



Tom Lantos Human Rights Commission Hearing

Considerations on Economic Sanctions

Tuesday, October 4, 2022

11:00 a.m. – 12:30 p.m. EDT

Virtual via Cisco WebEx

Rep. Christopher H. Smith

Excerpt of Remarks

I'd like to begin by thanking Co-chair McGovern for convening, and our witnesses for joining, today's hearing.

Congressman McGovern was the lead Democrat cosponsor of legislation I introduced at the beginning of the 114th Congress in 2015, the Global Magnitsky Human Rights Accountability Act, the Senate version of which eventually became law via inclusion in the [National Defense Authorization Act](#) the following year; the roots of GloMag sanctions could be

found in the Belarus Democracy Act, which I introduced and which became law in 2002.

I think that we both cosponsored this Global Magnitsky legislation, which now has become perhaps the single most important sanctioning tool in our arsenal, bespeaks a belief that sanctions can be an effective means to bring about accountability.

Yet GloMag is also a surgical tool, one which targets corrupt government actors and gross violators of internationally recognized human rights who are actually the responsible parties, not broad sectors of a country's economy which can hurt civilians who most often are already the victims of bad governance and human rights abuses.

In other words, sanctions, like targeted munitions, can be smart, as opposed to blunt instruments, which target populations more broadly.

I think that the martial analogy is an apt one, likening sanctions to munitions, as sanctions can be a tool with regards to conflict, albeit one which stops short of actual war. Indeed, an interesting book released earlier this year written by [Nicholas Mulder](#) traces the history of sanctions, is entitled The Economic Weapon: The Rise of Sanctions as a Tool of Modern War.

Yet we often sanction bad behavior more broadly because we hope to deter greater conflict, or to bring an end more quickly to existing conflict.

Thus we sanction Russia for initiating war in Ukraine and annexing the sovereign territory of a neighboring country, and

Iran for its support of terrorism around the world, from neighboring Iraq to Argentina, where a Jewish community center was targeted in 1994... I subsequently visited that site and memorial when I traveled to Buenos Aires, and it was a stark reminder of the long arm of terror states as they seek to harm innocents.

We will listen to a number of arguments today which will examine the humanitarian impact of sanctions. There is a certain weighing that needs to be done, a moral calculus that measures what collateral impact the targeting of bad actors has on civilian innocents.

There are also practical considerations.

As the People's Republic of China seeks hegemony across the globe, particularly in Africa, and seeks to supplant the dollar as the reserve currency, we need to recognize its appeal to

corrupt dictators whom it beckons to remove themselves from our financial system and thus rendering sanctions ineffective.

The world is not in such a place yet, but we do need to be mindful during this time of economic tumult that there are practical risks to oversanctioning.

We also need to anticipate whether sanctions can help bring about the change that is desired, or whether they simply would exacerbate a bad situation in the long run.

For example, there is currently a horrible civil war in Ethiopia, where atrocities are committed by all sides – not simply “both” sides, as conflict is far more multifaceted and complex than a simple binary conflict.

Would sanctioning a generally friendly-to-America Ethiopian government, while not concomitantly sanctioning the rebels who started the war, help bring about an end to the

conflict, or would it push the government to China for support?

Or, would it perhaps bring the rebels, who were formerly in power where they arguably inflicted greater atrocities on the people under former Prime Minister Meles Zenawi than the current government, back into power?

These are questions that need to be asked, and certainly, in the case of Ethiopia, there is an important role for surgical Global Magnitsky sanctions which target those *on all sides* responsible for war crimes and atrocities.

So where does that leave us?

As one of our witnesses, Gabriel Noronha, rightfully states, as we weigh the humanitarian impact of sanctions, we also need to keep in mind that “Sanctions serve as a powerful tool for the U.S. government to protect the innocent, weaken terror groups and oppressive regimes, and ... bring a measure of

justice to the families and loved ones of those persecuted, tortured, and killed....[S]anctions can deprive hostile governments of revenue used to wage warfare against our allies and partners or their own people, to finance terrorism or personal corruption, and disrupt their ability to procure and proliferate weapons of mass destruction.”

With that in mind, I look forward to an interesting discussion of these important issues.