

## Australia Has Long Aligned with the US on Sanctions. With Trump's Return, This Is an Increasingly Dangerous Approach

By [Sara Dehm](#) and [Prof. Jessica Whyte](#)

Asia-Pacific Research, December 03, 2024

[The Conversation](#) 2 December 2024

Region: [Oceania](#)

Theme: [Justice](#), [Politics](#)

Last month, US Republican lawmakers [renewed calls](#) to sanction officials of the International Criminal Court (ICC) in retaliation for the [arrest warrants](#) it issued against Israeli **Prime Minister Benjamin Netanyahu** and **former Defence Minister Yoav Gallant**.

In contrast, Australian **Foreign Minister Penny Wong** [reiterated](#) the need to respect the “independence of the ICC and its important role in upholding international law”.

These divergent responses highlight a core problem with Australia's current approach to sanctions, which is the topic of an ongoing Senate inquiry.

**Shadow Foreign Affairs Minister Simon Birmingham** [initiated](#) the review to seek ways to better align Australia's sanctions with those of allies like the US.

Instead, the review should be an opportunity to reset this flawed principle of alignment in favour of an approach grounded in core principles of international law.

### Australia's History of Sanctions

Sanctions are official measures that prohibit trade and economic relations with particular states or individuals for a range of reasons. These can include to pressure a state to change its behaviour, enforce international norms or isolate individuals for unlawful behaviour.

Australia's sanctions regime is made up of two categories:

- sanctions that implement decisions of the UN Security Council
- “autonomous” sanctions that Australia applies unilaterally.

Historically, Australian sanctions have at times preceded Security Council action. In the mid-1960s, Australia followed the United Kingdom in sanctioning the white supremacist rule in Rhodesia (now Zimbabwe) before the council adopted sanctions.

Australia also sanctioned apartheid-era South Africa in the mid-1980s in the absence of Security Council action – and in the face of initial [opposition](#) from the UK and US.

Since 2011, [Australian legislation](#) grants the foreign minister broad discretionary powers to

impose unilateral sanctions on other countries. This system has recently been [expanded](#) to include sanctions of individuals engaged in corruption and serious abuses of human rights.

Australia now imposes a range of sanctions autonomously, including travel bans and freezing of financial assets. This includes sanctions on the political and military leaders of Myanmar, Zimbabwe and Russia.



Why Japan and Australia should stop betting on ASEAN's fruitless diplomacy and impose sanctions on the [#Myanmar](#) military.

[buff.ly/3IFjcMI](https://buff.ly/3IFjcMI)



8:33 PM · Mar 28, 2022

[Read on X](#)

In practice, Australia has a policy of aligning its nominally “autonomous” sanctions decision-making with its so-called like-minded partners, such as the US.

For example, Australia has so far decided not to unilaterally impose sanctions on Israel’s political and military leadership. This is despite [sustained](#) civil society pressure and a [historic ruling](#) of the International Court of Justice.

Foreign Minister Penny Wong [defended](#) the decision on the basis that “going it alone gets us

nowhere”.

When Australia applies sanctions, we coordinate with partners. That’s what makes them effective.

## Dangers of a ‘Like-minded Partners’ Approach

Yet, this rhetorical appeal to alignment with “like-minded partners” fails to recognise the dangers of such an approach.

For one, it risks drawing Australia further into the geostrategic competition between the US and China, in which [sanctions](#) are fast becoming a central tool. The US is increasingly using sanctions to punish China (and other adversaries) or stymie their development, while blocking attempts to sanction its friends, notably Israel.



...

Trump’s transition team advisors are advocating a much more aggressive posture towards China over fentanyl than the one adopted by Joe Biden, including pushing for US sanctions on Chinese banks allegedly linked to the illicit trade, [@Reuters](#) has learned [reut.rs/4hZcCnr](https://reut.rs/4hZcCnr)



8:24 PM · Nov 26, 2024 · 40.4K Views

[Read on X](#)

The US is overwhelmingly the world’s biggest user of unilateral sanctions. Between 2001-21, it increased its sanctions designations by a stunning [933%](#).

The proliferation of US sanctions has only intensified since then. In 2023, [the US added a](#)

[total of 2,500 entities and individuals](#) to its “Specially Designated Nationals and Blocked Persons” list. This is a significant increase from its annual average of 815 people in previous years.



**John Hudson** ✓  
@John\_Hudson



**NEW:** The US is imposing new sanctions on four companies and a Russian national connected to Wagner Group, a sign the Biden admin is continuing to exert financial pressure on Wagner following its aborted uprising against Russia’s military establishment

### **Treasury Sanctions Illicit Gold Companies Funding Wagner Forces and Wagner Group Facilitator**

WASHINGTON — Today, the Department of the Treasury’s Office of Foreign Assets Control (OFAC) sanctioned four companies and one individual connected to the violent Russian military group PMC Wagner (Wagner Group) and its founder and owner Yevgeniy Prigozhin, previously sanctioned by the United States, the European Union (EU), Canada, and the United Kingdom (U.K.). The Wagner Group exploits insecurity around the world, committing atrocities and criminal acts that threaten the safety, good governance, prosperity, and human rights of nations, as well as exploiting their natural resources. The targeted entities in the Central African Republic (CAR), United Arab Emirates (UAE), and Russia have engaged in illicit gold dealings to fund the Wagner Group to sustain and expand its armed forces, including in Ukraine and Africa, while the targeted individual has been central to activities of Wagner Group units in Mali.

“Treasury’s sanctions disrupt key actors in the Wagner Group’s financial network and international structure,” said Under Secretary of the Treasury for Terrorism and Financial Intelligence Brian E. Nelson. “The Wagner Group funds its brutal operations in part by exploiting natural resources in countries like the Central African Republic and Mali. The United States will continue to target the Wagner Group’s revenue streams to degrade its expansion and violence in Africa, Ukraine, and anywhere else.”

Concurrently, the Departments of State, the Treasury, Labor, Commerce, and Homeland Security, as well as the United States Agency for International Development, have [issued a new advisory](#) focused on the gold sector across sub-Saharan Africa. This advisory highlights risks related to the

2:39 AM · Jun 28, 2023 · **26.3K** Views

[Read on X](#)

Australia lacks the resources to adequately investigate this volume of sanctions designations. In practice, alignment often amounts to simply copying sanctions from the US, UK or European Union.

The commitment to aligning sanctions with those of allies also puts Australia at odds with some of our neighbours. Many Asian countries view US unilateral sanctions as unlawful coercion that infringes on their sovereign rights.

In April, diplomats from 32 states, including China, India, Indonesia, Malaysia, and Vietnam,

supported [a motion](#) in the UN Human Rights Council that urged states to refrain from imposing unilateral sanctions in ways that are not consistent with international law. It said:

they are contrary to the [UN] Charter and norms and principles governing peaceful relations among states.

The UN General Assembly has also passed numerous [resolutions](#) criticising the imposition of certain unilateral sanctions. This shows the US reliance on sanctions is the global outlier.

This is perhaps clearest regarding the US embargo of Cuba, in place since 1960. Last month, the UN General Assembly [passed a resolution](#) renewing its long-standing call for the US to lift the embargo. It got near-unanimous support, with 187 states, including Australia, voting in favour. Only two states, the US and Israel, voted against. One abstained (Moldova).



**#BREAKING**

UN General Assembly ADOPTS resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba

Result of the vote:  
 In favor: 187  
 Against: 2 (Israel, US)  
 Abstain: 1 (Moldova)

**Voting Result**

**IN FAVOUR 187**  
**AGAINST 2**  
**ABSTENTION 1**

Item 38 - A/79/L6  
 Necessity of ending the economic, commercial and financial embargo imposed by the

Voting Ended		10/30/2024	12:36:49 PM
IN FAVOUR: 187	AGAINST: 2	ABSTENTION: 1	

12:40 AM · Oct 31, 2024 · 169.6K Views

[Read on X](#)

## What Trump Is Likely to Do

While Trump has recently claimed he would like to use sanctions “[as little as possible](#)”, this is doubtful given his previous record.

The first Trump administration made economic sanctions its “[foreign-policy weapon of choice](#)”.

In addition to imposing sanctions against China, Iran and Venezuela (among others), the administration also sanctioned [ICC officials](#) for investigating US military personnel for alleged war crimes in Afghanistan.

Trump’s pick to be his new secretary of state, **Marco Rubio**, is a sanctions hawk. Following the Biden administration’s ending of ICC sanctions, he co-sponsored [a bill](#) in Congress to impose new sanctions on ICC employees and their families if they investigated the US or Israel.

Rubio has also made clear his opposition to sanctioning Israeli nationals. When the Biden administration sanctioned an Israeli entity and individual for “[extremist settler violence](#)” in the occupied West Bank, [Rubio accused Secretary of State Antony Blinken](#) of acting “to undercut our ally, Israel”.

Given this, we can assume the new Trump administration will revoke these sanctions against Israelis. We can also anticipate there will be pressure on Australia to remove the already limited sanctions it has [imposed](#) on a handful of Israeli settlers, to realign Australia’s approach with that of the new US administration.

## A New Approach

We recently [co-authored a submission](#) to the Senate inquiry that recalled Australia’s history of supporting anti-apartheid sanctions.

And we recommended that Australian sanctions law and decision-making be reoriented towards recognising core principles of international law, including the right of all people to self-determination.

This could be done through “a trigger mechanism” that automatically [implements](#) sanctions in accordance with decisions of the International Court of Justice concerning [serious violations](#) and abuses of human rights.

As the Trump administration potentially gears up to strengthen sanctions against perceived enemies while exempting friends, Australia should consider a different path.

\*

Click the share button below to email/forward this article to your friends and colleagues. Follow us on [Instagram](#) and [Twitter](#) and subscribe to our [Telegram Channel](#). Feel free to repost and share widely Global Research articles.

[Global Research’s Holiday Fundraiser](#)

[Sara Dehm](#), Senior Lecturer, International Migration and Refugee Law, University of Technology Sydney

[Jessica Whyte](#), Scientia Associate Professor of Philosophy and ARC Future Fellow, UNSW Sydney

Featured image is licensed under CC BY-SA 3.0

The original source of this article is [The Conversation](#)

Copyright © [Sara Dehm](#) and [Prof. Jessica Whyte](#), [The Conversation](#), 2024

---

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Sara Dehm](#) and  
[Prof. Jessica Whyte](#)

**Disclaimer:** The contents of this article are of sole responsibility of the author(s). Asia-Pacific Research will not be responsible for any inaccurate or incorrect statement in this article. Asia-Pacific Research grants permission to cross-post Asia-Pacific Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Asia-Pacific Research article. For publication of Asia-Pacific Research articles in print or other forms including commercial internet sites, contact: [editors@asia-pacificresearch.com](mailto:editors@asia-pacificresearch.com)

[www.asia-pacificresearch.com](http://www.asia-pacificresearch.com) contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: [editors@asia-pacificresearch.com](mailto:editors@asia-pacificresearch.com)