Speech of High Representative Catherine Ashton on the EU's policy on restrictive measures

European Parliament
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Thank you Mr President.

May I add my congratulations to you and to Sir Graham Watson who I think has just been elected as ELDR party President. Good luck

The report is really important and I am really grateful to you for the work you have done. But as you have said at the beginning also for the contributions that have been made as we think about how we deal with what we call restrictive measures. The interventions in the report are extremely important.

Restrictive measures are an important Foreign Policy tool that the EU uses and the Foreign Affairs Council on the 23rd perhaps demonstrated the importance that we attach to them. The purpose of these measures is to bring about the change of policy or activity in a country, in a government, in entities or indeed in individuals. In that sense they are preventive instruments which should allow us to respond swiftly to political challenges and developments. It is essential that any sanctions that are taken should minimize the impact on the general population; they do need to be targeted. So the coherence in their application as you recommended Sir Graham in the Report is clearly very welcome.

They also have to be as you equally recognized tailored to the specific objectives of each restrictive measures regime. The uniform and consistent interpretation and effective implementation of restrictive measures is essential to ensure their effectiveness in achieving their desired political objective. And the effectiveness of restrictive measures is directly related to the adoption of similar measures by third countries.
We want the restrictive measures that we impose to be really understood. I think we have to be actively engaged in communicating on EU sanctions, including with the targeted country and its population. These are never done lightly and they are done with a specific objective in mind. I want to be very clear by using the example of Iran. The purpose of the sanctions on Iran is to persuade them to fulfil the obligations that they signed up to in signing a non-proliferation treaty and to allow the inspectors to do their work and to convince us of their desire to have only a civil nuclear power programme if that is what they wish and certainly not a nuclear weapons programme.

When countries fail in their objectives in terms of either their commitments internationally or as we have seen in Syria in their ability to support their people and indeed turn to violence against their people, we are obliged to act morally and I believe internationally.

And whatever we do, we have to respect human rights, fundamental freedoms, due process and the right to an effective remedy in full conformity with the jurisprudence of the EU Courts.

I wanted to make those points because it is not only about making clear our policy but they also reflect the outcome of the RELEX working group’s work on updating the “best practice” document on restrictive measures. This document has already been welcomed in the conclusions of the PSC on 13 January 2012.

I also believe that they echo the recommendations that have been made in your report.

I note your concerns regarding the commercial interests of leaders and you will know that during the Arab Spring, the EU froze the assets of senior figures from the former Tunisian, Egyptian, Libyan, and Syrian regimes.

Even with a successful democratic transition, the issue of assets misappropriated by former regimes remains. The frozen assets cannot just be released; first ownership must rightfully be transferred to the new state structures. This is a complex process. So I just wanted to inform honourable members that we are ready to assist those states concerned. Indeed, the EU, together with the World Bank, is planning a workshop in Tunisia to bring relevant experts together, and will provide follow-up support on the ground to speed up this process.

So I recognize the importance of the report and of making sure that we are consistent and that we look to the ways in which we direct our sanctions to make sure that they are not only effective but they don’t provide the loopholes that can damage their credibility and mean that they fail to achieve their objective.

And then equally we must be ready to lift them quickly when we are in the position to be able to make sure that the assets are returned to the people.

I think this is a piece of work that will be extremely important in the coming weeks and months and I am very grateful for your report.