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“Weaponization of interdependence in international relations: economic and political sanctions in world politics”

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Abstract of “*Weaponization of interdependence in international relations: economic and political sanctions in world politics*”, by Oxana Kachan, HSE KAZGUU University, May 2020.

A new era of globalization is marked by the sharp increase in the number of sanctions, which serve as a standard policy instrument used by nations and international organizations to address any actions of a target state that the sender state or group of states disagreed with. The present master thesis studies the restrictive measures imposed by the United States and the European Union on the Russian Federation as it is one of the most prolonged sanctions regime in the modern history. The study attempts to analyse and understand how and why these sanctions are implemented. In particular, the interest of the present master thesis is not in every aspect of sanctions but only in the justification of their imposition. Thus, the purpose of this research is to explore the arguments provided for justification of sanctions in international politics using the example of the Russian Federation. The present study is primarily a desktop research in which the analysis is based on a review of literature, international reports, interviews of the leaders, economic and financial data from international organisations, and various online resources. The results of the descriptive and interpretive analysis of the data revealed that the actions undertaken by every actor are justifiable. Still, it is hard to say whose arguments are more convincing.

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Chapter One: Introduction

Introduction

The following chapter firstly presents the background information of the study, followed by the statement of the research problem and the purpose of the research. It also specifies the research questions and states the significance of the study.

Background of the study

The end of the previous century was commemorated by the dissolution of the Soviet Union and the end of the Cold War that has triggered the increase of interconnection among countries. A new era of globalization started and resulted in the growth of trade and investment flows, some convergence of emerging countries' economies, and was marked by the growing power of multinational corporations. Technological developments such as mobile communication, and the internet, enable to exchange goods, services, knowledge, cultural objects, and ideas.

However, whereas globalization has affected in a positive manner and has contributed to further progress and prosperity of some nations, it has some downsides as well. The events occurred on September 11 bear that out, when al-Qaeda members used mobile and internet connections to coordinate their activities and has made it possible to move from one country to another without any hindrance or stoppages.

Moreover, globalization has divided the world's nations into winners and losers. As Brooks (2007) argues that it has created a world in which one thing or action may well turn into a military conflict. The risks arisen as the result of flows of finance, information and trade make countries search for new tools to exploit or mitigate them. As Wright (2017) states that a world where the level of interdependency is skyrocketing along with vicious "turf battles", the states that are inadvertently involved in direct conflicts may still seek measures short of war.

Global economic grid has security implications because of increased interdependence. Yet, there are some options and controversial points of view regarding measures that states may employ as a coercive tool to regulate network structure.

As history demonstrates, the concept of sanctions reaches back to the events occurred in Ancient Greece, “when Athens imposed a trade embargo on its neighbor Megara in 432 B.C.” (Friedman, 2012, para. 1). Since then, there have been many cases when countries imposed such restrictive measures as assets freezes, arms embargoes, and restrictions in travelling on key individuals and organizations on their adversaries to compel a change in conduct.

Daoudi and Dajani (1983) contended that sanctions had to be treated as a unilateral or “collective actions against a state considered as violating international law” and to be designed “to compel the target state to comply with the law” (p. 5). Therefore, sanctions constituted something between a “diplomatic slap on the wrist” and “more extreme measures such as covert actions or military measures” (Hufbauer, Schott & Elliott, 1990, p. 11). However, the types of sanctions, which draw the most attention and which are more likely have the impact, cover different restrictions on international trade, financial flows or human mobility.

Over the last few centuries, most studies were dedicated to investigating this tactic morph to determine which one can be more effective or inimical in the present time. However, nobody tried to examine or prove if the application of sanctions regime is justified or not.

The author’s research interest centers in the sanctions imposed by the United States (hereinafter the U.S) and the European Union (hereinafter the EU) on the Russian Federation (hereinafter Russia) as it is one of the most prolonged of the U.S sanctions in the world, which goes on and on. The considered period is from 2014 to 2020. The timeframe is marked by ongoing anti-Russian restrictive measures.

The issue about the justification of the U.S and the EU sanctions against Russia is getting more and more important as Kazakhstan and Russia are economically interlinked.

Therefore, if the global players such as the U.S and the EU continue to impose sanctions on Russian it might have direct and indirect impact on the economy of Kazakhstan.

This study is an attempt to analyse and understand how and why these sanctions are implemented. Therefore, the interest of the present master thesis is not in every aspect of sanctions but only in the justification of their imposition.

Statement of the Problem

The sharp increase in the frequency with which sanctions are imposed gives rise to several issues. Sanctions regime is perceived as a standard policy instrument used by nations and international organizations to address any actions of a target state that the sender state or group of states disagreed with. While the researchers and policy makers make efforts to discuss the validity of sanctions in the public debate, this question has still not been finally regulated.

Purpose of the Study

The purpose of this research is to explore the arguments provided for justification of sanctions in international politics using the example of one country - the Russian Federation. For this purpose the following research questions are developed:

1. What are major arguments used by the U.S and the EU in justifying sanctions against Russia?
2. What are the Russian criticisms of these justifications?
3. From the prospective of legitimacy and justification of the sanctions imposed on Russia, whose arguments are more convincing?

Significance of the Study

Despite the existing body of knowledge regarding the processes generating sanctions and the level of success that has been achieved due to their applications, there are questions that need to be considered. These questions include those regarding the justification of the sanctions imposed and the long-term outcomes of such punitive measures on countries and individuals. Thus, the

significance of the present study lies in the fact that it attempts not only to answer these questions, but also to find out losers and winners in this situation if there are any. Moreover, the present paper contributes to the understanding of the types of existing sanctions, and fills the gap in the existing literature.

Summary

In the course of the master thesis both theoretical and practical aspects of sanctions are considered. Thus, the master thesis is structured in the following way:

Chapter 2 is dedicated to the theoretical issues on sanctions that is their notion and classifications provided on the basis of scholarship and world practice.

Chapter 3 presents the methodological framework of the study.

Chapter 4 focuses on the grounds of the implication of sanctions regime by the U.S. and the EU against Russia as well as the corresponding countermeasures from the Russian side. The material is taken from on-line articles, EU acts and Russian legislation.

Chapter 5 covers findings and discussions based on the analysis of the statements made by the incumbent Presidents of the United States of America and the Russian Federation, European Commission and Council regarding sanctions as well as the related legal documents.

Chapter 6 provides concluding remarks for the study and author's recommendations.

Chapter Two: Literature review

This section considers the opinions of some authors who have previously studied imposed political and economic sanctions. However, in order to acquaint the reader with the phenomenon itself it is necessary to look briefly at sanctions in general.

The notion of sanctions and factors affecting sanctions' choice

Since the present study is dedicated to sanctions, it is worthwhile to determine the meaning of the term "sanction". Thus, the modern international law considers sanctions as "a way of coercing a change in proscribed behaviour, constraining a target's capacity for discretionary action, or acting as a signalling device to deter future transgressions of international norms" (Dreyer & Luengo-Cabrera, 2015, p.7). In other words, sanctions are viewed as a deterrent factor for unwanted behaviour from particular states, or as a tool to achieve desired results. The rationale for using sanctions might be explained as "lower-cost method of punishing departures from international standards of conduct and of resolving disputes between countries" (Davis & Engerman, 2013, p.188). Sometimes sanctions can serve as a bridge between negotiations and military actions, like a last peaceful tool that could allow avoiding military intervention into the target country.

In recent history, sanctions have been used for military purposes, weakening foreign governments, protecting human rights, and retaliating against acts of terrorists (Tsebelis, 1990, p.3).

The creation of the United Nations (hereinafter UN) after World War II leads to enshrine sanctions as an official "punitive" tool and encourages the international community of states to enforce compliance with their demands. Moreover, it centralizes the act of decision-making in the Security Council, which stems from the UN Charter. Thus, Article 41 of Chapter VII states that, in case of threats to the peace, breaches of the peace and acts of aggression, the Security Council may exploit such "not including weapons" measures as "complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations" ("UN Charter", n.d.).

The UN Security Council has employed sanctions in different years. Thus, before the end of the Cold War, the UN Security Council used sanctions only against two countries (South Africa, 1962-1994; Southern Rhodesia, 1965-1979); however, since 1990 the number of sanctions increased dramatically and include such countries under sanctions as Afghanistan, Cambodia, Haiti, Iran, Iraq, Liberia, Libya, North Korea, Rwanda, Somalia, Sierra Leone, Angola, Sudan, and Yugoslavia. In 2016 there were fifteen sanction regimes worldwide (Kondoch, 2016). As distinguished by Kondoch (2016) there are five major rationales for using sanctions, which include: “(1) conflict resolution; (2) the non-proliferation of weapons of mass destruction; (3) counter terrorism; (4) democratization; and (5) the protection of civilians” (para. 1).

Consequently, any sanction requires actors, a target group, and grounds to apply a so-called instruments of retaliation; therefore, it is primarily important to analyse which coercive measures can be appropriate and why they apply exactly this types of measures but not others.

The classification of sanctions

As international sanctions are viewed as a political and economic decisions made by states, transnational or national organizations against states or institutions either to protect national security interests, or to defend against threats of international peace and security, they may address a wide range of issues: economy, trade, diplomatic relations and culture. Such sanctions involve “ the withholding of diplomatic recognition, the boycotting of athletic and cultural events, and the sequestering of property of citizens of the targeted state” (Davis & Engerman, 2013, p.187).

As Tostensen and Bull (2002) points out sanctions may be *comprehensive*, covering the full range of comprehensive means (trade boycotts and embargoes in all aspects), or *selective*, comprising only certain fields. In addition, they also may be *mandatory*, upon a decision by the UN Security Council, or *voluntary*, whose implementation is carried out by the states concerned. Moreover, sanctions may be applied *unilaterally*, by one nation against another, or *multilaterally*, by a set of states against a sanctioned state (p.374).

Although most sanctions regimes might result in inducing the target state to modify its conduct, indeed, the application of some sanctions regimes may lead to counterproductive consequences. Harm caused to civilian life might be used by the targeted state to claim that the imposed sanctions are inhuman in nature. At the same time, this may gain compassion for the targeted nation and criticism against the justification of the exploited sanctions.

However, the types of sanctions that draw the most attention and have major impacts are connected with various bans on trade, particularly those that limit certain sectors such as armaments, food, advanced technology and medicine, as well as the flows of finance and people.

Economic Sanctions

“Economic sanctions have become a principal foreign policy instrument applied by the United States and European Union for promoting democracy and liberal policies in since the post-war period”(Axyonova, 2015, p. 20).

The popularity of economic sanctions as an instrument of foreign policy has increased since the end of the Cold War. Firstly, they were mentioned in the Megarian decree of Athens in 435 B.C.. Further, these restrictive measures were applied by “Napoleon in the Continental System commencing in 1806, by Thomas Jefferson in the Embargo Act of 1807, and by the League of Nations against Italy in 1935” (Kaempfer & Lowenberg, 2007, p. 869). Since then, the imposition of economic sanctions might be considered as a trivial thing. However, the highlight of this sanctioning activity, rightly stated by Kaempfer and Lowenberg (2007), is connected with the creation of the United Nation and “the one remaining world hegemon, the United States”(p. 869).

It is obvious that one of the significant ways of exerting power in the international arena is economic pressure; other instruments are diplomatic clout and non-economic or cultural restrictions. The research conducted by Kaempfer and Lowenberg (2007) found that “Economic sanctions include trade sanctions, i.e., limitation in imports from or exports to the targeted country; investment sanctions that are connected with constraints of flows to the sanctionee or, in certain cases, mandatory disinvestment; and very narrow defined, often referred to “smart” sanctions, such as freezing the

offshore assets of individual members of the target nation's ruling elite, or travel bans on government officials and party cadres" (p. 869). In all circumstances, these restrictive economic measures are intended to inflict "some kind of pain" on the sanctioned state, and on its current political regime in particular, "which then alters its policies in order to comply with the sender's demands and thereby avoid further sanctions damage" (Kirshner, 1997, p.42).

Targeted or 'Smart' Sanctions

The popularity of targeted sanction - so-called "smart sanctions" – is mainly attributed with the UN Security Council harsh restrictive measures exploited against Iraq in 1990 and 1994, in the connection with its intrusion into Kuwait.

As Gordon (2001) noted in his article "Smart Sanctions Revisited" these targeted sanctions include "arms embargoes, financial sanctions on the assets of individuals and companies, travel restrictions on the leaders of a sanctioned state, and trade sanctions on particular goods" (p.315). He also suggested that the mentioned restrictive measures is getting a valuable punitive tool for foreign policy and international governance, and the majority of international organizations and states still consider them as "a natural and obvious solution to a broad array of difficult situations" (Gordon, 2001, p. 315). The application of any type of 'smart' sanctions, however, is fraught with difficulties regarding their implementation, humanitarian implications, and, in certain circumstances, due to the process of sanctions regime.

Arms Embargoes

Gordon (2011) in his article "Smart Sanctions Revisited" identifies arms embargoes as "an attempt to block the flow of arms to an entire country, to particular groups or areas within a country, or to particular individuals or groups, wherever they are" (p.321). These limiting means could be regarded as a perfect example of this type of sanctions because their aim is to suspend the trade flows with respect to those goods that might prove to be a source of conflict or contribute to a violation of human rights. However, the issue of their implementation continues to be a problem and requires further development. Wallenstein (2003) considers that "arms embargoes actually do little to reduce the flow

of weapons” (p. 105). Wenzel and Faltas (as cited in Gordon, 2011) not only support his opinion but claim that such a ban fosters the emergence of “a black market for weapons”, coupled with the possibility for obtaining higher yield than in the legal arms trade. It is obvious that arms trafficking is beneficial not just for one country. It presupposes the involvement of multiple players as in the case of arms trafficking to North Africa, when Iran re-exported weaponry bought from China or North Korea (“Conflict Armament Research”, 2012). The accessibility of weaponry on a global scale undermines the attempts made to limit the flow of arms anywhere.

Travel Sanctions

According to Gordon (2011), there are two types of travel restrictions: those restraining travel by individuals, such as visa bans, and those providing broader limitations, such as flight bans or restrictions on an entire airline (p.324). Visa bans are a prohibition against travel by certain political leaders or wrongdoers by name, and the constraints would have an influence on them alone. These coercive measures are also not easy to implement. It is, therefore, questionable whether or not they have a significant impact on the sanctionees. It is generally believed that there seems to be no clear legal framework for their imposition.

Aviation bans cover the suspension of an airline communication with the targeted state. The enforcement of such restrictive measures may lead to major implications for the civilians, for neighbouring states, and for others who are not the targeted subject of the sanction.

Targeted Trade Sanctions

These reduction measures include the interruption of procurement regarding certain raw materials: timber, diamonds, or oil. It could be done on the grounds that these identified commodities will enrich particular political or military leaders liable for violating human rights or aggravation of threat to public safety. In some cases, they are applied in conjunction with other reduction measures.

Financial Sanctions

Gordon (2011) identifies three types of financial limitations: “blacklist of particular persons or companies; blacklist of certain categories of persons, such as senior military officers; and blanket

measures targeting a state or broad group, with a “white list” of companies and individuals that are exempt” (p.327).

The main area for the imposition of financial restrictions is banking sector because it is easy to trace remittance or value transfer systems. The application of financial sanctions outside of the bank industry is much more difficult to coordinate, even when businesses are willing to comply with all requirements and regulations.

Freezing the assets of individuals, companies, and foundations is in the list of the most favourable types of measures involving deprivation on many levels. Elliot (as cited in Drezner, 2011) claims that “The lists of designated terrorists or human rights violators embody the sense of precision and the intuitive sense of fairness that make the idea of targeted sanctions so compelling” (p. 179).

Despite financial sanctions are more or less the most effective coercive measure, but they are usually imposed in conjunction with other types of sanctions.

Sanctions and human rights

Any sanctions imposed on a state might entail negative consequences and hardship by affecting ordinary people in some cases far more than leaders. In the Report of the Secretary-General on the work of the Organization, Boutros Ghali (1995) called sanctions “a blunt instrument”, further explaining that “they raise the ethical question of whether suffering inflicted on vulnerable groups in the target country is a legitimate means of exerting pressure on political leaders whose behavior is unlikely to be affected by the plight of their subjects” (p. 16).

On 19th January 1995, in a Security Council debate, the Ambassador of Sri Lanka, Nihal Rodrigo, concurred that while taking decisions with respect to the imposition of sanctions more careful attention should be paid to the degree of influence on ordinary people and must endeavour to avoid the “suffering of the innocent” (Paul & Akhtar, 1998, para. 3).

As more and more evidence testifies to the negative side of sanctions and the harsh effect on civilians, experts start to question whether human suffering can be justified by the original purpose. Critics increasingly charge that sanctions are violent, unfair and even inhumane. They stated that

international law has not developed any standards on which sanctions can be based on or where is the limit of the destructive impact of sanctions. Ironically, sanctions are used to enforce law, but they themselves are outside of the law (Paul & Akhtar, 1998).

Chapter Three: Methodology

In this chapter, the researcher presents the rationale for adopting of the single case study research design, followed by description of the data collecting techniques, and data analysis.

Research design

Although there is no universally accepted method for analysing of international political and economic sanctions, Bennett and Elman (2006) argue that qualitative research methods can be considered as “extremely popular and crucial... in the international relations sub-field” (p. 499). They assume that it comes from those benefits that a case study method in particular might offer in studying the “complex and relatively unstructured and infrequent phenomena that lie at the heart of the subfield” (as cited in Reus-Smit & Snidal, 2008, p. 171). Another vivid supporter of the approach Stake (2008) has suggested that such a type of research “is determined by interest in an individual case, not by the methods of inquiry used” (p. 443). Earlier, Yin (2003) defined a case study as an empirical research that studies contemporary issues in their real-life context, especially when no clear boundaries can be drawn up between studied phenomenon and its context.

Moreover, as Merriam (1998) states unlike other types of research, the case study does not employ any particular methods of data collection and data analysis (p.28). Thus, given the descriptive and interpretive nature of this research and in order to answer the research questions the single case study methodology was considered as the most suitable approach to utilise.

Data collection

The present study is primarily a desktop research in which the analysis is based on a review of literature, international reports, theoretical concepts, and various online resources. The information and data materials from published books, articles (both in English and Russian), journals, and worldwide-recognised websites were used for the analysis. Although the international relations literature on economic sanctions, interviews of the leaders and policy makers to the newspaper reporters, together with explicit economic and financial data from international organisations such as the World Bank, United Nations and European Commission could assist in exploring the justification of the U.S and the

EU sanctions on Russia, various online data sources such as *Lawfare blog*, news sources like *the Guardian*, *Reutor*, *Bankok Post*, *the Washington Post* are also investigated.

Data analysis

The section describes the treatment of the concerned actors expressed through statements or the approved documents with respect to the imposition of sanctions. The study is analyzed from three perspectives in terms of justification and criticism to determine whose arguments prevail regarding to these issues.

The first part includes speeches of the U.S President, Donald Trump, the Trump's Office Administration and officials regarding the applied anti-Russian sanctions as well as legal documents published by the Trump's Office Administration, OFAC containing the evidence for exploiting these sanctions.

The second part contains the speech of the President of the European Commission, the EU Council, and some interested political leaders and politicians of some European countries, which actively supported the application of sanctions against Russia (France, Poland, Germany and the UK) as well as reports published by the EU Council after the Conference on issues of Peace and Security.

The third part covers the speech of the Russian President, Vladimir Putin, made during interviews, conferences, and political meetings or some specific occasions with respect to the imposition of sanctions. Furthermore, some Decrees and laws which were drawn up and adopted in response to the impunitive actions against Russian are used for analysis.

Thus, the considerations of all these supportive things will help to understand if the restrictive measures exploited against the Russian Federation were justified.

Chapter Four: Setting the scene

Being indicated in the beginning of Chapter 2, sanctions are a generally accepted punitive tool in international relations. The present chapter focuses on the presentation of reasons that triggered the application of various sanctions against the Russian Federation by a number of states. For the purpose of this study the emphasis is placed only on the sanctions exploited by the U.S, the UN institutions, the European Council and some European countries: France and Germany.

The EU's and U.S. sanctions against the Russian Federation

The referendum on reunification with Russia held by the authorities of Crimea and Sevastopol on March 16, 2014 marked the beginning of a set of anti-Russian sanctions imposition. The majority of the population voted in favor of joining Russia. As results showed 96, 7 percent of the Crimean population and 95, 6 percent of Sevastopol citizens indicated their desire to join Russia (“UN: Russia’s annexation of Crimea is illegal”, 2014).

The integration of Crimean peninsula and the city of Sevastopol was approved officially since the Russian president, Vladimir Putin, had signed Federal Constitutional Law of the Russian Federation of March 21 (“UN: Russia’s annexation of Crimea is illegal”, 2014). It caused war in the eastern part of Ukraine, namely in Donetsk and Luhansk regions; the transition period, therefore, extended over a period of a year. The final point on this issue was a Decree signed by the Russian President that allowed optimizing the structure of the federal executive branch and completing the integration by means of federal and economic measures undertaken by Russia (“UN: Russia’s annexation of Crimea is illegal”, 2014).

The annexation of Crimea peninsula to Russia explicitly denounced by the international community. The U.N. General Assembly called it illicit and sent a message where expressed “its strong opposition to Russian military takeover of the strategic Black Sea region” (“UN: Russia’s annexation of Crimea is illegal”, 2014). Moreover, the General Assembly held a referendum on Crimea-sponsored resolution with 100 countries voting in favor. According to the voting patterns, 11 states opposed and 58 countries abstained. Those events prompted the imposition of Western sanction against Russia. In

March the European Council introduced a first set of restrictive measures: travel bans and asset freezes targeted against individuals and entities that were identified as responsible for actions threatening the territorial integrity of Ukraine. Although the expiry date of these sanctions was expected to be on March 15, 2015, but the period of their imposition was extended several times and prolonged until September 15, 2020 (European Council, 2020).

On June 20, 2017, the Trump Administration also made an attempt to put pressure upon Russia by invoking that Russia continued to destabilize Ukraine and contributed to the spread of corruption and human rights violation (Congressional Research Service, 2020).

Since the first applied sanctions did not produce the expected results and the conflict escalated up to the presence of Russian armed forces on the territory of Ukraine, the European Council broadened remit of EU restrictive measures and enabled them to target entities that might somehow support actions against Ukraine. The sanctions, therefore, imposed on July 31, 2014 were economic in nature and affected some specific sectors of Russian economy (smart sanctions) (Council of the European Union, 2014). Under the European Council Regulation ST12318/14 Russia's access to the EU capital markets was restricted. It has had a great impact on Russian's banking sector, inasmuch as "major state-owned banks, development banks, their subsidiaries outside the EU and those acting on their behalf" (Council of the European Union, 2014) were not able to conduct their activities in a usual way.

The situation has worsened, when on September 11, 2014 the European Council regulation ST 12844/14 prohibited to provide five major state-owned Russian banks with loans (Council of the European Union, 2014). Besides, the duration of maternity period for authorized credits to three major Russian defense companies and three major energy companies decreased to 30 days. At the same time, the UN imposed embargoes and sanctions on import and export of arms and related materials as well as oil exploration equipment.

Russian gas sector did not suffer from the UN economic sanctions only because a number of EU countries rely heavily on Russian gas supplies and it could not be so easy to seek alternative gas

deliveries in a short time. Moreover, Germany and France have invested a great sum of money into Nord Stream 2 gas pipeline project and did not desire to lose this multi-million dollar project.

However, such gas companies as Gazprom, Rosneft turned to be in the U.S. list of economical sanctions against Russia. Under “Protecting Europe’s Energy Security Act of 2019”, the provision of some vessels for the construction of Russian energy export pipelines: the Nord Stream 2 pipeline, the Turkish Stream pipeline, or any successor projects were prohibited. The U.S. considered these restrictive measures as an attempt to “stand against any effort designed to weaken the relationship between the United States and Europe and the United States and Germany” (Congress, 2019). Washington defined Russia’s activities in this sector as malign for prosperity and stability on the continent, and Germany in particular (Congress, 2019). In addition, the U.S banned export of services and technologies to Russian state oil companies that were involved in Arctic offshore and deepwater and unconventional oil and gas exploration and production.

The second wave for imposing sanctions on Russia was Russian interference into the 2016 U.S. election and abuse of power through destabilizing cyber activity. Under the Countering America’s Adversaries Through Sanctions Act (CAATSA) and Executive Order (E.O.) 13694 the property of five entities and 19 individuals was blocked. The U.S. Department of Treasury’s Office of Foreign Assets Control (OFAC) identified the provision of materials and technical support by the mentioned Russian actors to Russia’s Federal Security Service as malicious and destructive for critical infrastructure and as the disruption of the U.S electoral process.

In March 2017, in return for Russian’s exploitation of a military grade chemical weapon in the United Kingdom (the UK) a number of Russian consulates in the United States were closed and 60 Russian intelligence officers were expelled.

Throughout 2017 and 2018, the U.S. levied sanctions on numerous Russian actors for violating non-proliferation laws by providing weapons programs support in Iran and Syria, and promoting North Korea’s development of weapons of mass destruction. The restrictive measures imposed on 10 Russian

companies and 6 individuals were targeted to weaken the economic ties that have allowed Pyongyang to continue financing its missile and nuclear program.

Moreover, the U.S approved new sanctions imposed on Russia for violating the Intermediate-Range Nuclear Forces (INF) Treaty that prohibited nuclear-capable missiles with ranges between 500 to 5,500 kilometers. Such types of weapons have aroused concerns on the part of the US because they were considered as highly destabilizing. Such intermediate-range missiles could grant Russia a strategic edge and reshape the security environment in Europe and its periphery. Speaking at a rally in Elko, Trump commented on Russian violations as a main cause for the U.S withdrawal from the INF Treaty (Hurd & Chachko, 2018). Those companies that provided technology for developing the new weapon were penalized by the Commerce Department.

The European Council regulation ST 12318/14 imposed embargoes on the export of dual goods and technology for military use in Russia or to Russian military end-users and was prolonged until 31 July 2020 (The European Council, 2014).

Thus, the main criteria for imposing sanctions were to inflict the high political costs. Any economic restrictions could make the target country change its policy regime and motivate it to comply with the conditions of the sender state. However, it seemed more like an attempt to hurt Russia's economy and demonstrate how vulnerable and dependable it was from the rest of the world. Such interpretation could undermine the credibility of the punitive measures imposed.

Russian Countermeasures in response to Western sanctions

Since March 2014 when Russia has been subject to EU's sanctions, the Russia's government starts to impose its countermeasures. Initially this "response package" included restrictive measures only against the governing elite of Europe such as travel bans and foreign assets freezes. Besides, Russia increased the natural gas prices for Ukraine, which has resulted in reduction of import not only with the latter, but including Romania, Slovenia and Poland (Wang, 2015).

In response to the first sanction imposed on Russia, under the Annex to the Government Decree No 778 dated 7 August of 2014, export of certain products: meat, fish, fruit and vegetables as well as

dairy products from UN countries including Australia, Canada, Norway and the US were prohibited (Government of the Russian Federation, 2014). However, dairy product and seafood were excluded from the food import embargo list because it was difficult to find an optional import-substitution in a short time. This food embargo has been prolonged until 31 December 2020.

The food export ban has had a great impact on the EU-Russian trade relations. According to assessment of the EU, in September 2014 the losses from Russian embargo accounted 4, 2% of all exports from 28 European countries with a total amount of €5 billion. However, by the time the sanctions against Russian were imposed, according to the data submitted on the official site of Federal Custom Service, Russia was the UN's third largest partner after the U.S. and China. In 2013 the total amount of food import accounted \$317, 8 billion ("Russia's countermeasures against sanctions", 2018).

From 13th August 2015 import of agricultural products and raw materials for Iceland, Liechtenstein, Albania and Montenegro, including Ukraine (from 1st January 2016) was also banned because they had joined EU sanctions against Russia.

However, the food export ban was just one of the restrictive measures taken in response by Russia. Despite the fact that Russian Ministry of Foreign Affairs refused to provide a list of people who's entering the territory of the Russian Federation was 'undesirable' - as it became known - it contained 89 European politicians including officials and military leaders ("Russia's countermeasures against sanctions", 2018). The EU considered such restrictive measures as absolutely discretionary and undue, especially without any further clarification and transparency ("European Union anger at Russian travel blacklist", 2015). According to the Dutch Foreign Minister, "Russia's list did not comply with international law, was not transparent or could not be appealed in a court of law" ("European Union anger at Russian travel blacklist", 2015).

On June 4 in 2018, Russian President signed the Federal Law "on Measures (Countermeasures) in Response to Unfriendly Actions of the USA and (or) other Foreign States" ("the Law on Countersanctions", 2018) that entered into force on the date of its publication. Bychkov et al. (2018) report that it contains six potential countermeasures:

- “1. *Suspension and termination of international relations* of Russia and Russian legal entities with (i) unamicable states, (ii) entities subject to the jurisdiction of unamicable states;
2. *Import ban or import restrictions* with respect to products and/or raw materials;
3. *Export ban or export restrictions* with respect to products and/or raw materials;
4. *Prohibition or restriction on the provision* (in Russia) of works/services for state and municipal needs and for the needs of certain kinds of legal entities;
5. *Prohibition or restriction on* (i) privatization of state and municipal property, (ii) provision of works/services related to the organization for the sale of federal property” (para. 2).

Such countermeasures were a necessity to respond for unlawful and unfriendly actions on the part of the U.S and some European countries. Although these punitive measures were originally enacted for one year, but they are still valid.

Chapter Five: Findings and Discussion

The present chapter covers the contextual analysis of the statements and documents with respect to the sanctions regime applied against Russia from three perspectives to reveal what are major arguments used by the U.S and the EU in justifying sanctions against Russia, whether or not the imposition of anti-Russian sanctions is justified by Russia itself as well as whose arguments are more convincing from the author's point of view.

The justification of the U.S. sanctions against Russia

Since 2014, the U.S. has imposed hundreds of sanctions against Russia, but their types and grounds vary significantly. If to consider the sanctions one by one, all of them had clear objectives.

These restrictive measures were aimed at limiting the movement of some individuals, freezing assets of particular companies and restricting finance and trade as well as severance of diplomatic relations with Russia. It was done, allegedly in response to several actions on the part of Russia.

The first ones in a list are related to aggression towards Ukraine and denial of Russia to comply with the Minsk ceasefire agreement. In March 10, 2014 under Executive order (EO) 13660, Barack Obama, President of the United States of America, authorized to block all interests and interest in property located on American territory as well as any transferring, export, payment, and withdrawal regarding those who were found guilty of “undermining democratic processes and institutions in Ukraine; threatening its peace, security, stability, sovereignty, and territorial integrity; and contributing to misappropriation of its assets, constituting an unusual and extraordinary threat to the national security and foreign policy of the United States”. In March 19, 2014 under EO 13661 the U.S. President expended the scope of the national emergency declared in EO 13660 and found the actions and policies of the Government of the Russian Federation as “inappropriate” as regards Ukraine and the United States. There were others: EO 13662, EO13685, EO 13694, and EO 13757. The list of sanctioned individuals, entities, and goods was getting longer and longer. Nevertheless, the main purpose was to put pressure on so-called Putin's inner circle that was responsible for external policy and make a shift in Russia's behaviour.

The tougher measures were applied in relation to meddling in the U.S. election of 2016. The court documents highlighted that the Internet Russian Agency was blamed for a series of cyber attacks entailed the huge cost both to individuals and to the state as well as contributed to the incitement of religious, racial and political hatred (Schor,

Restuccia, & Bennet, 2018). As Treasury Secretary, Steven Mnuchin, stated that “these targeted sanctions are a part of broader effort to address the ongoing nefarious attacks emanating from Russia” (Schor, Restuccia, & Bennet, 2018, para. 4). However, the Trump administration was criticized for such a slow retaliation and a lighter punishment regarding Russia, so the Treasury Department was going to apply new sanctions “to hold Russian governmental officials and oligarchs accountable for their destabilizing activities by severing their access to the US financial system” (Schor, Restuccia, & Bennet, 2018, para. 5).

However, the situation has escalated after poisoning of a former Russian spy in the UK. British Prime Minister, Theresa May, claimed that despite Britain had no disagreement with the Russian government and had been through a lot over the course of history, but the Putin’s regime was acting aggressively against “the shared values” (Diamond, Malloy, & Dewan, 2020). She also added, “The UK will stand shoulder to shoulder with the EU and NATO to face down these threats” (Diamond, Malloy, & Dewan, 2020, para. 5). Along with the expulsion of 23 diplomats from the UK, the US closed the Russian consulate in Seattle and expelled 60 Russian diplomats identified as intelligence agents from Washington and New York. As White House Press Secretary, Sarah Sanders said that the actions undertaken would help to decrease the number of spies on the territory of the United States of America and to suspend the undercover operations that threaten national security; thus, trying to show that Russia’s every action provokes another action from the U.S., its allies and partners (Diamond, Malloy, & Dewan, 2020).

It appears that the U.S. exposed sanctions could be justified by the reference to security concerns. Clearly, this perception was shared by other Western countries and supported by the further economic sanctions applied by the U.S. against Russia. Although the situation does not seem positive for Russia but shows American worry and fear not only as regards internal security but the loss of the leading position in the world arena. These restrictive measures have been taken when Russia refused to stop missile proliferation and continued trading with North Korea violating the Security Council requirements. Under the law approved by the US President, sanctions were imposed on those individuals and entities that were involved in trading weapons of mass distractions and certain advanced conventional weapons. According to report made by the Congressional Research Service in 2020, the restrictions covered only “a one – to two – year cut-off of procurement contracts with the U.S government and limitations in export and import licensing”. Upon 22 U.S. Code §§ 2778, Section “a” (3) manufacturing, exporting, importing and transferring any foreign

defense articles or defense service identified in the U.S. Munitions List items was prohibited subject to national security and foreign policy objectives (Legal Information Institute, n.d.) .

Noncompliance of the sanctions regime on the part of Russia was leading to more harsh restrictions from the U.S.. So, the U.S. continued to stand its ground that sanctions against Russia were justifiable. During the UN Security Council meeting regarding sanctions against Korea an American diplomat, Nikki Haley (2018), stated that “step by step, sanction by sanction, time and time again, Russia is working across the board to undermine the sanction regime” (para. 8). The respond of the current Russia’s permanent representative to the United Nations, Vasily Nibenzia, could be considered as “pocking the topic with a needle’. He claimed that Washington was not trying to stabilize the situation with North Korea but preferred to use sanctions as a substitution for diplomacy (Haley, 2018).

However, it is seen most punitive measures were not imposed on Russia directly. That was a series of “designations” levelled at certain individuals and entities “on the Specially Designated Nationals and Blocked Persons List (SDN) of the Treasury Department’s Office of Foreign Assets Control” (OFAC) (Welt, Archik, Nelson, & Rennak, 2020, p. 5). All the U.S. efforts were targeted to freeze “the U.S.-based assets of those specified as SDNs” and prevent American individuals and entities from involving in transactions with them (Welt, Archik, Nelson, & Rennak, 2020).

Nevertheless, as States Department spokeswoman Heather Nauert stressed “stopping transactions like that is, in effect, a punishment” (“U.S. Sanctions Stop \$3 Bln in Russian Arms Deals”, 2018). It turned out as “a knockdown” to big Russian arms makers such as Kalashnikov Concern, Rosoboronexport and Rostec and cost billions dollars to them (“Kalashnikov Among Russian Firms Under Threat of U.S. Sanctions”, 2017).

Another application of the U.S. economic sanctions is connected with building of Nord Stream 2, the biggest underwater pipeline project. The Trump Administration expected that such actions could weaken “Russia’s political grip on Europe” and proposed to export U.S. liquefied natural gas as an alternative to gas supplied through a pipeline from Russia (Gardner, 2019). The statement made by senator Jim Risch, a Republican and the chairman of the Senate Foreign Relations Committee sent a

clear message that such restrictive measures were necessary to cut off all possibilities for Russia to dominate on European energy sector. The speech given by the Deputy Secretary of State John Sullivan, was something like a summing-up of American position and justification for the application of sanctions regime against Russia. It read “...We are against Nord Stream 2 pipeline for that very reason, which would for the European continent undermine our goals of energy diversification and energy independence...” (DiChristopher, 2018). Some European politicians, energy experts and analysis centers aligned themselves with this position. Although the U.S. opposition against Nord Stream 2 and the steps taken as the imposition of sanctions seem to be done on commercial and security grounds, it may turn out that Russia has been targeted for political ends. Consequently, on the one hand, the concerns on the part of the U.S. might be justified because Nord Stream 2 could become as “a boot on the throat of Europe”; on the other hand, “Trump’s outburst is regarded simply as an effort to promote of American liquified national gas” (Wintour, 2018, para. 15).

Based on the above mentioned arguments provided by the U.S. to justify its sanctions against Russia, it is possible to conclude that there are three underlying rationales behind them: security issues, noncompliance of the sanctions regime on the part of Russia, and commercial interests.

The justification of the EU sanctions against Russia

The imposition of sanctions by the EU has started since March of 2014. They were presented as a strong argument against and disapproval towards the annexation of Crimea. The European Commission President Jose Manuel Barroso called on Russia “to take the decisive steps to stop the violence and genuinely engage in peace plan discussions” (Croft & Lewis, 2014, para. 11). He also added that if Moscow changed the course, the EU would decide otherwise because both countries had “important common interests” and could “benefit from open and frank dialogues” (Press corner, 2014). Furthermore, European Council President Herman Van Rompuy wrote in his letter to EU leaders that sanctions had to “strike the right balance” with regard to “costs and benefits to the EU”, but to retain options for deepening sanctions or reconsider them if necessary (Croft & Lewis, 2014). It meant a deep impact on Russia’s economy but a slight imbalance in EU economies.

Applying such measures as restrictions with respect to export of arms and advanced technologies as well as freezing assets the EU considered them as a good means for negotiations and an appropriate political solution under those conditions. Still, if enforcing sanctions regime against Russian banks, embargoes on defence particles and service was decisive but Russian oil sector was still ‘a sensitive topic’. As Van Rompuy claimed that EU governments had to come to “emerging consensus” and the imposition of sanctions against gas technologies could be done only “in view of the need to preserve EU energy security” (Croft & Lewis, 2014, para. 14). Such doubts arose because it could create a “trickle-down” effect to large EU energy manufacturers and suppliers. Germany, Italy, Austria and France could incur huge losses. Such flexibility was traced regarding other issues, particularly with regards to arms trade and access constraints to EU capital markets. EU government unanimously agreed that sanctions did not have to be imposed retroactively and bans regarding export of dual-use technologies had to be limited to military users.

Proceeding from this understanding, the justification for the application of sanctions against Russia was illegal annexation of Crimea, support of armed insurrection in Eastern Ukraine resulting in violence and the death of innocent civilians. The statement by President Barroso and President Van Rompuy in the name of the European Union on the agreed additional restrictive measures against Russia approves this fact. They claimed that the supply of weapons and fighters to the territory of Ukraine from the Russian Federation was not discontinued; illegal actions of armed separatist had increased due to its support. Besides, the EU was appalled by the postponement of “providing international access to the site of the air crash, the tampering with the remains of the plane, and the disrespectful handling of the deceased” (Press corner, 2014, para. 5). So, they concluded their speech with the following words:

The package of new restrictive measures agreed today by the European Union constitutes a powerful signal to the leaders of the Russian Federation: destabilising Ukraine, or any other Eastern European neighbouring State, will bring heavy costs to its economy. Russia will find itself increasingly isolated by its own actions. The

European Union remains ready to reverse its decisions and reengage with Russia when it starts contributing actively and without ambiguities to finding a solution to the Ukrainian crisis (Press corner, 2014, para. 7).

However, when the U.S. applied sanctions regime against Nord Stream 2, the EU governments did not remain in full solidarity. Among those who opposed this project and supported the harsh restrictive measures against Russia were the Netherlands, Denmark, Sweden, Finland and the UK. Only Germany, who invested a lot of money into it, made attempts to maintain the construction of this pipeline. The German chancellor, Angela Merkel, tried to persuade that it did not have any political underpinnings. Nord Stream 2 was just a beneficial economic project.

Although Finland, Sweden and Denmark explained their objection to the project referring to ecological and security reasons, but this pipeline could make a dent in their economies. Britain just “echoed the objections” that were introduced by the EU Commission. The country was in the middle of the Brexit negotiation at the moment, so it refrained from incisive comments addressed to Germany (Wintour, 2018).

Thus, it seems that the validity of punitive measures against Russia on the part of the EU depends on “how much they will benefit or lose”. Altogether, it seems that the justification for the application of sanctions against Russia was illegal annexation of Crimea, and commercial interests of the European Union.

Having analyzed the speeches of the U.S President and the President of the European Commission, the EU Council, speeches of some interested political leaders and politicians of European countries, which actively supported the application of sanctions against Russia (France, Poland, Germany and the UK) as well as reports published, and legal documents, it is possible to answer the following research question:

1. What are major arguments used by the U.S and the EU in justifying sanctions against Russia?

The major arguments provided by the U.S. and the EU in justifying sanctions against Russia are: illegal annexation of Crimea, security issues, non-compliance of the sanctions regime on the part of Russia, and commercial interests of both the U.S. and the EU.

The position of the Russian Federation towards the US and the EU sanctions

Despite the fact that more than 10 years have already passed since Russia annexed Crimea, it is still in the “eye of the storm”. However, it seems to be a positive thing for Russia itself. From Putin’s prospective, all Western sanctions shall be considered as “utter foolishness”, which can hardly block the economic development of such a big country. Limitations on running business only “freed up niches for rivals on such a promising market as Russia”. He also added that “Russia was placed well to weather the storm” (Korshunskaya, 2014, para. 2).

Furthermore, Putin considered that the imposition of the restrictive measures against Russia over Ukraine had been done in violation of all fundamental principles of the World Trade Organization, but called on not to worry about this fact. According to the Russian President, all these actions “undermine the creditability of international financial institutions and reserve currencies” (Korshunskaya, 2014, para. 7) and might severely affect the entire global economy. Everything what Russia could do in that situation was to hope that it would be possible to overcome the misunderstanding between countries.

However, the consequences from the economic sanctions took place. The World Bank approved that Russia had gone to a severe recession. The profitability of the country from 2 trillion dollars had reduced to 75 billion dollars for a half of the year. Nevertheless, even this fact was perceived by Russian President in a positive way. He acknowledged that Russia felt “hard times” but was sure that the imposed sanctions would promote national production and decrease the Russia’s dependence on imports (Korshunskaya, 2014). Besides, Russia would not allow anymore to West to use “the language of ultimatum” (Dyomkin & Heritage, 2015, para. 1). That is why Russia restricted Western food imports as retaliation to the U.S. economic sanctions. The next step was strengthening the ties with Eastern partners and increasing a number of deals with Chinese companies. It could help to be less dependent on dollars. During a session of St. Petersburg International Forum 2015 Putin claimed that improving economic relations with Asian countries and Greece should not be considered as refusal to work with Europe but could be a good stimulus to reverse the position of the EU governments regarding Russia.

Shrugging off another set of the U.S. economic sanctions imposed as a result of supporting military cooperation with North Korea, Russia brought an end to the U.S. hegemony in the world. During one of the annual foreign policy addresses, Putin mentioned about Russia's military clout and stated that "his country was always ready to talk despite a mounting list of accusations of impropriety against his regime from western countries. He also added that "building up tension and hysteria was not our way" (Foy, 2018).

He also criticized what he identified as "the destructive" U.S. policy when Washington targeted Russia with sanctions in response to refusal to weapons non-proliferation. The U.S. withdrawal from the 1987 INF Treaty Moscow considered as the desire to continue the development of missile-defence systems. Although Russia makes efforts not to confront with such a global power as the United States, but during the annual state-of-nation address on February 20, 2019 Putin stated that if "Washington deployed intermediate-range-missiles in Europe, Moscow would not only target the countries hoisting the U.S. weapons but the U.S. itself" (RadioFreeEurope, 2019).

The U.S. punitive measures against the Nord Stream 2, the most important Russian gas pipeline project, were like hitting a nail in a coffin. The Russian President regarded such actions as "unfriendly". During the annual year-end news conference of 2019, Putin declared that Russian would "respond based on the principle of reciprocity" (Chirciu, 2019, para. 2). He also added that it would have an impact on "bilateral relations between Moscow and Washington" (Chirciu, 2019, para. 3).

Having analyzed the speeches of the Russian President, Vladimir Putin, made during interviews, conferences, and political meetings or some specific occasions, and relevant Decrees and laws which were drawn up and adopted in response to the impunitive actions against Russian, it is possible to answer the following research question:

2. What are the Russian criticisms of these justifications?

The major criticisms of the sanctions from the side of the U.S. and the EU include: "foolishness" of the restrictive measures as they replaced any other diplomatic ways of resolving this conflict; violation of all the fundamental principles in the WTO; the U.S. withdrawal from 1987 INF Treaty that gives the free hand to the U.S. to continue the development of missile-defence systems; and intrusive and destructive policy of the West that interfered in the relations between Russia and Ukraine.

Having considered the positions of all three participants it is clear that their actions were designated to protect their own interests. However, before stating whose argumentation is more persuasive, it is necessary to present the empirical findings on precise nature of the sanctions imposed on Russia by the sender countries and to provide a broader understanding to Russian response.

The implicit grounds for the implication of sanctions

According to the analysis of the statements made by Western leaders and officials regarding sanctions since 2014, it is possible to define three main categories of sanctions: political, moral and solidarity.

Given that sanctions imposed on Russia were aimed at suspending interactions between countries in various spheres to change the behaviour on the part of the target state, it may be argued that they were politically motivated. It is traced through applying travel bans for Russian elites, freezing the assets of some crucial entities as well as limiting food export and restrictions for producing weapons. Such restrictive measures were justified by the intention of the U.S. and the EU to deter the target country from acting in an aggressive way regarding Ukraine, to punish Russia for illegitimate penetration of Russian cybercriminals into the U.S. electronic system that changed the course of election in 2016, to retain domination on the world market and to constrain military potential. However, their purpose was to have some kind of leverage on the Russian President to change his conduct that was considered by European governments and the Trump's administration as "not acceptable". They expected that Russian oligarchs, once squeezed, would turn against Putin's political regime and made him behave differently. It was actually the other way around. The Russian response to sanctions was, therefore, unpredictable when it imposed counter-sanctions prohibiting food export from America and some European countries as well as banning on entry into Russia's territory of some European officials identified in the blacklist as "undesirable". From Russia's perspective, firstly, the Western sanctions were considered as an attempt to weaken and punish the country for standing up for its state interests. Secondly, the legal structure of sanctions imposed was intricate and arbitrary in nature, particular about implementing and lifting. Finally, many sanctions were targeted at punishing Russian business for the foreign policy decisions by the Russian government. Thus, these reciprocal steps taken by Russia were based on the understanding that the U.S. would always find justification to the application of sanctions regardless of the nature of the actions undertaken by Russia on the world stage.

Speaking about the moral side of the sanctions imposed on Russia it is worth to remember the statement done by Michael McFault, former U.S. ambassador to Russia, in a studio of PBS News Hour that something should be done because not acting is worse (“Do the U.S. sanctions against Russia have any bite?”, 2018). However, the problem is that sometimes it is better to do nothing than to do something without thinking about the consequences. The Western decision to apply economic sanctions against Russia with regard to the annexation of Crimea is one of those times. The EU and U.S. punitive measures did not have their intended effects, but only proved the West’s failure and lack of planning. As for Russia, the accession of Crimea might be regarded as *fait accompli*. Moreover, settling territorial controversy has evolved from military-diplomatic disagreement into an economic confrontation between Western countries and Russia. As Sandel (2012) wrote in his book “What Money Can’t Buy” that monetary incentives, even with the best intentions, could diminish the results because “making money matter more” (p.5). Despite the fact that Russia suffered from these sanctions – there was an economic recession and the value of Russian currency has reduced - the recapturing of Crimea was worthwhile. The U.S. and European governments substituted diplomacy by economic sanctions because they considered them as an easy option to solve the problem. On the one hand, sanctions that impose costs, even without a clear aim to change the behaviour of the target country, could be justifiable until they do not contradict the general principles of international law and serve just to identify “red lines”. On the other hand, there is a risk when sanctions no longer serve as a deterrent but become as a moral instrument. Thus, the benefit of complying with international standards through sanctions should be weighed against the strategic implications of their misuse.

The main global flashpoint of tension between the West and Russia was a case connected with poisoning a former double agent living in Britain. An unprecedented event made Western countries unite and showed their solidarity in their efforts to punish Russia. The U.S. and other twenty one European countries including the UK “expelled more than a hundred and thirty Russian intelligence officers and diplomats” in response to this action. As a Western diplomat stated that attacking one Western nation Moscow should expect a response from them all (Wright, 2018). The difference between all actions taken by the U.S and the EU in retaliation to Russia’s aggression was in the unity of Western nations. The measures were stricter than those applied to Russia regarding its intervention into Ukraine and bombing Malaysia Airlines Flight 17. A former U.S. ambassador to Ukraine, William Taylor, claimed

that it was crucial for the U.S. and the European governments and other allies to “act in concert”. He also added that the message could be effective and clear only when the world community would express it as a whole (Wright, 2018). If this solidarity has some negative repercussions for Russia, but the expressed sympathy of some European nations and Germany as regards Nord Stream 2 has been overwhelmingly positive. Germany deemed the acts of Washington as the interference in its internal affairs. A representative of the European trading block said that as the matter of principle, the EU spoke out against the application of such restrictive measures because EU companies running legit business could drastically affect (“Nord Stream 2: Germany and Russia decry US sanctions”, 2019).

Empirical experience shows that sanctions applied as a part of interstate conflicts are justified to varying degrees. From America’s point of view, sanctions are a pillar of a “coercive diplomacy” that is fraught with some sort of punishment. It might be an argument but not as an alternative for solving a problem favouring its own interests or for shifting an “undesirable leader”. From the EU perspective, sanctions play a role of a leverage that might be acceptable and worth taken for its ease and comfort. As for Russia, sanctions can be a reason justifying exception to use drastic measures against belligerence. These speculations can help to answer another research question:

3. From the prospective of legitimacy and justification of the sanctions imposed on Russia, whose arguments are more convincing?

Even if any party can provide its own justification for the imposition of sanctions it is virtually impossible to determine whose arguments in this matter are more irrefutable.

Coming back to political motives the imposition of sanctions has for a long time ceased to be only a means to maintain the nation’s security. Both Trump and Putin might hardly refuse to demonstrate “strength and power” of their countries which they promised to ensure on assuming office. Any changes in foreign policy decisions, particularly an easing of sanctions regime might give an opportunity to opponents to doubt in their actions and apply it against them. It is a “win-win” situation.

Commercial grounds for the application of sanctions against Russia seem to be also a weighty argument. Globalization and financial interdependence has led to fight in the sphere of trade. Every nation wants to get the most out of it.

The justification of sanctions regime imposed on Russia because of the annexation of Crimea might be the only issue that is argumentative. Although the referendum conducted by Russia was illegal from the Western countries' point of view, nobody took into account that the population of Crimea voluntarily voted for being a part of Russia. In addition, only the President of Ukraine was able to announce the referendum illegitimate.

Chapter Six: Conclusions and recommendations

Conclusions

Free trade and open markets accelerated the processes of globalization that, in its turn, made the nations more interdependent and interconnected as well as less secure. In addition, it made sanctions as a perfect alternative to other measures of punishment. Globalization not only has increased the frequency of sanctions regime application but also the number of ways that such coercive measures could be exploited.

As we know sanctions include some kind of constraints or promises to deter the targeted country from committing an undesirable action in the future. However, there are cases when the effectiveness and justification of sanctions are being questioned.

The annexation of Crimea by Russia in 2014 was the beginning for imposing sanctions regime by the U.S and the EU against this country. The situation has not changed yet. The U.S. and EU continue to impose sanctions on Russia.

The aim of the present study was to find out the justification of the U.S and the UN sanctions imposed on Russia. The next aim was to determine whose argumentations were more convincing in this case.

According to the findings of the study, it is possible to conclude that the actions undertaken by every actor were justifiable. The U.S. justified the application of sanctions against Russia proceeding from the security concern, constant noncompliance by Russia with sanctions imposed and commercial reasons. The EU argued that ongoing aggression and violence regarding Ukraine on the part of Russia as well as commercial reasons but from the position “losses and benefits” might be a perfect ground to justify the imposition of sanctions against Russia. From Russia’s perspective, the Western countries shall resolve a controversy by the means of diplomacy rather than exploiting restrictive measures. Due to the empirical evidence it was possible to justify the other motives for imposing sanctions against Russia. They covered political costs, morality and solidarity.

Russia's growing military and economical power as well as so-called an aggressive manner to "conquer" the world might be a good reason for the justification of the sanctions imposed. However, these coercive measures and an attempt to change Putin's policy regime helped to justify the restrictive measures that Russia applied in response.

Coming back to the the research question defined in the introduction we may conclude that although it was proved that the sanctions applied were justified, it would be hardly possible to say whose arguments were more undeniable. It just meant that there was a different kind of right.

Recommendations

Despite the fact that a lot of researchers and policy makers try to examine the processes generating sanctions and how effective they are the issue about the justification of sanctions stays behind. We took only one case regarding sanctions imposed on Russia by the West within the limited period of time and found out that even if we may justify the reasons for the application of the restrictive measures there are other questions have to be answered. Why does country prefer to use sanctions but not other measures to solve the interstate conflicts? Why are some countries penalized oftener than others?

Once the target county identify what are the cause for the imposition of sanctions may be it will help to escape them.

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