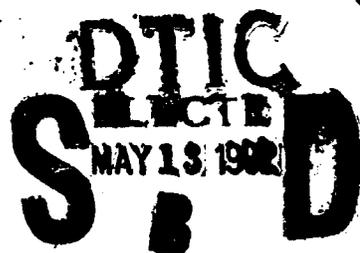


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Keith B. Keener
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Operations Paper

THE THEATER COMMANDER'S ROLE IN ECONOMIC SANCTIONS

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Military enforcement of economic sanctions will grow as an option for U.S. policy makers. Such application of armed forces tests the ability of a theater commander to utilize tactical assets to conduct effective interdiction of specified commerce in pursuance of national objectives. Key variables in operational planning for sanctions enforcement include measures of effectiveness, rules of engagement, complementarity of forces, and sustainment. In general, the more extensive the coverage of the sanctions regime, the easier the planning and execution burdens confronting the theater commander.					
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THESIS: Economic sanctions will remain an attractive option for promoting national interests. Use of the military to enforce such sanctions is a legitimate use of an available government asset. Such application of U.S. armed forces tests the ability of a theater commander to utilize tactical assets to conduct effective interdiction of specified commerce in pursuance of national command authority objectives. Key variables in operational planning for sanctions enforcement include measures of effectiveness, rules of engagement, complementarity of forces, and sustainment. In general, the more extensive the coverage of the sanctions regime, the easier the planning and execution burdens confronting the theater commander.

INTRODUCTION

The use of American military forces in nonconventional settings (i.e., for other than purely military objectives) is well documented. The growing literature on peacetime contingency operations (PCO), peacekeeping (PKO), and "coercive diplomacy" is evidence of this trend. Demands for nonconventional uses of the military have increased dramatically since World War II [Blechman & Kaplan, ch. 1]. Although rarely acknowledged in most treatments of PCO [see, for example, FM 100-20, ch. 5], reliance on economic sanctions, and the use of the military to enforce them, will remain an option for U.S. leaders seeking less-violent means of exerting pressure on other states.

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Aside from contributing additional resources to an interdiction effort, use of the armed forces in sanctions enforcement provides associated political benefits to the sanctioning state. Nonviolent application of military assets to nonmilitary objectives (e.g., a change in policy by the target state) locates U.S. policy in the relatively benign realm of restrained power, while avoiding the polar alternatives of ineffective commercial sanctions or lethal force. Overt use of the military signals a degree of seriousness on the part of the United States greater than if backed only by commercial or financial agencies. On the other hand, by avoiding resort to force, nonconventional use of the military demonstrates our commitment to nonviolent resolution of international conflicts, in accordance with the United Nations Charter [Article 2(3)]. Military enforcement also provides a convenient pretext for "presence," supporting multiple policies in the affected region.

At the risk of avoiding several interesting aspects of economic sanctions, this paper will focus on those issues confronting a theater commander presented with a decision by national command authority (NCA) that U.S. military forces will be actively involved in the implementation of a sanctions regime in his area of responsibility (AOR). Notwithstanding periodic input from the theater CINC regarding the appropriateness of sanctions, the extent of their coverage, and the likelihood of their success for countries in his AOR, this paper assumes that such questions will have been resolved at the NCA level.

Civilian agencies of government are presumed to be utilizing the commercial/financial means at their disposal to bring economic pressure to bear on the target country(s).

The theater CINC's role is to complement these efforts by effecting a sanctions regime that achieves the type and degree of interdiction specified by NCA. In operational terms, the CINC's task is to apply his tactical resources in such a way as to achieve the intermediate objective of an effective interdiction of specified trade (the link from interdiction to the ultimate strategic objective--successful coercion--having been determined a priori by NCA). Nevertheless, an appreciation of the challenges confronting a theater commander under such circumstances requires some preliminary understanding of economic sanctions.

OVERVIEW OF SANCTIONS

Definition. "Economic sanctions" consist of those actions taken to deny, or to threaten serious disruption of, customary trade and financial relations of a sovereign state [Hufbauer & Schott, p. 2; Parry & Grant, p. 106]. Sanctions occur within a variety of political contexts. For centuries, and as recently as "Desert Storm," sanctions have been used to complement combat operations in the prosecution of war. Sanctions have been invoked during conditions short of war to exact economic costs from a nation or bloc whose policies infringed on the perceived interests of the sanctioning country. Bilateral disputes can provoke limited sanctions among recognized allies when the

alleged harm occurs at a level far below 'vital' interests, but sufficient to require some form of retaliation (e.g., 'unfair' trade practices; human rights abuses). Military enforcement is feasible throughout this range of contexts.

In general, there are three ways in which nations use economic sanctions to inflict costs on a target: 1) by limiting exports to the target; 2) by restricting imports from the target; and 3) by curtailing financial transactions with the target. Since this paper is concerned with the military's ability to enforce sanctions, primarily through actual or threatened physical interdiction of goods and services, purely financial options fall outside our purview. Likewise, the withholding of legislated trade preferences is not a tool directly available to the theater commander, and will not be discussed.

Legal aspects. International law has come to recognize two general categories of economic sanctions. "Blockade," the most extreme form of economic isolation, implies a state of war or belligerency between disputing states and invokes certain obligations upon the sanctioner [Lowenthal, p. 2; Celada]. "Embargo" signifies a retaliatory action by an aggrieved party short of war, and often applies only to those parties directly at odds (neutral commerce is unaffected) [ibid.].

In recent practice, sanctioning nations have demonstrated remarkable ingenuity in characterizing their actions so as to avoid the duties and restrictions associated with blockade and embargo. The United States imposed a "quarantine" during the

Cuban Missile Crisis (1962), and an "interdiction" effort in "Desert Shield" (1990), despite the lack of any basis in international law for the terms. Regardless of legal nomenclature, "the use of economic sanctions presupposes the sender country's desire to 'interfere in the internal affairs' of the target government" [Hufbauer & Schott, p. 9]. The theater CINC must recognize this inevitable feature of sanctions enforcement and acknowledge the risks associated with having such interference conducted by armed military personnel.

Coverage. Overlaying these distinctions as to type of sanction is the extent of coverage, ranging from "total" (all goods, services, commodities) to "limited" (e.g., military contraband; economically critical raw materials). Issues of proportionality in terms of the breadth of coverage will be determined by the national leadership. However, the coverage question critically affects the CINC's mission, selection of courses of action, and his prospects for successful interdiction.

Weaknesses. Any sanctions effort will run up against two serious difficulties--the psychological and the physical. The fundamental premise of sanctions is that one nation can change the behavior/policies of another by applying pressure short of direct force or compulsion. Experience has shown that a common result, at least in the short run, to such intimidation efforts is increased resistance on the part of the targeted state. In some cases, the sanctions themselves provide a rallying point for the targeted regime to marshal public support in defiance of

external manipulation (e.g., Cuba since October 1960).

Even more salient for the theater commander is the physical dimension of the flow of commerce. To start with, there is the potentially large number of access points that must be covered. The effectiveness of the Union "blockade" of the Confederacy was severely tested by the extent of the Southern coast and the numerous off-load sites along the littorals. Further, while some commodities, such as oil or natural gas, can be transported and distributed only through limited means (e.g., merchant tankers or pipelines), others are suitable for repackaging and re-routing through a variety of alternative channels. Like Sun Tzu's metaphor of water flowing around points of resistance, much commerce is difficult to restrict to traditional paths. The Berlin Airlift, in response to a Soviet land blockade in 1948-49, is an example of a target (or more properly, a target's allies) finding alternative means of delivering critical supplies.

Countervailing strengths. Nevertheless, such weaknesses may not be fatal in such operations. To be effective, sanctions need not be air-tight. The German U-boat campaign in World War II proves that substantial economic pressure can be brought to bear on a country short of cutting off all supplies. In some cases, the mere threat of a large interdiction effort may be sufficient to entice a target to change its policies, or at least negotiate. All the more so when the offensive behavior/policy is not seen by the target government as critical to its strategic interests and the threatened sanctions thus, by contrast, appear

disproportionately burdensome.

Historical record. Economic sanctions have been tools of coercive diplomacy at least since Pericles' Megarian decree in 432 B.C. Hufbauer & Schott have identified over 100 cases of sanctions since World War I; over half of these involved U.S. participation [p. 7]. Early experience with sanctions attempted 'to disrupt military adventures or to complement a broader war effort' [op. cit., p. 4]. Later efforts expanded to counter, delay, or limit the buildup of war machines, trade in militarily useful technologies, nuclear proliferation, and terrorism. The United States has successfully used economic sanctions even against traditional allies: the Netherlands in 1948-49 (over Indonesia); Britain and France in 1956 (over Suez); and Egypt in 1960 (over Yemen and the Congo). We have resorted to sanctions in efforts to destabilize regimes in our own hemisphere (e.g., Cuba's Castro; Goulart in Brazil; Nicaraguan Sandinistas; Chile under Allende; Trujillo in the Dominican Republic) [op. cit., pp. 5-6].

Rarely, however, have military forces been employed by any nation for strictly economic purposes. Britain's use of the Royal Navy to block oil shipments to Rhodesia through the Mozambique port of Beira in 1966 is a notable exception, and the only case uncovered during this research [Losman, p. 99; Cable, p. 60; Hufbauer & Schott, pp. 409-410].

PLANNING CONSIDERATIONS

The CINC's mission goes beyond mere interdiction of

traditional lines/forms of communication, to preventing the diversion of proscribed commerce to alternative paths. Owing to the potential fluidity of much of international commerce (discussed supra), perhaps the greater part of sanctions enforcement could be characterized as "plugging the gaps." As a result, few PCO are more amenable to joint operations than enforcement of economic sanctions, and few agents are more ideally suited to the task than a theater CINC, with his ability to orchestrate a synergy of effort through the exploitation and harmonization of land, sea, air, and space assets.

In planning this effort, a number of "macro-level" questions confront the theater commander charged with implementing a sanctions regime:

- what is/are the target country(s)?
- what types of commerce are covered by the decree?
- what types of forces and specialized assistance are available to me?
- what are the operative rules of engagement?
- how long should I be prepared to conduct the interdiction program?

Target. A broad range of feasibility issues arise from the choice of target. Are we sanctioning a single state, or a group? How are they related geographically, economically? The geographical location and topography of the target(s) will affect the resources the CINC can bring to bear. For example, naval forces against an island have a direct bearing on primary LOCs;

against a Zimbabwe or Bolivia, naval pressure will probably be more indirect.

Alternative paths are not limited to different modes of transport, but extend as well to different routes using the same modes. If land-locked, or sharing large portions of its land borders with other states, what network of road and rail lines connect them to the target state? Does the topography permit ingress through ad hoc land routes (e.g., Ho Chi Minh trails) or waterways previously under-utilized? If commercial air traffic through traditional airports is interdicted, do sufficient numbers of alternative airstrips or fields exist that could support imports through small aircraft? If the Navy effectively blockades established ports, what alternative sites along the coast could serve as off-loading points of access?

Effective use of all assets--naval, air, ground, special operations, and space surveillance--is essential. Space and SPECOPS personnel are especially critical in gathering intelligence on "the gaps" that develop in response to the closing of traditional LOCs. HUMINT can play a unique role in two ways. Where alternative routes have escaped detection by other means, the insertion of SPECOPS personnel at key distribution or storage nodes may identify foreign sourcing of goods, thus focusing the effort on back-trailing possible supply routes. Simultaneously, this information would provide important data for evaluating how much material is getting through (to the extent foreign markings provide information on date of

manufacture).

Coverage. Holding constant for the moment questions of the adequacy of the interdicting force, the CINC must consider the range of materials or activities being proscribed in choosing his resources and the optimal means of employing them. The easiest case would be the total blockade of the target, i.e., all goods, services, natural resources, communications are kept from entering the target's territory.¹ This is so because the CINC's forces need not search or inspect any vessel, aircraft, or vehicle. The military operation would be confined to intercepting and denying all traffic into the target's territory.

Short of this ideal, matters become more complicated as military personnel are obliged to board the carrier, inspect the cargo, make a judgment as to whether or not certain cargo qualifies as contraband, and possibly arrange for seizure. Depending on the proscribed material, military personnel may not possess the requisite expertise. Some types of cargo, so-called 'dual use,' may not be explicitly referenced on the prohibition list (if there is one), or the category of contraband may be defined so broadly that the on-site commander is required to make a judgment as to its ultimate purpose, for which a cargo manifest is of little utility. 'Human cargo' poses another set of problems. A state may legitimately wish to curtail the transfer of technology to a target state (e.g., Soviet nuclear technicians to Libya) but lack an adequate data base to identify specific individuals. The possibility of bogus identity papers further

complicates the problem. Some of these problems can be mitigated by the assignment of expert personnel to the interdiction force (discussed below).

Available forces/assistance. "Plugging the gaps" requires sufficient forces to cover the range of reasonable alternative routes and to collect relevant intelligence. For interdiction, naval forces must have the speed, draft, surveillance capabilities, and firepower to operate in those types of blue- and brown-water environments likely to be encountered in the AOR and pose a credible threat to the interdicted vessel. Air forces incapable of operating against slow, low-flying aircraft using primitive airfields may face the unpleasant choice breaking off contact or using lethal force to deny access to the target's airspace. Conventional ground forces, especially military police and civil administration troops, may be best suited for effecting road blocks or rail interdiction on access routes to the target, but such operations will be a function of bordering states' collaboration in the blockade. Such interdiction, additionally, will depend on specialized engineers to construct necessary land barriers, or to channel traffic through checkpoints by blocking existing bridges, tunnels, or other conduits. The HUMINT role of SOF personnel has already been mentioned as a means of augmenting imagery and SIGINT to identify alternative routes. National-level HUMINT and COMINT assets should also be tapped to identify possible providers of contraband and their points of embarkation, providing the CINC the opportunity for interception at a more

convenient location for his forces.

Related to the problem of coverage, the CINC may wish to ask for expert assistance from other federal agencies. Depending on the nature of the contraband, military units may be augmented by specialists from, for example, the U.S. Coast Guard, the departments of Energy, Commerce, Treasury, and Health and Human Services. Agents from the Drug Enforcement Agency, Customs Service, Immigration and Naturalization, and the FBI also can assist in distinguishing legitimate from proscribed articles or persons.

Rules of Engagement. Even under the relative advantage of "total" coverage, military enforcement of economic sanctions will require U.S. armed forces to be prepared to approach, stop, and turn back potential "violators." Adding the complicating factor of "limited" sanctions requires additional procedures for conducting visit and search, force-downs (air), inspection, and seizures. Maritime and land forces can intercept, search, deny access, seize contraband, capture, turn back, or destroy vessels and vehicles. Air forces can exercise most of these functions only if successful in forcing an aircraft to land at a controlled airfield. The CINC's forces have a limited range of options available to them if an attempted interdiction is resisted. At each stage of the process, the potential exists for an escalation of violence (not to mention diplomatic rupture) if the hailed vessel/aircraft/vehicle refuses to cooperate.

The CINC, as responsible authority for the military forces

under his command, has the obligation to communicate to NCA any aspects of sanctions enforcement that require special latitude or specificity in the conduct of these operations. Recognizing that sanctions were probably deliberately chosen to minimize violence, and signify a level of international dispute below the threshold warranting overt hostilities, the CINC should invoke his status within the military establishment as a regional authority and review the NCA-provided ROE for appropriateness: in terms both of proportionality to national objectives and of the constraints imposed on the armed forces executing the sanctions. In particular, the CINC should ask for supplemental ROE to shape the degree of latitude available to his forces to ensure that the final ROE, as well as specific procedures for conducting interdiction and searches/seizures, are appropriate to the level of belligerency between states, the strategic objectives of the United States, the probabilities of sanctions provoking hostile conduct, the time sensitivity of enforcement, and the degree of risk associated with allowing some contraband through.

Supplementing the final ROE, the CINC should ensure, through his concept of operations and OPORDER, that his subordinate forces understand what constitutes (under specified circumstances) the legitimate use of force to compel compliance, and what level of discretion is retained by the on-scene commander. All CINCs should consider the utility of peacetime training under sanctions scenarios for commanders in their AORs, not only to enhance tactical commanders' ability to implement the

CINC's intent, but also to highlight for the CINC enforcement problems possibly unique to a sanctions regime in his AOR.

Sustainment. Logistics support for sanctions operations should not be significantly different in kind from other military sustainment operations. The very nature of economic sanctions, however, argues against their being effective in the short term. Therefore, the CINC should plan for the long haul. In some cases, such as sanctions on South Africa, strategic success may take years if the sanctions themselves are not very robust. In such a case, however, the strain on the CINC's assets is mitigated by the passivity of the program and a commensurate reduction in the military force employed.

Notwithstanding recent history, an aggressive, extensive sanctions regime could require the CINC to plan for sustaining a sizeable force far from CONUS or foreign re-supply sources; a force possibly enlarged by the requirement for remote holding and security for seized contraband. The daunting nature of this prospect should encourage the CINC to query NCA on the possibility of a phase-down interdiction effort. This could take the form of front-loading the economic pressure on the target through an aggressive blockade in the initial phase(s), followed by a reduction in committed forces once neutral nations have scaled back their trade with the target. The reduced presence would signal continuation of the interdiction and the possibility of restoring tight controls through augmentation.

MEASURES OF EFFECTIVENESS

Perhaps the most difficult issue for the CINC in planning an economic sanctions operation is choosing the proper measure of effectiveness. This is due to the fact that "success" is viewed outside the military sphere, by whether or not the strategic objective--an overt change in the target state's policies or disposition--was achieved. Unfortunately, the strategic goal remains fundamentally dependent on the target regime's susceptibility to economic pressure, a function of cultural, psychological, and socioeconomic factors largely outside the realm of U.S. control.

For planning and assessment purposes, however, the CINC must focus on the interdiction operation to identify the key MOEs. The crucial question for the theater commander is, "how much of the proscribed traffic is getting through to the target state relative to the flow in the absence of military enforcement?" It is possible that a total cut-off would not impel the target regime to change its policies, but in such a case the military operation would be judged highly effective. Such an ironic outcome would derive from the NCA's failure to identify the appropriate contraband list or to estimate accurately the target country's capacity to resist economic coercion.

Within the range of courses of action available to him, the acceptability criterion suggests that the CINC should expand his definition of "effectiveness" to include considerations of counterproductive outcomes. If an aggressive sanctions operation

does, in fact, inflict severe economic hardship sufficient to provoke retaliation by the target nation (or its allies), or escalates the degree and frequency of violence or terrorism, the CINC should be prepared to consult with NCA to consider revising the sanctions regime or adjusting the military's visibility therein.

A related aspect of counterproductivity is the 'economy of force' principle which suggests that MOE might more properly be viewed as measures of effectiveness/efficiency. The deployment of U.S. forces to potentially hostile environments for periods sufficiently long for sanctions to work, and with associated burdens of sustainment and security, argues that the CINC find the optimal mix of forces and strategies to minimize economic and political costs associated with the operation. Failure to do so could easily undermine public support for the sanctions, force their termination, and result in much wasted military resources and good will.

CONCLUSION

With the collapse of the Warsaw Pact, the United States finds itself the sole military superpower--but a superpower facing serious economic challenges from Japan and the European Community. Our ability to compete and prosper in the 'new international economic order' will require even more exposure to nations and regions we have long neglected. It is quite possible that we will identify new interests--some of them possibly 'vital'--that require aggressive defense on our part. Peaceful

engagement, and FCO in particular, provide a set of options for defending emerging U.S. interests short of traditional, heavy-handed "gunboat diplomacy" and the political costs associated with it.

Economic sanctions have a long history of international usage, but a very mixed record of success. To the extent the United States chooses to exploit international acceptance of these less-violent measures, one way of increasing their effectiveness is to rely on the military to enforce those aspects of sanctions dealing with physical interdiction. This paper has identified and discussed some of the more salient issues that any theater commander tasked to conduct enforcement operations must confront. While not intended to be all-inclusive, these issues should help the CINC, and his staff, identify those features of operations unique to the domain of economic sanctions.

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ENDNOTES

1. Ideally, economic isolation would extend to prohibiting all exports. However, exports hold less economic value for a blockaded nation than imports. No nation depends on exports to survive or maintain a viable economy, while many (e.g., Japan) are critically dependent on raw material imports. Even when exports could be converted on the international market for goods, an effective import blockade renders these converted goods largely irrelevant for internal consumption needs. At best, they can be used to settle current account balances with other nations. They do nothing to relieve the economic (or physiological) starvation of the target country's industry or population.