international community. As according uranium inventories will be decreased and the steps needed to create military artifacts would be blocked and the number of centrifuges would be reduced to 6104 in the next ten years. The country is subject to constant inspections that the IAEA monitor its nuclear program and any activity that may be developed in this sense.

The effects of sanctions on Iran are the most diverse. The country stopped selling about US\$ 480 billion in oil to 2012²⁶; the national currency, the Rial, suffered sharp depreciation, which boosted inflation and damaged the basic access of goods and which caused increased trade via "black market" to purchase several products (the currency value were depreciated around 80% in one year from Mar 2012 to Mar 2013). High costs are also perceived by enforcers of sanctions, both in commercial losses as jobs, especially the US, Germany and France (NIAC)²⁷. If Iran could normalize its oil exports, is estimated the global commodity price fell by about 10% of less average²⁸. The Iranian health system has also faced problems in that difficulties arose to import medicines and equipment for a number of cases such as illness heart, cancer, hemophilia, among others, not to be part of the international system of payments²⁹.

²⁶ Time to test Iran's nuclear intentions. The Financial Times. Available in: <http://www.ft.com/cms/s/0/b1851c66-596e-11e1-abf1-00144feabdc0.html> Accessed: 28/05/2015.

²⁷ National Iranian American Council. US civil organization to promote democracy and human rights.

²⁸ An Ethical Analysis of the Modern Sanctions Regime Against Iran. Available in: <http://www.e-ir.info/2012/08/15/an-ethical-analysis-of-the-modern-sanctions-regime-againstiran/>. Access 27.05.2015.

²⁹ "Haemophiliac Iranian boy 'dies after sanctions disrupt medicine supplies'." Available in: <http://www.theguardian.com/world/2012/nov/14/sanctions-stop-medicines-reaching-sick-iranians>.

Accessed: 05/28/2015

The Iranian oil exports account around 50% of government budget. With the expansion of sanctions imposed by the US and EU in 2012, exports of this commodity fall about 60%, due to the European membership countries decreased purchases, which corresponded about 18% of Iranian exports. Also China, promoted decrease exchange of Iranian oil suppliers, decreasing 21% of total oil purchased. Asian countries accounted for 60% of oil exports from Iran. Despite being one of the largest producers, Iran depended heavily on imports of gasoline and the US sought to prevent Iran could develop its refining capacity and import of this good, in the same period deliveries of gasoline increased from 120,000 barrels per day to 30,000. Many multinational companies withdrew their investments from Iran fearing of his reputation and for any possible damage to its business, as Caterpillar, Daimler AG and E&Y. The Iranian automotive production decreased 40% between 2011 and 2013. Many Iranians dollar assets were frozen becoming inaccessible to international business with oil (WH 2012).

According Macaluso (2014) sanctions against Iran, therefore, may have been ineffective by following reasons :

- Proliferation objectives and the persistent gap in strategy (the objectives of sanctions from 1979 to the administration of Bill Clinton was quite varied seeking to punish and in some cases engage him in negotiations that resulted in enough frustration. As effects of pressure, we have no recognition of Israel, terrorist threats (even if veiled), human rights violations and strong destabilization of the region). After George W. Bush terms, the focus of sanctions passes to isolate Iran financially and economically forcing trading. With Barack Obama, the Islamic Republic is recognized and strategy engage in negotiations with proposals, not only pressure, It has brought very different results so far obtained;

- Limitations on the Obama strategy (President Obama has worked with its closest international allies intending to increase pressure on Iran and isolate it internationally cutting the sources of international funds and seeking to open ways of trading multilateral cooperation. In this connection includes financial, banking, insurance, transportation and energy. From the isolation efforts international and difficulties arising in obtaining resources they caused, domestic changes are expected before the deprivation and changes that may occur in the country, opening two pressure

fronts an international and a domestic one, forcing the government to change its behavior and policies to meet the demands of the population.

During the Obama administration, acts on sanctions against Iran emerged which to prevent nuclear proliferation, expanding the scope of these to isolate the Iran financial and economically and impose extraterritorial restrictions over the country international banking system on the grounds that the country had been identified as money laundering jurisdiction. Multilateral sanctions against Iran have emerged as a US effort isolate the country internationally and cause the Iranian government to feeling confined with little relationship options. By the end of the Cold War, few options have emerged in this direction with minimal penalties imposed by US allies and they had no significant impact. The EU opposed the establishment of trade restrictions with Iran, tending by diplomatic means not adhere to efforts of Americans and in 2005 the EU came to report that block companies would not join the measures applied by the US on Iran. After the IAEA report released on Iran, the UN Security Council will adopt measures prohibiting trade in nuclear materials and arms exports, freeze assets of people and entities related to these activities. The Resolution 1929, was with the most comprehensive in the field of UN sanctions without there was opposition from Russia and China.

Measure the real scope of the sanctions on the economy and the Iranian population is quite difficult, and unlikely hit due to the evolution of the regime sanctions, the constant adjustment of the domestic economy and the constraints difficulty of separating the direct impact of internal policies, the governance of Iranian companies to external shocks and the international recession.

Nevertheless, in 2014 the US Department of Treasury ranked Iran as "country sponsor of terrorism" by continuing to provide aid financial and military to organizations like Hesbollah³⁰. The size and influence of Iran's economy are not negligible. The World Bank Data report that the country has a GDP of US\$ 415 billion (indicating a growth of about 3% over the previous period) and has increased its CO₂,

³⁰ Hezbollah, or Party of God in Arabic, is a political-military organization in this Lebanese territory being considered as terrorists by several states. Has Shia affiliation and support International mainly of Iran to develop its activities, which are included social and communication services.

which indicates growth economic activity³¹. About 80% of oil produced by Iran is exported within the Middle East itself. Between the forms that Iran has used to mitigate the effects of sanctions are "barter" between products and the use of bank informal mechanisms. Investing and doing business in Iran involves high risks for investors. The black market has been a constant (goods traffic) corresponding to about 21% of the country's economic flow (VISENTINI, 2010). The Iranian government has denied the effects of sanctions and blamed West of trying to harm the country, trying to undermining the credibility of the International institutions. This effort seeks to show citizens the ability to resistance and adaptation of the country, in addition to strengthening national identity, using an ideological rhetoric of the regime. The power of ambition to integrate the international system and to exercise its regional power made the government of Iran tried in every way to minimize the impact of sanctions and with the possibility of negotiation seeks maximum advantage to get out of its isolation. Iranian leaders try to make it clear that the country will not be intimidated by threats of military intervention and interference in its internal affairs and trade is a choice, not an imposition.

2 EL BLOQUEO DE CUBA

Embargo, as a kind of sanction without specific coding in international law³², can be understood as an attempt to punish a country isolating it commercially and making it difficult to exchange with the outside. This punishment may have various reasons, from a form of retaliation to attempt to strangle the economy for political reasons.

In the modern era the greatest embargo which has news was that imposed by Napoleon Bonaparte against the United Kingdom during the so-called the Continental System, a deliberate attempt to financial strangulation and economically against British forbidding France and the countries under his control, to maintain any kind business with the other side of the Channel.

³¹ Data from World Bank: <http://data.worldbank.org/country/iran-islamic-republic>. Access on October 2, 2015.

³² See Pedreschi (2014)

El bloqueo, as they say Cubans, also refers to a type of lock with similarities to the aforementioned. It is a commercial and financial embargo imposed by the US against Cuba in place since February 7, 1962, in which it is as the longer embargo duration. Although there are talks of rapprochement between the US and Cuba and a possible suspension of the embargo may occur only by law approval by the US Congress.

Before the current blockade, the US had suspended the help sent to then dictator Fulgencio Batista in what became known as "Military Embargo"³³. Batista fought at the time against the guerrilla movement led by Fidel Castro and the US aid was crucial in containment effort advance Castro. Although Batista count on US support to date, this episode marks a break before the US attempt to remove it and allow another ruler with greater legitimacy, came to power in order to prevent Castro advances. As a way to pressure the US decided to suspend its aid and allow Batista made weak, a move that could have different results. At that point, Fidel Castro was still not seen as eminently communist by USA (PATERSON, 1994). With the victory of Castro's revolution in Cuba and the subsequent nationalization property, the US stiffen against the regime, at first cutting quota of sugar imports that the US did in Cuba, the main product of the agenda exports of the island which caused surplus at a time when there was difficulties in selling the product. That was not the only reason, but it is considered the catalyst of the approach of Cuba to the USSR, a bipolar and highly hostile environment.

When the Soviets accepted buy the excess stranded product, the US react to impose a total blockade of Cuban exports. The Eisenhower administration, following these events, breaks diplomatic relations with Cuba in January 1961, establishing travel restrictions to Americans who want go to the island and the freezing of Cuban assets in the US. In 1962, President Kennedy formalizes the Embargo on Cuba expanding restrictions trade with the island under the scope of the Trade Act with the Enemy (FREDERICK, 1992). The OAS³⁴ imposes sanctions on Cuba under pressure of the US,

³³ Available at <http://www.bbc.com/news/world-latin-america-12159943>

³⁴ Organization of American States. supranational organization founded in 1948 which aims the defense of American interests on the continent. Composed of 35 Member States have participation of Cuba resumed after 2009.

which it extends from 1964 until 1975 when the Carter administration relieves pressure and releases Latin American countries to maintain "responsible" relations with Cuba³⁵.

The US restrictive policy toward Cuba comes as a reaction to confiscation of American properties on the island and approach this with the USSR in 1961. The Cuban revolutionary support revolutions in Latin America and Africa, as well his controversial domestic policy, are considered consequential in isolation the Cuban government. Many believed that with the fall of the USSR, Cuba would rapidly changes as occurred in Eastern Europe, but the Cuban regime endures and survives, although budgetary pressures were intense, if behaving more like China and Vietnam than the Russians after the Wall's Fall in Berlin, promoting little change in its policy.

After the end of the USSR, the United States decided to increase pressure on Cuba trying to restore the prohibition that US subsidiaries present in third countries make trade with Cuba. Brenner, Haney and Vanderbush (2002) argue that from 1989 to mid 1990s the Cuban GDP declines about 40%. This was due to high dependence created by the Cuban economy of investments and subsidies targeted by the USSR and its satellites and that after the disintegration of the eastern block, are now no longer exists. An deliberate policy of attracting foreign investment can cause some countries start to access niche markets opened by Cuba. Foreign investments made by Mexico, Canada and Spain give breath to the Cuban economy that grows back and causes fears that future North American investments in the island could suffer strong external competition.

The political weight of the Cuban-American community has grown considerably. From the 1980s and therefore their political pressure mainly in Florida and New Jersey, states where most Cuban immigrants established. Bayless Manning coined in 1977 the term "Intermestic" to designate the political issues that are not exclusively domestic or either international³⁶. A practical example of its application is the reaction of the US government after the visit of Pope John Paul II to Cuba in 1998. As the administration would work with his own party, with the pressure of cuban americans and with external allies to accommodate interests?

³⁵ View <http://www.oas.org/columbus/docs/OEASerCII.9Spa.pdf> access 9/9/15

³⁶ See in Foreign Affairs No. 55.

Applies in these situations what Putnam (1998) called Two Level Games³⁷. Then there pressure groups that act in an anti-Cuba policy, restrictions and hardening measures against the island. There are also those groups that advocate for the cooling of the restrictions, the opening and resumption of dialogue, exerting considerable pressure on the government. Externally, the US allies judge to do necessary opening measures under different conditions of Cuban government wants, but approaching and dialogue, while historically the Cuban government makes international pressure against Embargo account thickening the anti-American sentiment around the world. Flexibility and skill government negotiation prioritizing capacity of interests which is relevant defense at an appropriate time can be the difference between success and failure.

Rojas (2004) explain that Cuba since 1959, had adopted an offensive position in order to spread socialist ideology in the world with sending troops to Africa, doctors to different countries, training and sent weapons to socialist militias. However, the end of Cold War radically changes the scenery and the country starts to act in a defensive way adopting a victim posture regarding of the US blockade and seeking to garner international support for his regime. In Mexico, which had controversial and not necessarily democratic governments for much of the twentieth century, Cuba had international supporting front of the international isolation suffered, no stimulating in turn, left radical movements in that country. It was an agreement veiled that worked until 1990 when negotiations for free trade with the US were initiated. Thus, Cuba looking for other allies in Latin America, meeting in Venezuela a favorable partner, cooperating with this in the areas of oil, medicine and security.

In 1992 issued the Cuban Democracy Act, also called Torricelli Act, under pressure and influence of the Cuban American National Foundation (CANF)³⁸. The

³⁷ According to Putnam, national leaders after having internationally negotiated agreements and treaties must bring them to the domestic sphere and obtain ratification (formal or otherwise) for this their internal validity. Conversely, domestic interests must be accommodated and refined so that the leader can act in unison and clearly in international negotiations, managing internal pressures, such as parties, lobbies, corporate interests and others. An uncompromising leader hardly continue long in power for not having the ability to negotiate and prioritize what it is important for the state at a certain specific time, even if other interests They can be considered later.

³⁸ CANF is a lobbying organization that preaches the transition to a liberal democracy in Cuba. It is formed by Cuban exiles in the United States and was founded in 1981 in Miami and received official incentives and funds from the US government, including operating the Radio and TV Martí, stations designed to Cubans from US. bipartisan efforts to relax the sanctions, They gained momentum after the visit of Pope John Paul II to Cuba in 1998 and his open criticism of the Embargo supported by the US. However, anti-Cuba lobby organizations such as CANF opposed strongly, using his means of influence and getting even mobilize Vice President Al Gore against relaxation of the lock.

pressure from Cuban-American community in the 1990s was towards economically strangle Cuba and destroy the socialist system. The Torricelli law imposed difficulties to third countries negotiate with Cuba. The Helms-Burton law, enacted shortly afterwards, has further deepened the difficulties of relationship, creating the possibility of companies outside the US which do business in Cuba are targeted by sanctions.

The Torricelli law³⁹ was passed in a presidential election context in 1992. Initially found then the opposition of President George Bush (the father), but by pressure from anti-Castro representatives in New Jersey and Florida and supported then by candidate Bill Clinton, was ended up being signed for the President. This law deals strengthening Embargo and range prohibiting outside American subsidiaries to negotiate with Cuba, restricting boats which berth in Cuban ports to trade on the US for up to 6 months (and vice versa) and that empowers the US president to apply sanctions on governments that eventually assist Cuba. This law could only be revoked in the event of direct and democratic elections in Cuba. Another important point of this law is that trying densify the contact between the two peoples and strengthen civil society actions and NGOs as interference against the authority of the Cuban government toward democracy (FERREIRA, 2004).

Bill Clinton, at the beginning of his second term, then sends Helms-Burton Act⁴⁰ coding and unifies all the executive orders issued by then, restricting trade with Cuba (BRENNER, HANEY, VANDERBUSH, 2002). It had the effect also to toughen the embargo, which can only be stopped by new legislation issued by American Congress.

Shortly before, in February 1996, an organization called Brothers to the Rescue, flying over Cuba, was shot down by order of Fidel Castro killing the four occupants of the aircraft. This organization, formed by American Cubans based in Miami, is proposed to rescue Cubans whose were fleeing Cuba also making strong political activism against the Castro regime and Cuban inciting "flee the dictatorship." After that, the opposition to the Cuban regime increased. In March 1996 the President Clinton

³⁹ The name is due to the Representative Robert Torricelli (D-NJ), who presented the proposal US Congress.

⁴⁰ The Helms-Burton Act of 1996, also known as the Cuban Liberty and Democratic Solidarity Act (LIBERTAD) represented more pressure the US against Cuba at a time of intensification of tensions after the overthrow, by the Cuban armed forces, two planes

signed the Cuban Liberty and Democratic Solidarity (Libertad) known as the Helms-Burton Act partly in response to the slaughter airplane with an executive order to restore democracy in Cuba by restricting people and companies of third countries that commercialize with Cuba and limiting the entry of Cubans in the United States. The act of objective points include the establishment and execution of free and fair elections; respect for basic civil and human rights of Cuban citizens and progress in establishing an independent judiciary, and the return of the US properties confiscated by the Cuban government on the Revolution. The main objective of the Helms-Burton was to inhibit investments and third-country business in Cuba using American resources.

Lowenfeld (1996) compares the effects of this act as a classic boycott, the same type did by Arab countries to Israel after The Six-Day War. According to the same author, Helms-Burton Act expresses the insistence of the US Congress in prevent the participation of Cuba in the OAS and block any possibility of Cuban government's access to international financial institutions like the International Monetary Fund, Inter-American Development Bank by the US vote bill also authorizes the denial of assistance to any country that supports Cuba financially.

Santoro (2010) states that the outcome of the Elian González⁴¹ case benefiting father, generated ire of anti-Castro movement and favored the outcome of the presidential election in favor of George W. Bush in Florida. This episode was inserted in a delicate period of relations between the two countries called the "Baseball Diplomacy". The national Cuban team and Baltimore Orioles shared fields of Havana and Baltimore in 1999, as a sign of mutual respect after the Papal visit of 1998. The Gallup Institute monitored the support of public opinion in the US regarding

⁴¹ Elian Gonzalez, a Cuban national, whose in 2000 was six years old and was taken by his mother to Florida when both escaped by sea. Separated parents for some time, the mother made the decision alone without notice it to the Elian's father. After a shipwreck and several hours at sea, the Elian's mother dies and boy turns out to be rescued along with other castaways. The uncle, who lived in the stronghold of Cuban exiles, Little Havana, takes care of the boy living with him for seven months. The father then passes the request along to the US government of return his son to Cuba in a dispute with family in Florida that hosted Elian. This case reaches of the Supreme Court of the United States (SCOTUS) whose decides in favor of the father, shared decision with President Clinton, but the uncle refuses to release the boy. an episodewhich included media coverage, the immigration service breaks into the house and cut the strength the boy returns to his father, already on American soil until the release of both travel back. Today, Elian is a 22 years man and says not regret having lived on the island and want to travel to the US to reconcile with family and thank you for the effort you have made for him.

normalization of relations during 1992 and 1999 noting that support for standardization it reached 71% against 25% opposed in May 1999⁴².

Clinton then seeks to facilitate personal encounters between family members what was not adopted as policy by his successor. President George W Bush took the "Relationship" with Cuba to the coldest possible level freezing any approach and supporting pro-embargo claims in Florida. Bush hardens speech against Cuba and impedes any form of dialogue between the two countries. After the attacks of September 11, 2001, the US begin to accuse Cuba harboring terrorists on the grounds that the regime in Havana provided shelter for American fugitives and terrorists. On the report called Patterns of Global Terrorism⁴³, Cuba was identified among the "irresponsible states" that hosted and sponsored terrorist organizations like ETA, IRA, Chilean rebels of FPMR and the FARC guerrilla, plus US fugitives, although Cuba has ratified 12 conventions of International terrorism. Santoro (2010) states that there was an agreement with Cuba and the Spanish government for the presence of ETA members on its soil; IRA members which was referred in the document were in Ireland and Chilean members of senate denied the charges against the FPMR denying Cuba ties with such an organization and the Colombian government recognized negotiations with the FARC. The extradition of US fugitive could not be performed because there is no bilateral extradition agreement.

Although Bush has allowed to send food and medicine due to the effects of Hurricane Michelle devastated the island in 2001, these exceptions open occurred more by international pressure than by the US domestic policy initiative which ended up a "hole in the Embargo system". Fisk (2001) states that there was strong pressure from the North American agricultural sector so that there were ways to ease the embargo and operate on the market Cuban valued at US\$ 3 billion during the Carter administration, this market that was closed to the Americans, but open to Canadian, Brazilian and French.

Although the US adopting humanitarian aid programs that included cultural and scientific exchange with Cubans and NGO projects to be implemented in Cuba,

⁴² From <http://www.gallup.com/poll/181625/americans-opinion-cuba-highest-nearly-years.aspx>

⁴³ Report published annually by the Department. US State, identifies the countries suspected to host, finance or encourage terrorism in the world. In that context, the Bush administration identified in 2001 countries of the "Axis of Evil" and other States pariahs in which Cuba He was included.

restrictions on trade and credit kept in order to not grant conditions to the Castro regime. Exceptions such as the sale of food and remedies exists, they should be made in cash (FISK, 2001). American agribusiness was allowed to invest in Cuba since had clear conditions of free admission and dismissal of employees and payments and any restriction from Cuban government agencies.

The effects on the health of the civilian population is difficult to measure. According with Krinsky and Golove (1996) study, which were examined some of the effects on health in the 1990s, about 50% of protein and calories for human consumption in Cuba were imported. Food policies protection reached more elderly, children and women (considered as the most vulnerable group population) and affecting people of working age, especially men. The average calorie consumption was about 3100 in 1989 to 1863 calories in 1994. Some data on the mass of newborns also claim to have been a decrease. The percentage of pregnant women without proper weight reached 9.3%, with scary 50% of anemic in that group⁴⁴. Another critical point was the fall of the Cuban economy in the 1990s led to product acquisition difficulties needed for water treatment which caused increased water use without treatment. The population without access to safe drinking water reached 12% in 1994⁴⁵ that therefore it led to an increase in diseases such as diarrhea. Data the Cuban Government informs rate of 6.8 per 100,000 inhabitants in 1993. Malnutrition associated with poor water quality brought up the Tuberculosis mortality rate 48% of 1992 to 1993. Public transport system was also affected with a drop in the frequency of breaks bus for lack of repairs increase in unemployment and underemployment with decrease in the standard of living of the people. Many families depended on shipping resources of their relatives in the United States to survive. The disappearance of prostitution and homeless, some of the goals of the revolution, returned to again observed that period⁴⁶. Despite all these difficulties, Cuba was the first country to receive the certified of free polio virus territory in 1993⁴⁷.

⁴⁴ See Ubell R. High-tech medicine in the Caribbean. *New England. Journal of Medicine*. Ed. 83; 309: 1468-1472.

⁴⁵ View National Accion Program. Havana, Cuba.1992.

⁴⁶ View FRENCH, H. Cuba's ills encroach on health. *New York Times*. July 16, 1993: A3.

⁴⁷ View MAS LAGO, P. RAMON BRAVO, J. ANDRUS, JK, et al. Lessons from Cuba mass campaign administration of trivalent oral poliovirus vaccine and seroprevalence of poliovirus neutralizing antibodies. *WHO*. 1994; 72: 221-225.

The Cuban government tried to minimize the impact of the economic crisis, despite the food rationing and shortages of some goods. Some actions included encouraging the use of bicycles and draft animals instead of motor vehicles; use of plant protein replace the animal's. Many babies were exclusively fed by breast milk reaching 97% rate of newborns⁴⁸ in 1993. Imports of medical items, which reached US \$ 227 million in 1989 fell to US \$ 67 million in 1993 and was compounded by many of the necessary items for use in health was produced in the US⁴⁹. Despite all the hardships faced in that particular period, managed to provide universal health coverage and maintain low mortality rate and continuing care for the elderly as a reference in geriatric treatment⁵⁰.

Pérez-López (2008) say exports of food originating from the US jumped from US\$4 to US\$432 million from 2001 to 2007, creating an exception very strong in the Embargo. The change of generation in the Cuban-American community in addition to the fact that been discreet but efficient military cooperation between the two countries (Combat drugs, Haiti crisis) makes understanding were possible, although the approach of difficulty still exists. President Barack Obama got the most votes of the Cuban-American community in 2012, considered one Republican stronghold which increases its legitimacy in the process of rapprochement in progress. Chinese investment in the oil and Canadian area in nickel mining helped economic recovery. Small businesses linked of the tourism industry also favored but the main flaw of this reform was in agriculture, with the fall in sugar production by low competitiveness global market, in addition to food insecurity has worsened with the need growing food imports. The US, through the Trade Sanctions Reform and Export Enhancements Act, allowed the export of basic goods to target countries of sanctions, provided that the payment was made in cash. Cubans who worked on their own were allowed and encouraged to sell and buy goods with the US market without tariffs, punishments or other impediments, a sign that the stimulus to the Cuban private sector would be fundamental in any post-Castro economic recovery. Restrictions to American citizens traveling to Cuba were slightly relaxed in 1999 in Contact encouraging gesture of people in an attempt to put the focus on

⁴⁸ Cuba: Second Report of Seguimiento y Evaluacion. Havana, Cuba: National Program Accion; 1993.

⁴⁹ AF Kirkpatrick. Role of the USA in shortage of food and medicine in Cuba. *The Lancet*. 1996; 348: 1489-1491. Terris 68 M. The health status of Cuba: recommendations for epidemiologic investigation and public health policy. *J Public Health Policy*. 1989; 1: 78-87.

⁵⁰ Terris M. The health status of Cuba: recommendations for epidemiologic investigation and public health policy. *J Public Health Policy*. 1989; 1: 78-87.

question of why the Cubans are not free to travel to other countries while Americans are.

Professor Peter Hakim (2015), of the InterAmerican Dialogue, said the Summit of the Americas, which took part in January 2015 in Panama, opens doors to reconciliation between Cuba and the US in a historical form. Both countries do not participated together in the same meeting since the 1958 Summit. As the removal of the embargo depends on the law passed by the US Congress and there is pressure on Cuba there are political and economic reforms including the protection of human rights and democratic principles, the future is quite uncertain and the important underlying challenges. The greatest interest where in a rapprochement and strengthening cooperation ties with Latin American countries, according to Hakim. The election of leftist leaders on the continent in the 1990s, made Cuba became more active in foreign policy even though they should not partake of regional institutional activities. Hugo Chavez and others Latin American leaders traveling often to the island in a gesture of support for the Castro government. Many of these leaders had been arrested in their countries for resistance to dictatorship regimes occurred during the Cold War. In 1962, Cuba was expelled of OAS by the US pressure. In 2009, the suspension of membership in the organization was formally overturned by support of all the nations of Latin America and the Caribbean. In 2012, Cuba accepts mediate peace talks between the Colombian government and the FARC. Raul Castro is then elected president of the third CELAC⁵¹ hosting its meeting Summit. At the Cartagena Summit, held in 2012, pressured from Latin American leaders, Castro was present. Since the beginning of his term, President Barack Obama had left public their intentions to improve relations with Cuba. Executive orders were issued allowing American Cubans to send more money to their families on the island, and the opportunity to visit them more often. That slow, but growing approach was interrupted by Cuba when Allan Gross has under charges of espionage. Gross, an American Jew, worked on the island with installation of telecommunications equipment after permit issued by the US government for this sector went to jail with a Cuban political movement to press the US government the release Cuban prisoners. But Gross's health began to deteriorate in 2014 and chance of trading gradually decreased, cooling bilateral relations. Obama no longer had to face any

⁵¹ Community of Latin American countries, an international organization that brings together countries Latin America and the Caribbean and seeks greater integration of the region, having been created in 2010.

elections and via free to take policy decisions release of 5 Cuban prisoners held in Miami also for espionage and the exchange happened. Since then, US diplomats and Cuba had met four times, two in each capital city, in full compliance with all agreements and commitments assumed. In this process, the participation of Canada and the Vatican, by the Pope Francis was fundamental, creating possibility of exchanging messages and secret meetings that enabled the negotiations.

However, there are some important points to consider in this process:

- Although Cuba had demanded the removal of the embargo and the return of Guantanamo to their sovereignty, indicated that these items are essential as long-term changes which would not prevent the restoration of links diplomatic nor direcionariam outstanding issues;

- The White House announced sanctions against seven Venezuelan authorities just three weeks before the Summit of the Americas on charges of violation Human Rights and identified the country as a serious threat to safety USA. Noting the political risk Obama sent to Caracas, Thomas Shannon, with the support of Latin American countries, including Brazil, to appease the issues and then recognizing that Venezuela does not in fact constituted a threat to peace and US security. In addition, the Department. US State recommended that Cuba was no longer considered nation which supports terrorism;

- Obama decreed the end of the anti-drug policy in Latin America with which the US had counted on the collaboration of Cuba. For the US, closer ties with Cuba regards the increase credibility with Latin America and its allies, with increased prospects in trade. As for Cuba, normalized relations with the US can prevent a potential humanitarian crisis in addition to enabling access to international loans and financing through the World Bank, IDB and IMF, still depending on internal reforms. Among domestic reforms in progress Cuba is the decentralization of the agricultural sector, reduction of restrictions small businesses, real estate market liberalization, making it less costly to Cubans getting overseas travel permissions and access to goods consumption. Raul Castro, who took office president in 2008, want to carry out reforms economic in order to reduce the difficulties in the country's external accounts, relieve

the weight of debts and stimulate development by opening parts of the economy It is still strongly controled⁵².

The biggest criticism of rapprochement comes from senators cuban americans community Marco Rubio (R-TX) and Robert Menendez (D-NJ) who claim to see little improvement in the human rights situation on the island. The administration of President Barack Obama works with the Cuban government of Raúl Castro towards normalizing bilateral relations and bring business opportunities for both. In this sense, by effort executive of US President mitigation efforts the Embargo are being conducted facilitating US trips to Island beyond the establishment of business including Internet and telecommunications.

CONCLUSION

Working with the issue of sanctions, as well as complex and broad in scope, requires consideration of several factors, ranging from political and economic analysis to social impacts to their full understanding. Faced with the challenge, effects and consequences were north sought for this work.

The choice of countries as disparate as Cuba and Iran in history, culture, economic structure and many other factors, was due on account of both countries have been subject to strict sanctions regimes during the second half of the twentieth century and both in the process of rapprochement and negotiation of suspension of their sanctions. Both countries have been targets of US sanctions and both undergo a approximation process negotiated led by the efforts of President Barack Obama. These efforts aim to create and maintain trading channels enable advances and approach at points of deep disagreement between actors, besides the prospect that in the future there is the normalization of relations between these countries. The search for means of contact before the course strengthened antagonism for years, has made the task approach became complex and there was the involvement of third actors of mutual trust.

⁵² See Council of Foreign Relations (CFR) U.S. Cuba relations. Authors: Danielle Renwick, Copy Edi tor, and Brianna Lee Updated: Apri l 15, 2015.

It is quite challenging to break a state of antagonism of things when historical circumstances open the way for changes to occur. embarking on opportunity to transform is a difficult choice, but that leads to a path of building future relations. The other possibility is to maintain the dresser status quo, which leads to increased questioning, international condemnation and political attrition.

Punish, in short, involves disapprove. Attitudes, ways of relating, controversial policies. It is a calculated effort formulation of actors operating foreign policy and comply target actions as reprehensible, harmful or even hostile. The political calculation involves costs as much opportunity as economic, since penalties limit business opportunities hampers trade and restricts new exchange channels in social, cultural areas and mainly personal.

Entrepreneurs are affected. In the country sanctioned difficulties for transactions common are now increasing, including in key areas such as health and education.

Contact between people suffer severe blockage. Family relationships can be affected. These can be considered as the most serious effects of imposition of sanctions on a country, to the extent that people feel restrictions in their daily lives.

The expected impact of the application of coercion, is going to affect primarily the economy causing difficulties in international transactions and restricting the market in this country. The effect of the ruling class and the conduct of its policies should be strong enough to condition the changes in attitudes. If that occurs, the goal of the sanctions was reached. It happens, however, that most studied sanctions does not reach this stage. While the impacts may be severe, the conduct of domestic policy by leader class causing the perpetration of victimization feeling, cause internal union against what is seen as external common enemy that seeks deliberately harm the country. Thus, it appears that countries with little freedom of expression for citizens, as studied in this work, are less likely to internal defense. The leaders then are able to promote "internal unity" even though this is resulting from oppression and civil restrictions. Of the cases studied, Cuba and Iran, it was observed that in both there were impacts economic severe with reduced capacity for growth and economic downturn, but few were common factors in both. The socialist alignment of Cuba made during the Cold War, achieving good social levels and ensuring the prominent place in the country headed by the USSR bloc, experienced development and growth. Agreements preferred of which the Castro

regime has benefited, it was fundamental to circumvent the restrictions imposed by the capitalist northern neighbor. But after the collapse east-west antagonism that characterized the period, Cuba starts to face severe difficulties with large economic impacts, as discussed at work, seeking new business partners and alternative forms of development.

Hard speeches were recorded after 1990 in Cuba-US relations, with few periods of amenities. This conditioning course would only change significant when the power changes hands in Cuba, going to Raul Castro, and there reframing of the US foreign relations lead by President Barack Obama. Social data on the effects of the embargo imposed on Cuba were found and possible analysis in this work, especially being checked impacts on public health and work. Successive votes in the UN General Assembly condemning the embargo, beyond the US image in Latin America wear, made a different approach was taken by the American leadership. But nothing of the negotiation process would have been possible without the leadership of presidents those promoted, showing that besides good will, timing and political support is necessary, as explored in this paper. With regard to Iran, little could be known about social data and impacts of sanctions on the iranian society. The difficulty may be due in the distance of academic leaders whose study about Iranian society, which in most scholars often it is found only in their own country and they are linked to regime like "sociologists of religion," which obviously declare the glory of the regime and the virtues of religious laws for the nation, linking the negative effects as caused by external actors. Ideological bias is evident, which prevented the making reliable data on the country. With regard to economic data, it was found periods of strong retraction economic face of restrictions on international trade and the sale of its main commodity, oil. The focus on blocking the oil trade was not linear in time, with a reduction in some periods and "holes" in others. Some states resisted to be part of sanctions regime, even if processed by international institutions under the framework of multilateralism, before interests economic, energy needs growth and geopolitical reasons.

Only after extensive international discussion and negotiation forum composition by stirring up under the nuclear issue, it is that a consensus was possible and more assertive negotiations were held.

The political will of leaders is variable, as are also variables conditions under which it negotiates. In Iran, negotiations on the issue were more easily accepted by Western leaders after Rohani's election, while its predecessor little aroused political will for this purpose. The international support of the agreement needed to find viable to the nuclear field could be seen at various moments of Iranian relations with the outside. It is clear that the sanctions imposed on Iran are not unitary and the same type. Since the Islamic Revolution, the country received from unilateral sanctions issued by the USA (before the hostage crisis) to multilateral supported the UN regarding the nuclear issues. Negotiations in progress that may lead to gradual withdrawal of sanctions is the result of intense and lengthy negotiations that seek to include Iran as international actor, breaking its isolation and making possible the progress limiting nuclear, promote future channels of sale of oil (commodity still essential to the world when it comes to energy) and that brings possibilities the country's performance in complex regional issues involving neighbors, as Syria and Iraq. Then at this point the central issue is: Did international sanctions were effective in cases of Cuba and Iran?

Relying on the work of Pape, speaking of statesmen, theoretical and scholars of international relations discussed at work and facts about these States, it can be concluded that sanctions are effective in a few cases, its scope of application is limited because of the subject that receives and coercive power and deterrence of the applicator and the effects on the political leaders of the target, are very limited.

In Cuba, the sanctions served as an accelerator which ultimately condition the country towards the Soviet bloc, at first, and then used as main anti-American propaganda tool by the Castro regime. After the end the Cold War, the US insistence on maintaining and "tighten the siege" against Cuba made with many business opportunities were lost by North American entrepreneurs, notably in the agricultural sector, and that allowed others explore countries, albeit with limiting the Cuban market. It appears also that the greatest affected by sanctions were Cuban civilians who see increasing difficulties during the study period, in relation to trade, work, education and health, as well as severe restrictions on family encounters brought huge losses also for the exiles in the United States.

On Iran trade sanctions were imposed by the US after the Revolution of 1979 which results of troubled political process whose effects served as catalysts of the

changes. The attitudes of the leaders of the country reflected the internal need for defense and survival in the first moment after the revolution, evolving mechanisms for alternative insertion, particularly for oil, which find great difficulty placing on the market. After the attempt to develop their own nuclear program Tehran regime insists that having civil and peaceful purposes, when there is tremendous international suspicion, provided attention to this country to return and approach were possible the process allows. It has been suggested at various times that military interventions in style toppled the Iraqi dictator, they were held in the country, and that there was no possibility of confidence in the regime of the ayatollahs. This kind of argument, often championed by many Republican politicians in the US, illustrates the kind of hard-power approach that marked the years of George W. Bush with controversial results of their actions. The fact is that the opening of chat channels and thereafter negotiations, prioritized by President Obama, has brought new possibilities for Iran. Isolation of the output is the highest gain of the country, after spending a long period of market restrictions, see a glimpse in the near future, improving its chances of inclusion and growth through international participation. Of course Iran stood in front of the speeches because of negotiations on the nuclear issue, that trust will not be part of the agreements, but the check as a means of confirmation of the fulfillment of that long and hard negotiation.

Punish therefore it does not seem to be effective when you want to achieve the goals they propose: change the target behavior because of attitudes previously taken or prevent future attitudes considered inadequate and harmful if materialize. Sanctions can be useful pressure instruments as an alternative to military intervention or as a means of international public condemnation, however, facts show that negotiations captained by leaders who demonstrate strength policy, supported by multilateral instruments can be more effective, even the process is lengthy and there setbacks during the negotiation. In short, sanctions can be understood as tooling means, not purpose to achievement of objectives in the face of limited range and little effectiveness in driving changes and deterrence attitudes, as widely it was found.

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