
Sanctions and al-Qaeda

A case study on the effects of sanctions on al-Qaeda's
organisational capacity

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Abstract

Much has been written about economic sanctions, often accompanied by the question if they even have effect or not. In the same way, a lot has been written about terrorist organisations; how they work, how they evolve and how they can be targeted. The combination between the two has appeared to be a lot more difficult, resulting in a gap in the literature that failed to address the effects of economic sanctions on terrorist organisations. This study addresses that gap and does so by performing a ‘small N’ case study that investigates the effects of United Nations Security Council (UNSC) sanctions on the organisational capacity of al-Qaeda, in relation to three other factors: military counter activity, al-Qaeda’s internal developments and citizen support for terrorism. The study looks into a specific time bucket of fifteen years and evaluates all relevant United Nations (UN) data, military data, news and scholarly reports, in order to distinguish whether sanctions were able to positively contribute to a decline in al-Qaeda’s organisational capacity. The results of this study show that sanctions, while relatively limited in impact due to several practical, legal and local challenges, were an important factor in causing challenges to al-Qaeda’s organisational capacity and furthermore played an important role in the interaction between all the other (counter) developments that impacted al-Qaeda as an organisation.

Introduction

The world is under attack and we are at war with terrorists. Terrorism has been around for as long as mankind has been alive, but it appears more current than ever. With attacks in Paris, bombings in Brussels and the recent shooting in Orlando, the world has to endure a huge amount of meaningless violence against innocent people. Over the years, the style, purpose and means of terrorism have changed. The world has globalised enormously, and with that, so did terrorism. While the violence before was mostly restricted to the Middle East and Saudi Arabia, today it appears to be a part of everyone's daily life. The unholy ideologies of groups like al-Qaeda or Islamic State are being forced upon innocent people and also in Western societies, terrorist attacks are not new, sadly enough.

Take al-Qaeda's ideology, the organisation held responsible for the attacks on the twin towers in 2001 and whose idea of global jihad has cost many innocent lives. Al-Qaeda's principal aim has always been to incite Muslims all over the world to attack those who are considered enemies of the Islam. They regard it as a duty of all Muslims to liberate their countries from the 'enemy occupation' and they believe that any political change should be forced through murder and intimidation (Gunaratna, 2005). These ideals, supported by a lot of money, are what keep the terrorists going and the violence alive. Terrorists' finances are one of the biggest resources that result in the ability to execute their activities. Cutting off funding of terrorist organisations is therefore a logical aim of any anti-terrorism policy. The United States (US) government targeted Osama bin Laden and the al-Qaeda network in exactly that way, by means of imposing economic sanctions on key figures of the al-Qaeda network. Well before the attacks in 2001, several al-Qaeda militants in Afghanistan were imposed financial and economic restrictions (Fitzgerald, 2001). The UN followed this US example and called for similar measures by other state governments. Apparently, the value of depriving terrorists of funding that could help finance their operations, was already noticed back then.

(Economic)Sanctions seemed a logical tool to achieve this goal. After that, the die had been cast, as from that point onwards states have continually combined their efforts to counter terrorist operations with the help of multilateral UN sanctions, next to the use of military force. But has that use of sanctions been effective? And if so, what were the actual effects? In short, what kind of achievements was the UN sanctions policy able to create?

This study elaborates on the relationship between sanctions and terrorism in more detail, and more specifically on the question whether sanctions support the battle against terrorism or not. The first chapter provides a literature review on the work that has already been done on sanctions in relation to terrorism. Here, the main question is formulated, which will have a leading role throughout this study. Then the theoretical framework is presented in chapter 2, which also includes the expectations to the main question. Chapter 3 provides a short background of the UN resolutions against terrorism and chapter 4 will explain

how this study is executed, by presenting the research design and method. Chapter 5 elaborates on the research design in more detail, as it contains an extensive explanation of the independent variable and how this variable is modelled in this study. Chapter 6 tot chapter 8 contain the analysis of all the data, complemented by the conclusion and discussion in chapter 9. The study will end by highlighting some important limitations and formulating recommendation for further research.

Scientific & Societal Relevance

Economic sanctions have long been a point of discussion among scholars, and the arguments on their efficacy range from effective (e.g. Hovi et al., 2005; Klotz, 1999) to absolutely useless (e.g. Pape, 1997; Pape, 1998). This is even more so in cases when sanctions are applied to non-state actors such as narco-traffickers, cybercriminals and of course terrorists (Rosenberg et al., 2016). For that reason, it can be scientifically very relevant to elaborate on this topic more in-depth and see which of the arguments holds true when it comes to UN sanctions on a terrorist organisation. The evidence from this study can either substantiate sanctions' efficacy and enlarge the scope of their effectiveness, or it provides a stronger backbone for the exact opposite. Either way, this outcome can support international organisations and other policy makers in their decision to enforce sanctions on a non-state target or not. And besides that, this in-depth research can also provide more detailed information on the reasons why sanctions worked or did not work. This too can provide guidance on their future use, as pointing out the weaknesses can only help policy makers to improve the tool and increase its possible impact.

Chapter 1

Literature Review

1.1 Sanctions and terrorism

The UN holds a rich history of imposing economic sanctions on states, individuals and other (non-state) actors who do not comply with the international rule of law. Individual terrorists as well as terrorist organisations, lie within the scope of these actors and consequently they have been a well-known sanctioned target. Examples include Boko Haram, Islamic State of Iraq and the Levant (ISIL) and the Abu Sayyaf Group. Concerning the use of sanctions in general, the literature remains inconclusive about whether they even work to begin with and a specific gap remains when it comes to their effectiveness on terrorist organisations. Looking into this argumentative literature, different opinions can be found. Especially when it comes to the evaluation, but also on the need and execution of sanctions against terrorists. The use of sanctions is no clear-cut mechanism that can be applied anywhere at anytime, and different actors can apply this policy tool in very different ways. Take for example the difference between a multilateral resolution by an international organisation, or the Foreign Terrorist Organisations (FTO) list that is used in the US and highlighted by Audrey Cronin in one of her studies. The FTO was a brand new tool that had to sanction terrorists and help overcome terrorism (Cronin, 2003). When a terrorist organisation was placed on the list, it became subject to financial and immigration sanctions. These sanctions could consist of blocking their assets, prosecuting funding supporters, refusing visas or deportation of members (Cronin, 2003). Cronin highlighted that it was really important for the Congress to assess the effectiveness of the FTO list as a tool of countering terrorism. Her opinion was that the FTO list helped to target US counter-terrorist sanctions under the Antiterrorism and Effective Death Penalty Act (AEDPA), mainly because there was no ambiguity about which groups are included and which were not. Unfortunately, Cronin's report itself remained inconclusive on whether the tool is as powerful in practice as it is on paper.

Cronin is not the only scholar who failed to answer the question of effectiveness. As explained earlier, disagreement exists in general on whether economic sanctions are effective and in what way effectiveness can be measured. Measuring effectiveness is especially made difficult because of different criteria for success. Interestingly, and dissatisfactory at the same time, studies that evaluate the actual effectiveness of anti-terrorism policies are only in very little amount available. Nonetheless, a lot has been written on how terrorists are sanctioned and this variety of work shows a lot of different views on the use of this policy tool. The literature shows how one can look at terrorist sanctions from completely different angles, for example at the undesired side effects. Draghici (2009) explained in his article *International organisations and anti-terrorist sanctions: no accountability for human rights violations?*, that the UNSC adopted far-reaching sanctions against specific individuals and corporations suspected of supporting terrorism. At that time, this was considered a new approach, but the UNSC found that international terrorism posed such a threat in the aftermath of the terrorist attacks on the US, that these measures were very much needed (Draghici, 2009). In

the beginning the UNSC sanctions consisted mainly of economic embargoes, because economic sanctions were seen as the humane alternative to military coercion. Yet, despite this argumentation, it were these economic sanctions that proved highly detrimental for the civil populations of the states concerned (Draghici, 2009). Consequently, Draghici's study explained how these effects were the reason for a change in policy and exchange the economic sanctions for targeted sanctions. In that case, the assets freeze and travel bans were only directed at specific individuals, armed rebels or political leaders. What the study failed to explain however, is whether this new approach actually worked and conduced to a decrease in terrorist activity.

1.2 Effectiveness of anti-terrorism sanctions

While the main body of literature is concerned with other aspects of sanctions than their actual effectiveness, there is, however, no total lack of information on anti-terrorism sanctions' efficacy. Kristina Thorne (2006) provided some answers related to the effectiveness of a UN sanctions list that originated from resolution 1267. This resolution was aimed at cutting off financial and material support for al-Qaeda and the Taliban, by means of assets freeze and arms embargoes. The Sanctions Committee that was established from this resolution, required regular reporting from states that were responsible for the execution of the sanctions. These reports provided an excellent tool for Thorne to assess the effectiveness of that list, resulting in a general conclusion that the sanctions were in fact considerable and some of them may actually have had consequences on interrupting activities (Thorne, 2006). Concerning the financial-specific part of the sanctions policy, Thorne found that cutting off funding to terrorist subjects or organisations was a significantly more powerful tool than asset-freezing (Thorne, 2006). With that conclusion, she had to put strong emphasis on 'seemed' as the data on their efficacy was still little known. Thorne could not find any conclusive data that substantiated the effectiveness of asset-freezing to help prevent terrorism. The same conclusion was drawn for cutting off funding and therefore a strong overall conclusion simply was not appropriate.

Determining the effects of a policy tool that contains sanctions is not without any difficulty. This not only goes for sanctions that originate from resolutions, but also in case of a sanctions policy by one specific country. Predicting or determining the results of sanctions simply is no easy task. Some results that elaborate on this statement come from Walter Enders and Todd Sandler (1993), who are two of the few scholars who have investigated whether economic sanctions actually are a good weapon against terrorism in the US. While their study was able to draw multiple conclusions, the most striking ones were that anti-terrorism policy had more unintended than intended consequences and that piecemeal anti-terrorist policy appeared to be inadequate (Enders & Sandler, 1993). Concerning the unintended consequences, one example Enders and Sandler named, was that by increasing metal detectors in the fight against weapons, cases of kidnapping increased. Apparently the results of this US anti-terrorism policy were not that clear-cut or predictable. While Enders and Sandler only looked at the US, there is no indication that these results are generalisable,

but their results find substantiating in the work of some other scholars. Namely, Cynthia Lum, Leslie W. Kennedy and Alison J. Sherley (2006) did somewhat the same in their study, as they also aimed to determine the effectiveness of specific counter-terrorism strategies. They did so by reviewing scientific research literature that had been written on this subject. To start with, Lum et al. justly agreed that there was very little research on the actual efficacy of anti-terrorism policy. However, they still were able to conclude that some evaluated interventions either did not work, or sometimes even increased the likelihood of terrorism and terrorism-related harm. While they ended their research by emphasising the need for government leaders, policy makers, researchers and funding agencies to include and insist on evaluations of the effectiveness of these programs in their agendas, this might not be all too easy. One of the reasons for this can be found in the difficulty of measurement of anti-terrorism sanctions, as effects on terrorists (as non-state actors) could be harder to define than they are on states.

So, the use of sanctions can be tricky and hard to determine, especially when they are applied to non-state actors such as terrorist organisations. But why is this the case? More clarity on this question was provided very recently, in a paper by Rosenberg et al. (2016). In their work *The new tools of economic warfare* they stated that “*It is substantially more difficult to measure the effects of sanctions on non-state actors such as narco-traffickers, terrorists, and cybercriminals because they operate clandestinely.*” (Rosenberg et al., 2016, pp 3). According to their paper, this has to do with the lack of data. Terrorists do not provide balance sheets for example, to see whether the sanctions have harmed their financial capabilities or not. Rosenberg et al. do however claim that sanctions’ success can be substantiated by anecdotal evidence and that there are three main effects that anti-terrorist sanctioning policy have. Firstly, they exclude terrorist organisations from the formal financial system as a result of the denial of funds; secondly, the sanctions deprive the terrorists of (future) supporters by deterrence and compellation; and lastly, sanctions help to create a certain public narrative about non-state actors (Rosenberg et al., 2016). Determining the actual impact of sanctions on non-state actors is best achievable in the case of an individual group or specific time interval. As an example Rosenberg et al. named the US strikes on valuable assets of IS, such as the infrastructure for oil production. These efforts resulted in a decline in oil production by the terrorist organisation (Rosenberg et al., 2016). Even though these findings are substantiated by the same evidence as cases of sanctioned states and determining the actual effects will remain difficult, official statements from governments did state that financial sanctions were in fact effective on non-state actors (Rosenberg et al., 2016). According to these statements, sanctions cause the increased inability of terrorist groups to raise, store, move, and use funds (Rosenberg et al., 2016).

1.3 Necessity of sanctions

Apart from how they are executed and what their effects are, the use of economic sanctions is often seen as an absolute necessity to overcome terrorism. Lori Damrosch (1999) for example, elaborated on how she thought military strategies were not necessarily the preferred course of action, but rather one among many.

She, as an international lawyer, claimed that force should be a last resort rather than a first. Because without prior resort to non forcible measures such as economic sanctions, there is less legitimacy for military action (Damrosch, 2009). Therefore, Damrosch opted for several approaches to counter terrorism beside military intervention. One of these approaches could be denying potential terrorists the needed material resources. Damrosch claimed that these non forcible measures are capable of interrupting ordinary economic and financial relations with the perpetrators and therefore function as a strong instrument to put an end to their operations (Damrosch, 2009). It is exactly this dissidence that feeds the need for decent evaluation after their application even more.

The importance of financial sanctions is stressed by many others. Brett Schaefer (2001) discussed the impact of blocking funding to terrorist organisations, not only by means of cutting of private funding, but also through blocking development assistance to states that sponsor terrorism. Schaefer claimed that development assistance can support terrorism because of the convertibility of money. Namely, development assistance increases the overall amount of resources available to recipients. These extra resources might very well support terrorists, even if it is not provided specifically to support terrorist activities. This usually happens when the recipient of the resources himself supports the terrorist organisation. The increased available funding in its turn, enables them to increase their support of terrorism and consequently, the money indirectly flows to the terrorists (Schaefer, 2001). Schaefer furthermore concluded that private financial transactions function as the primary source of funding for terrorist activity. Therefore, a priority in the war on terrorism should be guarding and controlling these private transactions (Schaefer, 2001).

To support that statement, Schaefer et al. (2001) took the US as an example once more in one of their policy briefs, and they explained why President George W. Bush vowed for the 'disruption of the global terror network' back in 2001 (Schaefer et al., 2001, pp 1). According to Schaefer et al., President Bush understood that terrorists need financial support to carry out their activities in the United States and other developed nations. To combat that, it would be absolutely necessary to cut off terrorists from the funds they need to finance their activities (Schaefer et al., 2001). According to their explanation, Osama bin Laden's al-Qaeda is the group that makes the most extensive use of private funding for terrorist activities. Cutting al-Qaeda off from their existing bank accounts and other sources of financing is a necessary component of the war against terrorism. To illustrate this necessity, Schaefer et al. provided some detailed information on the financing of al-Qaeda's activities. As they explained, Osama bin Laden used his extensive business interests around the world to transfer and exchange money, resulting in the use of an estimated \$300 million in financial assets to fund the activities of the al-Qaeda network (Schaefer et al., 2001). This network consisted of as many as 3,000 Islamic militants who supported the terrorist activities. Furthermore, al-Qaeda functioned as 'the merchant bank for terrorism', which meant that they financially supported smaller terrorist groups that targeted Western countries (Schaefer et al., 2001, pp 1). Hence, financial sanctions were absolutely necessary to counter these activities. Therefore, the Bush administration recommended that as soon as the

location of Bin Laden's fortune had been ascertained, the countries and institutions involved should immediately freeze his assets. Only these actions were regarded as an effective tool to 'cripple' al-Qaeda and maybe even led to the permanent demise of his terrorist organisation (Schaefer et al., 2001). Quite contrary to what Hufbauer et al. concluded on the use of economic sanctions, Schaefer et al. finally ended by saying that: *"In the era of transnational terrorist organisations like bin Laden's, these tools become the most effective means of dealing with cross-state menaces."* (Schaefer et al. 2001, pp 1).

Apart from the need for sanctions to counter terrorist finances, the same tool is also regarded as a possible method to achieve certain policy goals. Hufbauer et al. (2001) studied the actual effectiveness of sanctions in achieving these goals. Unfortunately they shared a negative view on their effectiveness, as their study claimed that the history of economic sanctions reveals very few instances where economic weapons achieved major foreign policy goals. These policy goals would ultimately consist of eliminating the terrorist groups, or persuade them to abandon their objective but Hufbauer et al. claimed that only military force could actually make a difference in the fight against terrorism. To them, the role of sanctions is only a supporting one (Hufbauer et al., 2001). Even though their study mostly focused on US sanctions against states who sponsor terrorist activity, Hufbauer et al. were very clear in their arguments on the effectiveness of economic sanctions in general. They claimed that in the war against terrorism, asset freezes and other sanctions will 'pinch' but they alone will never be able to actually stop terrorism (Hufbauer et al., 2001). Osama bin Laden was used as an example and economic sanctions alone would never be able to *"bring Osama bin Laden and al Qaeda to heel"* (Hufbauer et al., 2001, pp 1). Instead, the reasonable combination of sanctions and positive measures (which they refer to as the carrot, meaning the waiver of existing sanctions) can be a powerful weapon in the global war against terrorism. The UNSC sanctions did in fact positively contribute to this war, as the UNSC passed a US-proposed resolution in 2001 that threatened economic sanctions against countries that continue to harbour and support terrorists. This resolution 1373 required UN member states to bring financing, training, and movement of terrorists across international borders to an end and deny any safe haven to them. Moreover, every member state was ordered to freeze financial assets and to prohibit their nationals from making any funds or economic resources available to terrorists [UNSC-1373]¹ In the view of Hufbauer et al., all those measures were definitely no silver bullet, but they did justly mention that economic sanctions made worthy contributions to all of America's wars during the past century (the First and Second World Wars, the Korean War, the Vietnam War, and the Gulf War) (Hufbauer et al., 2001). Also, they provided some recommendations to further increase the effectiveness of financial sanctions. They proposed to: *"place covert agents in banks in countries that do not cooperate with US law enforcement and reporting requirements; more aggressively track even modest*

¹ [UNSC-x] is used as the reference style for primary UN documents. See References; Primary Documents; UNSC Resolutions. The number corresponds with the identification number of the resolution.

money transfers (\$20,000 or less) to immigrants living in the United States; and to provide large bounties to reward disclosure of terrorist funds'' (Hufbauer et al., 2001, pp 1).

1.4 The need for collective action

Logically, the power to stand against terrorism is greater when it is executed multilaterally, because multilateral measures show strong unity and magnifies the power and effects of the policy: "*The benefit of unity is that these terrorist organisations will run into a brick wall, rather than a mere brick.*" (Einisman, 2000, pp 321). The difference between state and non-state actors shows from this argumentation, as this argument does not receive the same support in a situation where economic sanctions are targeted against a state. While the line of thought on multilateral sanctions against terrorists is quite clear, there is rather a lot controversy on the role of multilateralism in forcing a state to comply with certain rules or demands. On the one hand there is the argument that multilateral sanctions often are less effective than unilateral sanctions in bringing about desired political results, because of the perverse political reactions in the target state (Kaempfer & Lowenberg, 1999). These perverse reactions are a result of the severity of the sanctions, resulting from the multilateral cooperation, as they result in a lot of damage for the target's economy and cause a resentful, rather than a complying, reaction (Kaempfer & Lowenberg, 1999). On the other hand however, there is also evidence for the exact opposite argumentation. According to this argument, multilateral sanctions are more effective when they are supported by an international organisation (Drezner, 2000). The cooperation between states is more robust because of the organisation's support and target states are more likely to offer concessions to these kinds of institutionalised sanctions. All in all, the backing of an international organisation to multilateral sanctions causes more normative and material effects, resulting in a higher chance of the target's compliance (Drezner, 2000).

This positive line of argumentation concerning multilateral sanctions is found in the anti-terrorism sanctions debate as well. Multilateral economic sanctions allow single governments to expand their efforts on anti-terrorism policy and expands the overall effects (Fitzgerald, 2001). By cooperating with multilateral organisations, governments' efforts are being multiplied and have a greater chance of actually making a difference in the battle against terrorism. By cooperating, financial funds and assets that belong to terrorists can be effectively enlisted and blocked, cutting the terrorist off from their main resource to carry out activities. Unilateral sanctions alone are just not enough to make an impact. To illustrate this statement: less than one-third of Osama bin Laden's funds were frozen by the US alone (Fitzgerald, 2001). Even after President Bush initiated his more rigorous strategy to attack al-Qaeda's funds after the attacks of September 11th, the terrorist network's ability to operate was only harmed minimally (Basile, 2004). Apparently the financial network of al-Qaeda was able to sustain US efforts to disrupt it. Therefore, to force an actual change, financial regulations must be applied more broadly. They should be applied on a multilateral level and supported by significant resources with strong emphasis on good coordination. Multilateral economic sanctions are simply more effective than unilateral ones and therefore multilateral cooperation should be

encouraged. Only this can result in the more effective use of the financial tools against terrorist financing and actually make changes in the international environment (Basile, 2004).

There is thus no single line of argumentation when it comes to sanctions' efficacy or necessity. For the most part, sanctions are regarded as a powerful tool to overcome terrorism, but the lack of appropriate data makes it hard to substantiate those arguments. Consequently, a gap in the literature remains when it comes to multilateral anti-terrorism sanctions' effectiveness. This topic deserves more attention. Especially since the importance of economic sanctions has been stressed by several scholars in the past, as this literature review has shown. Since sanctions are thought to be so important in the battle against terrorism, one deserves to know whether they even work. To provide a possible answer that can fill in the current gap, the question has to be asked whether multilateral sanctions contribute to a change in a specific terrorist organisation's capacity during a specific period of time. A good object of study would therefore be the UNSC sanctions against al-Qaeda that resulted from UNSC resolution 1267: the first actual UNSC resolution against an affiliate of al-Qaeda, which also established a Security Council Committee. The UNSC sanctions on al-Qaeda are the perfect example because they are multilaterally supported and executed, and the effects of the economic sanctions can be studied over a longer period of time, since they were initiated more than 16 years ago. These are, multilateral sanctions against a specific target group, aimed at reducing their capabilities and preserve peace instead. The research question that derived from this would be:

In what way did the UNSC sanctions policy against al-Qaeda help, or not help, to decrease al-Qaeda's organisational capacity from 1999 to 2014?

Chapter 2

Theoretical Framework

2.1 Terrorists' financial expenses

Financing terrorist operations and activities is a costly business. On the one hand these costs consist of the provision of funds that are required to carry out the actual terrorist operation itself and on the other hand there are the costs that involve the raising of support and propaganda (Clunan, 2006; Council on Foreign Relation, 2006). Terrorist organisations need money to pay for, among other things, transportation, reading materials, audio-video equipment such as phones and computers, but also for the purchase of legal, as well as illegal, materials to make bombs (Clunan, 2006). Furthermore the organisation also need guns, explosives, triggers, training simulators, fake passports and other travel or identification documents, and not to forget the costs of bribing officials in order for them to turn a blind eye to their activities (Freeman, 2011). All this is necessary for the terrorists to conduct their acts of violence. The eventual execution of these acts is obviously done by members of the organisation. Therefore the terrorist organisation also needs to devote resources to building training camps, providing food and housing for their members and also use some of the funding to recruit new members. The funding often does not stop there. Instead, funding can continue after the members have shown their dedication, as many groups pay salary to their 'retired' veterans. Also, even families of a terrorist who died in battle or served as suicide bombers can keep receiving money as the organisations' token of appreciation (Freeman, 2011; Gunaratna, 2002).

The difficulty with many of the transactions that are made for activities like these, is that they are mainly 'pre-crime', meaning that they are perfectly legal until they can be linked evidently to supporting a criminal act. This makes it very hard to detect the transactions without any direct indicators, all the more because of the minute size of these transactions in terms of monetary value (Clunan, 2006; Zdanowicz, 2004). Another difficulty is that financial support can also come from membership contribution or donations by leaders of the organisation. Osama bin Laden for example, has probably donated much of his personal wealth to al-Qaeda (Freeman, 2011; Gunaratna, 2002). As a result of these expenses and the difficulty of tracing and stopping them, terrorist groups can have yearly budgets that easily go up to hundreds of millions of dollars. This especially goes for the larger and more active groups, like al-Qaeda. By 2011, an indication was made that al-Qaeda's annual budget was around \$30 million (Freeman, 2011).

Of course the world is well-aware of the fact that the funding needed for these activities is mainly raised through illicit means (Winer, 2008; Zdanowicz, 2004). There are many records proving that terrorist organisation often engage in drug- and human trafficking, arms trading, smuggling, kidnapping or robbery to obtain the amount of money that they need (Clunan, 2006). In 2007, Europol found that the funding of terrorism in Europe was mostly covered by criminal activities, ranging from vehicle-related crimes and the smuggling of commodities, to falsification of identity, travel documents or credit cards (Freeman, 2011;

Winer, 2008). Al-Qaeda reportedly engaged in the smuggling of diamonds from West Africa and Tanzanite, and al-Qaeda's affiliate in Southeast Asia, Jemaah Islamiyah, mainly relied on bank robbery and credit card fraud to raise their funds. Stealing around five pounds of gold helped them eventually pay for the 2002 bombings in Bali (Freeman, 2011; Winer, 2008).

Besides obtaining financial means through criminal activities, terrorists also receive funds from legitimate humanitarian and business organisations (Clunan, 2006). In 2006, the US State Department was able to draw the same conclusions as Brett Schaefer (2001) did, namely that unregulated charities were regularly used as a funding mechanism. In 2006, this had resulted in a major source of income for many terrorist organisations over the past twenty-five years (Winer, 2008). Without even knowing it, charities that raise funds for humanitarian relief can fund terrorist organisations, as corrupt employees at either the charity itself or at the recipient organisations can divert funds to the terrorists. Consequently, the disorder between legitimate and illegitimate funds makes it extremely difficult for governments to track down the terrorists' finances in the formal financial system (Winer, 2008). For al-Qaeda this way of transferring money has been one of the main means through which they have raised their funds (Clunan, 2006).

2.2 How do economic sanctions work?

A well-suited definition of economic sanctions has been declared as “*coercive measures taken against one or more countries to force a change in policies, or at least to demonstrate a country's opinion about the other's policies*” (Einisman, 2000, pp 302). Demonstrating their opinion by means of imposing sanctions, allows a state to powerfully communicate their commitment to a particular position and the intention and willingness to act and bear costs. As early as in 1987, a framework for the analysis of anti-terrorism sanctions has been designed, to counter the complexity involved with economic sanctions and to help understand the relation between sanctions and terrorism. This framework consists of four different rationales, explaining the underlying intentions of the economic measures and their desired effects. These rationales function as the most important explanations for the use of economic sanctions (Abbott, 1987).

*Economic warfare*² is the first rationale and it functions as the supplement to, or a substitute for, actual combat and the use of military force. The mechanisms behind economic warfare are designed to weaken the target's capacity to carry out and construct war (Lindsay, 1986). All this is done to eventually achieve major policy changes on the side of the target (Alford, 1967). The use of economic warfare includes attacks against specific property of the enemy, such as their industrial installations, but it also implies blockades or embargoes that can weaken the enemy's capacities (Lindsay, 1986). The idea of economic warfare has been present in the literature for a long time, and the way they function has been explained by many other than Abbott. To Abbott, the rationale of economic warfare assumes that the enemy will need extensive resources

² Any reference to economic warfare throughout this thesis is based on the meaning of the term as explained by Abbott (1987).

for their terrorist activity and that it will divert any of their economic resources to strengthen its military capacity (Abbott, 1987). Logically speaking, the theory would support a total embargo to avoid any gains from economic transactions that, in their turn, could support their military activity. However, more commonly the theory provides the rationale for controls on specific transactions which are particularly important to the enemy's economy to help deteriorate their economic power in that way (Abbott, 1987). Cutting an enemy off from trade and resources from external actors is a well-known strategy among rivalry actors to gain leverage on one another. Commerce has long been the most important way to achieve wealth, and wealth, in its turn, is seen a major sign of power (Førland, 1993). Taking away trade from another country would logically decline the opponent's capacities and might even improve your own position. Alford called the target's regime the 'power elite' and explained how economic warfare should produce a 'physical disequilibrium' in such a way, that this power elite is willing to surrender. In that way, the economic warfare can positively contribute to a change in activity (Alford, 1967).

Sanctions have long been used to achieve changes on the side of the target. This is one of the key goals of applying sanctions: change a target's behaviour. As an alternative to military force, they are favoured by nation states and international organisations to influence another government's behaviour (Kaempfer & Lowenberg, 2007). Ultimately, the imposed sanctions would impose such high costs on the target, that the target state is persuaded to change direction and eventually change their policies (Cortright & Lopez, 2002). In theory, sanctions achieve this change in behaviour by threatening the target to disrupt their status quo and deteriorate their economic situation, unless they agree to the demands of the sender (Drezner, 2003:a). When the target complies to the demands, sanctions are not imposed, but if the target ignores the warning, the sender has two options. The sender can either back down and not persist on the sanctions, or it can impose what they have threatened with instead (Drezner, 2003:a). Before targeting sanctions, the sender assesses the immediate costs and benefits, but also takes into account the shadow of the future. Because, when concessions are made, this can result in leverage for the future or on the contrary, hurt their reputation (Drezner, 1999). This shadow of the future also applies to the target; the target will probably not only loose in the short run, but it will also be the one who gives the sender the leverage (Drezner, 1999). When sanctions are actually imposed, it is important that the target alone feels the actual economic pain and there is no general suffering, i.e., collateral damage, from the sanctions policy. The costs of the non-compliance have to be borne by the target regime only and mechanisms to achieve this the best are for example asset freezes, travel bans or arms embargoes (Drezner, 2003:b).

Abbott's most familiar rationale behind economic sanctions fits in line with these mechanisms behind sanctions and is named under the *imposition of costs*, also know as the strategy of leverage. Under this rationale, the sanctioning state links its trade, foreign assistance, arms sales and other international economic transactions to changes in the target state's behaviour (Abbott, 1987). The aim of imposing costs is different from economic warfare, because imposing costs has the aim to affect the target's intention or will to engage

in certain activities. It does so by sanctioning the target state if that state acts in ways the sender state does not approve of. The sanctioning state can then suspend its transactions, which results in the imposition of costs on the target's economy. The overall impact of these costs on the target, depends on how willing other states or organisations are to back the policy, or continue trading with the target (Kaempfer & Lowenberg, 2007). This goes back to the argumentation of multilateralism, which helps to increase the impact and efficacy of a sanctions policy. The logic behind imposing costs is that it imposes a certain amount of pain on the target's regime, ultimately resulting in the target altering their policies in order to avoid further sanctions damage (Kaempfer & Lowenberg, 2007). If the target's behaviour improves, the sanctioning state will end the suspending and permits such transactions to resume. The strategy of leverage assumes that the target will rationally calculate the benefits of its current policies against the costs of subsequent retaliation, and conclude that a change in policy is in its own interests. Essentially, the imposition of costs functions the same way as the theory of rational deterrence (Abbott, 1987). Consequently, this theory forms the basis of many sanctions against individual offenders in domestic societies.

The third rationale is the *denial of means*. This rationale is also designed to reduce a target's capabilities, just like economic warfare, but more limited and more selective. The reasoning behind the denial of means is that it restricts specific transactions of a target, and more specifically the transactions that contribute to disfavoured or illegal activities are targeted (Abbott, 1987). Ultimately this would result in the inability of the target to continue that disfavoured behaviour. Take for example the strategic embargo against the Soviet Union that was maintained by the United States and other Western nations during the Cold War. That embargo was meant to inhibit Soviet access to certain specific items that could expand their military capacity. By denying the Soviet Union arms and a variety of other high technology civilian items with military applications, the so-called dual use items, the US wanted to secure their position in relation to the Soviet Union (Abbott, 1987).

Symbolic communication is the final rationale behind economic sanctions and a much misunderstood function of economic sanctions (Abbott, 1987). Opponents of sanctions claim that the symbolic aspect only functions as a way to 'let off steam' and other than that has no instrumental function. However, these opponents are indisputably wrong, as sanctions can in fact perform important functions, even when they do not actually force the target to change its policies or reduce the functional capabilities. They do so by communicating. Sanctions can communicate moderation and restraint, and ideally they are capable of creating a psychological sense of isolation, shame or urge to reconsider certain policies (Abbott, 1987). This is possible even when the sanctions themselves impose no substantial costs on the target. The logic behind this rationale relates to James Lindsay's reasoning behind economic sanctions on domestic symbolism. His rationale behind sanctions was that the symbolic aspect helped to increase domestic support for the desired policy by the sender on the one hand, and decrease internal criticism of the foreign policy on the other (Lindsay, 1986). This is mostly the case when the sanctions are perceived to be producing desirable results

in the target country. If this is not the case, internal support is not that self-evident (Kaempfer & Lowenberg, 2007). Sanctions can communicate diverse messages to states, groups and individuals other than the immediate target state. In that way, the symbolic communication rationale is somewhat similar to Lindsay's rationale of deterrence. According to Lindsay (1986), the way to achieve the goal of inhibiting the target from repeating the disputed behaviour in the future, is by demonstrating how willing the sender is to act and how much they are capable of inflicting economic pain (Lindsay, 1986). The symbolic aspect of sanctions does exactly this and furthermore, it can serve as a deterrent because of fear of reimposing in the future (Lindsay, 1986). And not only that, sanctions can function as a warning of possibly even harder actions to follow in the future (Abbott, 1987). An economic embargo for example, can cause the target to feel morally or political obliged to comply. Sanctions have more power than just words, to communicate the position of a sender state and express their seriousness and commitment to that certain position. When sanctions are used to send a message to other countries, they work in the same way as statecraft does (Baldwin, 2006). Showing others your force and determination is just as well an attempts to influence the target and changing how they think, just as the use of force itself (Baldwin, 2000). In doing so, a sender can establish a certain reputation by means of imposing sanctions, which communicates a strong message to enemies alike (Kaempfer & Lowenberg, 2007). Sanctions clearly express how a sender state regards other foreign behaviour and it shows how far they are willing to go in guaranteeing their position, even if they have to bear costs in doing so (Abbott, 1987). Of these four rationales, the first and third are concerned with affecting capabilities and the second and fourth are concerned with affecting intentions and will of the target.

2.3 Expectations

The four rationales by Abbott will function as the framework for this study's analysis, which will eventually answer the question how, and if, the UNSC sanctions contributed to decreasing al-Qaeda's organisational capacity. In all the UNSC data that will be evaluated, these rationales will provide the basis for determining their effectiveness, i.e. whether and how they target economic warfare, impose costs, deny means and disperse symbolic communication. It is expected that when the UNSC reports are evaluated positively overall, this positivity corresponds with the graph, i.e., decreasing al-Qaeda activity by means of a decrease in active subgroups or decreasing terrorist activity, meaning that the sanctions indeed contribute to a decline in al-Qaeda's organisational capacity. If the reports are evaluated negatively, it is expected that the corresponding timespan in the graph will show an increasing trend, meaning that the sanctions did not contribute to a decline in activity but instead triggered it. And lastly, if the reports are evaluated to have no impact, the graph will either show a decreasing or a steady trend.

The UNSC sanctions are not expected to be the only factor that influences al-Qaeda's organisational capacity. This study will also take into account 'control' variables, which will either substantiate the effects of the UNSC sanctions, or provide the alternative explanation for al-Qaeda's development in case the

sanctions are not capable of doing so. Firstly, there is military counter activity, which is expected to impede al-Qaeda's capacity externally by targeting their militants, supplies and weaponry, and therefore positively contribute to the UNSC sanctions policy. Secondly al-Qaeda's has its own internal developments. This factor provides the internal explanation for al-Qaeda's course of action, as the developments within the organisation itself also determine their organisational capacity. These developments can both positively and negatively contribute to the UNSC sanctions policy, depending on the outcome of the development. Thirdly and lastly, there is also citizen support for terrorism, which can contribute to al-Qaeda's organisational capacity by providing them with resources, money or militants. It is expected that the higher the amount of citizen support, the more negative the effect on the UNSC sanctions policy, and vice versa. A more detailed explanation of these control variables will be provided in chapter 4. From all these variables combined, the following hypothesis can be drawn:

The UNSC sanctions that were imposed on al-Qaeda between 1999 and 2014 did contribute to a decline in al-Qaeda's organisational capacity.

Chapter 3

UNSC Resolutions on al-Qaeda

3.1 Security Council's responsibility

In order to determine and understand the influence of UNSC sanctions on al-Qaeda's organisational capacity, some important highlights of the policy itself will be explained in more detail. To most of the world, the attacks of September 11th in 2001 formed the well-known moment that instigated many states and organisations to take more forceful measures to combat terrorism. The UNSC was expected to play a leading and unique role in the global effort to combat terrorism as they could offer the quickest route for "*globalizing the fight against terrorism*" (Rosand, 2004, pp 745). The 9/11 catastrophe eventually led to the establishment of the Counter-Terrorism Committee (CTC) in 2001, originated from resolution 1373. This Committee consists of all fifteen members of the Security Council and is tasked with monitoring the implementation of resolution 1373, which will be explained in more detail further on in this chapter.

The UNSC has imposed global sanctions against al-Qaeda and their associates through a series of resolutions. The mechanisms behind the sanctions in these resolutions were aimed at disrupting the terrorists' operations and finances, and assets freezing and arms embargoes, but also travel bans on all individuals and entities that were listed as having ties to the Taliban, Osama bin Laden, al-Qaeda, or their associates (Rosand, 2004).

3.2 UNSC resolutions

The first actual UNSC resolution against an affiliate of al-Qaeda dates back from 1999 and was called as resolution 1267. This resolution established a Security Council Committee (hereafter referred to as the 1267 Committee), which was, among other things, in charge of monitoring states' efforts to implement all the imposed sanctions [UNSC-1267]. Originally, the 1267 Committee dealt with both al-Qaeda and the Taliban, and therefore it was previously known as the al-Qaeda and Taliban Sanctions Committee. Later on, in 2011 and pursuant to resolution 1989, the 1267 Committee was split into two separate committees that go by the ISIL (Da'esh) & al-Qaeda Sanctions Committee (1267/1989 Committee) and the Taliban Sanctions Committee (1988 Committee), to deal with the two groups separately [UNSC-1989].

After the establishment of the 1267 Committee in 1999, the UNSC adopted resolution 1333 in 2000. This resolution added a twelve-month arms embargo over Afghanistan's territory that was under Taliban control and it expanded the financial sanctions against Osama bin Laden and al-Qaeda [UNSC-1333]. The resolution expanded the air and financial embargo from resolution 1267, including the freezing of Osama bin Laden's and associates' funds. Also very important was the UNSC's request to the 1267 Committee to maintain an updated list of all the individuals and entities that were associated with Osama bin Laden and al-

Qaeda (currently this list goes by the name of the 'ISIL (Da'esh) & Al-Qaida Sanctions List' and contains 235 individuals and 75 entities against whom current sanctions are targeted (UNSC, 2016).

After the 9/11 attacks and the establishment of the Counter-Terrorism Committee, the UNSC strengthened its policy and continued the formation of resolutions to proceed the battle against al-Qaeda. In 2002, resolution 1390 was called and the sanctions in this resolution expanded the assets freeze and arms embargoes that had been in place since 1999. All the member states were obligated to freeze funds and financial resources to the sanctioned individuals and they were obligated to help prevent the direct or indirect supply of money through their country or through their citizens outside the country. Furthermore, the resolution added travel bans, which obligated all states to prevent the entry into or transit through their territories by designated individuals [UNSC-1390]. The 1267 Committee was given the task of submitting implementation reports to the Security Council. The input for these reports had to be provided by the countries that were responsible for the actual implementation of the resolution and had to cover the action they had taken [UNSC-1390]. To strengthen monitoring and guaranteeing implementation even more, resolution 1455 in 2003 obligated all states to create implementation reports themselves and these reports had to be submitted to the Security Council [UNSC-1455]. Furthermore, resolution 1526 in 2004 decided to further improve implementation by establishing a sanctions Monitoring Team and resolution 1699 in 2006 called for better cooperation between the UNSC and Interpol. These measures had to give all committees, as well as all member states involved with sanctions, better tools to implement the resolutions and act more effectively [UNSC-1526; UNSC-1699].

In 2008 and 2009, the corresponding resolutions reaffirmed the assets freeze, travel ban and arms embargo that had been in place, affecting all individuals and entities included on the Committee's consolidated list. The same reaffirming action followed from resolutions in 2011, 2012 and 2014, only then the sanctioned entities followed from the al-Qaeda Sanctions list, since the 1267 Committee split to deal with al-Qaeda separately. This created the 1267/1989 Committee, yet the actions remained the same; the assets freeze, travel bans and arms embargoes remained in place, with no new changes to the policy. This only happened in 2014 with resolution 2170, when ISIL gained territory and support, and hence the UNSC imposed new assets freeze, travel ban and arms embargo on six individuals that were associated with al-Qaeda, ISIL and Al Nusrah Front (ANF) [UNSC-2170].

Chapter 4

Research Design & Method

4.1 Research design

Funding and financial measures are both important inputs for terrorist organisations, as they are the main basis for executing their activities and keeping the organisation running smoothly. Consequently, multilaterally cutting the finances off is thought, besides military operation, to have a big impact on al-Qaeda's organisational capacity (Thorne, 2006). The main focus of the UNSC sanctions policy is on the freezing of assets and funding, combined with several restrictions for listed individuals. All these measures could contribute to a change or decrease in al-Qaeda's overall capacity. To investigate whether the multilateral sanctions have such an impact on al-Qaeda's terrorist activity, this research will perform a 'small N' qualitative case study over a specific period of time. This type of analysis is very well suited for a topic like this, as it allows for an in-depth investigation into the relationship among the UNSC sanctions and terrorist activity. The study object of the 'small N' method will be al-Qaeda, with the following subgroups and associates taken into account:

- al-Qaeda
- al-Qaeda in Iraq (AQI)
- al-Qaeda in Yemen (AQY)
- al-Qaeda in Lebanon (AQL)
- al-Qaeda in Saudi Arabia (AQSA)
- al-Qaeda in the Arabian Peninsula (AQAP)
- al-Qaeda in the Indian Subcontinent (AQIS)
- al-Qaeda in the lands of the Islamic Maghreb (AQIM)
- al-Qaeda organisation for Jihad in Sweden (AQJS)
- al-Qaeda network for Southwestern Khulna Division (AQKD)

The choice for these specific subgroups originates both from al-Qaeda's organisational structure and the database that provides the necessary data for this research. All these groups are directly al-Qaeda-affiliated and operate under centre al-Qaeda. AQAP, AQIM and AQI are officially recognised by al-Qaeda, the others lack official status but are prominent within the network (Szrom & Harnisch, 2011). The database that provided the data on these groups will be explained in more detail further on in this chapter.

4.2 Method

The dependent variable that this research will try to explain will be al-Qaeda's organisational capacity, measured as the terrorist activity of all the subgroups. This capacity is shown as attacks by all the subgroups, with and without casualties between 1999 and 2014. More details about how al-Qaeda's organisational capacity is represented will be provided in chapter 5. The period 1999-2014 is chosen because 1999 was the first year that UNSC sanctions to al-Qaeda (and the Taliban) were imposed, and 2014 because that was the year that ISIL originated from AQI and started to play a leading role in world terrorism, and furthermore because the database that provides the data for al-Qaeda's activity is only accurate until 2014.

The analysis will be divided in three parts, all with a time bucket of five to six years. Within each time bucket, a detailed analysis will be made of all the data in relation to al-Qaeda's organisational capacity. Overall, this case study will look into the possible explanation(s) for al-Qaeda's operational capacity as shown in the graph, by means of an in-depth investigation into data and reports.

4.3 Data and measurement

4.3.1 Dependent variable: al-Qaeda's organisational capacity

Al-Qaeda's organisational capacity is based on their overall activity throughout the years. Therefore, attention will not only be paid to the amount of attacks al-Qaeda executed all together, but there will also be a distinction between the numbers of active subgroups. In that way, it becomes clear how many subgroups were active and how active they were, by means of their amount of attacks. Attacks represent the overall ability of a terrorist organisation, as they basically reflect their entire capacity to operate and to achieve their religious, political or ideological objectives (Richardson, 2007). The amount of subgroups shows how widespread and expanded al-Qaeda generally is and the amount of attacks shows how 'powerful' each subgroup is. Logically, the more regions al-Qaeda is active, the more capacity they apparently had to expand and upgrade their operations. The amount of attacks and subgroups combined will make up for their overall organisational capacity.

To illustrate this, a graph is modelled that represents the development of al-Qaeda's overall capacity from 1999 to 2014. The data that is needed to create the graph is provided by the Global Terrorism Database (GTD). This database provides an accurate oversight of the incidents over time, the country and region where the incidents took place, the type of attack, the type of target, the type of used weapon and the amount of casualties, fatalities and injuries. The downloaded GTD is divided into two separate files because of the substantial size of all the data and information, which resulted in a database for the years 1992 to 2010 and a database for the years 2011 to 2014. Due to the fact that the GTD contained so much various information, some modifications to the database were made in order to make the data more usable for this research. Firstly, the Perpetrator Group Names (referred to as 'gname' in the database) were filtered, since this research only focuses on al-Qaeda and their subgroups. This left all al-Qaeda associated groups that have

been listed in chapter 4 as objects of study. Secondly, because the database only showed individual attacks per group per day, the attacks were added together in order to see the total amount of attacks (of all the groups combined) per month. Thirdly, a stacked area graph is created that shows the total amount of attacks per month and also shows the share every individual subgroup had in those total amount of attacks, see figure 1. This visualises the differences between al-Qaeda's subgroups and their capacities. And lastly, because this stacked area graph is not very well readable due to the large differences between the amount of attacks, a log transformed graph is modelled with the same data that created the stacked are graph. In this way, it is more clear which group was active when and with what kind of results, see figure 2. This log transformed graph is also used for the analysis part.

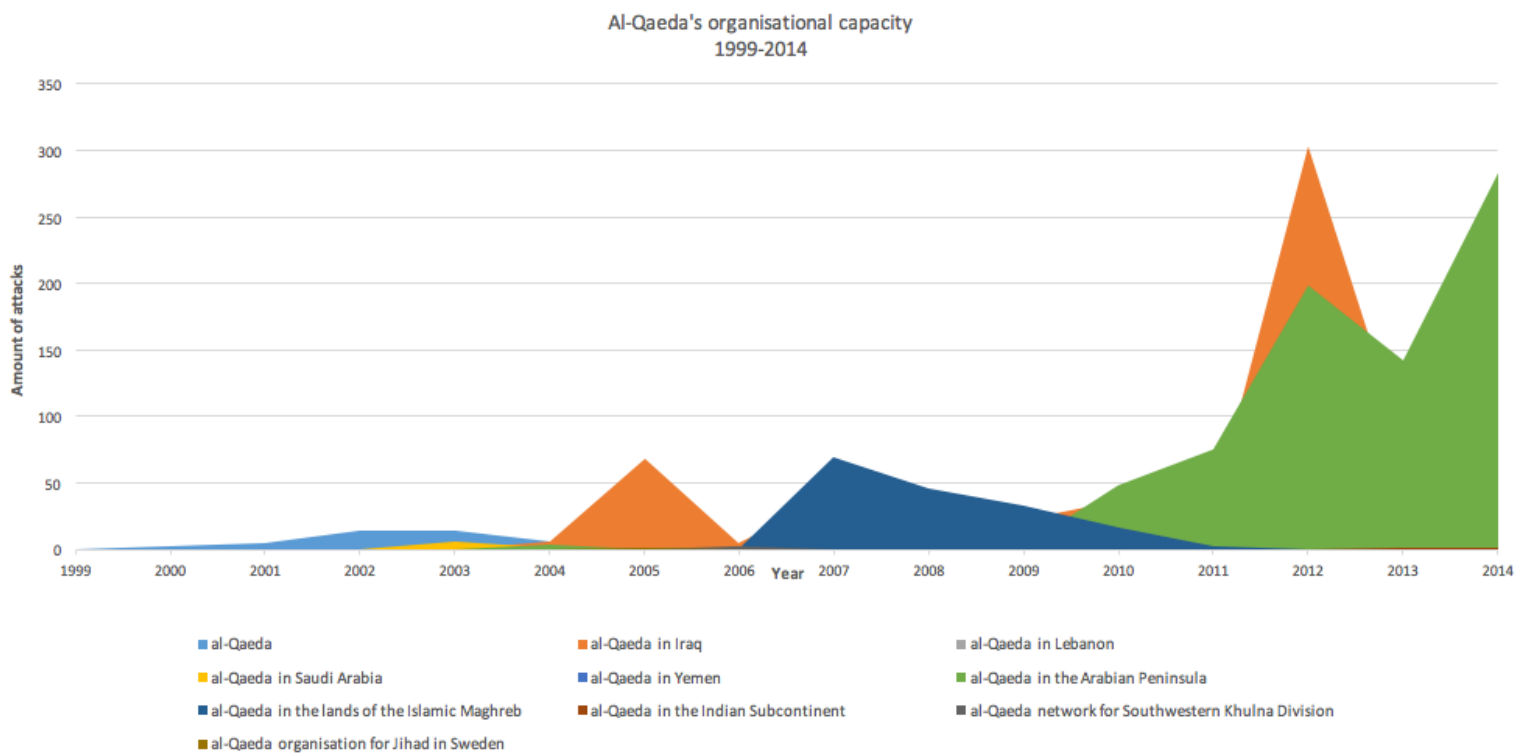


Figure 1: al-Qaeda's organisational capacity from 1999 to 2014, stacked area.

Al-Qaeda's organisational capacity
1999-2014

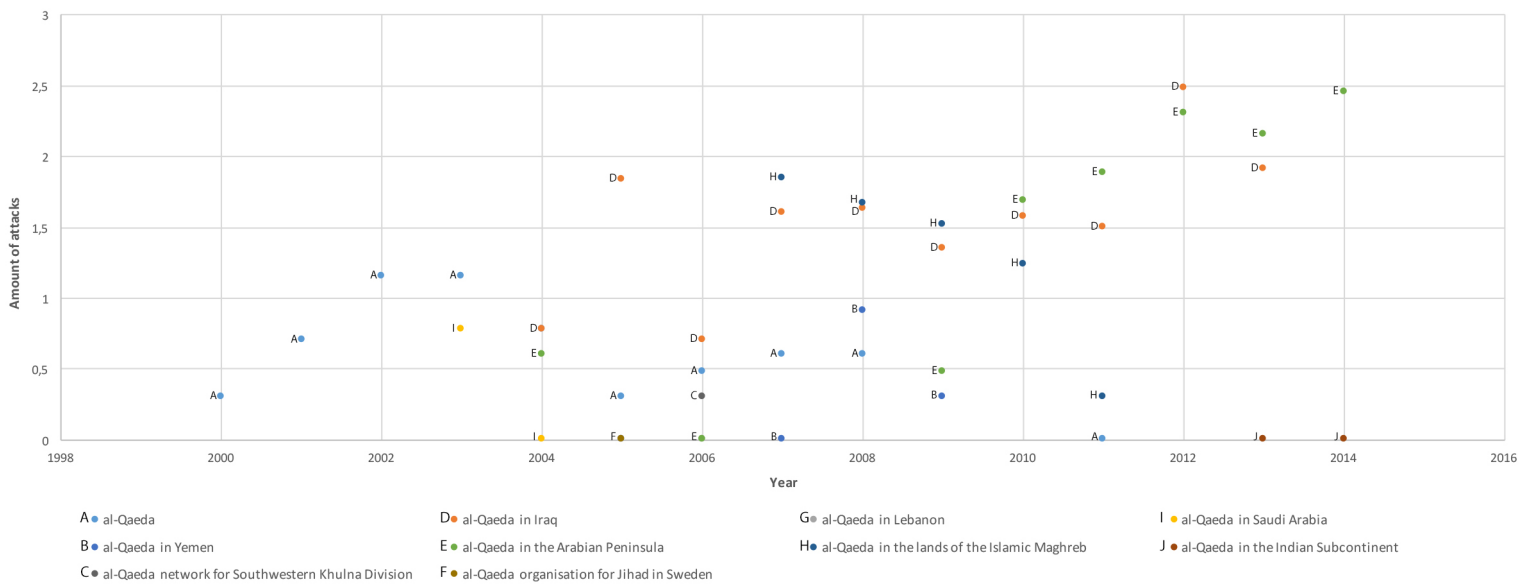


Figure 2: al-Qaeda's organisational capacity from 1999 to 2014, log transformed.

4.3.2 Independent variable: sanctions

To be able to investigate how sanctions influenced the development of al-Qaeda's organisational capacity, this study will focus on monitoring reports by the Sanctions Monitoring Team, implementation reports by the Counter Terrorism Committee and the annual reports by the Security Council. All the UN reports will be thoroughly evaluated to see whether the reports showed evidence of positive or negative effects of the sanctions and to understand what caused this (in)effectiveness. All the UN reports combined will serve as one independent variable: the UNSC sanctions. This independent variable is based on information provided through the following sources:

Monitoring reports

The 1267 Committee is supported by the Analytical Support and Sanctions Monitoring Team (hereafter referred to as the Monitoring team). This Monitoring team assists both the ISIL (Da'esh) & al-Qaeda Sanctions Committee and the Taliban Sanctions Committee and was established in 2004, pursuant to resolution 1526. The monitoring team has to gather information on states' compliance to the sanctions regime and inform the 1267 Committee about their findings. Furthermore, the monitoring team has to facilitate cooperation between states and the 1267 Committee and provide assistance on how compliance and implementation can be improved [UNSC-1526]. To do so, the monitoring team submits a report at least once a year, in which they report their findings on the sanctions regime's development, states' implementation efforts and the current regime's challenges.

Implementation reports

Quoting the Security Council, the effectiveness of the sanctions against al-Qaeda depends on the “*real and sustained support of all Member States*” [UNSC-1526, pp. 8]. The entire international community has to join their efforts to combat the violence and create a climate where al-Qaeda is hindered in raising, accessing and moving money, but also in purchasing military arms and crossing international borders. To see whether the efforts are indeed internationally combined and effective, every member state was instructed to prepare a report on their implementation of resolution 1455 in 2003. The UNSC prepared a questionnaire (see Annex 1) with a total of twenty-six questions, to get an understanding of how the resolution has been implemented by the respective state and possible challenges they face. These questionnaires covered every part of the sanctions regime, from the consolidated list to the assets freeze, arms embargo and travel ban.

Annual reports

The 1267 Committee prepares a report every year, which covers the activities of the committee and provides a summary of the sanctions regime. In the annual reports, the committee highlights new improvements and determines what has to be done in the upcoming years to improve the regime. These reports, obviously, contain a lot less detail than the monitoring reports, but provide an accurate overview instead.

4.3.3 Control variables

As explained in the theoretical framework, besides the UN sanctions policy, also other independent variables are taken into account. These variables function as ‘control variables’, because sanctions alone are not entirely responsible for al-Qaeda’s organisational development.

The following variables are taken into account beside the UNSC sanctions: military counter activity, al-Qaeda’s internal developments and citizen support for terrorism. With the help of the graph and these independent variables, the aim is to distinguish what the role of UNSC sanctions regime was in the development of al-Qaeda’s capacity from 1999 to 2014.

Military counter activity

The military counter activity on al-Qaeda will focus primarily on the actions of the largest actor in the war on terrorism: the US. Since the US is world’s top military superpower, it is expected that their actions made the most significant difference in the war on terror and consequently influenced al-Qaeda’s capacity (Credit Suisse Research Institute, 2015). The analysis will focus on the most important campaigns, strikes and other achievements undertaken by the US military, eventually in combination with other states. The data is obtained through news reports, military reports and investigative bureaus.

Al-Qaeda’s internal developments

The variable of al-Qaeda’s internal development consists of how they coped with external pressures on the

one hand, and other developments in the organisation on the other. Combined, this variable will look into the developments throughout the years from al-Qaeda's point of view as much as possible, to distinguish whether these internal developments changed, hindered or contributed to their organisation capacity. The analysis for this variable is based on scholarly articles, reports and news articles that reported on al-Qaeda's side of the spectrum.

Citizen support for terrorism

A support base is important to terrorists, as it can provide for new recruits, funding or intelligence. These are the people that do not actually commit violence themselves but are willing to assist the terrorists by providing them with resources (Joint Chiefs of Staff, 1998). Having this level of support, a terrorist organisation can more easily expand, gain territory and upgrade their operations. This also applies to al-Qaeda. Especially funding, as the theoretical framework has shown, and recruits are of great value to terrorist organisations to keep their operations going. When al-Qaeda can count on large support from citizens, chances are that it can more easily sustain personnel or financial loss (Terror Free Tomorrow, n.d.).

4.4. Reliability & Validity

The reliability of a study assesses the quality of the measurement procedure that is used to collect the needed data. In this research, the reliability is warranted by the triangulation in acquiring all the information, as the data that is used to determine the actual influence of sanctions is obtained through a variety of sources. They vary between official UN documentation, reports by scholars or investigative bureaus, and news articles. A qualitative 'small N' study like this one obviously has room for error, as every document is being processed by hand. But by not only looking at UN documentation and taking into account other important factors as well, the argumentation of how sanctions played their part is extensively substantiated. This extensive substantiation can make up for possible mistakes that are made in the qualitative analysis. The different variables either supplement or challenge each other, making the final argumentation very solid.

Validity refers to the probable truth about the concluded causal relationships between the dependent and the independent variables. The internal validity in this study is high, as the in-depth investigation into the independent and control variables makes it possible to determine which one had the most, or the least, impact on al-Qaeda's organisational capacity. In that way, the research guarantees that it determines the separate causal relationships between the variables, making an overall causal relationship well substantiated. With this, the validity of the separate variables is high as well, as they are all separately studied with multiple sources as substantiating. This allows for a clear and well supported argumentation on their individual efficacy. The choice for the three control variables is also well substantiated, making it a plausible indicating factor that can influence al-Qaeda's organisational capacity. The external validity of this research however, is quite low. This has everything to do with the 'small N' case study method and the complex construction of how al-Qaeda is set up. The UNSC sanctions that are applied to al-Qaeda do not necessarily

have the same effect on other terrorist organisations, as other terrorist organisations are organised in different ways and possibly require different measures. For that reason, the results cannot be directly generalised to wider or varied objects of study, resulting in a low external validity.

Chapter 6

Analysis 1999-2004

This chapter analyses the effect of the UN sanctions on -Qaeda's organisational capacity in the period 1999 - 2004. First, the UNSC data will be discussed and thereafter the military counter activity, al-Qaeda's development and citizen support. The chapter rounds off with a preliminary conclusion of the findings.

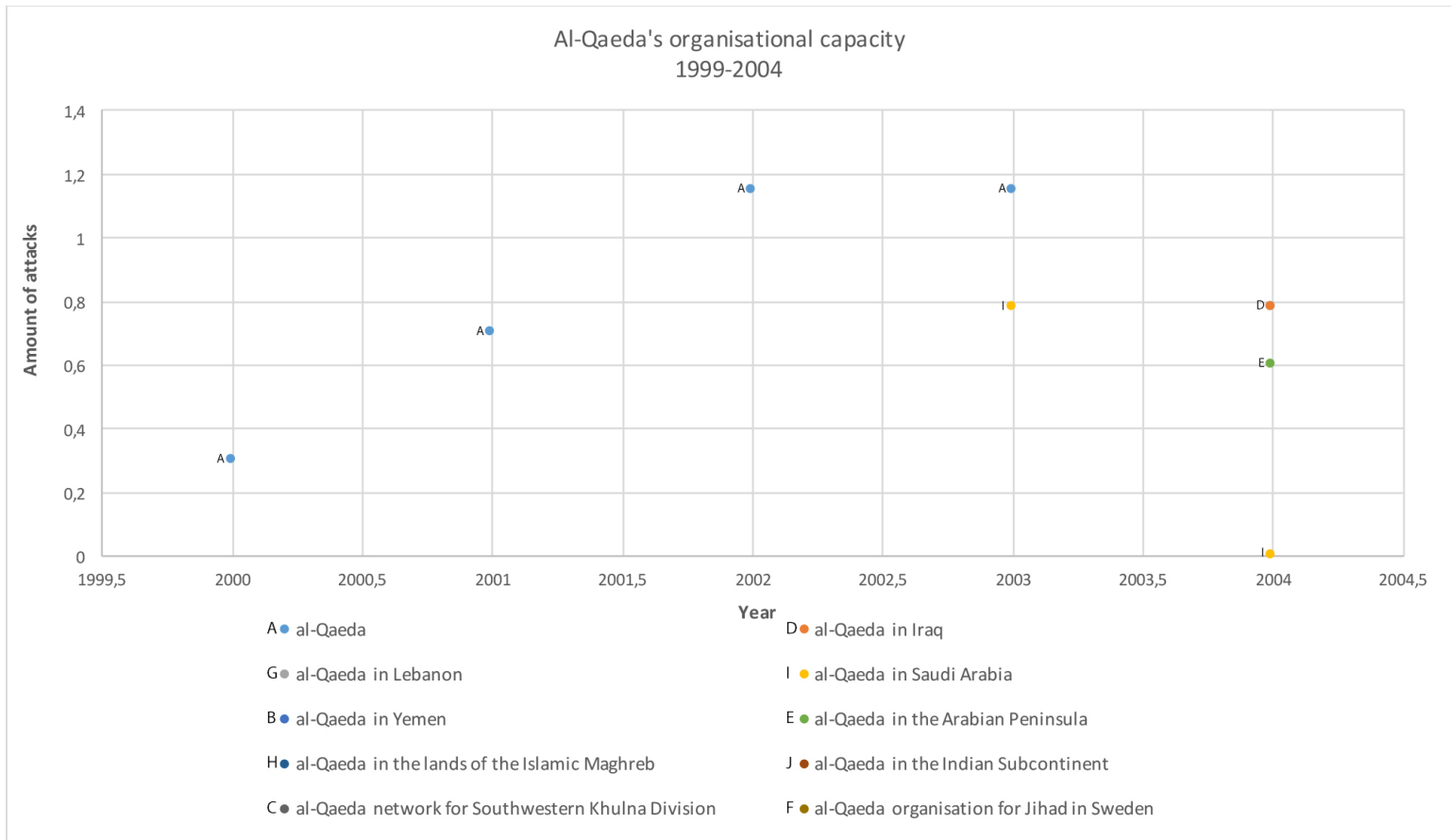


Figure 3: al-Qaeda's organisational capacity from 1999 to 2004.

6.1 UNSC data

While still relatively new to the Western world, terrorism was on the rise and the UNSC had to respond to that upcoming threat. As figure 3 shows, al-Qaeda had been present before, but it had the opportunity to expand by three groups in different regions from 2003 onwards. During the first six years, all these al-Qaeda groups were mainly active in the Afghanistan, Pakistan and Saudi-Arabia regions. It was only in 2004 when the Western society was startled again by their actions, with the bombings in Madrid.

6.1.1 Consolidated list

During the first years of the sanctions regime, the 1267 Committee was mainly concerned with composing and adjusting a list of individuals and entities associated with al-Qaeda. This list had to function as the base

for imposing assets freeze, arms embargoes and travel bans and consisted of 174 individuals and 111 entities in 2004 [MR-679]³. It was not a criminal list, as the sanctions were temporary and only meant to be preventive, not punitive. Because the entire mechanism only just came in place in this first time bucket, the actions of the regime would obviously seem limited. To nevertheless make sure that a solid strategy would be set in place, every member state was urged to complete the 1455 questionnaire, so the UNSC could see what had been done and what needed to be done additionally [MR-679] (see Appendix 1). Unfortunately, not many member states responded immediately. From the 191 member states, only eighty-seven responded within the same year. Surprisingly so, forty-two (45%) of those member states, of which eleven actually encountered terrorist activity in their country, complained about incomplete or unclear data in the list, resulting in serious problems with implementation. The numbers did not improve significantly after 2003, when in 2004 an additional forty-two member states submitted their report, of which seventeen complained about insufficiencies in the list [IR]⁴ (see Appendix 2).

These problems also came forward in the first report by the Monitoring team and several of the annual reports from 2000 to 2004 [AR-281; AR-1039]⁵. Several states mentioned technical and practical problems with the list. Many entries lacked basic identifiers, such as date of birth, nationality and passport information. Also inconsistencies and inaccuracies were noticed in the spelling and transliteration of the names on the list. This lack of data made enforcement action virtually impossible [MR-679].

6.1.2 Assets freeze

As early as the first years of the sanctions regime, it became clear that while the centre of al-Qaeda (consisting of the main leading figures) may have provided some money to the organisation, much of it will have been collected locally, either through crime, or diverted from charitable donations [MR-679]. What the assets freeze needed to help doing, was identifying the individuals who collected or moved these funds on behalf of the terrorists. When success had been achieved in that respect, al-Qaeda would be forced to seek alternative means to raise and move their assets. As a result, al-Qaeda is not only denied important means (the assets itself), but there are also costs imposed for having to adapt their methods. Judging from the implementation reports, a legal basis for freezing assets has been set in place in 123 of the 129 member states who have completed the questionnaire before 2004 [IR] (see Appendix 2). As a result, roughly 100 millions of dollars had been frozen by 2004, meaning that al-Qaeda's funding had decreased significantly. On the other hand however, the Monitoring team had also noticed that al-Qaeda showed great flexibility and the ability to adapt to new circumstances. This unfortunately contributed to the limited impact of the regime in the first six years [MR-679].

³ [MR-x] is used as the reference style for primary UN documents. See References; Primary Documents; Monitoring Reports. The number corresponds with the identification number of the report.

⁴ [IR] is used as the reference style for primary UN documents. See References; Primary Documents; Implementation Reports.

⁵ [AR-x] is used as the reference style for primary UN documents. See References; Primary Documents; Annual Reports. The number corresponds with the identification number of the report.

6.1.3 Arms embargo

While only seven out of the 129 member states claimed not to have any legislation in place to control arms and explosives, the Monitoring team noticed that the member states who did have legislation, did not have the proper legislation to actually be effective [IR; MR-679] (see Appendix 2). As a result, al-Qaeda was still able to mount attacks that involved arms and explosives. Simply because they were not covered by the legislation. The Monitoring team acknowledged the need for new legislation on terrorist related materials, as the current situation did not show much effects [MR-679].

6.1.4 Travel ban

As with the assets freeze, the consolidated list was the basis that decided who was no longer allowed to travel freely across borders. The incomplete or absent data appeared to be the most problematic for the travel ban. The lack of detail in many entries on the list made it difficult, if not impossible, for border officials to be certain that any specific traveller was registered on the list [MR-679]. This allowed listed individuals to avoid border controls, causing the travel ban to have no effect. This was underlined by the absence of a solid visa regime in many countries, combined with the lack of technological equipment. In those cases, the shortcomings exceeded member states' capacity to impose effective restrictions on listed individuals.

6.2 Military counter activity

After 9/11, George W. Bush immediately began preparing the US military for retaliation actions. His response was a military campaign rather than legal proceedings against individuals. A response in which he recognised the global nature of the threat (Wright et al., 2010; Zimmerman, 2013). Critics however argued that Bush had failed to provide a precise definition of this global threat and this would keep tormenting the policy (Zimmerman, 2013). Nevertheless, in less than a month after 9/11, the US began attacking al-Qaeda in a variety of ways. The largest campaign was Operation Enduring Freedom (OEF), targeted against the Taliban regime and its al-Qaeda allies in Afghanistan. Initially this operation mainly consisted out of small teams of Special Operations Forces and air power. In October 2001, the first US ground troops placed their boots on Afghan ground (Wright et al., 2010). This campaign was not without difficulties, as the US Central Command (CENTCOM) did not have a cut-out plan ready for ground operations in Afghanistan.

Constructing this plan was no easy task as well, as CENTCOM did not have much time or resources to construct a proper plan. They only had a list of al-Qaeda locations that could be targeted with air and cruise missile strikes. This did not make mobilising troops any easier. Moreover, the US had other difficult tasks to attain, such as gaining indigenous support in Afghanistan and surrounding nations (Wright et al., 2010).

Despite these challenges, the US army rapidly gained control of most of northern Afghanistan. They were able to restrict the Taliban to a smaller region and in December 2001, the Taliban officially fell. Though, the war was far from over. Prominent al-Qaeda leaders were able to escape, fleeing to neighbouring Pakistan or remote mountainous regions. There were estimates that al-Qaeda members had fled to Paktia, a region in

Afghanistan. Those estimates ran as high as 1,000 fighters (Wright et al., 2010). This intelligence eventually led to the single largest combat action of OEF: Operation ANACONDA. More than 2,000 ground troops entered the Shahi Kowt Valley in Afghanistan to conduct searches and destroy operations against a large concentration of al-Qaeda and Taliban fighters.

In August 2003, the campaign expanded when NATO became involved as an alliance partner. NATO took the lead in the International Security Assistance Force. The main purpose of that force was to train the Afghan National Security Forces and assist Afghanistan in rebuilding their government (Maloney, 2003). The number of troops grew to 20,300 in 2004. Most of them were located along the Afghan-Pakistan border to provide security and assist in reconstruction projects. The operation killed, wounded or captured several hundreds of enemy troops, while the rest was driven further underground or into Pakistan (Wright et al., 2010). However, al-Qaeda militants remained present in both Afghanistan and Pakistan, and they showed no sign of dissipating. Instead, their terrorist attacks continued to increase and the group as a whole appeared better organised and better funded. By 2004, Afghanistan's future did not appear secure at all (Wright et al., 2010).

6.3 Al-Qaeda's internal developments

Osama bin Laden had obtained a lot of followers with his idea of global jihad and liberating the Muslim world from Western occupation (McCormick, 2014). Like-minded from across the Arab world as well as South Asia were prepared to join him in his ideology to force political changes through the use of violence. By 2001, Bin Laden's followers had already established groups in Egypt, Libya, Algeria, the Philippines, Uzbekistan, Yemen and not to forget Afghanistan and Pakistan (Gunaratna, 2005). During the initial years, the organisation was led by a hierarchical structure with Osama bin Laden on top and controlled by a cadre of senior leaders. The most important senior leader was Ayman al-Zawahiri, Bin Laden's deputy. The entire al-Qaeda network was ran from the top down, from operations to communication (Zimmerman, 2013). After 9/11, the amount of al-Qaeda supporters grew even larger. Many groups emerged or pledged allegiance to Osama bin Laden. Among these groups were AQY, AQI and AQIM, just a couple of the deadliest affiliates throughout the 2000s (Cragin, 2014).

The organisation had to deal with the US invasion of Afghanistan, and many affiliates had to flee for a safe haven. While the Taliban was defeated within a few weeks, most al-Qaeda affiliates were able to escape, including Osama bin Laden. Therefore, al-Qaeda did not have to deal with many casualties initially, as they just retreated, mostly to Pakistan or the Afghan-Pakistan border (Wright et al., 2010). However, the organisation did lose legitimacy straight after the 9/11 attacks, as Bin Laden initially denied any responsibility. With his denial, Bin Laden failed to provide the jihadist Muslims with a clear 'crusader' in the beginning of a war against the West (McCants, 2011). Meanwhile, al-Qaeda also had to compete for attention in the Islamic world because of the battle in Iraq. When the US eventually invaded that country in

2003 too, Bin Laden and Zawahiri took hold of that opportunity and provided the Islamic world with a joined enemy. They hoped that those developments would push Muslims in the direction of al-Qaeda and divert them from the US. Bin Laden exploited the opportunity even more in 2004, when he openly took responsibility for 9/11 in a video tape and referred to al-Qaeda's 'war of attrition' against the US by the end of 2004 (McCants, 2011, pp 27). This would strengthen the organisation's ideology and position, and led to a boost in new followers who wanted to join this 'holy' battle.

6.4 Citizen support for terrorism

Despite the absence of a clear 'crusader' straight after 9/11, trust in Osama bin Laden was high early 2000s. Muslims from Indonesia, Pakistan, Jordan, Palestine, Israel, Lebanon, Turkey, Nigeria and Egypt were asked whether they had a lot, some or not too much confidence in Osama bin Laden. As table 1 shows, in 2003, most of the questioned countries showed (relative) high levels of confidence in the leader (PEW, 2005).

In Saudi Arabia, no less than 95% of Saudis under forty years old expressed sympathy with Bin Laden in a poll that was conducted early 2004 (Terror Free Tomorrow, 2004). This was an interesting and typical finding given the fact that AQSA had its outset in 2003. Resulting from this high level of trust, it is reasonable to think that al-Qaeda received a lot of support from the Muslim society. Whether that was by means of resources, manpower or simply spreading their ideology, it is likely that al-Qaeda benefitted greatly from a large support base (Terror Free Tomorrow, 2004).

Confidence in Osama bin Laden*				
	A lot/ Some	Not too much	None	DK
	%	%	%	%
	Jordan May 2003	60 55	20 26	18 18
Pakistan May 2003	51 45	11 7	12 20	26=100 28=100
Indonesia May 2003	35 58	27 26	10 10	27=99 7=100
Morocco May 2003	26 49	8 7	40 29	26=100 15=100
Turkey May 2003	7 15	6 7	73 67	14=100 11=100
Lebanon May 2003	2 14	9 18	78 64	10=99 4=100
*Confidence in Osama bin Laden to do the right thing regarding world affairs				

Table 1: confidence in Osama bin Laden to do the right thing regarding world affairs (PEW, 2005).

The same trend was visible regarding suicide attacks, as the same countries were asked whether they supported suicide bombings. In 2002, one-third (33%) of Pakistan interviewees found suicide bombings often or sometimes justified in 2004 and that percentage grew to 41% in 2004, visible in table 2. In Lebanon the support was even higher. Here, suicide bombings found justification among 73% in 2002 (PEW, 2005).

Combined, trust in Osama bin Laden and approval of his actions created a strong base of support for al-Qaeda. Al-Qaeda in general, as well as their affiliates, must have drawn strength from this base as they continued to expand and spread. And while overall opinions started to decline significantly after 2005, the first couple of years clearly showed how the majority of the Muslim world seemed to have Osama's back.

Support for Suicide Bombing Declines				
	<i>Violence against civilian targets justified</i>			
	Often/ Sometimes			
		<u>Rarely</u>	<u>Never</u>	<u>DK</u>
	%	%	%	%
Jordan <i>Summer 2002</i>	57 43	31 22	11 26	1=100 8=99
Lebanon <i>Summer 2002</i>	39 73	19 9	33 12	10=101 6=100
Pakistan <i>March 2004</i> <i>Summer 2002</i>	25 41 33	19 8 5	46 35 38	10=100 17=101 23=99
Indonesia <i>Summer 2002</i>	15 27	18 16	66 54	1=100 3=100
Turkey <i>March 2004</i> <i>Summer 2002</i>	14 15 13	6 9 7	66 67 64	13=99 9=100 14=98
Morocco <i>March 2004</i>	13 40	5 15	79 38	3=100 8=101

Table 2: support for suicide bombing to defend Islam (PEW, 2005).

6.5 Conclusion analyses 1999-2004

In these first six years, the counter measures against al-Qaeda did not have a great impact on their organisational capacity. While the military strikes caused serious challenges to the organisation, al-Qaeda was definitely not defeated. Most of the militants were able to escape and luckily for them, the regions where they fled to, were the regions where government was weak or absent. The sanctions could not really make a difference yet, as the mechanism was impeded by practical or technical challenges. The main goal of the regime, consisting of the consolidated last with its preventative aim, was neutralised by the lack of, or incomplete, data. While the first years of the sanctions regime showed definite signs of economic warfare by targeting specific al-Qaeda property, prominent leaders and key figures were not really challenged in their operations. Combined with a large support base, al-Qaeda was not only able to survive the first stage of the war, they also continued to flourish. It became clear that it was going to be difficult to enforce sanctions against diverse groups of individuals who were not in one location. Al-Qaeda was on the rise and at this point, the UNSC had to pull all the strings to counter this movement.

Chapter 7

Analysis 2005-2009

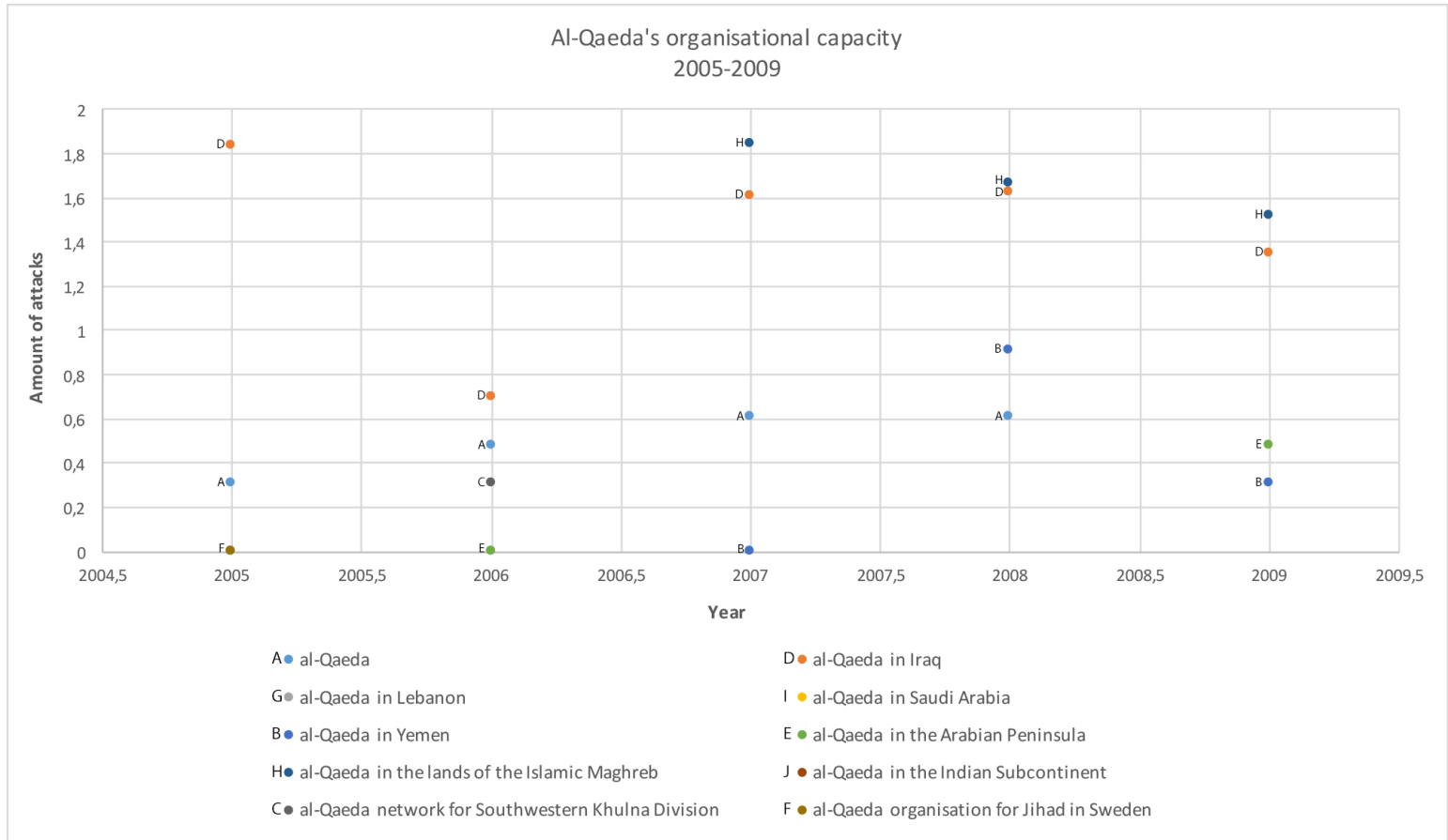


Figure 4: al-Qaeda’s organisational capacity from 1999 to 2009.

7.1 UNSC data

The UNSC witnessed how the threat grew over these five years. Al-Qaeda was able to continue their campaign and expand over more regions in the world, as shown in figure 4. But al-Qaeda’s violence was not limited to those regions alone, as the second half of 2005 also saw serious attacks in London, Bali and the Russian Federation [MR-154]. Compared to the first six years of the sanctions regime, not even a slight decrease in organisational capacity is showing. This also had to do with the fact that more recruits were radicalised by world events or by extremists in their communities. This happened through terrorist websites or chat rooms on the internet. These ‘lonely’ recruits stayed anonymous and largely invisible until they had struck [MR-572]. The lack of an organisational structure made the detection of new cells particularly difficult for the counter-terrorist community. The dangers of the internet only increased over the years, with no proper answer to this threat by the end of 2009. It simply was too difficult to design a proper mechanism to counter the internet’s use for the wrong reasons. On the other hand the sanctions regime continued firmly, with the result of symbolising a strong international condemnation of al-Qaeda. The sanctions did not only

target the organisation itself, it also helped to create an international narrative on their rejection. This globally agreed programme of action should urge states and citizens to do whatever they can to contribute to al-Qaeda's destruction.

7.1.1 Consolidated list

The consolidated list continued to serve as the foundation for the implementation and enforcement of the al-Qaeda sanctions, yet it also remained the main source of the problems associated with them. With an increase of eighty-four individuals from 2005 to 2009 that were listed, the list continued to have serious shortcomings. In 2007, the Monitoring team had to conclude that many prominent al-Qaeda leaders still were not listed, and adding names to the list in general continuing a downward trend observable since 2001. Apparently, states had political (when individuals for listing were non-nationals and listing may seem an intrusion into the affairs of another state), practical, domestic (afraid of stigmatising a particular segment of the community) and legal problems that undermined their capacity to submit names to the list [MR-677].

Throughout the years, the list continued to have insufficient identifiers to allow proper enforcement of the sanctions. By 2009, sixty out of 153 member states (40%) who submitted their implementation report, reported serious problems with the list due to incomplete or unclear data. And since states could not implement the sanctions unless they could identify their target, it is most likely that many terrorists got off unharmed. In an effort to counter this, the Monitoring team designed cover sheets as standard proposal sheets for listing. In this way the Monitoring team wanted to ensure that every state followed the same format and covered all required information for listing [MR-154]. Another proposal was the checklist, which states had to complete for listed individuals to provide more information on them [MR-83]. However, both the cover sheet and the checklist were not as effective as hoped, as by the end of 2009 still not many states had submitted additional information on listed individuals. In 2009, the Monitoring team was forced to design a new format of the cover sheet in a new effort to improve listings once again. But especially the checklist did not attract much result, as it became clear that states were no longer willing to devote time and energy to preparing written reports to the Council's counter-terrorism committees as they were in the period immediately following the attacks in September 2001 [MR-132]. From the 153 member states who submitted their implementation report to the Monitoring team by 2009, only three (less than 2%) noted that they had not implemented the list in their security system [IR]. Later investigations by the team showed however that many of the developing countries did indeed incorporate the list, but had to search it manually (often due to a lack of capacity and technology) [MR-132]. While they had no lack of will, their way of checking the list likely contained a larger margin of error and took a lot more time. And especially time concerns created problems with the travel ban.

Another threat to the regime rose at the end of 2004 and continued during these five years, when many legal cases were filed against the imposition of sanctions. Obviously, these legal cases posed a serious

impediment to the success of the sanctions regime [AR-848]. The main problem in these cases was the lack of review or appeal for the listed individuals. This could not only infringe human rights, but resulting from that, it could also inhibit states from submitting names to the list [MR-245]. In 2008 the legal cases reached a climax, when The Court of Justice held that the sanctions had infringed the basic rights of Qadi and Barakaat. Qadi and Barakaat filed a case against the implementation of sanctions against them and the Court ruled that the Commission could not impose the measures without communicating substantive reasons that justified its implementation to the listed individual [MR-245]. Even though in first instance the Commission decided to continue the sanctions, 2009 was not the end of this legal debate, more like the beginning. The case Qadi was far from closed. These legal debates did initiate an improvement to the list, by means of narrative summaries for every entry that explained the reasons for listing. However, as with so many other procedures, these summaries were only available for every entry in 2012, which was no fast improvement to the list's legal position.

Since de-listing also caused some legal issues, improved procedures for de-listing would add fairness to the sanctions and strengthen the regime as a whole. In 2006, a recommendation was made by Denmark to establish an independent review mechanism, in the form of an ombudsman [MR-750]. This review mechanism could accept petitions from listed individuals who claimed they were unjustly included and unable to get de-listed. This was very much needed, as during these five years more and more states began expressing their concern that the sanctions were punitive rather than preventative, as listed individuals could practically not be removed. As the preventative aspect of the sanctions was one of the main foundations for the regime, the Security Council directed the 1267 Committee to review all names on the list within two years from 2008 [MR-324]. The Ombudsman was a very welcomed mechanism for continued review, but it only came into effect in 2011.

7.1.2 Assets freeze

Since the first establishment of the assets freeze in 2001, the amount hardly changed, balancing around 100 million us dollar in 2005 and adjusted downwards to approximately eighty-five million in 2007, after which it did not change before 2010. The Monitoring team had to come to the conclusion that that number was inaccurate, because while the amount did not increase, the number of listed individuals did. As a confirmation, the Monitoring team received concerns from several states that the amount was too small relative to the large number of listed parties and the frequency of attacks [MR-132].

States were not able to provide definitive information on how al-Qaeda raised money and moved it across borders. This led to assume that they had been forced to use a variety of illegal methods and tactics to obtain funding, resulting in more risks and possibly additional costs. While this not directly prevented al-Qaeda from obtaining financial means all together, it did result in financial pressure on the organisation [MR-83]. The Monitoring team found that there were many states, more than anticipated, that appeared to be

struggling with these illegal methods of obtaining funding and needed technical assistance to reach the required standard. For this reason the 1267 Committee urged states to adopt recommendations and initiatives by the Financial Action Task Force (FATF). They introduced, among other things, special recommendations on anti-money laundering and how to deal with cash couriers in 2005 [MR-572]. Getting global support for the FATF took some time, as the cooperation between the 1267 Committee and FATF had only started in the beginning of 2005. A solid cooperation had been achieved in 2009, when the Monitoring team noticed the first effects from their combined efforts. By that time, states were persuaded by the cooperation to improve its implementation procedures for the sanctions regime [MR-245].

The role of crime in obtaining money became larger throughout the years and converged with other criminal activity [MR-677]. This made it harder to distinguish one from the other and apply the appropriate mechanism. Moreover, in 2009 the Monitoring team started noticing the considerable amount of ransom payments for kidnappings to terrorist by member states. While no state would openly admit doing so, this was the starting point for a new way of collecting funds for terrorists [MR-245].

7.1.3 Arms embargo

The arms embargo showed a varied effect: in most areas, al-Qaeda associates had to resort to improvised means of attack and their frequency was limited [MR-245]. However, this did not detract from their ability to cause suffering and fear among civilians. This had to do with the fact that al-Qaeda had been able to adapt to other measures and methods. While these adaptations are a direct result of the inability to obtain weapons under the sanctions regime, it did not stop them completely from carrying out attacks.

Also, there was a less widespread understanding of the exact scope of the embargo. This kept concerning the embargo for the entire five years, meaning that states did not have the right legislation in place, or did not know what to do when the embargo had been breached [MR-502]. Apparently, the majority of states only had classic arms regulations to implement the arms embargo, generally relying on legislation that was in place before the establishment of the al-Qaeda/Taliban sanctions regime [MR-132]. This was unfortunate, as the al-Qaeda arms embargo required specific legislation for its effective implementation and only few, if any, states have implemented the embargo to its full extent. Moreover, in Afghanistan, the Afghanistan-Pakistan border area, Iraq, small areas of the Philippines and Somalia, the burden of implementation extended beyond their capacities [MR-324]. By exploiting the vulnerability of those regions, it is no surprise that al-Qaeda was able to continue their organisational capacity over there. While in these five years the ineffective implementation of the arms embargo may not have prevented al-Qaeda's operations altogether, it did appear successful in forcing them to operate in ways that were less devastating [MR-572]. Logically, improvised products have a significant different and decreased effect than military products, and the areas outside the above mentioned ones, enforced al-Qaeda to improvise.

7.1.4 Travel ban

In these five years, al-Qaeda kept finding new methods to evade detection while travelling. Among those methods were false passports, visas and other travel documents, but they also exploited technical problems at borders [MR-83]. While the fact that terrorists remained able to travel was disappointing, the travel ban did create extra costs and burdens on them. The only way to circumvent the controls, was to buy their way out, with extra risks involved.

Improvements to strengthening the travel ban have been made throughout the years. The Monitoring team expressed its desire to establish a cooperation with Interpol, which was only realised in 2009. Due to that cooperation, there was an encouraging rise in the number of states contributing to Interpol's Stolen and Lost Travel Documents Database, consisting of 16,513,637 travel documents in 2009 [MR-245; AR-22]. Cooperation with the International Civil Aviation Organisation (ICAO) and the International Air Transport Association (IATA) were initiated in 2006 by providing IATA an information package about the sanctions measures to disseminate to its 260 member airlines [MR-750]. After cooperation with Interpol was established in 2005, the special notices (wanted posters) were introduced in 2006. These special notices contained details such as names, photograph(s), gender, physical description and information regarding identity documents such as passport details. All this information made it more and more risky for terrorist to move around. By July 2009 there were 340 special notices for listed individuals (also including the Taliban) [MR-502]. There were challenges, as by the end of 2009 it became clear that states did not have a fast or effective way to receive confirmation if they thought they had stopped a listed individual at a border [MR-324]. Thereby this procedure either took too much time, or did not take place at all and as a result the potential terrorist was allowed free movement.

No listed individual had presented himself at any border since the beginning of the travel ban, yet it is most unlikely that they had not been travelling all those years. This continuing ability was partly a result of al-Qaeda's success in circumventing border controls, but also due to the problems identified with the consolidated list itself. Combined with the noted problems concerning checking of the list, it would appear that the travel ban had not really been able to yield results. However, the prominent leaders that were listed did not move around, because for them it was too dangerous. They mainly remained under siege and remote [MR-324]. Other listed individuals were either forced to take risks, or inhibited from travelling at all.

When terrorists did continue to move freely, this was in part the result of areas of conflict, such as Afghanistan, Iraq and Somalia, where there was no effective border control and impossible to implement the travel ban. This corresponded with the relationship between the amount and places of attacks, as they mainly took place in those conflict areas. But for the most part, the key to successful implementation of the sanctions regime is the amount of accurate detail on the consolidated list.

7.2 Military counter activity

From 2004 onwards, the US conducted a sharp campaign to target and kill al-Qaeda (and Taliban) leaders, their network and individual fighters, mostly based in the north-west of Pakistan. Since the government failed to hold authority over that part of the country, al-Qaeda's members had free play (Roggio, 2016). US campaign changed when attention shifted to Iraq, where war was escalating in 2006. The pentagon decided to shift military resources to that country instead, and troops in Afghanistan remained just over 20,000. Meanwhile, al-Qaeda was able to increase and continued to gain territory over more regions (Council on Foreign Relations, n.d.). The Bush administration failed to target groups outside the direct region of Afghanistan and Pakistan. For example, the US allowed AQI to expand control over Syria and there were no US measures against AQIM (Zimmerman, 2013). Instead, the US relied on Yemen to take care of that organisation on their own and as all the evidence shows, they were clearly not capable of doing exactly that. AQIM would turn out to be one of the most active, if not deadliest, subgroups of al-Qaeda. The US incorrectly regarded that subgroup as nothing more than a 'kidnap-for-ransom and smuggling racket' (Zimmerman, 2013, pp 4).

An improvement to this situation came under the Obama administration, when US military campaign was enlarged to refocus on a global threat from al-Qaeda (Zimmerman, 2013). Obama also intensified the ground troops in Afghanistan; in January 2009, the pentagon placed another 30,000 extra troops in the country, on top of the 68,000 already in place. The reasons for this expansion was Obama's link between military success in Afghanistan on the one hand and a stable Pakistan on the other. Securing those two countries was important, since al-Qaeda's main activity took place along the borders of both countries. Ultimately, the goal was *"to disrupt, dismantle and defeat al-Qaeda in its safe havens in Pakistan and to prevent their return to Pakistan of Afghanistan."* (Council on Foreign Relations, n.d., pp 1).

Another important milestone in the military battle against al-Qaeda, was the use of drone strikes. The year 2008 saw a sharp increase of their use under the Bush administration. This would be the start for an enduring drone campaign on al-Qaeda, in different regions around the world. After 2008, President Barack Obama took the campaign to another level, visible in figure 5. Especially in Pakistan, drones have continuously hit al-Qaeda targets, killed key leaders and obstructed their operations. Even if they were not active, the idea of drones creates a certain sense of insecurity among terrorists, knowing there is always something that lies in wait. This alone creates obstructing to normal operations (Kilcullum & McDonald, 2009).

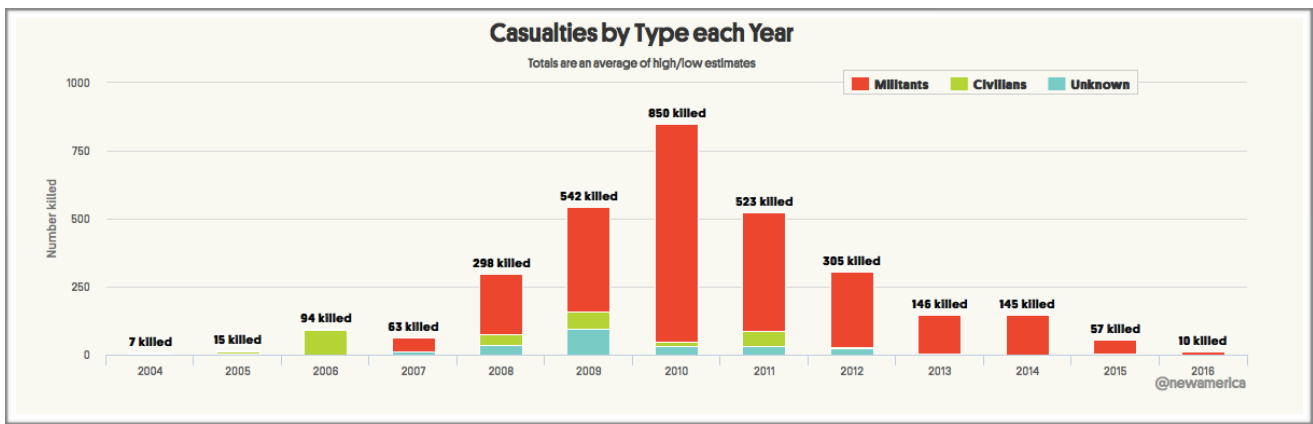


Figure 5: drone strikes on al-Qaeda in Pakistan from 2004 to 2016 (International security, n.d.:a).

The drone strikes were mostly targeted along the Pakistan-Afghan border. Afghanistan itself is the most heavily targeted country in the world, yet there is no public record of when and where these strikes took place, or who they killed. On the other hand, there is quite some information available on drone campaigns in Pakistan, Yemen and Somalia (Ross, 2014).

From the data that is available, it is very clear that 2008 was the start sign for something larger to come. The total amount as shown in figure 5, does not distinguish between al-Qaeda or Taliban casualties. Nevertheless, with 298 al-Qaeda/Taliban militants who had been killed in 2008 and 542 in 2009, drone wars were a promising new campaign. Fifteen senior al-Qaeda leaders had been killed in US airstrikes in Pakistan in 2008, and ten in 2009 (Roggio, 2016). Interestingly, from the 121 attacks that were carried out in 2010, resulting in 820 perpetrator casualties, only seven were documented as actual al-Qaeda strikes (International security, n.d.:a). The others were either unknown or Taliban casualties. While this does not mean that al-Qaeda had not been hit beyond those seven times, it does show that drone strikes were not 100% accurate when it came to measuring their effectiveness. Especially since not all the data is available, it remained (and still remains) unclear how hard al-Qaeda actually has been hit by the rising drone campaigns.

7.3 Al-Qaeda's internal developments

The hierarchal structure that led the al-Qaeda organisation did not hinder them at all. Killing senior leaders did not have a lasting impact, as they were just as easily replaced. For example, in these five years, the US military had killed or detained many leaders of AQI, even its founder Abu Mus'ab al Zarqawi. Yet it did not affect the strength of the group and their ability to conduct operations (Zimmerman, 2013). The 'kidnap-for-ransom' group AQIM saw the largest expansion of any of the regional groups. They were able to expand in operational areas as well as in overall capabilities. Partly this was a result of Bush's blind eye and partly because of their own making. The expanded group turned into organised 'battalions' and 'brigades' and they became active in Algeria, Tunisia, Mali, and Libya (Kagan, 2014, pp 1).

Bin Laden had been quite active, as he released five audio tapes since 2006. In those tapes he reinforced his role as an inspirational leader and emphasised the unifying force of al-Qaeda. His deputy Ayman al-Zawahiri issued thirteen messages, mainly as videos, in the same period as Osama bin Laden [MR-750]. Both their videos received a lot of publicity, which helped spreading the word and encouraged members to carry out operations in al-Qaeda's name. This was also facilitated by the increased use of the internet among al-Qaeda groups, and internet propaganda grew exponentially. Through the internet Bin Laden could reach thousands, if not millions, of followers and he could personally justify to them how the use of violence was not only legitimate but also obligatory in support of al-Qaeda's cause [MR-677].

7.4 Citizen support for terrorism

Interestingly so, while al-Qaeda continued to expand over these five years, support for suicide bombings and trust in Osama bin Laden declined in most Muslim-majority nations. In Lebanon, the country that highly supported suicide bombings early 2000s, only 38% of the interviewees shared the same opinions in 2009 as they had back then, see table 3. This was the highest drop of support among the surveyed countries. And Lebanon was not the only country that showed this trend. Pakistan and Turkey expressed the strongest rejection to this kind of violence: only 4% of the surveyed in Turkey and only 5% of the surveyed in Pakistan expressed their support for suicide bombings in 2009. Especially for Pakistan this was a sharp decline with their opinions in 2002, when one-third in Pakistan said suicide bombing was often or sometimes justified in order to defend Islam (PEW, 2009).

Public support for Bin Laden also decreased generally from 2005 onwards, as shown in table 4. By 2009, every surveyed country except for Nigeria showed a downward trend regarding trust in al-Qaeda's leader. Only 5% expressed some or a lot of confidence in Bin Laden in Lebanon and Turkey showed the lowest numbers of support with 2%. Indonesia had the biggest decline since the first survey, with a drop of 34% in confidence (PEW, 2009). Seeing the trust and support decline in Pakistan is especially interesting, as this is one of the most critical front lines in the war on terror.

Declining support for Suicide Bombing								
Often/ sometimes justified:								02-09
	2002	2004	2005	2006	2007	2008	2009	change
	%	%	%	%	%	%	%	
Lebanon	74	—	39	—	34	32	38	-36
Jordan	43	—	57	29	23	25	12	-31
Pakistan	33	41	25	14	9	5	5	-28
Indonesia	26	—	15	10	10	11	13	-13
Turkey	13	15	14	17	16	3	4	-9
Nigeria	47	—	—	46	42	32	43	-4
Palest. ter.	—	—	—	—	70	—	68	—
Egypt	—	—	—	28	8	13	15	—
Israel	—	—	—	—	—	—	7	—
Asked of Muslims only.								

Table 3: support for suicide bombing to defend Islam (PEW, 2009).

Instead of joining forces with al-Qaeda and its leader, Pakistanis more and more held a favourable opinion of the US. As a result, support for al-Qaeda in its home base dropped significantly since 2005 (Haqqani & Ballen, 2005). Only 18% of Muslims now say they have confidence in him. Just last year, 34% of Pakistani Muslims expressed support for bin Laden and, in 2003, nearly half (46%) agreed. Pakistani Muslims' views of al-Qaeda have also decreased over the past year; 9% have a favourable view of the group, compared with 25% in 2008 (PEW, 2009).

Declining Confidence in Osama bin Laden							
							03-09
	2003	2005	2006	2007	2008	2009	change
	%	%	%	%	%	%	%
Indonesia	59	36	35	41	37	25	-34
Pakistan	46	52	38	38	34	18	-28
Jordan	56	61	24	20	19	28	-28
Palest. ter.	72	—	—	57	—	52	-20
Israel	33	—	—	—	—	16	-17
Lebanon	20	5	—	1	2	4	-16
Turkey	15	5	4	5	3	2	-13
Nigeria	44	—	61	52	58	54	+10
Egypt	—	—	27	18	19	23	—

Based on Muslim respondents. "How much confidence do you have in Osama bin Laden to do the right thing regarding world affairs - a lot of confidence, some confidence, not too much confidence, or no confidence at all?" (asked as part of a list about various leaders).

Table 4: confidence in Osama bin Laden to do the right thing regarding world affairs (PEW, 2009).

While support in the Palestinian territories for Bin Laden remained relatively high with 52%, although it did drop from 72% in 2003, it was clear that the Muslims did not share the same views as Bin Laden by 2009. The gap between him as his followers, who he needs so deeply in his war, became larger and larger.

7.5 Conclusion analysis 2005-2009

A lot happened in these five years. From important modifications to the sanctions regime, to changes in military campaigns and declining citizens support for al-Qaeda. The UNSC made a lot of improvements to the regime compared to the first five years. Improvements that could increase its impact. The intended cooperation with Interpol, as well as the cover sheets, checklists and cooperation with FATF, were good examples of the effort to strengthen the regime. However, they also took a lot of time, or did not yield as much support as hoped. In short, these five years were not yet able to yield the success of these new mechanisms. They needed more time to create tangible results.

There were also other challenges that emerged throughout these years. Especially the continuing insufficiencies in the list, which was the basis for the entire policy, limited the regime's impact. Because, when a listed individual was not identified on the list, imposing sanctions on them was nearly impossible.

Combined with the ‘late’ shift by Obama to expand the military scope to a global scale in 2009, al-Qaeda had been able to continue and expand. Drones were a promising new campaign, but they only started heavily at the end of the time bucket. Jumping to conclusions on their impact would therefore be too soon.

On the other hand, the challenges that emerged also created new improvements. With the sanctions for example, the legal challenges gave rise to the narrative summaries and the idea of an Ombudsman. While these new mechanisms did not create immediate successes, they did contribute to a stronger and improved regime for the future. Furthermore, the assets freeze and travel ban continued to impose costs on al-Qaeda and burden them with more risks. Al-Qaeda might have been able to get their hands on funding through other means, the fact that they had to appeal to these other means was a direct result of their frozen assets. The same goes for the arms embargo; al-Qaeda was still able to carry out attacks, and one group more than the other, but overall, they had to resort to other material than they would have used preferably. As a result, the estimation was that casualties were not as high as they would have been if al-Qaeda’s had not faced these challenges.

Chapter 8

Analysis 2010-2014

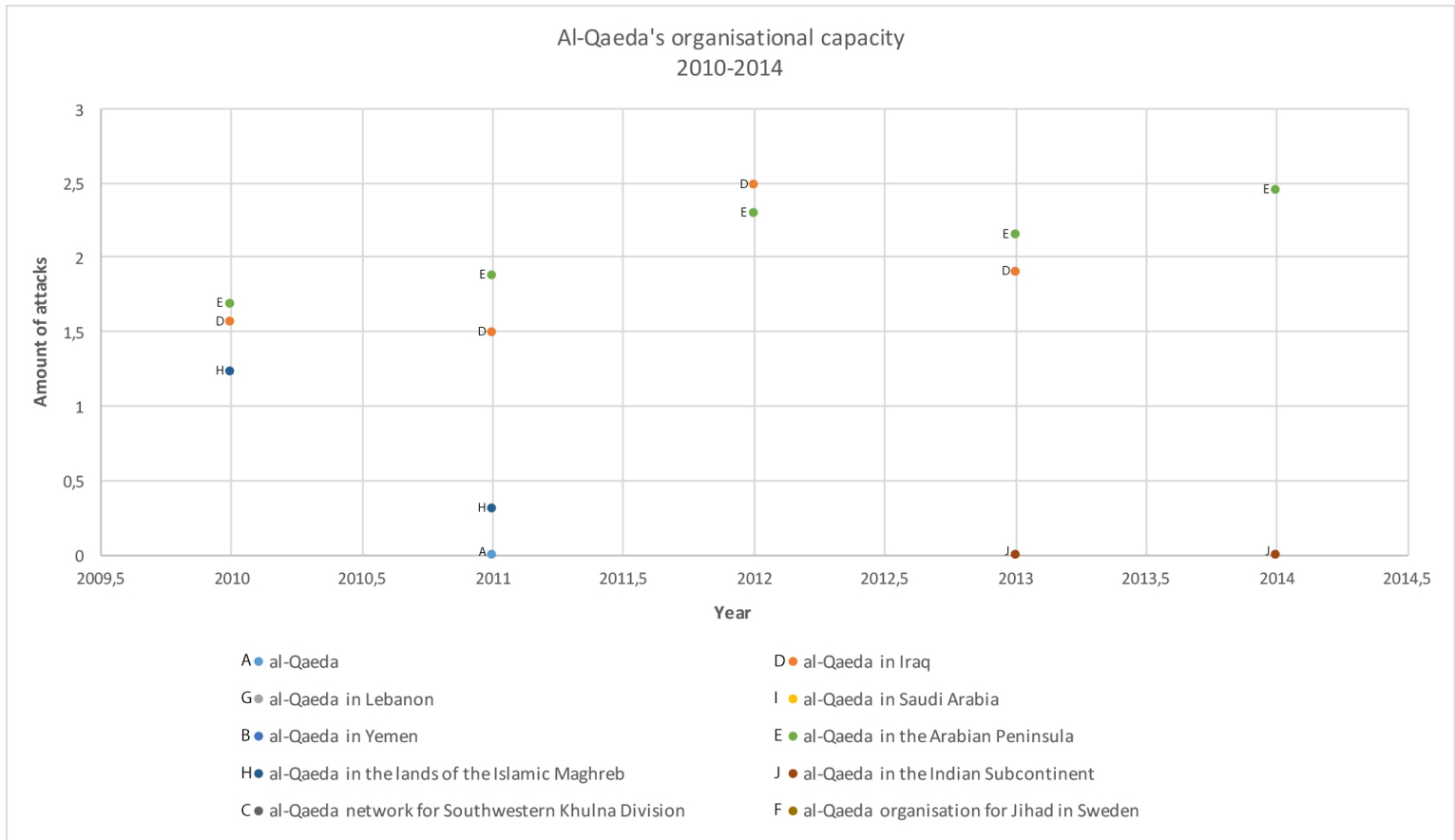


Figure 6: al-Qaeda's organisational capacity from 1999 to 2009.

8.1 UNSC data

Throughout these five years the amount of attacks might not represent a downwards trend, but the overall organisational capacity did. Only al-Qaeda in the Arabian Peninsula, Yemen and Iraq were still heavily active, which was a strong decline from the last perspective in 2005-2009. The increased amount of attacks could be a direct result of al-Qaeda's increased decentralised structure, with more wide-spread affiliates who act out of the organisations' name. This did pose a rising challenge to the sanctions regime, as it was mainly designed to target and drain the better established core group(s) [MR-729]. Especially after Osama bin Laden had been killed, there was no longer a central target led by one leader and the sanctions regime was not well suited to deal with this new situation. Even though al-Qaeda seemed more fragmented and the core had been weakened, overall al-Qaeda had not been extinguished. Furthermore, fears existed that decentralised radicalisation could swiftly increase terrorism in areas beyond the Islamic regions, such as Europe [MR-467]. Despite these challenges, the sanctions strengthened significantly, continuing to

symbolise to the rest of the international community how al-Qaeda was still strongly condemned and how every action should be taken to shut down their operations.

8.1.1 Consolidated list

An important achievement for the consolidated list happened in 2010, when the 1267 Committee conducted a review of list to improve the quality of the entries. The new standardised format reduced the scope for error and allowed more sophisticated screening techniques. The review examined 488 names of individuals, groups and entities in order to update their entries or remove them from the list whenever they were no longer appropriate. As a result, the Committee removed forty-five names from the list and accepted a couple of hundred amendments to the remaining entries. The review was a great success and hopes were high that that success reflected in the execution of the sanctions [MR-497; AR-685]. The main problem in the previous years namely, continued to be the insufficient or incomplete information on the list, often inhibiting a proper implementation of the sanctions. After the review, the amount of individuals with insufficient identifiers dropped from seventy-seven to thirty-six in 2012 [MR-729]. What also contributed to this improvement was the split of the sanctions regime in a separate al-Qaeda and Taliban section. Both groups needed to be treated differently and splitting the list created an opportunity to focus more precisely [MR-729].

Another important achievement happened in 2011 when the Ombudsman finally came into effect and started conducting its first reviews. Member states were very positive about this new mechanism, and each of the its recommendations were followed [MR-467; AR-305]. Due to this, the Ombudsman was able to grow into a strong review system for listed individuals and entities [MR-968]. Combined with narrative summaries for all entries on the list, this significantly expanded the list's legitimacy and helped understanding the 1267 Committee's standards for listing. The need for a solid review mechanism proved itself in 2012, when a decision was reached in the Qadi case. The Advocate General advised an overturn of the General Court's decision to rule in favour of the EU authorities [MR-467]. And even though generally the Court of Justice adopted the opinions of the Advocate General, in this case it surprisingly did not happen. Instead, the Court found that substantiating information or evidence on Mr. Qadi's allegations was lacking and therefore the sanctions against him were not justified [MR-41]. For that case the UNSC had to accept this disappointment, but in the future the Ombudsman could prevent these situations from happening.

8.1.2 Assets freeze

The recommendations by FATF on terrorist financing kept providing useful guidelines to states and increased the impact of the assets freeze in the opinion of the Monitoring team. This increased impact mainly showed in the wide scope of the recommendations, as they also included non-profit organisation, a widely used financing mechanism by terrorists [MR-968]. The recommendations helped states to understand the sector and identify the owner(s) and beneficiaries of the non-profit organisations. This still was no easy

tasks for states, as by the end of March 2012, evaluation reports for 162 Member states showed that the majority still did not have the legal framework to freeze assets without delay [MR-729]. This showed a strong contrast with the small number of seven out of 153 states (less than 5%) from the implementation reports who admitted not to have the right legal means. The rest of the states were convinced that they had the right mechanisms in place. Still, by 2014, the majority of the legal ways al-Qaeda raised and moved funds could be tracked down. This was a strong reflection of how integrated the sanctions list was in the international and domestic regulatory framework in the financial sector [MR-41].

Al-Qaeda's sources of income continued to be less certain and UN evidence suggested that even donations decreased in size and appeared harder to collect [MR-245]. While this in itself was a positive development, the result was that listed groups and individuals continued to raise money through illegal means such as kidnapping for ransom, blackmail or money laundering. On top of that, moving the obtained money across borders happened through cash couriers, a mechanism that is almost impossible to target by legislation [MR-245]. Criminal activity was already hard to prevent in general, and the fact that the amount of terrorist criminal money was insignificant compared to the estimated \$2 trillion that other criminals attempt to launder each year, did not make it any less difficult [MR-968]. Moreover, kidnappings and the accompanying ransom payments started to occur more often because of their low-cost, high-reward enterprise. As a result, al-Qaeda obtained approximately \$120 million from ransom payments between 2004 and 2012 [MR-968]. Because of that 'easy' money and because of the lack of response by the 1267 Committee to this trend, terrorists were likely to continue to exploit it.

8.1.3 Arms embargo

The arms embargo kept showing the same results as it did the years before, by means of hindering and limiting al-Qaeda to operate with full military potential. This, however, did not apply to all the al-Qaeda groups, as AQAP did not have any problems acquiring the needed technological equipment. This was mainly a result of the absent or weak governments involved in the regions where AQAP was active [MR-729]. Furthermore, in the Syrian Arab Republic and Iraq, there was a wide availability of military explosives and other munitions. In those regions, al-Qaeda associates did not have to depend on home-made explosives and their operation power was not very much limited [MR-770]. Other subgroups on the other hand, continued to lack the necessary logistical, recruitment and training networks to mount the desired operations. Yet, because of their ability to improvise too, they were not totally deprived from the ability to execute attacks [MR-245]. This was aggravated by the rise of internet throughout these years. In these five years the use of internet among terrorists increased more than ever and it helped al-Qaeda to spread their message, instructions and tactics among a greater public. This development negated some of the embargo's intended effects, as knowledge of improvised arms-related material easily spread among al-Qaeda's associates [MR-245].

Moreover, as with the assets freeze, many states still did not have the specific instruments to target al-Qaeda's weaponry. Instead, they kept relying on general arms control measures that affected the listed in the same way as another. This struggle continued all the way to the end of 2014 and kept creating opportunities to al-Qaeda, especially in states where government was already weak [MR-770].

8.1.4 Travel ban

In these five years too, the 1267 Committee did not receive any reports that listed individuals had been stopped at a border [MR-245]. This meant in any case that the effectiveness of the travel ban remained hard to measure, yet the monitoring team kept regarding the tool as very powerful. The travel ban did increase in impact, mostly by means of improved border security. Many states introduced tighter requirements for visas, improved technical border control equipment and better staff training [MR-245]. The cooperation with the ICAO and IATA also continued, although this was mainly limited to raising awareness of the sanctions within the commercial airline sector and private industry. Interpol's special notices were available for nearly every entry by 2013, also contributing to the wider impact and scope of the travel ban [MR-467].

The main challenge to the travel ban was the fact that there would always be parts of the world where border controls are weak and restrictions hard to impose. Still, this also meant that listed terrorists were more and more restricted to those areas where controls are weak, as many other states improved their security. Due to the risks they would otherwise have had to take, listed entries' room for manoeuvre continued to shrink [MR-245; MR-729].

8.2 Military counter activity

The use of drones continued over these five years under the Obama administration, with a peak in 2010. In that year alone, drone strikes killed 802 al-Qaeda/Taliban militants and reportedly eleven senior al-Qaeda leaders. The most important milestone had been achieved in 2011, when navy seals killed Osama bin Laden in Pakistan. By 2014, twenty-five more senior leaders had been killed, together with more than 1,000 al-Qaeda/Taliban militants in Pakistan alone (Roggio, 2016; International Security, n.d.:a; Zimmerman, 2013). Even though Bin Laden's death was a breakthrough in a war that had begun ten years ago at that time, it did bring up questions on US's legitimacy to be in Afghanistan. The Afghan president said it before, the fight against terrorism should not take place in Afghan villages and houses. For the next years, Obama continued to link Afghanistan to Pakistan and military strikes were targeted at the Afghan-Pakistan border, where, also according to the UNSC data, the most violent activities took place (Council on Foreign Relations, n.d.).

Apart from the frequent use of drone strikes in Pakistan, the US conducted a campaign to target and kill al-Qaeda militants based in Yemen. The main target of that campaign was AQAP. While the campaign was initiated in 2002, drone strikes in Yemen only started to increase heavily in 2012, visible in figure 7. In that year alone 450 militants were killed, which all were AQAP targets except for a handful of Ansar al-Sharia

militants (International Security, n.d.:b). As the graph earlier this chapter has also shown, the capacity of AQAP did not really decrease before 2014. Instead, it seemed like their attacks only grew. Drone strikes continue to target AQAP until this day, so it is unclear to pinpoint their exact success on this regional subgroup.

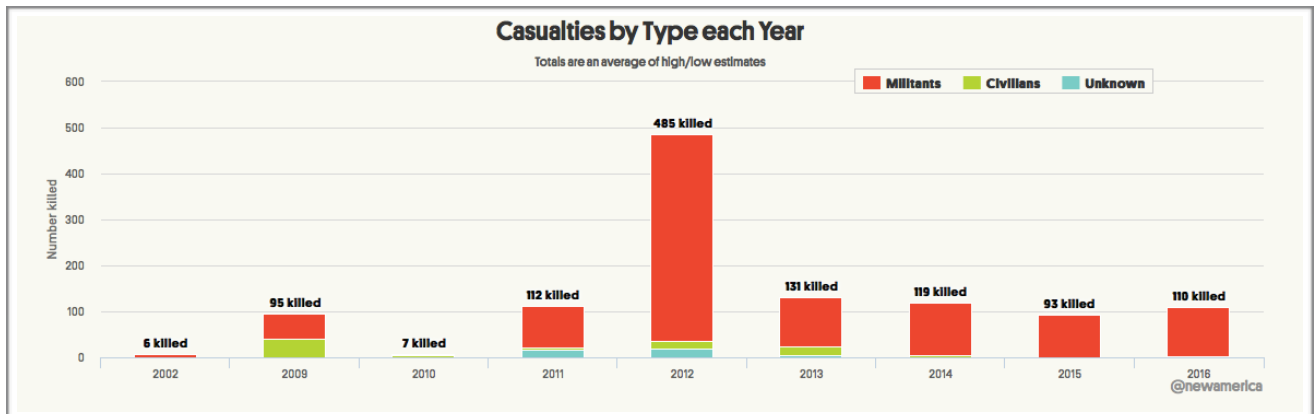


Figure 7: drone strikes on al-Qaeda in Yemen from 2002 to 2016 (International security, n.d.:b).

Besides the continuing drone strikes, US military troops were still present in Afghanistan. In 2010, the US and Afghanistan signed an agreement that declared how full responsibility of Afghanistan's security would be handed over to Afghan forces by the end of 2014. The US had to start withdrawing their troops in 2011 and by 2012, 33,000 troops should have exited the country. Other NATO countries followed the example. For instance, France withdrew approximately 1,000 soldiers by the end of 2012, leaving 3,000, Belgium withdrew half of their force in 2012 and Norway announced that they would be completely out by 2014 (Sydney Morning Herald, 2011; DN.no, 2011). The same decreasing trend was showing in the drone strikes in Pakistan after 2011 and in Yemen after 2012. As the US was untying itself more and more from the war in Afghanistan, it had to face the fact that it did not achieve the objective of dismantling al-Qaeda all together. No guarantee could be given that al-Qaeda and its associates were unable to attack again (Zimmerman, 2013).

8.3 Al-Qaeda's internal developments

The al-Qaeda network appeared more complex than ever. The clear and hierarchical structure that the organisation initially had, had been transformed into a multinational movement with subgroup operations that were active in at least sixteen countries, from Mali to Syria and Yemen to Nigeria. Especially in these last years, these subgroups largely replaced the Pakistan based al-Qaeda core and took over the role of driving force behind the global jihad. There no longer was one al-Qaeda, but instead there were several, each of which had different capabilities and presents different, often unique, challenges (Hoffman, 2012; McCormick, 2014). The remaining core did provide some direction, but it was no longer the unifying factor. Instead, the social ties and groupings began to form al-Qaeda's primary lead and structure, driven by al-Qaeda's ongoing ideology (Zimmerman, 2013).

By replacing al-Qaeda core, there no longer was a central focal point for the organisation. Especially after Bin Laden had been killed, this focal point almost vanished completely (Zimmerman, 2013). While it will always be hard to target the exact impact of Bin Laden's death, it is very likely that with that type of structure, his death did create a huge blowback in the entire group's operation. If Bin Laden was the binding factor within the network, his death definitely had its impact (Zimmerman, 2013). Al-Qaeda members quickly swore allegiance to deputy Ayman al-Zawahiri and he won verbal acceptance from al-Qaeda's affiliates. However, Zawahiri failed to provide the energy and leadership that was necessary to recover lost ground. He clearly lacked the same charisma and leadership that Bin Laden possessed [MR-729].

While al-Qaeda's decentralisation had decreased them as one single core organisation, it did not weaken their overall capacity to operate. Especially the relationship between the decentralised groups and other horizontal ties, increased the overall network's resiliency. These relationships were the reason that al-Qaeda survived after Bin Laden had been killed and they will be the reason that al-Qaeda remains alive even when the core group will be defeated completely (Zimmerman, 2013). The reason for this was (and is) the complexity that resulted from these regional relationships. For example, AQAP in Yemen, closed ties to al-Shabaab in Somalia, interlinking their operations. This made targeting them all the more difficult.

Another very important development in these five years was the Arab Spring. The revolution itself came as a surprise to the organisation, but they succeeded to benefit from the sudden uprisings. While the narrative of the Arab Spring contradicted al-Qaeda's ideology that change could only be accomplished through violence, they quickly adapted their propaganda so it fitted with the new reality (Stern & Schweitzer, 2011). The revolution did not necessarily strengthen al-Qaeda central, but it did create opportunities for several regional groups. This was mainly a result of the chaos and disorder that went hand in hand with the revolution itself, as al-Qaeda was the first to exploit that situation (Zarate, 2011). For example, the expansion of AQAP and AQI were partly a result of the weak central governments due to the protests and unrest of the Arab Spring. This led the subgroups to expand, gain territory and drive up their operations (Benhabib, 2011; Hoffman, 2012). The subgroup AQI changed its name to ISIL in 2014, in order to legitimise its operations in the Syrian Arab Republic and to detach itself from the al-Qaeda brand [MR-41]. This subgroup would pose the largest challenge to international security from that point and continues to do so until this day.

8.4 Citizen support for terrorism

The same as in the last five years, support for al-Qaeda and Osama bin Laden started to decrease even further towards 2014 (PEW, 2012:b). Especially after Bin Laden's death in 2011, trust in al-Qaeda's operations fell significantly. In Egypt, Jordan, Lebanon, Pakistan and Turkey the majority of Muslim citizens expressed unfavourable views of al-Qaeda one year after Bin Laden's death (PEW, 2012:a). In 2014, the highest citizen support was only 25% in Palestine, while the rest of the surveyed countries had

clearly diverted themselves from the organisation, as shown in figure 8. As a result, donors are harder to find.

Furthermore, support for suicide bombing and related forms of violence declined in the last decade across the surveyed Muslim public (Dawn, 2013). By 2014, only 3% of Muslims in Pakistan, where bin Laden was living for most of the years after the 9/11 attacks, said suicide bombings were often or sometimes justified to defend Islam from its enemies (PEW, 2014:a). On top of Bin Laden’s death, the uprisings of the Arab Spring also caused a drop in overall support for violence in the name of Islam (USA Today, 2011). The unrest and chaos that resulted from the revolution, caused an overall negative reaction from citizens: *‘when people are exposed to extremism and extremist violence in their own country, we tend to see people reacting in a negative way’* (PEW, 2012:a, pp 1). Instead of supporting change through violence, citizens started pro-democracy demonstrations and desired to achieve change through other means.

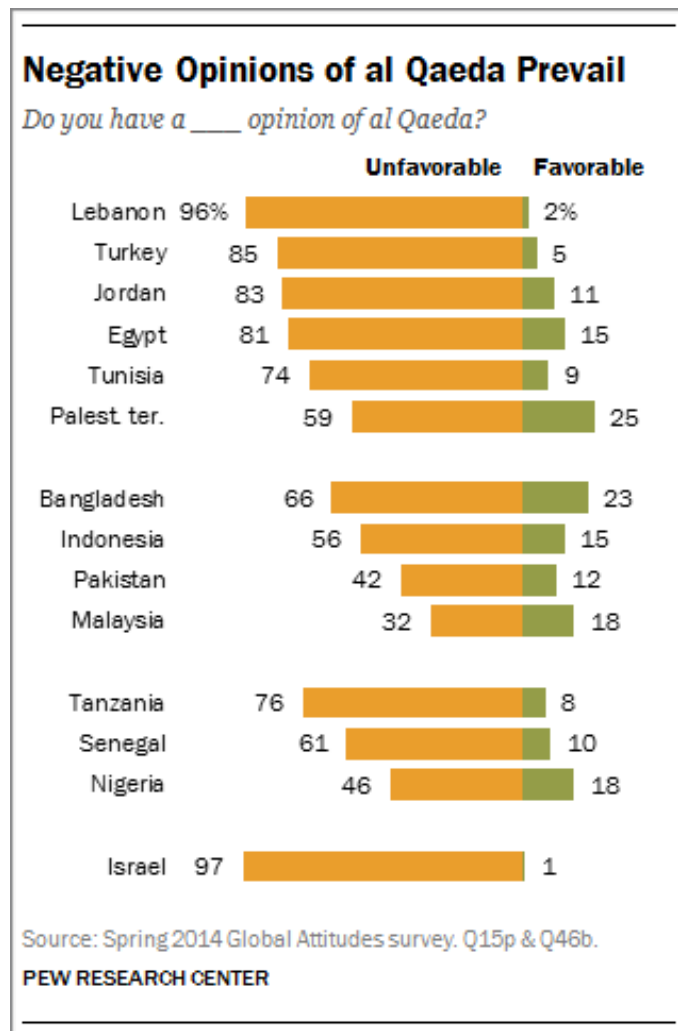


Figure 8: opinion of al-Qaeda (PEW, 2014:b).

Resulting from this revolution and the declining support for al-Qaeda and their operations, was that worries among citizens about extremism started to increase. From 2009 onwards, Muslim worries in Pakistan about extremism have continued to increase in the past few years. In 2013, 67% of Muslim society regarded extremism as a major concern (Dawn, 2013). This development led Muslim citizens to divert themselves from terrorist organisations more and more. Citizens no longer supported how they aimed to achieve their objectives (Muskal, 2011).

8.5 Conclusion analysis 2010-2014

Change had come, through a variety of ways. The sanctions regime strengthened, with the Ombudsman and the review as most prominent and positive changes. The other parts of the regime continued mostly in the same way as they did before, resulting in an overall steady, yet limited impact. The success the regime created was mainly the result of economic warfare on al-Qaeda's assets and weapons and it continued to impose costs and risks by means of the travel ban and arms embargo. Together they continually symbolised how strongly condemned al-Qaeda remained, meeting the increasing worries among Muslim citizens about terrorism and their negative opinions of the organisation.

Practical problems on the side of the member states impeded the regime to increase in impact any further, ranging from problems with legislation to the incapability of (weak) governments. Also, the adaptive nature of al-Qaeda kept creating challenges to member states that were impossible to target by sanctions or (inter)national legislation. The resort to criminality was a result of the uncertain financial resources to al-Qaeda, but it created an illegal environment that the UNSC could not directly target. Muslim society very much likely contributed to this uncertainty in funding, as support for and trust in al-Qaeda continued to decline after 2009. Al-Qaeda could no longer count on a strong support base of Muslims who did not physically join their war themselves.

The adaptive nature of al-Qaeda also created other challenges to the regime, as they increasingly showed a decentralised structure and the sanctions regime was not designed to target that. All the developments combined led al-Qaeda to drift away from one central core, to a horizontal organisation that was held together by individual relationships instead of one core leader. Especially the death of Osama bin Laden was a huge setback for the organisation, as they did not receive such a powerful successor in return. Moreover, military counter strikes increased in Pakistan and Yemen and resulted in heavy losses for al-Qaeda in those regions. All in all, al-Qaeda was drifted apart, but definitely not defeated.

Chapter 9

Conclusion & Discussion

If anything, this study has shown that sanctions cannot be studied as an isolated tool against terrorism. There are many factors that influenced al-Qaeda's course of action, both external and internal. Throughout the fifteen years of the sanctions regime, al-Qaeda had to manage a lot more than the UNSC's regime alone. What has been the role of that regime in relation to al-Qaeda's course of action, taken into account all these other factors? Did the sanctions contribute to any change or not? In other words:

In what way did the UNSC sanctions policy against al-Qaeda help to decrease al-Qaeda's organisational capacity from 1999 to 2014?

The expectation was that sanctions did indeed contribute to a decline in organisational capacity and throughout these years the sanctions have proven to play an important supporting role in the battle against al-Qaeda, by means of imposing costs, targeting economic warfare, denying of means and communication their symbolic value to the wider public. In the beginning the regime had too much difficulties to really make a difference, but as the sanctions became better organised and implemented towards the end, they became a useful tool that was very much interlinked with all the other counter measures. Together they posed numerous challenges to the organisation. One strengthened the other and vice versa.

Firstly, economic warfare has been important by targeting and cutting off all possible desired property to al-Qaeda, mainly financial. Many assets had been frozen and improved legislation in the private sector, mainly through cooperation with FATF, had to make sure more would be added. This contributed to limited capacity, as, for example, frozen assets in combination with declining citizen support would pose a challenge to al-Qaeda in their search for money. If citizen support, and with that the likely inflow of money, was low but al-Qaeda members had been given free access to their fortune, no difference would be made; their capacity would remain the same. Even non-profit organisations were included in the improved legislation, which served as a widely used financing mechanism for terrorists. This helped states to understand these sector as well and identify the owner(s) and beneficiaries of the non-profit organisations. The impact could have been larger if not so many states struggled with setting in place the right legislation or if there had been a way to be one step ahead of al-Qaeda and their ability to adapt to innovative new ways. Secondly, sanctions worked through denying important means to al-Qaeda, mostly in the form of arms and weapons. Denying them access to desired military material, contributed to a limited capacity to execute attacks. This was certainly the case for a lot of subgroups and affiliates and likely saved multiple lives throughout the years. This unfortunately did not affect the entire al-Qaeda organisation. On the one hand this had to do with al-Qaeda's ability to improvise in combination with the rise of internet use. In that way, they

remained able to construct bombs and pass on that knowledge to other affiliates. On the other hand, incompetent and weak government, in combination with social and political unrest, also contributed to al-Qaeda's remaining ability to mount attacks. This reflected in the absence of proper legislation, or the presence of military arms in a specific region due to regional conflicts. As said before, where there is weakness, al-Qaeda would find a way to exploit that situation. Thirdly, the sanctions were able to impose additional costs on top of their initial purpose. By targeting their weaponry or their ability to move freely, al-Qaeda was forced to make extra costs if they wanted to continue their operations. On top of the restrictions itself, this certainly impacted their capacity as well. For example, al-Qaeda's forced resort to improvised weapons brought along extra financial burdens, and so did acquiring fake documents or circumventing border controls. Besides these extra financial costs, it also created more transaction costs by means of loss of time and many new risks of getting caught. Fourthly, sanctions symbolised to a wide public that al-Qaeda was being condemned by the international community. This helped creating an important narrative among possible followers and the rest of the world. While it might have taken some time, the regime has succeeded in including states, governments and regions in the battle against al-Qaeda. This will have definitely reflected through citizens of the areas involved. In any case, the growing rejection among Muslim society was a very welcomed development, whether it was a direct effect or not. The firmness of the regime throughout these fifteen years contributed to showing how willing the international community was to act and how much they were capable of sustaining their efforts on al-Qaeda wherever possible. This made a strong message from a respected organisation such as the UN an important factor in the war against terrorism.

Again, it would be incorrect to claim that sanctions were the only driving force behind al-Qaeda's demise, but they were definitely able to 'pinch' hard enough so that it definitely must have hurt. Other developments often had more directly tangible results, such as the ongoing military campaign in Afghanistan and of course the death of Osama bin Laden, to which the organisation did not have a proper response. Throughout the years, there was a certain correlation between all the variables and together they resulted in a shrunken organisation that goes by the name al-Qaeda today. Eliminating the entire organisation all together will be no easy task, as their new horizontal structure has created difficulties in targeting them. Extremists are more and more wide spread across the world, willing to execute attacks in the name of their organisation. Still, what is left of al-Qaeda today is more the underlying ideology than the actual organisation.

Chapter 10

Limitations & Recommendations

Following the results this study concluded on, some recommendations can be made. While the method in this study resulted in a very clearly defined case study, it also has its limitations, mostly related to the method's corresponding data. This case study relied completely on official as well as unofficial documentation and was therefore dependent on their availability. This was mainly a challenge for the military data, as not many official documentations were available. Because of that, the influence of US activity cannot be considered 100% accurate. Especially the absence of data on military strikes in Afghanistan makes up for the largest part of this limitation. If possible, an interesting supplementary study could look into this data, in combination with activity by the (relatively) smaller states. These two new variables combined would give an even more detailed picture of how al-Qaeda suffered from military pressure. If it would result in a different outcome is highly doubtful, as the US remains the largest influence, but it would definitely provide a more complete analysis. Also, the data for citizen support might have been rather complete, but the direct link between their (non)support and (non)funding to al-Qaeda cannot be automatically made. While the assumption is plausible, the explanation from the actual Muslims themselves is lacking. A strong complement to this study would be to complement the method with interviews. These interviews could question individuals from the Muslim society who are regarded as possible supporters of al-Qaeda. In that way, the assumption whether they actually actively contribute if they have high levels of trust or support, can be either accepted or rejected. This would certainly strengthen the argumentation, all the more if it turned out that declining citizen support is indeed followed by declining financial support to al-Qaeda.

Another serious limitation that relates to this study's method is the limited scope of the object of study, al-Qaeda. Because al-Qaeda is so heavily interlinked with other groups, affiliates and associates, the complexity of the organisation surpasses the case study's capacity. For that reason, only al-Qaeda central and directly affiliated groups were chosen, but organisational capacity of groups beyond al-Qaeda might have played an important role as well in supporting al-Qaeda's organisational capacity. While looking at al-Qaeda only resulted in an impervious case study that allowed to really unravel what the isolated effects on this organisation were, it did not look into groups who spread the same ideology as al-Qaeda, but are not targeted by the same sanctions as they were. As a result, al-Qaeda's campaign could be kept alive and strengthened by associated groups who fall outside the direct sanctions regime. Future studies could focus on the interlinking between these organisations as well, and see if and how the regime is capable of targeting a group with such a complicated structure.

The final limitation might be considered as the most important one and it has to do with the theoretical framework that outlined the scope of the study. This framework provided a detailed description of sanctions' operationalisation, resulting in a clear-cut framework that could be easily applied to this specific case. However, the interpretation by Abbott of how sanctions work is not the only interpretation that exists and therefore these results are not directly generalisable to other cases. As said before, much controversy exists on the way sanctions work and other scholars can argue that sanctions did not achieve much results if one evaluated them with different standards (e.g. Giumelli's (2011) explanation of signalling, coercing or constraining the target). The same goes for the target of sanctions, as non-state targets are completely different targets than states. Concluding from these results that sanctions work on states in the same way as they did in this case study would be inaccurate, as states act in different ways and will most likely require different ways of targeting them. Therefore, it will remain difficult to actually claim that sanctions, as a general definition, work. Different interpretations of how the tool works and different targets require different ways of measurement and consequently, sanctions will most likely remain a point of discussion.

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Appendix

1. Questionnaire

1. *Please provide a description of activities, if any, by Usama Bin Laden, Al-Qaida, the Taliban and their associates in your country, the threat they pose to the country and the region, as well as likely trends.*
2. *How has the 1267 Committee's List been incorporated within your legal system and your administrative structure, including financial supervision, police, immigration control, customs and consular authorities?*
3. *Have you encountered any problems with implementation with regard to the names and identifying information as currently included in the List? If so, please describe these problems.*
4. *Have your authorities identified inside your territory any designated individuals or entities? If so, please outline the actions that have been taken.*
5. *Please submit to the Committee, to the extent possible, the names of individuals or entities associated with Usama Bin Laden or members of the Taliban or Al-Qaida that have not been included in the List, unless to do so would compromise investigations or enforcement actions.*
6. *Have any listed individuals or entities brought a lawsuit or engaged in legal proceedings against your authorities for inclusion in the List? Please specify and elaborate as appropriate.*
7. *Have you identified any of the listed individuals as nationals or residents of your country? Do your authorities have any relevant information about them not already included in the List? If so, please provide this information to the Committee as well as similar information on listed entities, as available.*
8. *According to your national legislation, if any, please describe any measures you have taken to prevent entities and individuals from recruiting or supporting Al-Qaida members in carrying out activities inside your country, and to prevent individuals from participating in Al-Qaida training camps established in your territory or in another country.*
9. *Please describe briefly:*
 - *the domestic legal basis to implement the asset freeze required by the resolutions above*
 - *any impediments under your domestic law in this context and steps taken to address them.*
10. *Please describe any structures or mechanisms in place within your Government to identify and investigate Usama bin Laden, Al-Qaida or Taliban-related financial networks, or those who provide support to them or individuals, groups, undertakings and entities associated with them within your jurisdiction. Please indicate, as appropriate, how your efforts are coordinated nationally, regionally and/or internationally.*
11. *Please convey the steps banks and/or other financial institutions are required to take to locate and identify assets attributable to, or for the benefit of, Usama bin Laden or members of Al-Qaida or the Taliban, or associated entities or individuals. Please describe any "due diligence" or "know your customer" requirements. Please indicate how these requirements are enforced, including the names and activities of agencies responsible for oversight.*

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12. *Resolution 1455 (2003) calls on Member States to provide “a comprehensive summary of frozen assets of listed individuals and entities.” Please provide a list of the assets that have been frozen in accordance with this resolution. This list should also include assets frozen pursuant to resolutions 1267 (1999), 1333 (2001) and 1390 (2002). Please include, to the extent possible, in each listing the following information:*
 - *identification(s) of the person or entities whose assets have been frozen;*
 - *a description of the nature of the assets frozen (i.e., bank deposits, securities, business assets, precious commodities, works of art, real estate property, and other assets);*
 - *the value of assets frozen.*
 13. *Please indicate whether you have released pursuant to resolution 1452 (2002) any funds, financial assets or economic assets that had previously been frozen as being related to Usama Bin Laden or members of the Al-Qaida or the Taliban or associated individuals or entities. If so, please provide reasons, amounts unfrozen or released and dates.*
 14. *Pursuant to resolutions 1455 (2003), 1390 (2001), 1333 (2000), 1267 (1999) States are to ensure that no funds, financial assets or economic resources are made available, directly or indirectly, to Listed individuals or entities or for their benefit, by nationals or by any persons within their territory. Please indicate the domestic legal basis, including a brief description of laws, regulations and/or procedures in place in your country to control the movements of such funds or assets to designated individuals and entities. This section should include a description of:*
 - *The methodology, if any, used to inform banks and other financial institutions of the restrictions placed upon individuals or entities listed by the Committee, or who have otherwise been identified as members or associates of Al-Qaida or the Taliban. This should include an indication of the types of institutions informed and the methods used.*
 - *Required bank-reporting procedures, if any, including the use of Suspicious Transaction Reports (STR), and how such reports are reviewed and evaluated.*
 - *Requirements, if any, placed on financial institutions other than banks to provide STR, and how such reports are reviewed and evaluated.*
 - *Restrictions or regulations, if any, placed on the movement of precious commodities such as gold, diamonds, etc.*
 - *Restrictions or regulations, if any, applicable to alternate remittance systems such as -- or similar to -- “hawala”, as well as on charities, cultural and other non-profit organizations engaged in the collection and disbursement of funds for social or charitable purposes.*
 15. *Please provide an outline of the legislative and /or administrative measures, if any, taken to implement the travel ban.*
 16. *Have you included the names of the listed individuals in your national “stop list”? Please briefly outline steps taken and any problems encountered.*
 17. *How often do you transmit the updated List to your border control authorities? Do you possess the capability of searching List data using electronic means at all your entry points?*
 18. *Have you stopped any of the listed individuals at any of your border points or while transiting your territory? If so, please provide additional information as appropriate.*

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19. *Please provide an outline of the measures, if any, taken to incorporate the List in the reference database of your Consular offices. Have your visa-issuing authorities identified any visa applicant whose name appears on the List?*
 20. *What measures, if any, do you now have in place to prevent the acquisition of conventional arms and weapons of mass destruction (WMD) by Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them? What kind of export control do you have in place to prevent the above targets from obtaining the items and technology necessary for weapons development and production?*
 21. *What measures, if any, have you adopted to criminalize the violation of the arms embargo directed at Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them.*
 22. *Please describe how your arms/arms broker licensing system, if any, can prevent Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them from obtaining items under the established arms embargo.*
 23. *Do you have any safeguards that the weapons and ammunition produced within your country will not be diverted/used by Usama bin Laden, members of Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated?*
 24. *Would your state be willing or able to provide assistance to other States to help them implement the measures contained in the above-mentioned resolutions? If so, please provide additional details or proposals.*
 25. *Please identify areas, if any, of any incomplete implementation of the Taliban/Al-Qaida sanctions regime and where you believe specific assistance or capacity building would improve your ability to implement the above sanctions regime.*
 26. *Please include any additional information you believe pertinent.*

2. Implementation Reports

Response to question 1, 2, 3, 9, 19a, 20:

COUNTRY		1	2	3	9	19a	20		
Afghanistan	2004								Positive
Albania	2004								Negative
Algeria	2003								Not available
Andorra	2004								
Angola	2003								
Argentina	2003								
Armenia	2004								
Antigua and Barbuda	2009								
Australia	2003		incomplete/unclear data						
Austria	2003		incomplete/unclear data						
Azerbaijan	2003								
Bahamas	2003								
Bahrain	2003								
Bangladesh	2004		no computerised system						
Belarus	2003								
Belgium	2003		incomplete/unclear data						
Belize	2004								
Benin	2004								
Bhutan	2005		no computerised system						
Bolivia	2005		incomplete/unclear data						
Bosnia and Herzegovina	2004								
Botswana	2005								
Brazil	2003								
Brunei Darussalam	2003		incomplete/unclear data						
Bulgaria	2004		incomplete/unclear data						
Burkina Faso	2005								
Burundi	2005								
Cambodia	2004								
Cameroon	2006								
Canada	2003		incomplete/unclear data						
Chile	2003								
Colombia	2003		incomplete/unclear data						
Comoros	2008		incomplete/unclear data						
Costa Rica	2004		incomplete/unclear data						
Croatia	2003								
Cuba	2003								
Cyprus	2003		incomplete/unclear data						
Czech Republic	2003		incomplete/unclear data						
Democratic People's Republic of Korea	2004								
Democratic Republic of the Congo	2005								
Denmark	2003		incomplete/unclear data						
Djibouti	2004								
Dominica	2004								
Ecuador	2003		incomplete/unclear data						
El Salvador	2004		incomplete/unclear data						
Eritrea	2004								
Estonia	2004		incomplete/unclear data						
Fiji	2004								
Finland	2003		incomplete/unclear data						
France	2003		incomplete/unclear data						
Gambia	2004								
Georgia	2006								
Germany	2003		incomplete/unclear data						
Greece	2003		incomplete/unclear data						
Guatemala	2003								
Guinea	2003								
Guyana	2004								
Honduras	2004		incomplete/unclear data						
Hungary	2003								
Iceland	2003								
India	2003								
Indonesia	2003		incomplete/unclear data						
Iran	2003		incomplete/unclear data						
Ireland	2004		incomplete/unclear data						
Israel	2003								
Italy	2003		incomplete/unclear data						
Jamaica	2004								
Japan	2003		incomplete/unclear data						
Jordan	2003								
Kuwait	2003		incomplete/unclear data						
Kazakhstan	2003								
Kyrgyzstan	2004								
Lao People's Democratic Republic	2003								
Latvia	2004		incomplete/unclear data						
Lebanon	2003		incomplete/unclear data						
Lesotho	2003		no implementation						
Libyan Arab Jamahiriya	2004		incomplete/unclear data						
Liechtenstein	2003		incomplete/unclear data						
Lithuania	2004		incomplete/unclear data						
Luxembourg	2004								
Madagascar	2008								
Malaysia	2003								
Maldives	2003								
Maldives	2005								

Sri Lanka	2004									
Sweden	2003									
Switzerland	2003									
Syria	2003				incomplete/unclear data					
Tajikistan	2003				incomplete/unclear data					
Thailand	2003				incomplete/unclear data					
The Former Yugoslav Republic of Macedonia	2003									
Togo	2009									
Tonga	2003									
Trinidad and Tobago	2005									
Tunisia	2003									
Turkey	2003				incomplete/unclear data					
Turkmenistan	2003									
Tuvalu	2007									
Ukraine	2003									
United Kingdom	2003									
United Republic of Tanzania	2005									
United States	2003				incomplete/unclear data					
Uzbekistan	2004									
Vanuatu	2007									
Venezuela	2003									
Viet Nam	2003				incomplete/unclear data					
Yemen	2003									
Uruguay	2003									
Peru	2003				incomplete/unclear data					
Philippines	2003				incomplete/unclear data					
Poland	2003									
Portugal	2003				incomplete/unclear data					
Qatar	2003				incomplete/unclear data					
Republic of Korea	2003				incomplete/unclear data					
Romania	2003				incomplete/unclear data					
Russian Federation	2003									
Saint Lucia	2009									
Saint Vincent and the Grenadines	2009									
Samoa	2006									
San Marino	2004				incomplete/unclear data					
Saudi Arabia	2003									
Serbia and Montenegro	2003				incomplete/unclear data no computerised system					
Seychelles	2004									
Sierra Leone	2005									
Singapore	2003									
Slovak Republic	2003									
Slovenia	2003									
Somalia	2004	no capacity	no capacity	no capacity	no capacity	no capacity	no capacity	no capacity	no capacity	
South Afrika	2003									
Spain	2003				incomplete/unclear data					