

Sanctions Fever: The Trump Administration and Human Rights

By [Dr. Binoy Kampmark](#)

Global Research, December 23, 2017

Region: [USA](#)

Theme: [Global Economy](#), [Law and Justice](#)

It's the season to be jolly, and the Trump administration has been busy doling out gifts. Sanctions seem to be top of the pile, derived from that trove of options outlined in the Global Magnitsky Human Rights Accountability Act. The law, initially introduced in 2012, targets the bank assets of those unfortunate enough to make it to the US Treasurer's list.

"Today," went the [US Treasury press release](#), "the Trump administration launched a new sanctions regime targeting human rights abusers and corrupt actors around the world." As is the nature of Trumpist language, every executive order to expand existing legislation resembles a grand proclamation, an event of momentous significance. At the very least, the president insists that he is coping with a "national emergency", a good cover for mere flatulence.

Secretary of Treasury [Steven T. Mnuchin](#) was trying to get comfortable on his high horse.

"Today, the United States is taking a strong stand against human rights abuse and corruption globally by shutting these bad actors out of the US financial system."

Assets were being frozen; names were being shamed for "the egregious acts they've committed".

Thirteen individuals were singled out in the Annex to the December 21 Executive Order. The Treasury Department's Office of Foreign Assets Control (OFAC) sprigged the order with an additional 39 associated individuals and entities to the sanctions list.

Many of the names are hard to defend as subjects of human kindness. There is Yahya Jammeh, former President of Gambia, the man behind an assassination squad known as the Junglers. There is Maung Maung Soe, formerly chief of the Burmese Army's Western command, instrumental in cleansing Rakhine State of its Rohingya population. But then come more problematic characters, largely on the basis that they resemble, in its most direct way, the American way of life: loot, extend, expand.

There is Slobodan Tesic, notorious dealer of arms and munitions in the Balkans known for his power to persuade. (A large bank balance helps with clients actual and potential.) There is the ruthless Dan Gertler, who made a bundle in oil and mining deals in the Democratic Republic of the Congo.

Most of all, such an approach, combining sanctions with supposedly moral rectitude, seems

mismatched. This is a point that has riled Beijing in particular. Gao Yan, director of the Beijing Public Security Bureau Chaoyang Branch, is singled out for his mistreatment of human rights activist Cao Shunli. Cao's tragic demise from organ failure whilst being detained at the bureau is grim, but hardly presents a case for US authorities to gloat. The US record on its own prisoners is, by whatever standard, fairly atrocious.

The Chinese approach to the matter of human rights resembles a dodderer in search of a cane, a case of pure gradualism. We will eventually make to the venue, but we will take time.

"We urge the United States," came the Chinese Foreign Ministry's Hua Chunying, "to impartially and objectively look upon China's human-rights development and to stop acting as a so-called human-rights judge."

Do not, [she suggested](#), use domestic jurisprudence to determine how best to sanction foreign nationals.

The Chinese record on human rights is bloodied and spotty, but the US has afforded ample ammunition to those keen on shifting the focus from Beijing to the ailing nature of the American Republic.

[China's State Council](#) has been particularly florid on this score.

"With the gunshots lingering in people's ears behind the Statue of Liberty, worsening racial discrimination and the election farce dominated by money politics, the self-proclaimed human rights defender has exposed its human rights 'myth' with its own deeds."

A Trump White House is essentially the last thing compatible with a human rights agenda. Its enthusiastic brown nosing with members of the Kingdom of Saudi Arabia, notably in terms of its own foreign policy forays, would make the most reserved of activists redden with fury.

Then come the domestic abuses that have become routine. Be it Muslims, Mexicans or migrants in general, Trump has made such subjects the capital of political gain. Denigration sits poorly with human rights protections, but the transactional nature of Trump's policy will always evaluate such rights in the context of gain rather than actual value.

The one thing that gives cold comfort here is the transparency of such exercises. Trump has overturned a longstanding US hypocrisy on the subject of human rights, a form of weaponized hypocrisy that ignores its own failings.

"The United States," went the council report, "repeatedly trampled on human rights in other countries and wilfully slaughtered innocent victims."

That's what having a drone fleet is bound to do.

The true harm being done in such skirmishes is to human rights itself. These actions, faux recriminations and fabricated moments of fury, testify to the essential irrelevance of human

rights in the international system. Power remains the currency that makes the relevant sounds, and this tailors well with President Trump's real estate brutishness.

Then there is the necessity of appearance. Slapping sanctions on the notorious and criminal gives the impression of progress, indignation via executive order. Reports condemning the record of abuses of a country seek to stimulate domestic interest and satisfy the rights lobbies. In truth, Beijing and Washington have little appetite for moralising in substance. There are deals to be done, and competition to be engaged in.

Dr. Binoy Kampmark was a Commonwealth Scholar at Selwyn College, Cambridge. He lectures at RMIT University, Melbourne. Email: bkampmark@gmail.com

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