

THE ACHILLES' HEEL OF AUTOCRACIES: THE ROLE OF MEDIA IN TRANSITION TO DEMOCRACY

YARASLAU KRYVOI*

I. INTRODUCTION

I was not amused when my U.S. internet hosting provider deleted a Belarusian pro-democracy group's web blog, which I administered. Although such treatment of dissidents is common in autocratic states like Belarus, this happened to me in the United States. It turned out that my hosting company adopted a policy of banning all accounts set up from Belarus in an overzealous and misinformed attempt to comply with the U.S. economic sanctions against Belarus.¹

Although U.S. economic sanctions imposed on Belarus de jure target only a few specifically listed persons, such sanctions de facto affect the entire population of the country, including its nationals living abroad. The foregoing story illustrates that, instead of promoting democracy and freedom of speech, economic sanctions block the development of civil society, prevent the spread of uncensored information, and contribute to further entrenchment of illegitimate regimes.

This Article draws on economic and political science literature to demonstrate that economic sanctions targeting autocratic states fail to reach their objectives. First, autocratic regimes react differently to sanctions than do democracies because of different institutional constraints and incentives. Second, foreign aid from regional non-democratic superpowers and natural resources mitigate economic harm caused by sanctions. Thus, the target country becomes even

* LL.M., Harvard Law School; Ph.D. Moscow State Law Academy; Joint LL.M. in European and International Law, Utrecht and Nottingham Universities; LL.B., Saint Petersburg State University. E-mail: kryvoi@post.harvard.edu, web: <http://www.kryvoi.net>. The author wishes to thank Evgeny Morozov, Volha Charnysh and Michael Sabin for their comments on earlier drafts of this article.

1. See Evgeny Morozov, *Do-It-Yourself Censorship*, NEWSWEEK, Mar. 7, 2009, <http://www.newsweek.com/id/188184>.

more dependent on its non-democratic allies and is being further isolated from democracies. This stimulates—rather than prevents—human rights abuses, and it helps autocrats remain in power. The ineffectiveness of economic sanctions against Burma and Belarus discussed in this Article reinforces this argument.

Next, the Article proposes and substantiates an alternative approach to promote democracy in autocracies. Autocracies depend heavily on public perception of their invulnerability, which is propagated by state-controlled media. Once the perception of strength and invulnerability vanishes, so does the autocrats' rule. According to Greek mythology, Achilles, the hero of the Trojan War, was killed from a wound of his heel, which his foes knew was vulnerable.² Here it is argued that free media is the Achilles' heel of autocracies, and the best way to help democratic transition is to facilitate the spread of uncensored information.

The record of human rights violations in Belarus and Burma shows that these regimes spend either most or a significant part of their repressive efforts blocking freedom of speech. It is argued that a viable alternative to economic sanctions would help such repressed populations break through the information blockade by facilitating uncontrolled exchange of information. This could help trigger an information cascade, which would enable the opponents of the regime to realize that they constitute the majority and enable them to regain political sovereignty. Arguably, radio or television broadcasts which are produced by nationals of the targeted autocratic states and channeled into the state from democratic countries are the best way forward.

Authoritarian regimes generally are not afraid that their people will become poor, but they become seriously concerned if the population gains knowledge and ability to self-organize. For instance, Iranians took to the streets to protest presidential elections in 2009—not because they had been impoverished by international sanctions, but because they were outraged by the unfairness of the

2. When Achilles was born, his mother tried to make him immortal by dipping him in the river Styx. As she immersed him, she held him by one heel, which remained untouched by the magic water of the Styx. *A Dictionary of the Ancient Greek World* 2–3 (David Sacks, Oswyn Murray & Margaret Bunson eds., 1997).

election process.³ Take the opposite example of North Korea. Although most North Koreans are desperately poor, they remain ignorant and therefore are unable to unify to protest.⁴

Part II of this Article discusses the ineffectiveness of traditional economic sanctions against non-democratic states by focusing on the motivation and incentives of autocrats. Part III discusses in detail the economic sanctions introduced by the European Union against Burma and Belarus and explains why the measures failed to reach their goals. Part IV describes the currently underestimated significance of access to information in times of political transition and argues that bolstering people's access to uncensored information is more consistent with international law and is more effective than imposing economic sanctions. Part V concludes.

II. ECONOMIC SANCTIONS AND AUTOCRATS' INCENTIVES

Economic sanctions are viewed as the most important foreign policy tool in promoting human rights.⁵ Such sanctions are traditionally defined as government-inspired restrictions on customary trade or aid restrictions aimed at promoting certain political objectives.⁶ As a general rule, countries employ sanctions in pursuit of policy goals related to foreign policy or national security in an effort to destabilize foreign governments.⁷ Sanctions have also been used to protect human rights, halt nuclear proliferation, settle expropriation claims, and combat international terrorism.⁸ The conventional logic is that because sanctions may worsen the political situation within a country, its political leaders come under pressure from the country's various constituencies and soften their policies in order to have the sanctions lifted.⁹

3. *Iran's Election: Demanding to be Counted*, THE ECONOMIST, June 20, 2009, at 33, available at http://www.economist.com/world/middleeast-africa/displaystory.cfm?story_id=13856232.

4. See generally Kogdan Oh & Ralph Hassig, *North Korea Between Collapse and Reform*, 39 ASIAN SURVEY 287 (1999).

5. See GARY HUFBAUER, JEFFREY SCHOTT & KIMBERLY ANN ELLIOTT, ECONOMIC SANCTIONS RECONSIDERED (3d ed. 2007).

6. GARY CLYDE HUFBAUER, JEFFREY J. SCHOTT & KIMBERLY ANN ELLIOTT, ECONOMIC SANCTIONS RECONSIDERED: HISTORY AND CURRENT POLICY 2 (2d ed. 1991).

7. *Id.* at 5–6.

8. *Id.* at 7.

9. Nikolay Marinov, *Do Economic Sanctions Destabilize Country Leaders?* 49 AM. J. POL. SCI. 564, 565 (2005).

According to the prevailing view, the probability of success of sanctions depends on their cost to the targeted nation, the extent of trade linkages between the sanctioned and the sanctioning countries, and the amount of time that the sanctions remain in force.¹⁰ The effectiveness of sanctions is also affected by the ability or willingness of the sanctioning countries to impose such costs, as well as by the capability of the sanctioned nation to avoid or bear such costs.¹¹

Intuitively, sanctions should be more frequently invoked against autocracies. First, autocracies are more predisposed to violate human rights in order to maintain control and remain in power. Second, a long period of exchange of information usually precedes the actual imposition of sanctions. Thus, if the country is a democracy, its political actors may change as a result of elections over the years of such an information exchange. Conversely, in an autocratic country, the ruling elite remains in power and therefore bears responsibility for human rights violations. This supposedly increases the probability that other countries will impose sanctions on the ruling elite.

What is often overlooked, however, is that the *effects* of economic sanctions on democratic and non-democratic regimes are remarkably different. Rulers in non-democratic regimes operate outside of the framework of institutionalized democratic politics.¹² Even though certain political institutions exist in autocratic states—such as a constitution, separation of powers, and electoral rules—these merely serve as a window dressing or a way to standardize the nation's prevailing ideology. These institutions, unlike their democratic counterparts, do not place any meaningful restrictions on the political elite by making it accountable to the country's citizens.¹³ While the mere disapproval of voters is sufficient to remove the governing elite from power in most democracies, this is not the case in autocratic states. Therefore, the ability of sanctioned populations to remove or otherwise influence their rulers is very limited.

The non-democratic regimes exclude their populations from influencing political processes. The electorate becomes relevant only

10. Jaleh Dashti-Gibson, *On the Determinants of the Success of Economic Sanctions: An Empirical Analysis*, 41 AM. J. POL. SCI. 608 (1997).

11. *Id.* at 609.

12. See discussion *infra* Part III.D.

13. Daron Acemoglu, James A. Robinson & Thierry Verdier, *Kleptocracy and Divide-and-Rule: A Model of Personal Rule* (Mass. Inst. Tech. Dept. of Econ., Working Paper Series, Paper No. 03-39, 2003), available at <http://ssrn.com/abstract=471821>.

in times of serious economic crises.¹⁴ Autocratic regimes work hard to prevent civil unrest by aggravating the collective action problem¹⁵, taking actions such as blocking the creation of political parties, the formation of NGOs, the formation of trade unions, and the spread of uncensored information. The absence of strong social institutions and independent media allows rulers to be highly effective in defusing any opposition to their regime.

A significant difference also exists in terms of distribution of wealth in democracies and non-democracies. In democracies, the members of the elite redistribute resources by disproportional allocation of public goods to their supporters. Thus, they increase the probability that voters will support them during the next election cycle. This is why the literature shows that sanctions imposed on democracies are more likely to prompt concessions or promote regime change than the sanctions imposed on autocracies. There is very strong empirical evidence that the pressure directed at democracies results in much more government instability than that directed at autocracies.¹⁶

On the other hand, autocrats maintain power through buying the support and loyalty of key groups of influence, such as police, army, bureaucrats and selected businessmen. These groups are much smaller than the general population and require fewer resources to support. When sanctions result in resource constraints, the autocrats tend to transfer the cost of sanctions to the general population, while keeping the key elites supported.¹⁷

Although this may sound counter-intuitive, autocracies prefer to be economically inefficient. As explained further below, an

14. See STEPHAN HAGGARD & ROBERT R. KAUFMAN, *THE POLITICAL ECONOMY OF DEMOCRATIC TRANSITIONS* (1995) (providing evidence of the importance of economic difficulties in bringing about political change).

15. The collective action problem is understood here as a situation in which the uncoordinated actions of each individual may not result in the best outcome that he or she can achieve. This problem can be resolved through exchange of information, which would help individuals to coordinate and achieve the desired outcome.

16. *Id.* at 573.

17. Reed M. Wood, "A Hand upon the Throat of the Nation": *Economic Sanctions and the State Repression, 1976–2001*, 52 INT'L STUD. Q. 489, 494 (2008). For instance, the Smith regime in Rhodesia increasingly shifted the costs of sanctions away from key elites onto the black community, further worsening its condition. See DAVID M. ROWE, *MANIPULATING THE MARKET: UNDERSTANDING ECONOMIC SANCTIONS, INSTITUTIONAL CHANGE, AND THE POLITICAL UNITY OF WHITE RHODESIA* 19 (2001).

inefficient economic structure provides more economic rents for the regime and its bureaucracy than would an efficient structure.¹⁸ It is more beneficial for autocracies to support a small group of rich people rather than to distribute wealth among the poor majority.¹⁹ Autocrats and their influential and privileged supporters work together to prevent civil unrest in the ways mentioned above, such as blocking creation of political parties and preventing the spread of uncensored information. Economic sanctions make this system even more inefficient for the benefit of autocrats. In an efficient democracy, however, representatives of the poor majority would establish an efficient taxation system, which would reduce the economic rents of autocrats.²⁰

Autocrats are rarely interested in increasing the productivity of their economies.²¹ Research of Daron Acemoglu and his colleagues shows that when average productivity in an economy is low, economic rents from natural resources and foreign aid become more effective as tools for bribing important constituencies and pacifying the masses.²²

At the same time, autocrats usually keep the most productive sectors of national economies under their control. If the independent groups that control the most productive sectors of economy become stronger in the absence of governmental support, it is more difficult to manipulate such groups.²³ Foreign aid and natural resources are the two most important sources that regimes draw on to survive in the face of low average productivity of their economies.²⁴ One study showed that the presence of oil increases the probability of a country becoming a dictatorship.²⁵ This reinforces the point that making a national economy less efficient by means of sanctions only helps entrench the autocrats.

18. Daron Acemoglu, Davide Ticchi & Andrea Vindigni, *Emergence and Persistence of Inefficient States* 1–2 (Mass. Inst. Tech. Dept. of Econ. Working Paper Series, Paper No. 06-32, 2006), available at <http://ssrn.com/abstract=948580>.

19. *See id.* at 6.

20. *Id.* at 2.

21. Acemoglu et al., *supra* note 13, at 3–4.

22. *Id.*

23. *Id.* at 25–26.

24. *Id.* at 3–4.

25. Michael L. Ross, *Does Oil Hinder Democracy?*, 53 *WORLD POL.* 325, 325 (2001).

The low effectiveness of sanctions against autocracies is also bolstered by analysis of autocrats' incentives.²⁶ A simple cost–benefit analysis would suggest that an autocratic regime is unlikely to allow political reforms that endanger its grip on power.²⁷ The benefits of complying with human rights requests of a sanctioning country may include international recognition, removal of travel bans, and unfreezing of blocked assets,²⁸ as well as other positive effects of being removed from the list of human rights violators. Presumably, the regime would also hope to capitalize on these developments within the country.

But the potential cost of compliance with sanctioning countries' demands is much greater. Such compliance may result in increased exposure to criticism from internal opponents, inability to use harsh measures to suppress internal opposition, and even “uncontrolled” democratization, which could remove the rulers from power as a result of public protests or a *coup d'etat*.

Autocratic regimes usually stay in power through the sustained support of a small group of people—often relatives, friends, and a few businessmen.²⁹ If the regime changes, the privileged groups are bound to lose their benefits and will almost inevitably be marginalized.³⁰ The worst-case scenario is the former ruler's jailing or execution, which has been the fate of many autocrats.³¹ The cost of losing power is therefore prohibitively high and autocrats retain incentives to “maintain their grip on power as long as possible.”³² In essence, the ruling elite's “personal” risks of initiating political reforms in order to avoid sanctions outweigh the benefits of increasing the wealth of their people or gaining international recognition.

Not only are economic sanctions against non-democracies ineffective, but such sanctions often achieve results contrary to their intended goals.³³ Research from Reed Wood demonstrates that

26. See Marinov, *supra* note 9, at 565.

27. *Id.* at 566–67.

28. Wood, *supra* note 17, at 500 tbl.1.

29. Barbara Geddes, *Authoritarian Breakdown: Empirical Test of a Game Theoretic Argument*, Working Paper, available at <http://www.uvm.edu/~cbeer/geddes/Geddes.html>.

30. *Id.* at 17.

31. *Id.*

32. *Id.* at 26.

33. Wood, *supra* note 17, at 491–92.

imposition of sanctions contributes to increased state-sponsored repression.³⁴ This results from the incumbents' efforts to prevent the defection of their core supporters and to stifle dissent in the face of declining economic conditions or growing support for the political opposition.³⁵ Thus, sanctions provide the incumbents with additional incentives for increasing repression to minimize threats posed by their potential challengers.³⁶ Moreover, it is also important for the autocratic leaders to prove—both domestically and internationally—that the sanctions do not serve their purpose and that introducing them will only worsen the situation within the country. Domestically, they explain that the hostile foreign powers are trying to undermine their countries' sovereignty, and it is a matter of national pride not to yield to outside pressure. This will weaken the regime's argument—communicated via its propaganda—that all economic misfortunes are attributable to the hostile environment rather than to the regime's own poor competence. Internationally, they wish to discourage further sanctions by showing that they simply do not work.

It has been shown that economic sanctions result in increased unemployment, capital flight, decreased foreign investments, increased corruption, drugs and arms smuggling, deteriorating public health standards, and other humanitarian costs.³⁷ Eventually, blunt economic sanctions end up targeting the civilian populations they are supposed to protect.³⁸ Thus, not only are the populations of target countries mistreated by their own governments, but they are also punished by foreign governments or international organizations.³⁹

The next section will illustrate the foregoing principles by examining two countries against which the European Union introduced economic sanctions for violations of labor rights.

34. *Id.* at 509.

35. *Id.*

36. *Id.* at 489–513.

37. *Id.* at 490.

38. *Id.*

39. *Id.* at 490–91.

III. ECONOMIC SANCTIONS AGAINST BURMA AND BELARUS

A. European Union Generalized System of Preferences

The framework for a Generalized System of Preferences (GSP) provides one method of imposing economic sanctions by linking trade and human rights.⁴⁰ Under the GSP, developing and transitional countries receive additional trade preferences that can be withdrawn in certain cases.⁴¹ In effect, it is the withdrawal of such preferences that constitutes economic sanctions against those countries.

A 2005 European Union Council Regulation establishes the current regime of the GSP for a ten-year period from 2006 through 2015.⁴² According to Article 1 of the Regulation, three types of arrangements exist for beneficiary countries.⁴³ First, under the default regime, all beneficiary countries enjoy the benefit of the “general arrangement.”⁴⁴ Second, there is a “special incentive arrangement” for sustainable development and good governance, which provides for additional benefits for countries implementing certain international standards in human and labor rights, environmental protection, combating illegal drug trafficking, and good governance.⁴⁵ The special incentive arrangement also provides for suspension of specific duties on certain products originating from so-called “vulnerable countries.”⁴⁶

40. Other methods include corporate codes of conduct or domestic litigation. See Yaroslau Kryvoi, *Enforcing Labor Rights Against Multinational Corporate Groups in Europe*, 46 INDUS. REL. 366 (2007).

41. See generally Lance Compa & Jeffrey Vogt, *Labor Rights in the Generalized System of Preferences: A 20-Year Review*, 22 COMP. LAB. L. & POL'Y J. 199 (2001).

42. Council Regulation 980/2005, Applying a Scheme of Generalised Tariff Preferences, 2005 O.J. (L 169) 1 (EC) [hereinafter EU's GSP].

43. *Id.* Prior to that, there were six GSP schemes under European Union law: (a) the general scheme; (b) the special scheme for the protection of labour rights; (c) the special scheme for the protection of the environment; (d) the special scheme to combat drug production and trafficking; (e) the special scheme for the least developed countries; and (f) “Everything but Arms,” for the world's 50 poorest countries. See Council Regulation 2501/2001, 2001 O.J. (L 346) 1 (EC); Press Release, Europa, EU Generalised System of Preferences (GSP) (Dec. 21, 2005), available at <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/05/1678&format=HTML&aged=0&language=en&guiLanguage=en>.

44. EU's GSP, *supra* note 42, at 1.

45. Commission Decision 2005/924, 2005 O.J. (L 337) 50 (EC) (listing GSP+ beneficiary countries).

46. EU's GSP, *supra* note 42 (according to Article 9, Section 3 of the EU's GSP, “a vulnerable country is one: that is not classified by the World Bank as a high income country

The European GSP regime also provides a procedure for withdrawing preferential treatment from countries that seriously and systematically violate the principles of conventions listed in the annex to Council regulation, which establishes the regime of trade preferences.⁴⁷ The list of conventions includes all eight International Labour Organization (ILO) fundamental conventions.⁴⁸ The procedure for withdrawal consists of four stages: First, consultations take place between Member States and the Commission;⁴⁹ second, the Commission initiates and conducts an investigation;⁵⁰ third, the Commission monitors the situation for six months;⁵¹ and finally, the Commission makes its decision of temporarily withdrawal. This withdrawal permanently enters into force six months after its commencement, unless the reasons justifying the withdrawal no longer prevail.⁵²

So far, only two countries have been subject to exclusion of benefits under the GSP—Belarus and Burma. The next section

during three consecutive years and whose five largest sections of its GSP-covered imports to the Community represent more than 75% in the value of its total GSP-covered imports, and whose GSP-covered imports to the Community represent less than 1% in value of total GSP-covered import to the Community”).

47. *Id.* at art. 16.

48. Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, June 17, 1999, No. 182, 38 I.L.M. 1207, available at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>; Convention Concerning Minimum Age for Admission to Employment, June 26, 1973, No. 138, 1015 U.N.T.S. 297, available at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138>; Convention Concerning Discrimination in Respect of Employment and Occupation, June 25, 1958, No. 111, 362 U.N.T.S. 31, available at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C111>; Convention Concerning the Abolition of Forced Labour, June 25, 1957, No. 105, 320 U.N.T.S. 291, available at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C105>; Convention Concerning Equal Remuneration of Men and Women Workers for Work of Equal Value, June 29, 1951, No. 100, 165 U.N.T.S. 303, available at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C100>; Convention Concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, July 1, 1949, No. 98, 96 U.N.T.S. 257, available at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C098>; Convention Concerning Freedom of Association and Protection of the Right to Organise, July 9, 1948, No. 87, 68 U.N.T.S. 17, available at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C087>; Convention Concerning Forced or Compulsory Labour, June 28, 1930, No. 29, 39 U.N.T.S. 55, available at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C029>.

49. See EU's GSP, *supra* note 42, art. 18.

50. *Id.* at arts. 19–20.

51. *Id.* at art. 20.

52. *Id.*

briefly addresses the circumstances that led to economic sanctions against these countries.⁵³

B. Belarus

Belarus is a former Soviet republic located in northern Eastern Europe with a population of about ten million people. It shares common borders with three European Union countries.⁵⁴ Since 1996, the political situation in Belarus has been deteriorating under the rule of authoritarian President Alyaksandr Lukashenka. His administration has systematically rigged elections, repressed political opposition, and consistently restricted basic human rights, such as freedom of speech and freedom to demonstrate.⁵⁵ The United Nations appointed a Special Rapporteur to monitor the human rights situation in Belarus.⁵⁶ The most serious allegation against the regime has been the disappearance of three leading opposition leaders and a journalist in 1999–2000.⁵⁷

In light of these events, the European Council decided to adopt restrictive measures in 2006 against President Lukashenka and Belrusian officials in response to violations of international electoral standards, crackdowns on civil society, and suppression of democratic opposition.⁵⁸ The European Union banned certain Belorussian individuals involved in human rights violations from travelling to European Union countries.⁵⁹

53. See Yaraslau Kryvoi, *Why European Union Sanctions Do Not Work*, 17 MINN. J. INT'L L. 209 (2008).

54. These countries are Poland, Lithuania, and Latvia.

55. See HUMAN RIGHTS WATCH, BELARUS, WORLD REPORT 2007 360-64 (2007), available at <http://hrw.org/englishwr2k7/docs/2007/01/11/belaru14847.htm>.

56. The United Nations Commission on Human Rights Resolution 2004/14 initially established the Special Rapporteur, while Resolution 2005/13 extended the mandate. U.N. Comm'n on H.R., *Commission on Human Rights Resolution 2004/14: Situation of Human Rights in Belarus*, U.N. Doc. E/CN.4/RES/2004/14 (Apr. 15, 2004), available at <http://www.unhcr.org/refworld/docid/43f3135cc.html>; U.N. Comm'n on H.R., *Human Rights Resolution 2005/13: Situation of Human Rights in Belarus*, U.N. Doc. E/CN.4/RES/2005/13 (Apr. 14, 2005), available at <http://www.unhcr.org/refworld/docid/45377c300.html>.

57. See Adrian Severin, *Report of the Special Rapporteur on the Situation of Human Rights in Belarus*, ¶ 62, U.N. Doc. A/HRC/4/16 (Jan. 15, 2007), available at <http://www.universalhumanrightsindex.org/documents/859/1035/document/en/pdf/text.pdf>.

58. Press Release, Council of the European Union, 2723rd Council Meeting, Luxembourg, at 10 (Apr. 10–11, 2006), available at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/89219.pdf.

59. *Id.*

Another important concern of the European Union and the broader international community is the suppression of freedom of association in Belarus. European and international trade unions requested an investigation into the violation of freedom of association in Belarus.⁶⁰ On December 29, 2003, the European Commission decided to initiate an investigation into alleged violations of trade union rights in Belarus.⁶¹ According to the formal notice issued by the Commission, the main problem in Belarus was systematic violations of freedom of association guaranteed by ILO Conventions Nos. 87 and 98.⁶² A number of international trade union organizations initiated a complaint with regard to violations of unions' rights in Belarus.⁶³

In 2004, both the ILO and the European Union sent commissions to Belarus to investigate the violation of trade union rights. The ILO Governing Body appointed a Commission of Inquiry in accordance with its Constitution to investigate trade union freedom in Belarus.⁶⁴ This is the strongest measure the ILO can take against a Member State; it only resorts to such a measure in exceptionally grave situations. The Commission of Inquiry completed its work by publishing a report in July 2004 that criticized the policies of the Belarusian authorities.⁶⁵

60. *Id.* at 11.

61. Commission Decision 2004/23, 2004 O.J. (L 5) 90 (EC), available at http://trade.ec.europa.eu/doclib/docs/2004/march/tradoc_115979.pdf.

62. See Commission, Notice of Initiation of an Investigation of Violation of Freedom of Association in Belarus in View of Temporary Withdrawal of Benefits Under the Scheme of Generalised Tariff Preferences (GSP), 2004 O.J. (C 40) 4, available at http://trade.ec.europa.eu/doclib/docs/2004/march/tradoc_115989.pdf.

63. *Id.* Groups supplying the information were the International Confederation of Free Trade Unions, the European Trade Union Confederation, and the World Confederation of Labor.

64. Int'l Labour Office, Officers of the Governing Body, *Report of the Officers of the Governing Body: Complaint concerning the non-observance by Belarus of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made by delegates to the 91st Session (2003) of the International Labour Conference Under Article 26 of the ILO Constitution*, ¶¶ 1, 10, GB.288/8, 288th Session (Oct. 14, 2003), available at <http://ilo-mirror.library.cornell.edu/public/english/standards/relm/gb/docs/gb288/pdf/gb-8.pdf>.

65. Int'l Labour Office, *Trade Union Rights in Belarus: Report of the Commission of Inquiry Appointed Under Article 26 of the Constitution of the International Labour Organization to Examine the Observance by the Government of the Republic of Belarus of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)*, 163–75 (July

Two years later, the European Union Council adopted a resolution temporarily withdrawing Belarus from access to the generalized tariff preferences due to the country's failure to enforce the rights of its trade unions.⁶⁶ Because the trade union situation did not improve, the resolution entered into force in June 2007.⁶⁷

A decline in the price of oil in recent months has reduced the revenue Belarus receives for transiting Russian oil to Europe and for exporting its own refined oil products.⁶⁸ Prices for other key Belarusian exports—including minerals and fertilizers—have also plummeted. Demand for oil in Russia, Belarus's key export market, has also slumped.⁶⁹ The unfavorable economic situation caused Belarusian authorities to take certain measures to liberalize the country's economic policies.⁷⁰ In an effort to remove sanctions, the Belarusian regime made several gestures of political liberalization, such as registering an opposition pro-democracy movement, releasing several political prisoners, and allowing certain independent newspapers in the state-run kiosks.⁷¹ Despite these changes, there have been no major human rights improvements in Belarus.

C. Burma

Burma, also known as Myanmar, is a country of about fifty-five million people located in Southeast Asia. A military coup in 1962 was the catalyst for gross human rights violations that continue today.⁷² After tens of thousands of Burmese rallied for democracy in 1988, the military junta formed the State Law and Order Restoration Council (SLORC) to strengthen its political power.⁷³ The human rights

2004) [hereinafter *Trade Union Rights in Belarus*], available at <http://www.ilo.org/public/english/standards/relm/gb/docs/gb291/pdf/ci-belarus.pdf>.

66. Council Regulation 1933/2006, art. 1, 2006 O.J. (L 405) 35, 39 (EC).

67. *Id.* § 12.

68. Economic Intelligence Unit, *Belarus Economy: Reliance on Russia Looks Set to Deepen*, THE ECONOMIST, Dec. 31, 2008, at 2.

69. *Id.*

70. *Id.* at 2.

71. See BUREAU OF DEMOCRACY, HUMAN RIGHTS & LABOR, U.S. DEP'T OF STATE, ADVANCING FREEDOM AND DEMOCRACY REPORTS: BELARUS (May 2009), available at <http://www.state.gov/g/drl/rls/afdr/2009/eur/122894.htm>.

72. John Badgley, *Myanmar in 1993: A Watershed Year*, 34 ASIAN SURV. 153, 153 (1994).

73. *Id.*

situation in Burma continued to deteriorate following the bloody end of Burma's pro-democracy demonstrations, when troops massacred at least 3,000 students and mostly unarmed civilians on the streets of the capital and other cities in September 1988.⁷⁴ The SLORC generals consolidated their rule with forced labor, rape, torture, forced relocation, and intimidation.⁷⁵

The European Union imposed an arms embargo and suspended defense cooperation with Burma in 1990.⁷⁶ The subsequently introduced visa ban and asset freeze was directed at Burma's senior military officers, members of government, and their families.⁷⁷ European Union-registered companies were prohibited from making financing available to enumerated state-owned enterprises.⁷⁸ In 1995, the International Confederation of Free Trade Unions and the European Trade Union Confederation filed a joint complaint to the European Commission calling for withdrawal of Burma from the European Union GSP because of its use of forced labor.⁷⁹

In January 1996, the European Commission launched an investigation of the alleged forced labor widely used by the military regime of Burma.⁸⁰ As a result of that investigation, Burmese authorities did not implement ILO recommendations and refused to allow the ILO fact-finding team into the country.⁸¹ In 1997, Burma became the first country from which the European Union withdrew trade preferences based on the country's widespread use of forced labor.⁸² As of 2009, Burma still lacks trade preferences under the European Union GSP.

74. HUMAN RIGHTS WATCH, BURMA: NO RIGHTS REFORM 20 YEARS AFTER MASSACRE (Aug. 6, 2008), <http://www.hrw.org/en/news/2008/08/06/burma-no-rights-reform-20-years-after-massacre>.

75. Bruce E. Johansen, *Burma: Forced Labor in the World's Last Teak Forest*, INDIGENOUS PEOPLES AND ENVIRONMENTAL ISSUES: AN ENCYCLOPEDIA, <http://www.ratical.org/ratville/IPEIE/Burma.html#TT97> (last visited Sept. 30, 2009).

76. See European Commission, *The EC-Burma Strategy Paper* (2007), http://ec.europa.eu/external_relations/myanmar/csp/07_13_en.pdf.

77. *Id.*

78. *Id.*

79. See Commission Notice, 1996 O.J. (C 15) 3.

80. *Id.* at 3.

81. Council Regulation 552/97, 1997 O.J. (L 85) 8, 9 (EC).

82. *Id.*

In 2007, massive pro-democracy protests by Burmese monks and laymen were brutally suppressed by the military junta.⁸³ However, the international pressure engendered by the dissemination of information and images of the brutal suppression of peaceful demonstrations prompted the junta to engage in talks with the democratic opposition.⁸⁴

D. Belarus and Burma Compared

Despite their geographical and cultural distinctions, Belarus and Burma are similar in a number of respects. First, both countries are non-democratic—citizens of those countries cannot exercise their right to change their governments. Second, both countries have powerful non-Western sponsors.

Belarus and Burma regularly receive political and economic support from respective regional superpowers. When the United States introduced economic sanctions against Belarus, Russia almost immediately provided several billion dollars in financial aid to the regime in Minsk.⁸⁵ Similarly, China is the most important ally of Burma, a major trading partner and an important source of military assistance to the junta. Efforts by Western nations to encourage China to exert pressure on the Burmese regime have had little effect; China continues to insist that Burma's political problems are an internal matter.⁸⁶

The case studies of Belarus and Burma demonstrate that powerful economic sponsors can render any economic sanctions against autocracies meaningless. As discussed above, the sanctions thus far have not produced any major improvements in these countries. Moreover, imposing sanctions which ultimately further impoverish the people who are already suffering from autocratic repressions and deprivations is immoral.

83. Kyaw Yin Hlang, *Challenging the Authoritarian State: Buddhist Monks and Peaceful Protests in Burma*, 32 THE FLETCHER F. WORLD AFF. 125, 125 (2008).

84. *Id.* at 126.

85. See Elena Lashkina & Tsena Druzhy, *Viktor Zubkov Osudil SSHA za Ekonomicheskie Sanktsii Protiv Minska* [The Price of Friendship: Victor Zubkov Condemned the United States Sanctions Against Minsk], ROSSIISKAIA GAZETA, Dec. 27, 2007, No. 4554.

86. Economic Intelligence Unit, *Country Profile: Myanmar 2008 Main Report*, THE ECONOMIST, Oct. 9, 2008, at 11.

IV. AUTOCRACIES AND ACCESS TO INFORMATION

A. Media and Autocrats' Survival

The literature suggests that, in about 95 percent of cases, economic sanctions do not achieve their goals of altering the behavior of autocratic regimes.⁸⁷ Along with this remarkably low effectiveness, the damage to the wellbeing of the general population also shows that economic sanctions generally fail. Thus, finding alternative measures to influence autocratic regimes must be a priority.

In democracies, citizens influence their ruling elites by voting. In autocracies, such as Burma and Belarus, the ruling elites are not elected by citizens. In order to stay in power, the autocrats prevent people from organizing free and fair elections and from sharing information regarding popular discontent. While there is not much that foreign governments can do to improve the right to organize and the voting rights of the repressed populations, plenty can be done to improve access to information. It is further suggested that enabling the general population to communicate their discontent is a form of influence far superior to economic sanctions.

Authoritarian regimes are usually successful in muting the signs of public discontent by blocking all avenues by which popular disaffection can be made public and can thereby induce political change.⁸⁸ Not surprisingly, public opinion polls are usually classified in such countries and are accessible only to high-level functionaries.⁸⁹ Autocracies work hard to create the illusion that everyone agrees with the current political regime.⁹⁰ This creates an impression among the general population that open dissent is not only costly due to potentially harsh penalties but also futile.

Authoritarian governments falsify public preferences and do their best to hide that the majority of people are unhappy about the existing situation. Knowledge of truthful information might inspire the disaffected to bring their anti-government feelings into the open.

87. Wood, *supra* note 17, at 490.

88. For an overview of repressive measures against media, see FREEDOM OF THE PRESS 2008: A GLOBAL SURVEY OF MEDIA INDEPENDENCE (K. Karlekar & S. Cook eds., 2008).

89. See, e.g., Susanne Lohmann, *The Dynamics of Informational Cascades: The Monday Demonstrations in Leipzig, East Germany, 1989–91*, 47 *WORLD POL.* 42, 43–44 (1994).

90. *Id.*

To achieve their goals, the governments suppress independent media, discourage independent polling, and discredit surveys that reveal unflattering information.⁹¹

A truly massive and open dissent can cause political change. Scholars suggest that such open public dissent results from a “tipping process” whereby the incumbent political leadership loses its ability to mute the voice of popular discontent.⁹² People extract cost–benefit information from mass media and from those attending demonstrations. Massive demonstrations serve as an “informational cascade” that finally brings into the public light the information about the nature of the regime that was previously hidden.⁹³ According to Ted Robert Gurr’s theory of relative deprivation, people become discontent when they perceive a discrepancy between their expectations and the society’s ability to ensure the standard of living to which they believe they are entitled.⁹⁴

Controlling television and radio is crucial to preventing open dissent. As long as the majority of a country’s population relies on the state-controlled mass media, people continue to believe that everyone supports the incumbent government. Absent extraordinary events and alternative sources of information, any significant change in the country’s political situation is unlikely. Even if human rights organizations or opposition groups feature the best qualified leaders, their future is not promising unless citizens are aware of them. In fact, even if the majority of the population knows about the alternative leaders and supports them, they still cannot elect them at the polling stations because the regime in power does not count their votes.

Enabling people to obtain information will help avoid the harmful effects of economic sanctions on the general population. It should be noted, however, that more media coverage could potentially expose more opposition activists and thus stimulate more repression. Also, the authorities may put even more brutal pressure on dissidents in an effort to deter others from defecting. However, these costs are far outweighed by the benefits of the population’s increased

91. Timur Kuran, *Now Out of Never: The Element of Surprise in the East European Revolution of 1989*, 44 *WORLD POL.* 7, 21 (1991).

92. See, e.g., *id.* at 7; Lohmann, *supra* note 89, at 42.

93. Lohmann, *supra* note 89, at 42.

94. See TED ROBERT GURR, *WHY MEN REBEL* (1970).

awareness of the real political situation in the country—and, more importantly, of the fact that the dissidents constitute a majority.

If the effective channels of mass media were in place, public discontent would be much more organized and influential. For example, it is widely agreed that U.S.-sponsored radio broadcasting was crucial to ending the Cold War.⁹⁵ Further, independent Channel 5 in Ukraine was the source of information during the Orange Revolution in 2006 from which the population learned about election fraud, protests in Maidan, and the negotiation process between the branches of power and the opposition.⁹⁶ This channel conveyed the impression that most of the people were opposed to the rigged elections, while the government-controlled channels minimized the level of the protests.⁹⁷

The massacre near the Vilnius Television tower in Lithuania was one of the most symbolic events that led to the collapse of the Soviet Union. In January 1991, in an attempt to retain control over the rebellious republic, Soviet leaders instructed the Soviet military to seize control of three facilities: the TV tower, the radio transmission center, and the Vilnius television station.⁹⁸ Using tanks, Soviet riot forces killed sixteen people and injured hundreds of others in an attempt to silence anti-Soviet broadcasts.⁹⁹ Despite its efforts, Lithuania has so far been unsuccessful in extraditing from Belarus General Uskhopchik, who commanded Soviet troops during those events.¹⁰⁰

B. Independent Media in Belarus and Burma

By limiting freedom of association, the Belarusian authorities attempt to prevent a revolt or a “color revolution.”¹⁰¹ Not only do

95. See generally ARCH PUDDINGTON, *BROADCASTING FREEDOM: THE COLD WAR TRIUMPH OF RADIO FREE EUROPE AND RADIO LIBERTY* (2003).

96. Anastasiya Salnykova, *The Orange Revolution: a Case Study of Democratic Transition in Ukraine* 59 (2006) (unpublished master’s thesis, on file with Simon Fraser University).

97. *Id.*

98. Michael Dobbs, *Down with Big Brother: The Fall of the Soviet Empire* 339 (1998).

99. William Odom, *The Collapse of the Soviet Military* 269 (2000).

100. See General Uskhopchik, *Dead Bodies to TV tower Were Carried From All over Lithuania*, Charter 97, Sept. 18, 2009, <http://charter97.org/en/news/2009/9/18/22072/>.

101. See generally Vitali Silitski, *Preempting Democracy: The Case of Belarus*, 16 J. DEMOCRACY 83 (2005) (explaining that Belarusian authorities strengthened their grip after the Orange Revolution in neighboring Ukraine and the Revolution of Roses in Georgia).

authorities target trade unions, but they also attempt to suppress NGOs and political parties.¹⁰² The most recent report on human rights in Belarus shows that infringement of free speech is by far the largest category of human rights violations in Belarus.¹⁰³

It is symptomatic that Belarusian authorities use most of their efforts to suppress the media. As economic conditions deteriorate, unemployment rates rise and financial help from Russia dries out, it becomes increasingly difficult to control public discontent.

The President of Belarus stated that control of radio and television stations remained a high priority for the government and that private stations would not be allowed to operate in the country.¹⁰⁴ Belarusian authorities also introduced strict rules regulating licensing organizations that conduct public opinion polls, and such regulations are implemented by a special Committee on Public Opinion Polls at the National Academy of Sciences of Belarus.¹⁰⁵ As a result, only government-controlled organizations are allowed to conduct polls in the country, and those who conduct such polls without licenses are prosecuted.¹⁰⁶

In December 2007, the Polish government took the most important step to date to break the informational blockade in Belarus when it launched an independent Belarusian satellite channel named Belsat.¹⁰⁷ The satellite allows citizens of Belarus to receive broadcasting from neighboring Poland, and its audience is growing rapidly.¹⁰⁸ Belarusian authorities recently intensified their repression

102. BUREAU OF DEMOCRACY, HUMAN RIGHTS & LABOR, U.S. DEP'T OF STATE, 2006 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: BELARUS (2007), <http://www.state.gov/g/drl/rls/hrrpt/2006/78802.htm>.

103. BUREAU OF DEMOCRACY, HUMAN RIGHTS & LABOR, U.S. DEP'T OF STATE, 2008 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: BELARUS (2009), <http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119069.htm>.

104. *Id.*

105. The Decision of the Council of Ministers of the Republic of Belarus No. 1240, *On Some Issues of Carrying Out Public Opinion Polls Related to Republican Referenda, Elections and Socio-Political Situation in the Country and on Publication of Their Results in Mass Media*, Nov. 8, 2005, available at <http://www.law.by/work/EnglPortal.nsf/NewsForIntSortTV/49362CA1CB0ED8A6C22570BB004FE939?OpenDocument>.

106. *Arrested for Public Opinion Poll*, Human Rights Center "Viasna," Feb. 26, 2009, <http://spring96.org/en/news/27467/>.

107. *Analysis: Poland-Based Belarusian Satellite TV BELSAT Launched 10 Dec*, BBC MONITORING RESEARCH, Dec. 10, 2007.

108. *Video Archive Appeared at Belsat TV Website*, CHARTER '97, Nov. 12, 2008, <http://www.charter97.org/en/news/2008/11/12/11970/>.

of journalists working on behalf of Belsat by issuing warnings and imposing heavy fines for those working “for an unregistered Polish satellite channel ‘Belsat.’”¹⁰⁹

In Burma, the population learned about the devastating cyclone of 2008, which caused tens of thousands of deaths, from foreign media outlets such as *Radio Free Asia* and *Voice of America*. The Burmese state media, on the other hand, remained silent about the disaster.¹¹⁰ Satellite channels were also a key source of information in Burma during 2007 anti-government protests. The regime apparently learned its lesson. In 2009, Burmese authorities raised the licensing fees for satellite television by 16,566 percent—effectively making it illegal for most of the population to view those channels because they simply cannot afford it.¹¹¹ This shows that Burmese authorities perceive satellite television as a real threat.

In forming a solution to these issues, it is not enough to enable the people of autocratic countries to merely watch foreign television stations. In fact, many people in Belarus are able to watch *Euronews*, the EU news channel, as well as other foreign news channels. Even if the target audience understands the language (as was the case in Eastern Germany during the Cold War), that information is not very influential.¹¹² It is crucial that the broadcastings be made *by* the oppressed people and *for* the oppressed people. Thus people can relate to the events covered by the broadcasts, rather than watch them passively as a movie about someone else’s life. In this way, broadcasting can not only launch the information cascade, but it may also help opposing parties realize that they constitute a majority.

The role of the Internet deserves special attention. Although the Internet can play an important role—as was the case during the 2007

109. See *Journalists fined 700,000 Br for Giving Coverage to Oppositional Rally*, CHARTER '97, February 25, 2009, <http://www.charter97.org/en/news/2009/2/25/15497/>; *Journalists Warned Against Collaborating with Belsat TV Channel*, CHARTER '97, March 5, 2009, <http://www.charter97.org/en/news/2009/3/5/15812/>.

110. James K. Glassman, Heritage Lecture No. 1086: U.S. International Broadcasting on the Frontlines of Freedom, The Heritage Foundation (May 21, 2008), at 1, *available at* <http://www.heritage.org/Research/WorldwideFreedom/hl1086.cfm>.

111. *Satellite TV Costs Soar in Burma*, BBC NEWS, Jan. 2, 2008, <http://news.bbc.co.uk/2/hi/asia-pacific/7167911.stm>.

112. Holger Lutz Kern & Jens Hainmueller, *Opium for the Masses: How Foreign Free Media Can Stabilize Authoritarian Regimes* (Apr. 2007) (working paper), *available at* <http://ideas.repec.org/p/pram/prapa/2702.html> (showing that East Germans who watched West German television were more satisfied with life in East Germany and the communist regime).

protests in Burma¹¹³—its capacity is inferior to that of broadcast media, such as radio and television. Although the Internet will always contain more information, its impact is not focused because it does not convey a clear and consistent message. Also, the majority of population, especially in poor countries, might not be able or willing to seek political news on the Internet because of lack of access to it. Also, it can be effectively used by authoritarian regimes themselves, who could hire an army of bloggers and forum participants to create an illusion of overwhelming support of the existing regime.¹¹⁴ Aware of this, the Belarusian government does not consider the Internet as a serious threat and has taken almost no repressive measures against it.¹¹⁵

In the past, shortwave radio was the only option for large-scale communication. It remains the main option for vast countries like Burma, where about one-fourth of the population turns to U.S.-funded shortwave radio stations.¹¹⁶ However, the importance of shortwave radio is waning because technological development moves on. It is important to look at each audience on a case-by-case basis, taking into account such factors as geography, audience habits, competition, and political reality.¹¹⁷

As is the case with economic sanctions, it is unwise to expect instant results when trying to influence authoritarian states.¹¹⁸ A long-term perspective is crucial. Even if access to free media will not bring about immediate political changes, it will certainly put pressure

113. See, e.g., Mridul Chowdhury, *The Role of the Internet in Burma's Saffron Revolution*, INTERNET & DEMOCRACY CASE STUDY SERIES (Berkman Center For Internet & Society at Harvard University, Publication No. 2008-08), Sept. 28, 2008, at 1, available at http://cyber.law.harvard.edu/sites/cyber.law.harvard.edu/files/Chowdhury_Role_of_the_Internet_in_Burmas_Saffron_Revolution.pdf_0.pdf.

114. See generally Evgeny Morozov, *Texting Toward Utopia: Does the Internet Spread Democracy?*, BOSTON REVIEW (March-April 2009), available at <http://bostonreview.net/BR34.2/morozov.php>.

115. See *Belarus*, OPENNET INITIATIVE (May 9, 2007), available at <http://opennet.net/research/profiles/belarus>.

116. See Glassman, *supra* note 110, at 102.

117. For a relatively small country like Belarus, surrounded by democracies, FM radio, satellite television, and terrestrial television are much more effective than old-style shortwave radio.

118. KRISHNA KUMAR, CENTER FOR INT'L MEDIA ASSISTANCE, ONE SIZE DOES NOT FIT ALL: OBJECTIVES AND PRIORITY AREAS FOR MEDIA ASSISTANCE IN DIFFERENT SOCIETIES 6-7 (2009), available at <http://cima.ned.org/wp-content/uploads/2009/06/kumar-one-size-does-not-fit-all.pdf>.

on the ruling elite by forcing rulers to deal with a better-informed, and better-organized, population and political opposition. This was the case in Burma, where the military junta was reportedly forced to negotiate with the opposition because the images and information about public protests had quickly spread around the world.¹¹⁹

C. Supporting Independent Media and International Law

Helping spread independent information is more in line with the international law principle of non-interference with internal affairs than are economic sanctions, let alone military intervention. It is true that media members are usually regulated by domestic authorities by means of national law, which fuels autocracies' complaints that any interference in this area violates international law. Indeed, Article 2(7) of the UN Charter provides that "nothing in the present Charter shall authorize the United Nations to intervene in matters that are essentially within the domestic jurisdiction of any state."¹²⁰

However, the approach justifying non-interference into autocrats' human rights violations by sovereignty is flawed. First, sovereignty belongs to the people, not to illegitimate autocratic rulers.¹²¹ Article 21(3) of the 1948 Universal Declaration of Human Rights specifies the criterion of legitimate authority:

The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and be held by secret vote or by equivalent free voting procedures.¹²²

Second, if severe economic sanctions routinely imposed against the general population are not considered unlawful intervention into internal affairs, how could facilitating the spread of independent information constitute such intervention? Clearly, economic sanctions do much more harm to the oppressed population than does enabling the population's access to media. For instance, economic sanctions cause oppressed people to become hungry, jobless or sick, while the illegitimate elites remained unharmed. On the other hand, helping the spread of uncensored information does no harm to the

119. See Hlang, *supra* note 83, at 139–41.

120. U.N. Charter art. 2, para. 7.

121. W. Michael Reisman, *Sovereignty and Human Rights in Contemporary International Law*, 84 AM. J. INT'L L. 866, 869 (1990).

122. G.A. Res. 217A (III), art.21(3), U.N. Doc. A/811 (Dec. 10, 1948).

general population, but undermines the political monopoly of autocrats.

As the famous dissident and Nobel prize winner Alexander Solzhenitsyn put it describing the Soviet system: “The lie has been incorporated into the state system as the vital link holding everything together with billions of tiny fasteners, several dozen to each man.”¹²³ Once this lie is exposed to the public attention, the changes enforced by the repressed people themselves become more likely.

When the vast majority of people do not know what others are thinking and remain afraid that the government will repress them if their true attitudes become known, they prefer to portray themselves as supportive of the regime. Therefore, helping people realize that a large portion of the population (if not the majority) opposes the status quo is more efficient than imposing economic sanctions. This approach enables the population to influence the incumbent elites and even potentially remove them. Thus, the main criterion for democracy—namely, the right of the people to change their government—obtains a practical meaning.

V. CONCLUSION

This Article argues that economic sanctions are not effective against autocracies. First, the autocratic regimes operate outside of democratic political institutions, and the voters' discontent does not play any importance during the election cycle. Second, economic sanctions weaken traditional sectors of the economy and strengthen the autocrats' monopolized role in distributing foreign aid and natural resources rents. Third, economic sanctions often hurt those whom they are supposed to protect.

Enabling people to publicize their discontent and understand that the regime's opponents constitute a majority cannot only hinder the autocrats' ability to falsify reality but will also stimulate political change. This approach is more consistent with both international law and morality than economic sanctions, which merely hurt already impoverished societies. Enabling repressed societies to self-organize and obtain information is a way to help citizens regain political sovereignty.

123. Alexander Solzhenitsyn, *The Smatterers*, in FROM UNDER THE RUBBLE 275 (A.M. Brock, et. al. trans., 1st Am. ed. 1975).

Autocratic states purposefully deprive their citizens of “organic” rights to know truthful information and organize in political parties, trade unions or other independent groups. Therefore, it is crucial to help the repressed populations know what the real state of affairs is and help them self-organize and coordinate. Arguably, radio or television broadcasts which are produced by nationals of targeted autocratic states and channeled into the state from democratic countries are the best way forward. Success of U.S.–sponsored radio broadcasts during the Cold War—and more recent examples of Polish-based Belsat targeting Belarus—prove this point.

It is argued that—particularly in the information age—nations and international organizations, including the United Nations, should refrain from resorting to old-fashioned and ineffective economic sanctions that impoverish innocent populations and help autocrats stay in power. Instead, these countries and organizations should turn to affirmative empowerment of the civil society, and in particular electronic media, helping the oppressed regain their sovereignty.