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SANCTIONS ON RUSSIA: A GEOPOLITICAL OVERVIEW

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ABSTRACT

The application of sanctions is a very common instrument of pressure aimed at forcing a particular country to comply with international law. This is what we can call a more friendly way than carrying out hostilities against political rivals, but it can also be a tool to enable coping with unbalanced economic competition against specific countries. The intensity of the sanctions can be determined by the degree of damage they can cause this or that country:

- a) damage to the economy of a country as a whole;
- b) damage to the political regime or private interests of politicians who are in power;
- c) damage to the interests and competitiveness of individual sectors of the economy and industry;
- d) damage to the interests of individual financial and industrial groups and companies.

Sanctions are collective or unilateral actions that do not have internationally recognized regulations but are very popular instrument of foreign policy pressure against the target country.

In 2014, due to the crisis in Ukraine, Crimeans voted to secede from Ukraine, and asked the Russian authorities to accept them into their composition. European Union and the United States did not accept this event, stating that it was illegal according to international law and, as a consequence, imposed sanctions against Russia. In this thesis, I want to show that smart sanctions are a new tool for the achievement of geopolitical strategic goals. Since the conflict is still not resolved, and the sanctions are still in force, the situation is smoothly transforming into a New Cold War.

At the beginning of my work I will present exciting geostrategic ideologies of the two main players: the United States and Russia. For this I will present the theory of the Unipolar World and the Multipolar World political thinking of the two main actors, that are conflicting with each other to establish the World Order. Next, I give a historical chronology of events associated with Crimean crisis in order to be able to objectively assess it. Then cite the legislative debate over the so-called violation of international law: on the transfer of the Crimean Peninsula and Sevastopol to the Russian Federation. And in the end, I will talk about the sanctions and restrictive measures that have been introduced. Also, the economic effects of these sanctions.

The purpose of my dissertation is to present a complex relationship problem that leads to strategic confrontation in the global political arena, which has become a tool for using sanctions to suppress geopolitical aspirations of Russia, leading the world to a New Cold War. The

tension between the two main players are aggravated day by day, but sanctions are still pushing back direct military actions of the conflicting parties.

Применение санкций - очень распространенный инструмент давления, направленный на принуждение страны к соблюдению международного права. Это то, что мы можем назвать более дружественным способом, чем осуществление военных действий против политических соперников, но также может быть инструментом, позволяющим справиться с несбалансированной экономической конкуренцией против конкретной страны. Интенсивность санкций может определяться степенью ущерба, который они могут нанести той или иной стране:

- а) это ущерб экономике страны в целом;
- б) ущерб политическому режиму или частным интересам политиков, которые находятся у власти;
- в) ущерб интересам и конкурентоспособности отдельным секторам экономики и промышленности;
- г) ущерб интересам отдельным финансово-промышленным группам и компаниям.

Санкции представляют собой коллективные или односторонние действия, которые, не имеют международно признанных правил, но являются очень популярным инструментом давления внешней политики против целевой страны.

В 2014 году из-за кризиса на Украине, Крымчане проголосовали за отделения от Украины, и просили власти России принять их в свой состав. Европейский Союз и США не приняли это событие, заявив, что оно является незаконным согласно международного права и в следствие этого наложили санкции против России.

В этом тезисе я хочу показать, что умные санкции - это новый инструмент для достижения геополитических стратегических целей. Поскольку конфликт все еще не урегулирован, а санкции сохраняются до сих пор, ситуация плавно трансформируется в новую холодную войну.

В начале моей работы будут представлены захватывающие геостратегические идеологии двух основных игроков: США и России. Для этого я представлю теорию политического мышления однополярного и многополярного мира этих игроков, которые вступают в конфликт друг с другом, для установления Нового Мирового Порядка. Далее я привожу историческую хронологию событий связанных с

Крымским кризисом, чтобы иметь возможность его объективно оценить. Затем привожу законодательные дебаты по поводу так называемого нарушения международного права: о передачи Крымского полуострова и Севастополя Российской Федерации. И в итоге, я расскажу о санкциях и ограничительных мерах, которые ввели действующие лица. Также будет представлен и оценен экономический эффект этих санкций.

Цель моей диссертации - представить сложную проблему отношений, которая приводит к стратегической конфронтации на глобальной политической арене, которая превратилась в инструмент использования санкций для подавления геополитических устремлений России, ведущий мир к Новой холодной войне. Напряженность между сторонами обостряется день ото дня, однако меры санкций все же отодвигают прямые военные действия конфликтующих сторон.

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I. INTRODUCTION

At the beginning of the XXI century economic sanctions remain an essential instrument of foreign policy and international diplomacy as a non-military method of pressure. After the imposition of sanctions appears many negative consequences associated with a slowdown in GDP growth, reduced development of the business sector, loss of workplaces, economic sanctions combined with other measures (e.g. military-political nature) can quite successfully have a destabilizing effect in the political system of a government. Sanctions may include the termination of diplomatic relations, a boycott of sporting and cultural events, sequestration of the property of a foreign state and its citizens. Smart sanctions is a term used in case when three groups of sanctions are combined together, against a country as an instrument of foreign policy. Reluctance to pursue mutual international relations manifests itself as diplomatic sanctions, this is the first type of sanctions. Suspension of development aids, limited access to World Bank credits, asset freezes and investment restrictions are defined as financial sanctions, which is the second type of sanctions. Trade restrictions, like import and export restrictions, trade embargoes belong to the third type of sanctions. The European Union and the United States used smart sanctions in case of Russia in 2014 after the detachment of the Crimean Peninsula. This event since is referred to as the Crimean crisis, after which the so-called sanction war has started between the United States, the EU, and Russia. The reason why the term sanction-war is used, is because Russia responded to the West by retaliatory measures, which included embargo on food and livestock.

A „second Cold War” is being emerged in front of our eyes, as two superpowers – Russia and the United States expand their territories of interest on Ukraine, proximating the war and the decision of power balance between the two.

In order to attempt analyzing the strategy of the different actors in the case of the Crimean crisis, a type of geopolitical and hystorical perspective is necessary to consider. The goals of actors and their actions taken differ from each other, settled on greater phylosophical political level.

Elements of physical geography, natural resources, boundaries, ethnic composition/demography, socio-economic factors, and strategies of actors are objective elements; while identity, geopolitical representations, and history are the subjective elements of the system. In order to put the thesis in the context of today’s geopolitical shifts and processes, I would like to bring in the famous ‘Heartland’ theory of Halford John Mackinder in order to understand the strategic thinking behind both theories that are now shaping our world

politically and economically and ideologically as well. From the Western side of the world, Zbigniew Brzezinski's theory of the Unipolar World is dominating in the US governance and the liberal political ideology, that influences and shapes our world culturally, economically, politically significantly. Professor Dugin from the Eastern side of the world has an answer that can give a positive synthesis to today's world order in form of a Multipolar World order based on a new philosophical Fourth Political Ideology.

The shared culture and history of the two countries – Ukraine and Russia – suggest many viewpoints to discuss. Since the Cold War and the collapse of the Soviet Union, numerous events have formed our world. Ukraine as being a close neighbour to Russia with shared territorial interests, language, culture, and religion is socially, economically, and politically a key figure of the events. After the dissolution of the Soviet Union in 1991, gaining independence brought new allies to Ukraine as it has started opening up to the West and created diplomatic relationships with the United States and the European Union in 1992. Presenting the political changes in Ukraine up until 2013 is essential to understand the decisions that led the country to the secession of the Crimean Peninsula. These political changes affected not only other international actors, but the whole world. Ukraine began a cooperation with the North Atlantic Treaty Organization and the International Monetary Fund as after the collapse of the Soviet Union it was in a disastrous economic state with a national debt, thus became dependent on foreign creditors and loans.

To follow a chronological order I would like to split my thesis into two main parts - as the focus is on the imposed sanctions - I will split the events before and after having imposed them.

I am going to present the so-called Ukrainian Crisis together with the “annexation” of the Crimean Peninsula and the legal debate of the situation. To understand such a misunderstanding in legislation I bring the Kosovo crisis as a precedent, point out the similarities and differences between the two cases.

Such an overview of events is crucial in order to understand the position Ukraine has as a key strategic territory for both the United States and Russia. In order to comprehend the legality of such an event as the detachment of the Crimean Peninsula, we must examine the legal history of events, which led Crimea to the reintegration into the Russian Federation. In 2014, international organizations and governments led by the United States and the European Union imposed sanctions on Russian individuals and businesses. As the unrest expanded into other

parts of Eastern Ukraine, and later escalated into the ongoing war in the Donbass region, the scope of the sanctions increased, talks between the actors intensified. France, Germany, Ukraine and Russia. The agreement, which is to be implemented by the actors is called the Minsk Protocol.

In the second part, I take into consideration the numerous events that happened after the sanctions imposed, thus the consequences and effects it had for the three global actors: The United States, the European Union, and Russia. Inflation and the jumping ruble price affects the economy that led to a recession together with the imposition of the sanctions in Russia. Oil price fluctuations affect the exports and imports of Russia and the sharp increase in import prices caused by a falling ruble touched off major inflation. The price of oil affects the Russian economy oppositely from those countries that import it. Looking at the aims sanctions are imposed for, we can observe several negative effects but which are not due to sanctions alone.

In international politics, Russia plays a very divisive role. It is felt, that countries tend to have an economic relationship with Russia, but are fearing to fall under strong dependency on them. Events in Ukraine led to a deterioration of relations between Russia and the West. The Ukrainian crisis has resulted in Russia being explicitly identified as a source of threat and so has triggered a successful collective to pressure Russia both economically and politically. On the other hand, the forming political relationships and military expansion of NATO into Ukraine can be indeed a considerable threat to the Russian Federation, especially that NATO cooperation has been suspended and military exercises are being conducted.

The Second Cold War that is happening right in front of our eyes, have probably a different nature than it had previously fifty years prior. This time the war goes for the domination of the narrative, which side has the truth. Regarding the event from a philosophical point of view, taking into consideration the huge effect of the media that influences and shapes our truths, suggesting us two narratives on the same situation. Espoused by the United States and NATO countries, the other by the government of Russia. The different narratives are rooted in geopolitics and political ideologies and showed up within Ukraine itself. The two global actors ruling over the narratives have proximated their conflict to Ukraine, which is of crucial importance for both.

II. GEOPOLITICS

1. THE CONCEPT OF MACKINDER'S HEARTLAND

Geography, and political geography has always been a fundamentally important essence of foreign relations throughout history. Political dominance over conflicts through history was connected always with certain territories that are either important to a country due to national aspiration for gaining valuable and large territories, or the feeling of national loss in connection to „holy” land. Global thinking in geopolitics in this case is a modern ability to project power and exert influence on a global scale is becoming different from that what we have experienced during the last two world wars, it is more likely to be close to what we saw during the Cold War.

In order to understand the balance of powers, I would like to present Halford Mackinder's theory of the world's Heartland or in other words the Pivot area of the world.

He was one that contributed with his works a lot to consider geopolitics as a field of study. He had a great influence on foreign policies of world powers. Halford John Mackinder (1861-1947) is best known for his 'Heartland theory' first noted it in „The Geographical Pivot of History” published in 1904. The work has been revised and republished in 1919 and later in 1943, when it again gained attention and significance as he adjusted to adapt it to the changing geopolitical realities. „The Round World and the Winning of the Peace” (Foreign Affairs, 1943) he updated his Heartland theory identifying other geographical features, based on historic processes where the world was and probably is still divided into isolated areas, which had a special function to perform. (Sempa, 2015)

The Heartland theory which is even by Mackinder himself is considered to be „more valid and useful today than it was either twenty or forty years ago”. Due to its historical central location according to Mackinder is the most advantageous geopolitical location on the globe. His doctrine suggested that dominating the Heartland would possess the necessary geopolitical and economic potential to ultimately control and govern the world. He was convinced that Eurasia possessed sustainable conditions for the development of military and industrial powers. Mackinder insisted on preventive measures involving various means to remain in control in the situation in the „inner crescent”, which led him to the assumption that who controls Eastern-

Europe, commands to the Heartland, and who rules the Heartland commands the World-Island (Eurasia), and thus commands the world. (Sempa, 2015)

He added a new word to the English language: „manpower” and differentiated the land based and the sea based manpower that are struggling for dominance geographically. Mackinder identifies through his analysis historical battles and geographical territorial changes, where he identifies a Pivot area of the Heartland, that is shifting according to the capabilities of a manpower (or nation). The Heartland can be interpreted as the center of governance, cohesive unit. According to his theory the continental power, manpower on land was represented by the World Island that consists of Europe, Asia (Eurasia) and Africa, perceived to be the greatest natural fortress on earth surrounded on all sides by geographical barriers. With its vast agricultural and industrial resource possibilities and the fact that this whole space the Heartland is, inaccessible from sea as all the rivers either drain inland or is an icy sea. However Mackinder’s early theories were not considering the technological advances. The theory in the first place was formulated almost at the end of the ages that railway was used at the end of the industrial revolution. That is the reason he decided to readapt his theory to the changing world that the First and the Second World War brought to mankind. He identified them, as a straight duel between land-power and sea-power.

The disintegration of three empires (Ottoman Empire, Russian Empire, Austro-Hungarian Empire) after the First World War the division of Europe into West and East took place. Consequently the Soviet Union became again the landpower that inherited the same territory and geopolitical potential of the Heartland, giving a second cycle of revival to it.

When the Soviet Union expanded its domination zone westwards to the Central-European regions, the COMECON and the Warsaw Pact meant that Eastern Europe merged with the classical Heartland, and shifted the Pivot giving a rise to new geopolitical and geoeconomic conditions in the World-Island (Europe). In fact, the Soviet Union’s territory was geographically equivalent to the territory of the Heartland described by Mackinder. If the Soviet Union defeats Germany it would rank it as the greatest land power on the globe. (Sempa, 2015)

The analysis of these two moments clearly reveals that, very much as before, Central European, Central Caucasian, and Central Asian segments appeared along with the area of the dominant nation that detached itself from the Pivot and became an independent subject of geopolitics.

Mackinder pointed out the need for an effective alliance of Great Britain, the US, and Canada and feared an alliance of Russia and Germany or if China allied itself to Japan. The geographical feature which Mackinder estimated to be “of almost equal significance” to the Heartland was

the “Midland Ocean” (or sea-power) consisting of the eastern half of Canada and the United States, the North Atlantic basin and its “four subsidiaries (Mediterranean, Baltic, Arctic and Caribbean Seas),” Britain and France. This is a remarkable description of the NATO alliance that was formed six years after Mackinder wrote his revised article in 1943, pointing out that such a sea-power with the technological developments achieved would be a competing power on the globe, with manpower based on sea. (Sempa, 2015)

The balance of powers that Mackinder wrote about however inspired many geopolitical thinkers. His analytical overlook through the nature of geopolitical territorial battle makes understand such a nature and other conclusions can be made too. One of this conclusion was a theory to create a buffer-zone (buffer-states) between Germany and Russia to separate them. This was of crucial importance as the Eastern European states were identified as a strategic route leading to the Heartland. This was even presented at the Paris Peace Conference (1919-1920) and achieved by the peace negotiators.

I have added the Heartland theory in order to present the crucial essence of geopolitics and geostrategic thinking. Most of the geopolitical balance of power lays on his theory, disregarding the fact from which side of the globe a scholar comes from, or by which interests are being followed.

2. THE CONCEPT OF BRZEZINSKI'S 'DEMOCRATIC REGIMES AGAINST ALL OTHERS'

Zbigniew Brzezinski (1928-2017) is a political scientist famous for his academic and political contributions, publications, books on foreign policy. He was working as a National Security Adviser from 1977 to 1981 during Jimmy Carter's presidency. He developed an interpretation of the Soviet system through his „totalitarian model” and constructed a foreign policy for the US through peaceful engagement and administration of humanitarian policies for the post Eastern bloc countries, which were tested during Carter's presidency. He encouraged revisionism in the satellite states of the USSR in order to slowly tear the Communist world apart. This revisionism was through a cultural, political and intellectual exchange between the

West and the East. This enabled the US to get more and more involved in negotiations, disputes and politics.

In his main book called 'The Grand Chessboard', published in 1997, he writes about how the United States can thrive for global hegemony in the world. In this book we can find a comprehensive strategy on how the US can stay the only global power. What is suggested by Brzezinski in this book is really well reflecting what is happening up to nowadays in our world, our current reality. The historical analysis of events followed in this book brings us through the hegemonies that we know from our past and history: Romans, Greeks, the Mongols etc. Hegemonies are something that has a dominant political power and is an actor in foreign relations, like empires: French, British, Austro-Hungarians etc. This leads Brzezinski to a conclusion with the United States of America, that became a hegemony in our last hundred years which is really fast. In his opinion is the US's hegemony is special and different, because it is the only leading global superpower or hegemony today. This leading role of the US is achieved through the innovative technological advancements and developments which was made in the last hundred years, together with the dynamic economy the US is being able of a global reach of spreading and exerting his power and maintaining the balance of powers in the world. The number of alliances, bilateral agreements and conventions helped also the United States to get into position politically and the NATO cooperation also benefits them as it enabled the US to put their military bases abroad of his country on foreign lands, making the US expand militarily. All the international institutions like the UN or regional economic cooperations like NAFTA or OECD, but the big economic cooperations like the IMF, WTO or World Bank facilitate the global policymaking efforts of the US, promoting international legal structures like the International Court of Justice. Brzezinski also noted that the success of America is the cocktail of exerting soft power, with an ideology like liberalism that is very meaningful for masses, thus can be regarded as a dominant culture (especially comparing it to the communism that had suffered already bad political judgements), together with intelligence and technological advancements and the worldwide military and economic presence. The American liberal cultural freedom and its ideas like democraticism, free market economy, equality can be easily accepted and adapted by other states leaderships and foreign elites therefore gaining significance. The mass media and the entertainment industry, which is also most dominantly controlled by the US, and that can be spreaded as well globally also promotes the same cultural dominance everywhere, because that it is just more appealing. By this Brzezinski meant and emphasised the cultural superiority in order to sustain the empire.

„Cultural superiority, successfully asserted and quietly conceded, had the effect of reducing the need to rely on large military forces to maintain the power of the imperial center.”
(Brzezinski, 1997)

Brzezinski meant to guide the US in order to maintain its hegemony by maintaining the orbit of interest. He was for the expansionist policy of the American government. The fundamental principles of a unipolar world was settled by Brzezinski and he saw this unipolar world with the dominating US governance. Brzezinski envisioned a future where the USSR collapsed and that America is in reach to gain leadership over the territory of Eurasia.

„For America, the chief geopolitical prize is Eurasia. Now a non-Eurasian power is preeminent in Eurasia – and America’s global primacy is directly dependent on how long and how effectively its preponderance on the Eurasian continent is sustained.” (Brzezinski, 1997)

Eurasia as being a very valuable territory with a vast majority of natural resources like oil and gas, with vast majority of people, thus manpower. A nation that is able to implement technological innovations and has economic power and has the control over Eurasian landmass will become the leader of the whole world. However Eurasia gives home already two geopolitical actors, two great superpowers like China and Russia, therefore it is inevitable that the US learn how to balance the power between to gain a greater control over the countries in order to establish a unipolar world. We also have to mention the EU, represented mainly by France and Germany as a third actor on the Eurasian landmass, that wants and does take out a part of the geopolitical game, the grand chessboard of the world. According to Brzezinski there are territories, which are now countries that are very much influencing the 'game' geostrategically where Ukraine is probably the most significant apart from the Eurasian Balkan. Brzezinski's idea was to push as much as possible Russia back from this areas economically and politically as well. He saw the European Union as a body that have already implemented and adopted the values of the United States like liberalism as the main ideology behind all these values: free market economy, equality, democracy, thus forming a democratic regime against all others that do not share these values. He promoted the integration of the Eastern countries into the European Union together with the integration to the NATO. The author suggests that Ukraine is of special interest in this territory as being a buffer zone between Europe and Russia. In geostrategical point of view Ukraine is not only important because culturally and historically

it has a bounding with the Russian's but it also has one of Russia's military harbor base in Sevastopol and Crimea.

Since the book was written in 1997 which is only five-six years since the Soviet Union has collapsed the author saw as there is a huge power vacuum on this territory and the aggressive foreign policy could fulfill this vacuum. Of course Brzezinski's desire was to push back and defeat Russia to the point where it accepts the power dominance of the US with its all values and principles and denounce the Russian imperial plans.

To sum up Brzezinski identified the main plan for the US hegemony is to control Eurasia, as who controls Eurasia controls the world. He envisioned a unipolar world, with no Russia in it, but only American power dominance. However he agreed that China is inevitable to become a major player in Eurasia, but networking with them should preserve the balance of powers in this region, as the new reality of strong interdependence economically and financially in case of a cataclisme will hurt one another.

3. THE CONCEPT OF DUGIN'S EURASIANISM

Alexander Dugin Professor (1962-today) is a political analyst and strategist based in Russia, most probably known for his political theories that are often criticized among Western scholars. Eurasianism is another geopolitical school based on Petr Savitskii's work who developed also Halford Mackinder's theories on dualism of Land and Sea and applied it to different situations and circumstances.

Dugin's Neo-Eurasianism focuses on four levels of analysis: the state, the people or ethnos, the culture group or superethnos; and the civilization. People and culture groups are groupings based on shared behaviour; and the civilization encompasses them all through a set of shared values and what is referred to as 'common historical destiny'. Civilizational values support state power, and the state needs to strengthen civilizational values of the peoples and culture groups. Should their value change, the state loses legitimacy and collapses. Organizing and maintaining ideological power in the form of civilizational values is the key aspect of the eurasianist world order. Eurasianism is a complex geographic system with regional bands of tundra, taiga, steppe

and desert that are situated on nearly on half of the globe, and each regional band is hosted by a culture group which are bound together in their zones of interactions, acting as regions of ecological and intercultural exchange. Geography determines global distribution of power, but not in the sense of resources, instead shapes the existence, size and compatibility of peoples, culture groups and civilizations. Humanity adapts to its local environments by changing behaviour and values. Each people, culture and civilization therefore corresponds to a specific place of development. Their values represent a unique and specialized adaption to that place of development, environment as do the values of other civilizations. Ideological differences are therefore a reflection of Earth's diversity and any talk of a universal values is largely meaningless. One of the most important thing the Eurasian thinking and what Dugin suggests is that there several civilizations and the shared common history with its all suffers and glory is the value that gives the people identity and strengthens it. Universal values are largely meaningless therefore. According to the Thalassocratic theory there will be always one civilization that wants to conquer, and which will not accept the complimentarity of the Multipolar World, and Dugin identifies the so called 'Atlanticism', the sea based power against the land power Eurasia, thus Russia. Trade, commerce on sea produced civilizational values of individual competition, materialism and standardization, underlying modern-day Western liberal, rationalist and universalist ideology. Eurasianism is unified around the main core thesis, that the West is not the universal civilization therefore its claims to global hegemony render it belligerent to the diverse cultures of the world.

The Multipolar World theory suggest that the world can be in a perfect balance of powers with the Western civilizational values also, unless they do not expand it. However the universalist idea by definition has larder ambitions, therefore the West insists on exporting its civilizational values including in the liberal ideology, that values do not bear of value to the eastern civilizational world. The insistance of the West to transfer its civilizational values comes in the following steps. The first is the quest to convert others to Western values by spreading the entertainment, commercial, media, fashion industry. Secondly, creating value discourse that judges civilizations as 'progressive' or 'backward' depending on how closely they match Western society. Encouraging other civilizations to waste energy unlearning their own values in order to become imitators always one step behind the actual Western world. The result of this is the disassociation of civilizations of their own geographic context and own environment, creating internal splits that allow Westerners to divide and conquer. This universalisms goes hand in hand with Western global hegemony.

Dugin suggests that one of these processes were the de-Stalinization and the 'perestroika' of Gorbachev and the Yeltsin-era shock therapy. Since, Western dominance took over which enabled Western oligarchy to exploit the subjugated and chaotic world. Western dominance comes with exerting Western material power, or the spread of Western values such as 'self-determination'. There is therefore not just a Russian, but also a global imperative to resist Western liberal ideology, unipolarity and universalism in order to preserve collectivism, spirituality and civilizational uniqueness and also retaining Orthodox values. Dugin suggests that Russia could be the one unifying power for Eurasianist land-based states and peoples situated on the Heartland. Russia with its size and extensive interaction with all other Eurasian peoples pursue policies that could defend or cordon off Eurasian states against Western power, allowing nature to take its course. Dugin proposes a neutral bulwark stretching across Eastern Europe and the Middle East should be established not only to physically separate Eurasia from Western power, but also to shift the focus Western energies away from Eurasia itself. Ideologically, even without total communication control, cordoning-off could take the form of alternative media and facts. The Eurasian agenda for domestic politics and the economy generally reflects the masterocratic holistic top-down societal management in economy and politics. This suggests state control over strategic sectors like defence, natural resources, communications, finance to ensure profit does not override civilizational values or unity and to roll back Western influence across the globe. Multipolarity, as a revolution is a negotiation of Atlanticist, unipolar and liberal modernity in favour of a new international system and is a restoration of natural diversity of the world's civilizations, identities and ideologies. Geographically, Atlanticism controls of both the Atlantic and Pacific rims allowing it to pressure all other coastal civilizations. Atlantic institutional dominance is cemented in a range of formal and informal structures from NATO to IMF and transnational companies as an economic warfare. There is also informational dominance exemplified in Atlanticism's use of its influential mass media to spread its value discourse. Avoiding contests in sectors or against enemies with an unfavorable balance of power, Dugin proposes redirecting competition into areas that are more favourable, such as natural or energy resources, or else striking at the meta-dimensions of power like international law and political decision making. Dugin proposes therefore a 'Coalition of the Dissatisfied' to make a common cause with those who are dissatisfied, cynical or disillusioned about the Atlanticist hegemony to establish a new system of global multipolarity.

Dugin says that through the history there were three political ideologies, all of them having their own subject. The liberalism the first political ideology's subject was the individual and its freedom. The second ideology as a counterpart became nationalism where the main subject was the nation instead of the liberation. And the third political ideology was communism where the class was the subject. However all three of them while striving to achieve something, devastated humanity, and could not give a real solution to our world. All of them failed as a sole, universal political ideology. Dugin's Fourth Political Theory therefore advocates a general idea of civilizational distinctiveness and spirituality based on the German philosopher Heidegger's concept of 'da sein' which is philosophical perception of the world, something like 'living in the world'. This implies the truth of the man itself but the surrounding environment where we live, showing the mutual dependence and vulnerability, and disregarding only the individual itself as the individual would not exist without its surrounding.

Through my research I have found many works relating Dugin and his Western interpretations in English. Most of the works available in English that attempts to interpret Dugin's works are accredited to Andreas Umland and Anton Shekhovtsov. What is remarkable is the fact how it is consciously or unconsciously misinterpreted. Dugin and his views are cited as „fascist”, „neo-bolshevik” or simply not „traditionalist” at all.

According to Jafe Arnold scholar who have himself met professor Dugin and is meaningfully aware of Dugin's works because he dedicated himself to understand and to translate Dugin's works into English. Arnold has analyzed the works of Andreas Umland and Anton Shekhovtsov and came to the conclusion that in his words „their work is to disinform us”. Interestingly, these works criticizing Dugin have appeared long before their works have been translated into English. Andreas in his work „Who is Alexander Dugin? NATO 'Scholars' Don't Want You To Know” states that Andreas Umland is a senior research fellow and representative of the Kyiv Institute for Euro-Atlantic Cooperation, which works with the Ukrainian Ministry of Foreign Affairs, the EU-Ukraine Cooperation Committee, the NATO Liaison Office in Kiev and the NATO Information and Documentation Center. The same Umland also served as an advisor to the ex-Ukrainian Maidan President Yushchenko among others.

„His job has been to de-contextualize Dugin and turn him into a media and political scapegoat which serves Ukrainian and NATO policies.” (Arnold, 2018)

Arnold believes that most of Shekhovtsov's and Umland's scholarship on Dugin is misleading and ulteriorly motivated dead-end, full of unsubstantiated assumptions and twisted interpretations. (Arnold, 2018)

III. EVENTS BEFORE THE IMPOSITION OF SANCTIONS – HISTORY

During my research much of the English language literature I have encountered is critical of the events around Crimea, Russian-Ukrainian relations, and Russian foreign policy in general. Since one single opinion is not enough to evaluate the situation I sought material from Russian authors as well in order to introduce different perspectives. However most of the literature I have used remains English, I seek to present a less hostile attitude or approach towards Russia and the historical events that I am aiming to present in this thesis in order to have a better understanding of the geopolitical realm we are facing.

Historical overview of some important events are crucial to analyze as they are – looking back to them – clearly influenced today's policies towards the imposition of the sanctions. Such a great event as the dissolution of the Soviet Union will be presented in order to embed for the later legislative chapter of this thesis. As the legislative debate over the secession of Crimea roots back to the rambling times when a country dissolved and another became the seccessor of it, laying many questions and concerns for the governance as well as the people living there. This has been of crucial importance historically as the balance of power changed that moment, enabling the United States to gain its role as a sole empire, not having its Soviet counterpart and competitor.

The last hundred years brought several changes to the world technologically, economically and territorially as well. The end of the First and the Second World War brought many territorial changes, ending and dissolution of empires, as well as the foundation of many international organizations and treaties such as the Treaty of Maastricht, the United Nations (UN), the World Bank (WB), the International Monetary Fund (IMF), the European Union (EU), for instance. The Soviet Union (Union of Soviet Socialist Republics - USSR) has emerged after a bolshevik revolution against the Russian Tsarism in 1917. The Communist party generals of the Russian, Transcaucasian, Ukrainian and the Byelorussian republics on December 29, 1922 have signed the Declaration of the Creation of the USSR.

4. THE DISSOLUTION OF THE SOVIET UNION

During the Cold War the tensions between the USSR and the United States (US) were on the edge. The North Atlantic Treaty Organisation (NATO) has been founded and ratified in 1949 with the purpose of a military collective defense system. As an answer the Warsaw Pact was formed in 1955 after Germany was integrated into NATO. The Warsaw Pact meant the collective defense treaty signed between the Soviet Union and the Eastern Bloc socialist republics. Before the dissolution of the USSR in 1990 NATO and Warsaw Pact states signed the Conventional Armed Forces in Europe treaty (CFE) and published a joint declaration on non-aggression. One year later when the Warsaw Pact dissolved, NATO has set up the North Atlantic Cooperation Council in order to initiate a forum for consultations between NATO members, the former Soviet republics such as Ukraine and other Eastern European countries. And again one year later, in 1993 NATO offered former limited associations with Warsaw Pact countries in the form of the Partnership for Peace (PfP) programme.

However the dissolution of the USSR has symbolically ended the Cold War period in 1991. The process of the internal disintegration of the Soviet republics have started. The declaration acknowledged the independence of the former Soviet republics and created the Commonwealth of Independent States (CIS) treaty in 8 December, 1991, signed between the post-Soviet countries including Ukraine, to maintain a cooperation between the post-Soviet countries. Russia saw it as an instrument to preserve the maximum possible integration and to carry out these countries future reintegration. Despite the growing oil and gas prices that affected positively the economy could not cover its weaknesses. The liberalization under Gorbachev (perestroika, glasnost, razryadka, alcohol ban) in the 1980s gave birth to nationalist movements and ethnic disputes which led to revolutions.

Before that, in the spring of March 17, 1991, an all-Union referendum was held, at which the majority of citizens voted for the preservation and renewal of the USSR. The exceptions were Lithuania, Latvia, Estonia, Georgia, Moldova and Armenia, whose leaders refused to hold a referendum and declared the independence of their countries. In turn, the plan to conclude a

new union treaty, previously proposed by the President of the USSR Mikhail Gorbachev, was thwarted in the summer of 1991 due to the "August putsch", which, in particular, resulted from the actions of the self-proclaimed authority, the State Committee for the State of Emergency (GKChP). A few days later, the coup was suppressed, and the committee was disbanded. The period leading up to the coup were the attempts of the republics to gain more autonomy from the centre, Moscow where Gorbachev tried to hold the union together. There have been attempts to hold referendum, but several countries like Baltic States, Georgia, Moldavia and Armenia refused and instead conducted an independence referendum. In Ukraine voters gave Communist leader Leonid Kravchuk their support to negotiate for a new union treaty. (Aleshin, 2019)

The Belovezha Accords are forming the agreement that declared the USSR as subject of international law and geopolitical reality ceases to exist. Boris Yeltsin supported publicly the right of Soviet republics to greater autonomy within the Soviet Union. He took steps to give the Russian republic more autonomy, and believed to establish a market-oriented economy and revolutionize the one party system to adopt a multiparty political system. The agreement which was ratified by the Supreme Soviet of the RSFSR on December 12, 1991 by no mistakes was favouring Boris Yeltsin. During a personal conversation, Boris Yeltsin reported to George W. Bush on the agreements that had taken place, on the creation of the Commonwealth, the purpose of which is to strengthen international peace and security, as well as unified control over nuclear weapons and their non-proliferation. (Aleshin, 2019)

On December 25, US President George W. Bush received a call from Mikhail Gorbachev. By this time, 11 union republics had already signed the document on the termination of the existence of the USSR. Mikhail Gorbachev said that in about two hours he will announce one decision on Moscow television. "In front of me on the table lies the Decree of the President of the USSR on my resignation. I also resign from my duties as the Supreme Commander-in-Chief and transfer the powers to use nuclear weapons to the President of the Russian Federation," said Mikhail Gorbachev. The former president noted that he values his friendship with George W. Bush, and also called for Russia's support. In response, the US President promised to "build relationships with the leaders of Russia and other republics with due respect and openness." On December 25, 1991, George W. Bush officially announced to the press:

"The United States welcomes and supports the historic freedom choices made by the new Commonwealth states."

On December 8, 1991, in the hunting estate "Viskuli" in Belovezhskaya Pushcha on the territory of the BSSR, meetings were held between the leaders of the three union republics - President of the RSFSR Boris Yeltsin, President of Ukraine Leonid Kravchuk and Chairman of the Supreme Soviet of Belarus Stanislav Shushkevich. (Dubnov, 2016)

On December 25, 1991, Gorbachev announced his resignation of the presidency of the Soviet Union in television. The signing of the Belovezhskaya Agreements caused a wide public outcry and conflicting opinions both among politicians and ordinary citizens.

The collapse of the USSR in 1990, the Supreme Soviet of the republic Ukraine adopted the Declaration of State Sovereignty. The Supreme Council was transformed into The Verkhovna Rada and on August 24, 1991 the as a new parliament for the Ukrainian SSR proclaimed the independence of Ukraine, and half a year later on December 1, 1991 an All-Ukrainian referendum was held, in which 90% of voters chose independence. (Aleshin, 2019)

5. POLICY AND FOREIGN RELATIONS OF UKRAINE

The first president of Ukraine, Kravchuk led a distancing foreign policy towards Russia, and a welcoming policy to the West. Kiev refused to accept Russia's claim of being the sole USSR successor state and insisted on Ukraine's right to represent its position independently. All republics agreed to allow Russia to retain Soviet property abroad in exchange for Russia's assumption of the debt, except Ukraine, who alone continued to insist upon a proportional allocation of both debt. The Ukrainian authorities have decided to move toward a market based system and to integrate into the international economic community. Kravchuk was actively building international relations as a result have established many bilateral agreements and became a member of the World Bank and the IMF in 1992. However earlier a not official reform program had been drawn up and approved by Parliament for a historically first "presentation" to the IMF by Minister of Finance Pyatachenko. The newly formed government under Leonid Kuchma drew an equivalent of 1.57 billion US dollars which was available under a one-year stand-by credit. The first drawing was approved on October 26, 1994 by the IMF. (IMF, 1995) A political dialogue between Ukraine and the EU started in 1994 when the Partnership and Cooperation Agreement was signed in order to allow the parties a development of close political relations, promote trade and investment, provide economic, social, financial, civil scientific

technological and cultural cooperation and to support Ukraine to consolidate its democracy. (EU Parl, 2020)

Ukraine since the dissolution of the Soviet Union had neutral relationship towards joining the NATO under the first president Kravchuk who led a pro Western foreign policy and Kiev has built relations actively with them as in 1992 it had joined the North Atlantic Cooperation Council as mentioned before (this is later known as the Euro-Atlantic Partnership Council). Two years later as the first from the post-Soviet republics, Ukraine was the first to join the Partnership for Peace program and opened a NATO Information and Documentation Center on its territory. Leonid Kuchma the second president of Ukraine on the other hand tried to balance its policy between the West and Russia, but his attitude was radically different. During the elections he promised closer relations with Russia, but pursued a definitely patriotic yet simultaneously pragmatic policy towards it from the start. (Knyazev, 2015)

6. CRIMEAN PENINSULA, SEVASTOPOL, THE BLACK SEA FLEET AND THE NUCLEAR WEAPONRY

Successor of the former USSR, Ukraine have inherited the world's third-largest nuclear arsenal helped to obtain international diplomatic recognition. Its newly forming territorial borders also raised questions over the Black Sea Fleet is a fleet which situated in the Black sea, the Sea of Azov and its official headquarters and facilities in the city of Sevastopol, largest city of the Crimean Peninsula. Sevastopol City is situated at the south-western tip of the Crimean Peninsula, The Black Sea lies to the west and the Republic of Crimea to the east. It remained a separate administrative unit in the post-war period, but, like the rest of the Crimean Peninsula, was transferred from Russian to Ukrainian jurisdiction in 1954.

In 1954, the Crimean Peninsula together with Sevastopol was administratively transferred to the Ukrainian Soviet Socialist Republic by Nikita Khrushchev as a symbolic gesture marking the 300th anniversary of Ukraine's inclusion of the Russian Empire. (USSR Law of April 26, 1954 "On the transfer of the Crimean region from the RSFSR to the Ukrainian SSR")

Boris Yeltsin, the first president of post-Soviet Russia, missed to propose an acquisition of Crimea during the negotiation on 8 December, 1991 with the heads of Ukraine and Belarus to dissolve the Soviet Republics. There was an all-Ukrainian referendum held in February 1991 as mentioned earlier, and the Crimea's status changed to an autonomous republic, and in 1992 passed its own constitution, which was to Kiev's pressure amended on May 6, 1992 with a

sentence on Crimea as being part of Ukraine. However at a latter referendum the population of the Autonomous Republic of Crimea was not consulted on whether they desired to remain in Ukraine after the dissolution of the USSR or alternatively to rejoin the Russian Federation.

At the time of the collapse of the USSR, Ukraine possessed the world's third nuclear arsenal. By the time the Belovezhskaya Agreements were concluded, there were 220 strategic carriers of nuclear weapons in Ukraine. The number of ballistic intercontinental missiles alone was 176 units, and these missiles carried 1,240 warheads. In addition, there were 44 heavy bombers with 1,000 long-range cruise missiles. Completing the arsenal were several hundred units of tactical nuclear weapons, i.e. ammunition of low power, suitable for striking enemy troops. The fate of Ukrainian nuclear weapons determined the fate of not only Eastern Europe, but the entire world. (Sagdiev, 2019)

Ukraine had 1,900 Soviet strategic nuclear warheads and between 2,650 and 4,200 Soviet tactical nuclear weapons deployed on its territory at the time of independence in 1991. 176 Soviet intercontinental ballistic missiles (ICBMs) were located in Ukraine (130 SS-19 ICBMs and 46 SS-24 ICBMs), and 44 strategic bombers. (NTI, 2020)

The split from the Soviet military was difficult, especially to firmly define allies and adversaries in the changed strategic context of Ukraine's independence. Washington was forcing disarmament at the same time according to the Lisbon Protocol, a Strategic Arms Reduction Treaty (START I-II), which was signed by Russia, Belarus, Ukraine and Kazakhstan on May 23, 1992. If they could not agree in disarmament, the United States promised to introduce cruel sanctions against Ukraine.

In the spring of 1993, Kravchuk decided to transfer its arsenal of tactical nuclear weapons to Russia, however the ICBMs were negotiated in order to gain financial assistance to defray the cost of dismantling and a compensation for the missile material. By June 1, 1996 Ukraine had transferred all its strategic nuclear weapons to Russia far ahead of the agreed-on schedule.

In February 1995 the Russian-Ukrainian Treaty of Friendship, Cooperation and Partnership was signed, where during the dialogue Russia had proposed provisions on dual citizenship and the Black Sea Fleet. According to Olszanski the expansion of NATO to Ukraine was inevitable and that “under evident pressure from the West, Moscow agreed to sign the treaty with Ukraine along with the three agreements negotiated immediately before, which governed the final division of the former USSR’s Black Sea Fleet and set out the terms and conditions on which

the Russian navy base in Sevastopol was to operate. It is quite likely that these agreements were negotiated with confidential mediation of the NATO member states. On May 30, 1997, during president Yeltsin's official visit to Kiev the Ukrainian-Russian treaty and the Sevastopol agreements were finally signed.” (Olszanski, 2020)

Representatives of Ukraine, Russia and NATO have signed a Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation in Paris, France. This Act defines the goals and joint decision-making, and that they do not consider each other as adversaries and to overcome the vestiges of earlier confrontation and competition in order to strengthen the mutual trust and cooperation.

In case for the Black Sea Fleet the two countries reached the Agreement between the Russian Federation and Ukraine on the Parameters of the Division of the Black Sea Fleet signed on 28 May 1997. Two independent national fleets were established with divided armaments and bases between them together with a set of conditions for basing of the Russian Black Sea Fleet in Crimea. Ukraine also agreed to lease major parts of its new bases in Sevastopol to the Russian Black sea Fleet in the so called Kharkiv Pact until 2017.

It was a not satisfying, but acceptable agreement that permit the right to keep a navy base there for at least twenty years and Ukraine’s unconditional sovereign rule over the city and the naval port of Sevastopol. Russia has retained its military base in Crimea and at the same time prevented Ukraine’s potential accession into NATO, and as a result avoided the Alliance’s presence on the northern coast of the Black Sea.

The framework economic agreement was following which signed by presidents L. Kuchma and B. Yeltsin on February 27, 1998 on economic cooperation up until 2007. This agreement in order to achieve the development of a joint economic space speaks of a harmonisation of basic directions of social and economic changes, structural reconstruction, alignment of the normative and legislative foundations of economic cooperation with abroad, customs tariff policy, tax policy and anti-monopoly legislation, the development of separate projects and programs, promotion of cooperation, the development of strong production structures as well as for mutual participation in privation and investment projects, in compliance with national legislation in Article 2. (Olszanski, 2020)

7. EVENTS OF 2013-2014 IN UKRAINE

Over the year 2000 Ukraine was rather reducing the distance from Russian Federation than becoming closer to the Western standards. This period was followed by the „first Orange revolution” when V. Yushchenko president came into leadership who returned to military doctrine that becoming a member of NATO is a strategic goal of state. Yushchenko actively supported the pro-NATO policy, at this time a beginning cooperation between Brussels and Kiev begun in the format of intensified dialogue, which included a series of reforms. Ukrainian leadership appealed to Brussels with a written request for providing Ukraine with a Membership Action Plan.

The election of Viktor Yanukovich as President of Ukraine in February, 2010 brought about a more conciliatory approach towards Russia. Yanukovich returned Ukraine’s neutrality to the national legislation and abolished the state structures responsible for Euro-Atlantic integration. In 2009, Yushchenko’s Ukrainian government announced that the lease would not be extended and that the fleet should leave Sevastopol by 2017. In 2010, the lease was renegotiated with Russia with an extension until 2042 and an option for an additional five years until 2047 plus fees. On April 2013, an agreement was reached to extend Russia's lease on the naval base until 2042. (Harding, 2010)

On 21 November 2013, a few days before the Eastern Partnership Summit to be held in Vilnius on 28 and 29 November, the main event of which was the signing of an Association Agreement between the European Union and Ukraine, the Ukrainian Government announced its suspension of the conclusion of the Agreement’s preparations due to the conditions proposed. Vice Prime Minister, Boyko stated on November 21, 2013 that “the government will suspend the process of negotiations on signing the agreements until we understand and find a way out from a situation where the decline in industrial production in our relations with the CIS countries will be offset by the European market, because in this otherwise the economy of our country will suffer very seriously, and this will affect the level the lives of all our people.” According to Y. Boyko, Ukraine hoped to receive from the European Union not monetary compensation, but to propose Ukrainian goods to EU markets. It was clear that the creation of a free trade zone between Ukraine and the EU was unreachable. This concerned free trade zones within the CIS and bilateral basis. Ukraine and the EU will lead to a drop in Ukrainian export, as for example, the norms of the Customs Union in the field of trade, customs, technical regulation, sanitary and

veterinary measures, as well as other areas of economic regulation entered contrary to Ukraine's obligations under the EU Agreement, which did not allow Ukraine to be a party to both agreements at the same time. (Myskiv, 2020)

Azarov the Prime Minister referred to a letter dated November 20, from the International Monetary Fund, requiring Ukraine to grant a 4 billion US dollar loan and a 40% increase in heating and heating tariffs, a freeze on payments and a reduction in budget expenditure. In addition, Azarov noted that European integration would result in the closure of many Ukrainian businesses and the loss of 400,000 Ukrainian workers without work. The Ukrainian Prime Minister emphasized that suspending the European integration process is a tactical step and is not related to leaving the previous course. When the Prime Minister said that as an alternative to fulfilling IMF conditions, the government had given priority to restoring economic relations with Russia, which had deteriorated in previous months, the opposition had surrounded the government's podium and blocked the Prime Minister's further speech.

This speech of the Prime Minister in the Ukrainian Parliament led to protests and the occupation of Kiev's Independence Square by demonstrators which other cities followed by November, 2013. Initial protest "for an European Ukraine" that turned to a civil war. On February 21, 2014, under pressure from Western countries, Viktor Yanukovich signed an agreement to resolve the Ukrainian political crisis with the opposition. The Agreement on the Settlement of Crisis in Ukraine was signed by the Foreign Ministers of Germany and Poland and France. The agreement required the withdrawal of law enforcement forces from central Kiev, the cessation of violence and the transfer of all illegal weapons held by the opposition to the Interior Ministry and an adoption of special law restoring the 2004 Constitution within 24 hours. It was announced that the Presidential elections will be held as soon as the new Constitution is adopted but no later than December 2014. (The Guardian, 2014)

On February 21, leaders of the parliamentary opposition publicly announced the terms of the deal, but representatives of the Right Sector said they were not satisfied with the gradual political reforms outlined in the document, demanding immediate resignation of President Yanukovich - otherwise storming the Presidential Rada. On the evening of February 21, Yanukovich hastily fled Kiev fearing a coup d'état against him.

On the night of February 22, Euromaidan activists seized a government quarter that had been abandoned by Interior Ministry units. Thus, the government quarter: the Verkhovna Rada of Ukraine, the Office of the President, the Council of Ministers and the Ministry of the Interior came under the control of Euromaidan. Later, in an interview on UBR TV channel, Viktor

Yanukovich declared, that he has been blown against the state, and as the coup d'état overthrew the legitim governance of Ukraine, he declared that any new decision by the Verkhovna Rada was illegal. Kiev's Independence Square became a focal point for protests - just as it was during 2004's Orange Revolution. The new Kiev leadership, which came to power in February 2014, was recognized and supported by the United States and the European Union. A large proportion of Euromaidan supporters, who have expressed extremist nationalist views, have entered the Parliament. (Safarov, 2018)

The collapse of the Yanukovych regime and the rise to power of Maidan representatives did not lead towards the end of the political crisis in Ukraine. Immediately after the coup d'état, the Ukrainian parliament passed three laws against the Russian-speaking people the next day:

- In the Russian-inhabited regions, the vast majority of Russian-speaking residents were deprived of the use of Russian, which had the same status as a local authority, with the introduction of the only Ukrainian state language.
- The former law prohibiting Nazi propaganda has been abolished.
- Lustration practices have been used against those associated with the old system.

These steps by the new government have greatly scared the Russian-speaking population of the Crimea and the south-eastern regions of Ukraine, because they saw that the new power posed an existential threat to them. A wave of protests passed through these regions where under the pressure of power from supporters of the new government, people have expressed their disagreement with the new regime in Kiev. The most organized resistance was demonstrated by the Crimean population. Earlier, the Crimean population and legitimate authority for the peninsula's autonomy (January 20, 1991, in the Soviet Union, the Crimean Autonomous Republic), in order to protect their interests from the terror of nationalists of western Ukraine, decided to break away from the country. On 6 March 2014 the Crimean Parliament made a decree "About the conduct of an all-Crimean referendum" on 16 March 2014 and passed the Crimean Application to join Russia the next day on March 17, 2014. (Safarov, 2018)

IV. SANCTIONS

8. CRIMEAN REFERENDUM

The Crimean referendum and its results takes us to the third chapter of my thesis.

In this part I am going to show the legal debate on the Crimean Referendum, where if the geopolitical goals and processes are clear to someone, the identification of the two conflicting narratives of the two world powers well spotted. As these two narratives conflict each other in such a political situation, the juridistic approach and settlement of the situation and conflict is essential. I would like to show the legal aspects, debate points and the different opinions and juridistic opinions about the Crimean Referendum its legality or illegality and the international common talk on the situation.

The referendum was held on March 16. According to official data, in Crimea, 96.77% of citizens voted for joining Russia, in Sevastopol, which later became a separate subject of the Federation, - 95.6%. On the same day, the Supreme Council of Crimea declared the republic an independent state. A day later, on March 18, at a ceremony in the Kremlin, Vladimir Putin signed an agreement on the acceptance of Crimea and Sevastopol into the Russian Federation. The referendum legalized the democratic reunification of the Crimean Peninsula with the Russian Federation. Western countries did not recognize the referendum.

The referendum held on March 16, 2014 voters presented with two statements and could give one positive response to one of them.

- Do you support Crimea rejoining to Russia as a subject of the Russian Federation?
- Do you support restoration of the 1992 Constitution of the Republic of Crimea and Crimea's status as part of Ukraine?

When summing up the results of the referendum, it turned out that 83.01% of Crimeans with the right to vote participated in it (excluding Sevastopol residents). Of these, the reunification of Crimea with Russia voted 96,77% of people. 89.5% took part in the referendum in Sevastopol residents eligible to vote. (Tomsinov, 2014)

The signed agreement on the admission of Crimea and Sevastopol to the Russian Federation finally changed the history of Russia. Since the end of World War II this became the only case when a territory of a country became part of another. This historical event thus became an unprecedented case or conversely, a precedent case. Many jurists, authors and politicians analysed the legality of the referendum and the admission too. Crimea entered Russia's administrative structure as two separate federal subjects: the Republic of Crimea and the City of Sevastopol. The Ukrainian hryvnia was replaced by the Russian ruble as the official currency a month later. The legal status of the Crimean residents also changed and everyone was automatically given Russian citizenship unless they filed a formal refusal during a brief period in April 2014.

9. LEGAL DEBATE AND TAKING INTO CONSIDERATION THE KOSOVO PRECEDENT

International law is extremely restricting especially when it is about territorial change. State sovereignty is established on a given territory and states are obliged to respect each other's territory. Territorial change can only occur with the consent of the state that practices sovereignty over it. There are basically two exceptions from the general prohibition of the use of force: individual or collective self-defense and enforcement by the UN.

The Crimean case revoked the Kosovo case, as some actors view it as a case that is useful to take or analyze as a precedent, but some refuse as there are very meaningful differences between the two. Kosovo declared its independence from Serbia in February, 2008, following decades of severe violence and repression in the aftermath of Yugoslavia, the Yugoslav Republic's disintegration. As of January 2019, Kosovo has gained diplomatic recognition by the majority of the UN Member States while the transfer of Crimean Peninsula to Russia has been supported by only a few countries.

Both Kosovo and Crimea's case was not based on the approval of the UN Security Council as force was used in both cases. In that sense both have the same status and both actions could be regarded illegal, which is certainly an important similarity between the two cases.

The other similarity is that in both cases raised the right to self-determination.

The constitutions of states and the norms of international law are designed for a stable legal order. They take into account the fact that the state system, the form of government, the administrative-territorial organization, the powers of the highest bodies of state power and management can change and provide for this case special legal procedures. Their observance is intended to preserve the stability of the rule of law even during such changes. But the exit of any administrative-territorial entity from the composition of the state by constitutions, as a rule, is prohibited or hedged with such legal formalities that in practice turns out to be impossible. In international law, there are norms and principles in case of even events such as the formation of new independent states. These states can arise, for example, through the implementation one or another people of the right to self-determination, provided for in the UN Charter and the International Covenant on Civil and political rights of 1966 and approved on October 24, 1970 at the UN General Assembly.

„All peoples have the right to self-determination. By virtue of this right, they freely determine their political status and freely exercise their economic, social and cultural development.”

„Every State has the duty to refrain from any forcible action which deprives peoples referred to above in the elaboration of the present principle of their right to self-determination, freedom and independence. In their action against, and resistance to, such forcible action in pursuit of the exercise of their right to self-determination, such peoples are entitled to seek and to receive support in accordance with the purposes and principles of the Charter.”

The first question is whether a state can receive external help to claim its own sovereignty?

The second question is whether a territory of a sovereign nation is able to democratically vote to become independent from the host nation?

One of the debate points of the annexed Crimea narrative is the breach of the territorial integrity.

“All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.”

An agreement with a specific relevance in regard to the international obligations between Russia and Ukraine is the 1994 Budapest Memorandum – although it is contested whether this agreement constitutes legal obligations or merely expresses political commitments. In that document, Russia, the UK and the US committed to respect Ukraine’s territorial integrity in return for Ukraine giving up its share of the Soviet nuclear arsenal. An indisputedly legal obligation is, however, contained in the 1997 “Treaty on Friendship, Cooperation, and Partnership” in which Ukraine and Russia reaffirmed their commitment to respect each other’s territorial integrity and the inviolability of the borders existing between them.

Tomsinov points out that this case should be itself a precedent (which probably will never occur again) as there will be unlikely to happen a great event such as the dissolution of an empire like the USSR. Therefore Crimea benefits the legality of the reunification with Russia from the point of view of the modern international legal order. This exceptional case that politicians and jurists of the West understand that recognition of such legality from the point of view of the modern international legal order will create only “Crimean law”. Without clear legal precedent in international law, Crimea's independence from Ukraine was no more or no less legal than Ukraine's own independence from the Soviet Union twenty-three years prior. (Tomsinov, 2020)

Most of the arguments and analyses that push the traditional narrative of Crimea being annexed consider the referendum to be illegal. The Constitution of Ukraine makes it very clear that the sovereignty and territorial integrity of the country are fundamental principles of the Ukrainian constitutional order, which cannot be amended. This implies that the referendum held under the Ukrainian law was illegal, as the constitution of Ukraine does not let its citizens to hold such a referendum. The decision to call a local referendum in Crimea is not covered by the authority devolved to the authorities of the Autonomous Republic of Crimea by virtue of the Ukrainian Constitution. It is worded as following:

“The sovereignty of Ukraine extends throughout its entire territory. Ukraine is a unitary state. The territory of Ukraine within its present border is indivisible and inviolable.”

“Issues of altering the territory of Ukraine are resolved exclusively by an All-Ukrainian referendum.”

“The Constitution of Ukraine shall not be amended, if the amendments foresee the abolition or restriction of human and citizens' rights and freedoms, or if they are oriented toward the liquidation of the independence or violation of the territorial indivisibility of Ukraine.”

There is a quite profound thesis on the legal debate written by Dennis Litvinenko in 2016, where he analysis mainly the Western opinions on the case and collects all the debate points in a table I have added to the Appendix. More than thirty scholar's, new agency's, deputy's opinion is analysed and summed up in one single table from which he derived the following points of consensus:

The referendum is illegal (1), because there is no legal precedent in international law supporting unilateral secession (2), although there is no legal precedent prohibiting it either (3), but the referendum is illegal anyway (4).

He also brings four possible outcomes of the resolvance of the situation. During the past years it can be stated that one of his idea proved to become reality: the conflict in Ukraine continues for years.

If we take into consideration Litvinenko's analysis on the Crimean case we can see that a democratic and lawful referendum was held with a majority of participants that voted completely uniformly. He highlights the perceived hypocrisy of the Ukrainian position in the eyes of Crimeans. Ukraine having received its own independence from the USSR, Ukraine was not willing to grant it to those seeking independence from it, Crimea continued its struggle for its own autonomy.

Litvinenko points out: "The crux of the controversy lies in the fact that while much of the world considers the 2014 Crimean referendum invalid, it was preceded by two others, in 1991 and 1994, in which a clear majority of the peninsula's residents voted for greater autonomy from Ukraine, and which the world opinion has not cared to remember, and the Kiev government has chosen to ignore." (Litvinenko, 2016)

Milanovic states that the critical issue is being that Crimea's secession is the direct result of Russia's unlawful military intervention against Ukraine, whereas Kosovo's secession was not tainted to the same extent by NATO's 1999 intervention due to the subsequent adoption of Resolution 1244, which authorized the presence of international forces in Kosovo while disabling Serbia from taking military action to suppress Kosovo's secession. The Russian Federation opposed the NATO military intervention in 1999, describing it as a flagrant violation of international law and of the UN Charter. According to Milanovic most international lawyers after all considered the 1999 intervention against Serbia or the 2003 invasion of Iraq to have been unlawful, and most justifiably feel the same way with regard to Russia's intervention in Ukraine. Milanovic therefore calls both sides to be hypocrites, pointing out that the same thing

Russia was refusing in case of the Kosovo case, is now rediscovered and in Crimean case drives the water to its own mill, while the same US that enabled self-determination in case of Kosovo and entered with military forces now reject completely Russia's and Crimean point in the Crimean case. (Milanovic, 2016)

The unlawful military intervention can be also criticised as they were only local self-defense units, which are legitimately there according to the agreements based between Ukraine and Russia. In May 1997, the Russian Federation and Ukraine concluded a series of treaties relating to the division of the Black Sea Fleet and the deployment of the Russian part (82 %) in Crimea and in the city of Sevastopol. The treaties specified the conditions under which the Russian armed forces were allowed to stay in the territory of Ukraine and the maximum number of soldiers, military techniques and military installations, they could have there. (Bilkova, 2015)

Kosovo is seen in a situation as *sui generis* case among most Western jurists, which is a unique set of circumstances. The NATO bombing and intervention that led to Kosovo's separation from Serbia was famously characterised as 'illegal but legitimate.' Milanovic points out, that just after the Kosovo case. The agreement on the unilateral separation of Kosovo from Serbia was legitimate and no permission was required from the central authorities of the country (Serbia). The International Court agreed on JULY 22, 2010 to add the following comment to Article 2, Chapter 1 of the UN Charter:

„No general prohibition may be inferred from the practice of the Security Council with regard to declarations of independence,” and „General international law contains no prohibition on declarations of independence.”

As well as the United States of America of April 17, 2009 submitted to the UN International Court in connection with the hearings on Kosovo:

„Declarations of independence may, and often do, violate domestic legislation. However, this does not make them violations of international law.”

It is also often cited that while Kosovo declared itself to be a separate sovereignty and became an independent state, whereas Crimea chose to reunite with another country, Russia. (Dunay, 2015)

However most scholars claim that there was no systematic discriminations against the population in Crimea and certainly not against the Russian ethnicity. However the language law could be regarded as something very discriminating for those people who speak only Russian.

And the rising neo-fascist views of the Ukrainian governance and their political masses and crowds are also warning with a suspicious precaution.

According to a survey about the Crimean conundrum on OpenDemocracy.net held in December 2014, justifies that the reunifications with Russia enjoys considerable legitimacy within Crimea among most of the peninsula's population. Within Russia itself, polls revealed in 2014 rising levels of support of the event from 64% in March to 73% in September. The survey was a random scientific survey of 750 respondents administered by the Levada Center, a Moscow-based polling firm with a reputation for integrity, professionalism and independence. The survey was about 45 minutes long with approximately 150 questions that covered standard demographic questions and series on identity, politics, geopolitical events, media viewing habits and problem perceptions. The four key features discussed through the survey are the following:

- Is Crimea moving to the right direction?
- Was annexation is a good idea?
- Do you consider yourself European?
- Is Crimea European?
- How much of a problem has been the joining of Crimea to Russia?

(You can find diagrams about the results at the end of the thesis in the Appendix)

Of the sample 63% declared their nationality as Russian, 21% as Ukrainian and 8.5% as Tatar among who some were pensioners and veterans, people working in service sin a broad range of professions. Looking at the results of the survey we can see that the Crimean participants by a great majority (85%) declared that Crimea was moving to the right direction which can be considered as a powerful predictor of political preferences and tells about a variety of beliefs about recent economic performance and future expectations of prosperity. The results were recorded at the time when the rouble was dropping in value against Western currencies and economic sanctions came into force. Still a very optimistic and pro-Russian answers are recorded, for example over 90% believing that EuroMaidan protest made things worse. The dramatic switch of the peninsula from Ukraine to Russia has even increased levels of optimism about future, and conducted that people are less angry. Another fact is that 89% of respondents agreed that Crimea belonged to the „Russkiy Mir” – Russian World. (Toal, 2015)

10. RESPONSE WITH SANCTIONING RUSSIA

In order to present the set of sanctions that were imposed against Russia by the European Union I am following a report written in May 2014 by Susanne Kraatz for the Policy Department of the European Parliament.

Kraatz identified the following restrictive measures introduced by the EU in order to impose political pressure on Russia, these included:

- diplomatic action
- specific restrictive measures on individuals (freezing of assets and travel ban)
- restrictions on economic relations with Crimea and Sevastopol
- economic sanctions
- restrictions on economic cooperation

Diplomatic action

In order to express the disapproval of the EU on Crimean crisis, the EU-Russia Summit was canceled and EU Member States decided to leave the Russian party out of their bilateral trade Partnership and Cooperation Agreement which came into force on 1 December 1997. Since 2007 this agreement was renewed annually up until sanctioning Russia. Ongoing negotiations has also stopped on visa issues and the the G8 Summit scheduled for Sochi, was rather held named as the G7 Summit in Brussels on 4-5 June 2014. Meetings have been held ever since with the G7 leaving Russia out. EU Member States also supported the suspension of negotiations on Russia's accession to the Organization for Economic Cooperation and Development (OECD) and the International Energy Agency (IEA).

Specific restrictive measures on individuals include freezing of assets and travel restrictions, which will be detailed below. These restrictive measures target people performing activities which are considered to be undermining the territorial integrity, sovereignty and independence of Ukraine. These measures were introduced firstly and at the very beginning of March 2014, but they are extended ever since.

Restrictions on economic relations with Crimea and Sevastopol. This can be considered as a direct economic pressure mechanism, because these sanctions were designed to damage a targeted area (Crimea and Sevastopol) and its economy together with those who make profits

there. These measures apply to EU citizens and EU-based companies because of their activities fall into the territorial scope which is limited to the Crimea and Sevastopol.

These measures include:

- a ban on imports of products from Crimea and Sevastopol
- restrictions on trade and investment in certain economic sectors and infrastructure projects
- ban on the provision of tourist services in the Crimea and Sevastopol
- an export ban on certain products and technologies

These measures were also extended until 23 June 2021 by the Council.

Economic sanctions on trade with Russia in certain economic sectors

Exchanges targeted in certain economic sectors were also sanctioned. In March 2015, EU leaders decided to link the duration of the current sanctions regime to the full implementation of the Minsk agreements by the end of December 2015. In the absence of full implementation of these agreements ever since, the Council has decided to extend each time the imposed restrictive measures which are now in force till June 23, 2021.

These restrictive measures are:

- restrict access to primary and secondary EU capital markets by some Russian banks and companies
- a ban on arms exports and imports
- prohibit the export of dual-use items for military use or to military end-users in Russia
- restrict Russia's access to certain sensitive technologies and services for oil production and exploration

Measures affecting economic cooperation

Limiting economic cooperations EU leaders have invited the European Investment Bank (EIB) to suspend the signing of contracts for new financing operations in Russia. EU Member States agree to coordinate their positions within the Board of Governors of the European Bank for Reconstruction and Development so that similar steps can be taken with regard to financing new operations reassessed the EU with Russia.

There is however a list of exemptions. Several Member States of the EU is heavily dependent on Russian supplies like gas. With regard to financial sanctions, EU subsidiaries of backlisted

Russian banks operating in at least seven Member States including Germany, Austria, France and Cyprus are exempt. At the end of 2013 these subsidiaries held over €20 billion. Activities under pre-existing contracts were also a subject to exemption. (Kraatz, 2014)

Several Western countries have employed sanctions against Russia as a response to its breach of Ukraine's territorial integrity. From March 2014 several rounds of sanctions were implemented against Russia by the USA, EU, Australia, New Zealand, Canada and Japan.

The imposition of sanctions came in several stages, up to our days, the West is continuously threatening Russia with sanctions. In the **first stage** the main goal was to limit the cooperation with the Russian Federation, first introduced on March 6, 2014. It contained the suspension of the negotiation process between the EU and Russia on easing the visa regime and a new partnership agreement, in addition, a group of former Ukrainian officials headed by V. Yanukovich fell under sanctions. In addition, the process of preparation for the future summit holding in June in Sochi for the G8 countries, in which Russia was to take part in, was suspended on March 3, 2014 (since then there are seven participants on the summit, therefore it renamed itself to G7). Furthermore, the Council of the European Union agreed to swiftly work on the adoption of restrictive measures for the freezing and recovery of assets of persons identified as responsible for the misappropriation of Ukrainian state funds.

In the **second stage** on March 17, 2017 the sanctioning countries restricted the supply of certain types of technologies for the Russian Federation. The foreign ministers of the EU member states decided to introduce a restriction in the form of a ban on entry and an asset freeze for officials from the Russian Federation and Crimea. Twenty-one Russian and Ukrainian officials responsible for actions threatening Ukraine's territorial integrity were identified, and twelve more names were added on 21 March, 2014. On the same day, the United States imposed sanctions against seven representatives of Russia, Yanukovich was one of them and the European Council cancelled a planned EU-Russia summit and noted that member states will not hold any bilateral regular summits with Russia. EU leaders also requested the European Commission to prepare broader economic and trade sanctions that could be imposed if Russia further continues destabilizing Ukraine. On March 18, 2014, Japan announced the introduction of visa and later economic sanctions against Russia. On March 19, 2014, Australia introduced financial and visa sanctions against 12 citizens of Ukraine and Russia. On March 29, 2014, the sanctions were extended to fifteen more persons. On April 28, 2014, the United States

introduced additional sanctions against seven deputies of the Russian State Duma and froze the assets of 17 companies close to Russian President Vladimir Putin.

On March 20, 2014, the United States introduced new sanctions against Russia: the list of Russian citizens who are prohibited from entering the United States and whose assets in the United States will be frozen has been expanded. Britain and Canada also joined the sanctions. The **third stage** of sanctions are sectoral sanctions aiming at the limitation of the development of certain sectors of the Russian economy. The United States also banned the supply of high-tech goods that Russia can use for military purposes. On the same day, the EU expanded the list by 15 more persons. On June 23, 2014 the European Council adopted measures to implement the EU's policy of non-recognition of the – with their words – illegal annexation of Crimea and decided on a ban on goods originating from Crimea or Sevastopol. The Council a few days later set out four specific steps to be taken by Russia and the separatists for de-escalation. They also signed the Association Agreement with Ukraine. (The same Association Agreement that was detailed in a former chapter of my thesis, the controversial agreement that was one of the focal points of the Maidan events.)

On April 29, 2014, following the US, Japan, Canada and the EU Council announced additional sanctions concerning restrictions on obtaining visas for individual politicians and businessmen. The list of Canada also included two Russian credit organizations: Expobank and Rosenergobank. The United States introduced additional restrictions on state-owned enterprises of the Russian military-industrial complex, due to the reason that Russia did not contribute to the de-escalation of the conflict in eastern Ukraine and did not stop the supply of weapons and terrorists. So, on July 16, 2014, the sanctions were approved by the US government and sanctions against key sectors of the Russian economy. The following companies fell under their influence: the Almaz-Antey corporation and the Kalashnikov concern, NPO Izhmash and Bazalt, NPK Uralvagonzavod, KB Priborostroenie. Companies in the oil and gas sector also fell under the sanctions: Novatek, Rosneft, Vnesheconombank, Gazprombank (also included the Feodosia enterprise for the provision of petroleum products to the AR of Crimea).

The sanctions hit Rosneft, the gas company Novatek, state-owned Vnesheconombank and Gazprombank. Against the enterprises of the Russian military-industrial complex: corporations Almaz-Antey, Izhmash, Kalashnikov concern, NPO Bazalt, Uralvagonzavod and KB Priborostroenie, NPO Mashinostroenie, KRET, Sozvezdie. Also, sanctions were imposed against several Russian politicians and the military, as well as representatives of anti-government forces in Ukraine. On July 25, 2014, the United States refused to support World Bank projects in Russia. On July 29, 2014, the EU decided to introduce the third level of

sanctions against the Russian Federation. The sanctions apply to the energy and financial sectors, military and dual-use products. Financial sanctions provide for a restriction for Russian banks (including those with a state share of more than 50%) to enter the credit market and use financial instruments with a validity period of more than 90 days. It is also prohibited to issue Eurobonds by state banks and issue shares in favor of European owners. The same restrictions will apply to state institutions of the Russian Federation, corporations and agencies with a state ownership of more than 50%. In the energy sector, the sanctions will concern the oil sector and include a ban on the export and re-export of high-tech equipment to Russia. July 30, 2014, the US Treasury Department introduces restrictions on the export of goods and technologies for Russian oil projects. The Council of the European Union has officially adopted additional restrictive measures, expanding the list of sanctions to 95 individuals and 23 companies.

Also, sanctions were introduced against the Deputy Speaker of the State Duma aide to the President of Russia Igor Shchegolev, Minister of Crimea Affairs Oleg Savelyev.

On July 17, 2014, the EU also expanded sanctions against Russia. In particular, the European Bank for Reconstruction and Development was instructed to stop financing new projects in Russia, and the European Investment Bank was instructed to suspend cooperation programs. In addition, the European Commission and the EU's foreign policy service were instructed to submit proposals to block any types of investments in the Crimean economy and called on all financial institutions to refrain from financing projects that directly or indirectly recognize the entry of Crimea into the Russian Federation. The European Council also widened the legal basis for EU restrictive measures making it possible to target entities which materially or financially support actions against Ukraine.

On July 17, 2014 in Donetsk region, a Boeing-777 near Donetsk was shot down and as a result 298 passengers and crew members died. The European Council took action following: EU ministers finalised the preparatory work for economic sanctions in four sectors, paving the way for their adoption. They were announced and introduced on July 25 and 29, 2014. Some of the names listed:

- head of the FSB of Russia A. Bortnikov,
- secretary of the Security Council of the Russian Federation M. Patrushev,
- head of the Russian Foreign Intelligence Service, former Prime Minister M. Fradkov,
- Deputy Secretary of the Security Council of Russia R. Nurgaliev,
- ex-speaker of the State Duma of the Russian Federation B. Gryzlov,
- President of the Chechen Republic R. Kadyrov,
- Governor of Krasnodar Territory A. Tkachev, etc.

- Also subject to sanctions are terrorist organizations "Luhansk People's Republic", "Donetsk People's Republic", the Federal State "Novorossiia", "International Union of Public Associations", the radical paramilitary organization "Sobol" and others.

Compared to the sanctions imposed by the United States, the European sanctions against Russia are milder, which is explained by the significant dependence of the economies of the EU countries on Russia. It is important to mention that the sanctions are extended every year ever since. There is no such a sanction that have been cancelled or dissolved since. In 2016 and 2017 as well, EU added altogether ten more members of to sanction list: Dmitry Vladimirovich Ovsyannikov, Governor of Sevastopol, Russian nationals and 3 companies involved in the transfer of gas turbines to Crimea, six members of the State Duma from Crimea. In 2018, again five more people has been added, involved in the organisation of Russian presidential elections. Six entities involved in the construction of the Kerch Bridge were added to the sanction list on July 31, 2018. Nine more people added on December 10, 2018 to the sanction list for their involvement in the elections of November 11, 2018.

(Mozarchuk, 2014)

(European Council, 2021)

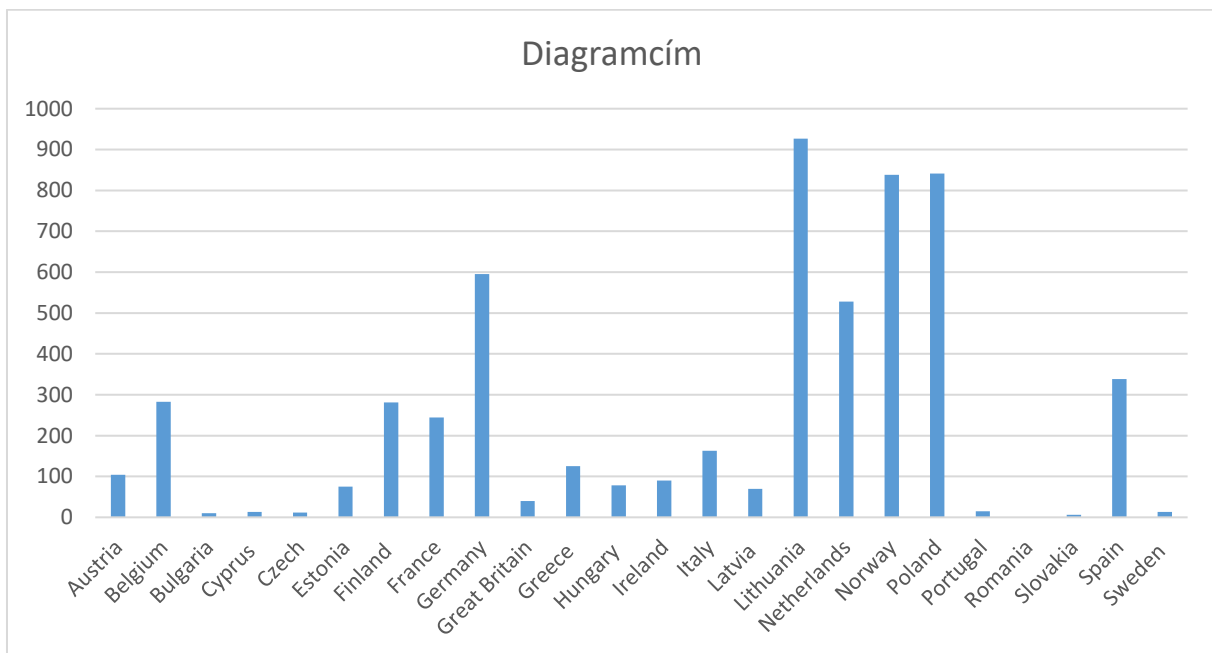
11. RUSSIAN RESPONSE WITH RETALIATORY SANCTIONS AND FOOD EMBARGO

Russian governance reacted very fast to the imposed sanctions, and decided to levy countersanctions from their side on 6 August 2014. An import ban was introduced by the Russian Federation, which targeted the agro-food international trade, prohibiting or limiting the import of raw material and food, agricultural products and even end-products for those countries that have imposed sanctions against Russian entities or individuals. The blacklisted items which fell under the ban include beef and pork of all kinds, poultry and products made out of poultry, smoked foodstuffs and sausages, milk and products made out of milk including raw milk and all products of all kind containing milk, as well as fish, vegetables and fruits.

Apart from the EU which takes out 73% of the banned imports, other targeted areas were also the United States, Australia, Canada, Norway and later extended to Albania, Montenegro, Iceland, Lichtenstein and Ukraine. (Szczechanski, 2015)

Exemptions were listed here too, therefore the embargo is not subject to baby food, some selected animal products like fat and meat offal and live animals. Some prepared products in the fruit and vegetable sector like canned fruit and juices, and furthermore dairy products like lactose-free milk, salmon fry, seed potatoes, onion sets, hybrid sweetcorn and dietary supplements are also exempt.

The graph below shows the figures of possible losses in millions of euros for each of the countries that fell under the Russian counter-sanctions.



Agroexports from EU countries and Norway, subject to Russian anti-shares (million euros, 2013)

Source: Knyazeva K. (2015) Countries of Central and Eastern Europe in the sanctions war of the West against Russia: Political Positions and Economic Consequences. Institute of Economics RAS, 2015

Although the European Union supported the United States and regularly announced anti-Russian sanctions following similar American actions, this was not done very willingly, since the sanctions war inflicts tangible damage on individual countries and the entire European economy, which is not experienced by the American state with much less extensive trade and economic ties with Russia. European countries have especially suffered from the retaliatory sanctions imposed by Russia, namely from the embargo on the import of their food products into the country. Individual countries, to varying degrees, are feeling the consequences of the war of sanctions, and therefore their positions on this issue differ. Although it is not openly articulated due to their unwillingness to undermine the collective unity of the European Union.

That is why all the nuances in behavior and ulterior motives that govern the individual countries of Central and Eastern Europe, which are not as united as it looks outwardly, are of great interest, and therefore can play a different role in tightening, weakening or lifting anti-Russian sanctions.

The countries of Central and Eastern Europe can be roughly divided into two groups: active supporters of sanctions; skeptics who fear that the sanctions will not only harm the trade and economic interests of their participants, but also worsen the international political situation and the state of the European economy as a whole. The group of countries that take an anti-Russian stance and are satisfied with the imposition of sanctions, regardless of the damage they themselves cause, include Poland, the Baltic countries, Bulgaria and Romania. They are distinguished by anti-Russian rhetoric of the leadership and unfriendly actions. The second group includes Slovenia, Hungary and Slovakia, demonstrating common sense and cautious, opposition to anti-Russian sanctions. The Czech Republic and Croatia adjoin the same group. (Knyazeva, 2014)

12. MINSK PROTOCOL

MINSK I

The extensive talk between the contact groups of Ukraine and the separatist Donbas region started within the frameworks of the Organization for Security and Co-operation in Europe (OSCE) that were monitoring the Ukrainian-Russian border on September 5, 2014 in Minsk. Based on the proposals for resolving the crisis of the presidents of Russia and Ukraine, agreed on a plan for a peaceful settlement and reached an agreement on a ceasefire in the south-east of the country. Parties signed the protocol providing for an immediate cessation of hostilities, the withdrawal of armed formations and military equipment from the territory of Ukraine. Separately, the obligation of the Kiev authorities to decentralize power and hold early local elections was spelled out. On September 20, the contact group and the representatives of the Donetsk and Lugansk People's Republics (DPR and LPR) Zakharchenko and Plotnitsky signed a memorandum on the implementation of the ceasefire. Despite all the agreements, hostilities in the south-east of Ukraine continued, and in January, 2015 the situation again seriously escalated.

MINSK II

In order to resolve the crisis as soon as possible on February 11-12, 2015 a meeting of the leaders of Russia, Ukraine, France and Germany, which is called and referred the Normandy Format decided to hold a meeting in order to agree upon a set of measures to implement in the Minsk Agreement. This document was signed by the participants of the contact group, as well as the heads of the DPR and LPR. The set of documents and obligations, as per the Minsk Agreement was signed on December 9, 2014 in Minsk. Petro Poroshenko agreed on a set of measures to implement the Minsk Agreement, which was signed by the Ukrainian contact group and the leaders of DPR and LPR. This signed document received the support of the UN Security Council and became a binding international legal document, where Russia, France and Germany has the guaranteeing function that the 13 principles will be implemented in order to cease fire and establish peace in the region.

The Minsk Protocol has 13 action points that are about ensuring security and stability financially, economically and to decentralize authorities, including the adaption of the Law of Ukraine as well as of ensuring to hold elections in accordance with the Law of Ukraine. Some of the points are the following:

- Provision of ongoing monitoring of the Russian-Ukrainian border and a verification by the OSCE with the creation of a security zone in the border regions.
- Releasing all hostages and illegally detained persons without delay.
- Adoption of a law to prevent the prosecution and punishment of persons in connection with the events that took place in the critic region.
- Continuation of a nationwide dialogue and taking all measures to improve the humanitarian situation in the critical region.
- Adoption of a program of economic revival of Donbass and restoration of the region's life.
- Withdrawal of illegal armed groups, military equipment as well as militants and mercenaries from the territory of Ukraine. This is to be done by contact line to a distance of at least 15 km on each side, and a 50 km wide security zone, parties must remove their maximum firing range.
- Ban on the deployment of heavy weapons and military equipment in the area should be done and monitored by OSCE. Ban on the installation of new mine-explosive engineering barriers within the security zone with an obligation to remove the already installed minefields in the security zone.

- To ban flights by combat aircraft over the security zone. To withdraw all foreign mercenaries from the conflict zone. To ban offensive operations.

I have included a picture to show the security zone of the conflicted region, where we can see the buffer zone of 15 km on each side in the conflicted region:



Source: Russian Council Retrieved on the 05/03/2021 from <https://russiancouncil.ru/minskprotocol>

The protocol's 13 action points are about that a provision of technical support to rebuild the banking system segment in conflict-affected areas, possibly by creating an international mechanism to facilitate social payments, has to be aided by Germany and France such as strengthening the cooperation with the European Union, Russia and Ukraine to help resolve the situation. Ensuring safe access, delivery, storage and distribution of humanitarian assistance to those in need through an international mechanism and determination of modalities for the full restoration of socio-economic relations, including social transfers, such as the payment of pensions and other payments (income, timely payment of all utility bills, tax resumption within the legal framework of Ukraine.) To this end, Ukraine will regain control of a segment of its

banking system in areas affected by the conflict, and perhaps an international mechanism will be created to facilitate such transfers.

Such measures in accordance with the Law "On the special procedure of local self-government in certain areas of Donetsk and Luhansk regions" include the following the right of linguistic self-determination. Participation of local authorities in the appointments and conclude agreements with the relevant local authorities on economic, social and cultural development with assistance of central authorities and by creation of people's police units to maintain public order in the region. Exemption from prosecution, discrimination and punishment of persons associated with events that took place in certain areas of Donetsk and Luhansk regions.

Russian analysts state that the peace initiative from side of Germany and France shows they are attempted to resolve the conflict, while the US continued quite militant rhetoric, and that the political establishment advocated the immediate supply of arms to Ukraine showing that there is a split between the EU and the US in terms of interests. However recently the EU demonstrated more pressure on Kiev as before, still, the Minsk Agreement is something that remains difficult to literally implement. (Russian Council, 2015)

September 2019, the advisers to the heads of the Normandy Four, as a result of several rounds of consultations, agreed that the text describing the 'Steinmeier formula' (initiated by the German President Frank-Walter Steinmeier on a special status for Donbass granting a special status to certain areas on a temporary basis) should be signed by all members of the contact group as a first step towards the gradual implementation of other provisions of the Minsk Agreements.

However over the years the Ukrainian side has completely abandoned the implementation of the political clauses of the Minsk Agreements, citing unsettled security issues. Ukrainian officials insist on the priority transfer of control over a section of the Russian-Ukrainian border, after which they suggest holding elections in Donbass and only then promise to consider the issue of the status of the region. Meanwhile, the peace plan approved by the Normandy Four presupposes the reverse procedure, which is amendments to the constitution, permanently securing the special status of the region, then holding of local elections, and just after the control over the border could be transferred to Kiev – although this procedure contradicts the Minsk Agreement. (Ablozhey, 2019)

The new President Volodimir Zelenskyy has come to power with a over 70% majority in the votes. Zelenskyy being a comedian and a popular and famous showman had a greater attention and sympathy, the socio-political ruling might be another level for him. His agenda was to

resolve the Eastern critical situation and promised to put an end to it and to radical change and refreshment of the political elite. Although he could fulfill some of the point of the Minsk agreement as to withdraw troops of some regions despite the active resistance of the Ukrainian radicals. Exchange of prisoners took place also during Zelenskyy's governance, but the implementation of the political part of the Minsk Agreement is sabotaged by his administration. There is still no constitutional reform on securing the special status of the region, for holding local elections.

As long as the Minsk Agreement remain unfulfilled, the EU is not going to lift the sanctions tied to them against Russia. EU uses sanctions as a mechanism to force Russia to influence the ceasefire, as well as the implementation of other clauses of the agreements. This position itself is contradictory, since the implementation of the Minsk agreements largely depends on Ukraine, for which sanctions are not apply. Kiev may intentionally stop the implementation of agreements in their domestic political interests and with the aim of maintaining sanctions pressure on Russia. (Alekseeva, 2020)

President Zelenskyy seems to be in need to constantly maneuver between the West and Russia. Even if he was not following the previous governments anti-Russian and neo-Nazi aggressive rhetoric, he could not go away from implementing such laws which limit the use of Russian language which has by this lost the official status in the education system. This law might lead to a greater separation between the already not homogeneous country in linguistic terms. Ukrainians who speak Russian by nature feel that they have to break with their identity as speaking Russian means to be against Ukrainian will, however they consider themselves as fully Ukrainians only speaking in Russian. Zelenskyy also extended sanctions against a number of Russian media, including radio stations and television channels, and also extended the blocking of Russian internet services and social networks in Ukraine in May 2020. In addition to this decree he imposed sanctions against a number of scientific and cultural organizations, including the State Hermitage and the Moscow State University named after M.V.Lomonosov. (Alekseeva, 2020)

Zelenskyy first seemed to be an alternative to the radical nationalism and Russophobia but during the past year he followed or event went further than his predecessors and visibly cannot take a firm stand. Ukrainian authorities planned to carry out large-scale privatizations of state assets in 2020. It is assumed that this will allow to involve private owners in the management of state property. In my opinion what he faced after his inauguration was an interlinked

corruptious network that he is unable to resolve, because the geopolitical interests ruling above are much higher and out of his scope.

V. EVENTS AFTER THE IMPOSITION OF SANCTIONS - ECONOMIC

Oil price and the ruble

Declining oil prices during 2014 dropped from a price of around 115 US dollars per barrel to the price of 60 US dollars per barrel, which however recovered slightly at the beginning of 2015, the oil prices were falling within the rest of the year. In January 20, 2016 the oil price reached its bottom, when a barrel of oil was traded at a price of 27.1 US dollars. (Tyll et al, 2018) In 2021 it is traded between a range of 60-70 US dollars per barrel. (Investing.com, 2021)

In today's oil market – but just like in all others – there are two ways to achieve price reductions. Either reducing demand or expanding supply. The price of oil began to drop due to the excess of supply in the oil market, which is mainly related to the development of shale oil production in the USA. Due to the technological advancement and development in production an enormous increase in mining capacity was achieved by the USA, which enabled it to become fully independent from imported oil within a few months. Traditional oil exporters had to shed their surplus on the world market that pushed the prices down on the market. Despite falling oil prices, OPEC increased their production in order to cover their defaults in oil dependent budgets, which resulted in further oil price decline. Arab countries have the lowest cost of the extraction of oil, and try to liquidate their competitors, having inconsistencies withing the OPEC, political influences should be also considered. Lower oil prices and capital flight have led to a sharp depreciation of the ruble, which is extremely sensitive to oil price fluctuations, therefore have devaluated in response to the decline in oil price. Russian economic condition depends on its dependence on oil exports and the current market prices on oil. (Tyll, 2018)

The sanctions imposed against Russia were designated to target the Russian energy sector as well, prohibiting certain transactions, access to debt finance, access to technology, goods and services to support complex oil exploration and production projects, Russian entities that are subject to any actions relating or applying to certain Russian oil companies.

Paradoxically, Russian oil production increased during periods of low and declining oil prices, following the imposition of oil sector sanctions. Annual oil production levels in Russia have been improving and growing up from 2014 to 2018. Russian oil production have increased during the periods when oil prices were declining or hit low. (Brown, 2020)

In September 2016, Russia agreed in a cooperation with Saudi Arabia to manage oil prices, within the frameworks of OPEC+ Agreement, however this agreement has left a number of uncertainties and blank spots, together with some appeasement policy towards Saudi Arabia from the Russian side. The logic behind this agreement from Russian point of view was the potential to diminish the role of the US in the global oil market, as it might lose its position if oil prices are kept low for a considerable period of time, due to its obsolescence of its shale oil, whose productions costs are significantly higher than those of Russian oil, which might replace it. (Sukhankin, 2020)

The imposition of sanctions on Russia was targeting the economy of Russia as well, since the sectoral sanctions were imposed to limit foreign financing for leading public banks and oil and gas companies. Restricting Russian oil and gas companies' access to advanced production technologies also hardened the path for Russia to get on well on the oil market or in the Nord Stream II pipeline project. Nord Stream II is a gas pipeline running from Russia to Germany along the bottom of the Baltic Sea, bypassing the Baltic countries and Poland. The operator of the project is Nord Stream II AG, which is owned by Gazprom.

During information seeking I have come across many studies that attempts to analyze the economic effect of the sanctions imposed on Russia, from many angles and from the point of view of other countries like the United States, the EU in general and by separate country as well. Sanctions imposed on Russia and the embargo Russia have imposed have also different consequences and are driven by different goals. Although academic findings try to critically percieve Russia's economic situation that sanctions have brought, it is hard to thoroughly show the real outcome, due to the several factors influencing the interconnected world economic processes. Some economists believe that the sanctions are of little or no significance, while others argue that there is not enough quantitative data to evaluate, and many more that they are more symbolic, then really something that will change Russia's policy in the long run.

Both sides try to economically prove the effectiveness of sanctions of both sides. As Vladimir Putin said in June 2019, according to expert data, Russia has lost about 50 billion US dollars since 2014. At the same time, the European Union lost five times more 240 billion US dollars,

the United States 17 billion US dollars and Japan 27 billion US dollars. Import substitution programs made Russia to develop the areas like the high-tech sector of the economy - in which it were not competent before. (The Moscow Times, 2019)

The consequences of economic sanctions for Russia and Western countries are presented in table 1.2 below. Moreover, the influence of sanctions against Russia and the influence of the Russian embargo are separately shown. This table and the following figures were created by professor P.M Nureeva for the Financial University of Moscow in her publishment of 2017, Sanctions on Russia: Expectations and reality. Of course, the estimates presented in the table are preliminary character and need clarification. However, they show what already now led to a restriction of access to credit resources and a ban for sale of oil and mining equipment. As for ban on the export and import of technology, then its consequences will affect of course, later. (Nureeva, 2017)

Table 1.2.: Consequences of Economic sanctions for Russia and Western countries. (Nureeva, 2017)

Sanctions	Consequences for	
	Russia	Western countries
Sanctions against Russia		
Limitation access to credit resources	Banking system crisis, loss of its liquidity decline in investment economic opportunities. Liquidity support banking system provided by actions CBR and using Reserve Fund	Lowering level bank profitability system. Expansion ruble settlement area
Ban on the sale of oil and gas production equipment	Insignificant decrease oil production and gas	Purchase price increase for oil and gas from Russia
Ban for export and import technology	Export expansion technology to countries East, Africa and South America. Improvement technological own abilities production	High risk of substantial economic losses (over 120 billion US dollars annually)
Russian embargo		
Import ban on meat	Own development meat production, the appearance of his new	Losses for Denmark account for 8.9% of the total

	directions. Increase volume of supplies from Brazil, Argentina	export volume, for USA - 7%. Abbreviation bankruptcy jobs farmers growing social tensions
Import ban on fish	Own development fishing industry improved logistics system change trade organization fish by creating specialized exchange. Supply increase from Brazil, Argentina	Norway losses account for up to 70% of the total export. Abbreviation bankruptcy jobs farmers growing social tensions
Import ban on dairy products	Own development dairy production improvement of logistics. Only during 2014-2015 in some regions of the country share of domestic manufacturers rose from 60 to 90%. Development new directions dairy production in particular cheese	EU losses estimated in 16% of export volumes milk, 30% - butter and 63% - cottage cheese and cheeses. Job cuts, bankruptcy of farmers, growth social tension
Import ban on the import of fruits and vegetables	There is a real the possibility of full loss compensation domestic manufacturers at the expense of logistics improvements. Volumes increase deliveries from Morocco, countries of South America	Export reduction approximately 30%. Job cuts, bankruptcy of farmers, growth social tension

Russia also reduced its foreign direct investments (FDI) inflows after 2014 imposition of sanctions. Russia's FDI is driven by natural resources rather than skills. One-fifth of Russia's inward FDI stock is in mining industries, building on the country's comparative advantage in petroleum, natural gas, and coal mining. Although economic activity in Russia has continued to recover from the 2015-16 recession, potential growth has continued to decline. A weakness in potential growth is not specific to Russia. However the slight decline in Russia's potential

growth has raised concerns about its risks of stalled convergence in GDP per capita with advanced economy levels.

Renewed economic strategy in times of sanctions and the establishment of new National Goals announced in 2018, such as further developing is Russia's main secret in the constrained environment. Russia will strive to further develop export-oriented subsectors with modern technologies and highly skilled labor in its major economic sectors (manufacturing, agriculture). Another important step is to be able to further integrate into the Global Value Chain, as the increased participation promotes diversification and economic growth and magnifies the gains of traditional trade. Russia occupies already an important position in the European FDI network, with a potential to expand its role globally. (Sanghi, 2020)

There is a tendency of "interdependence" of the economies of the Russian Federation and the EU. Russia depends on foreign exchange earnings from the European Union, and the European Union, in turn, depends on the supply of Russian energy resources. Strengthening economic cooperation between the European Union and Russia allowed the Russian Federation, with the help of accumulated financial resources, to begin the process of economic diversification and the revitalization of other potentially competitive industries. EU plays a leading role in Russia's foreign trade it accounts for about half of domestic turnover.

Russia ranks as the EU's third trading partner and the EU is Russia's biggest trading partner. The main EU exports are machinery, transport equipment (cars), chemicals, medicines, electrical and electronic goods and agricultural products with a total value amounted to 103 billion euro in 2014. Total value of exports in 2014 was 182 billion euro. Russian exports to the European Union are dominated by mineral fuels contributing to a substantial Russian trade surplus. (EU, 2015)

Foreign trade, the competitiveness of her companies, and her investment attractiveness suffered. Sanctions have strengthened the negative impact of commodity markets on the economy, slowed down already economic growth. Secondly, sanctions hit the European Union as a major trading partner. However, the total volume of the EU economy makes it possible to bear these losses much more easily in comparison with Russia.

Total bilateral trade between Russia and the EU was 326.4 billion euros. The total value of merchandise imports from Russia to the EU was 207 billion euros, with 155.3 billion accounted for oil, oil products and gas (as of 2013). At the same time, over 80% of FDI in the Russian Federation came from countries of the integration association. (Sidorova, 2016)

EU exports to Russia contracted by more than 20% annually between 2013 and 2016, while in 2009–2012 it grew annually by 20%. In absolute terms, the greatest losses suffered by were major exporters such as Germany. Symptomatic that suffered not only and not so much the industries on which mutual sanctions, but also those industries that are not directly related to sanctions. (Fritz, 2017)

According to the Ministry of Finance of Russia, Siluanov, the Minister in November 2014, stated that the damage from sanctions amounted to about 40 billion US dollars in a year. And another 100 billion US dollar losses from cheaper oil. Putin's Assistant, Glazyev in March 2016 estimated the losses for 250 billion US dollars over two years. Prilepsky gave a figure of direct losses from sanctions to amount 170 billion US dollars for the period 2014 and 2017. Added to this a 400 billion US dollar loss from the export earning, but it was due to market conditions and not political pressure. These numbers are accounted for both sanctions and deteriorating measures introduced by Russia. (Russian Council, 2018)

According to a report of the European Parliament prepared in 2017, who have admitted that the devaluation of the ruble is caused by the drop in oil not sanctions alone. In terms of export shares, Russia's neighbors suffered more damage in Central and Eastern Europe - the Czech Republic, Austria, Hungary, the Baltic countries, etc. Due to the cumulative impact of sanctions on business. With all losses, damage from sanctions for the EU was estimated at 40 billion euros (0.3% of GDP) in 2014 and 50 billion (0.4% of GDP) in 2015.

For comparison, Russian damage was estimated at 8–10% of GDP in 2015, that is, in terms of shares was much more painful. Adaptation measures of EU companies (market diversification, etc.) could not compensate for the loss. Nevertheless, the damage from Russian counter-sanctions was partially mitigated by re-export through Belarus, Serbia and other countries. Along with the statement of large damage to trade, the authors of the report expressed even greater concern about the financial sector due to the reduction in investment. (Fritz, 2017)

French authors of the CEPII Research Center also conclude the same that the Russian market is replaced by other directions. They suggest that this effect is associated with the financial sanctions that have affected trade. Assessed damage from 2016 due to sanctions for initiating countries (France and Germany and Russia) is 60.2 billion US dollars for the period from 2014 to mid-2015. Moreover, 76.5% of the damage occurred in EU countries. Important also the fact

that 83.1% of the losses were caused by goods that were not affected by the trade embargoes, that is, the indirect damage from the sanctions was high. (Crozet, 2016)

13. IMPORT SUBSTITUTION

Import substitution theory of economics is typically adhered by developing countries or nations with emerging markets that seek to decrease the dependence of developed countries. The theory targets the protection and incubation of newly formed domestic industries to fully develop sectors so that the produced goods are competitive with the imported ones. This theory's primary goal is to develop local economies or strengthen and grow local industries that in turn will provide the nation with self-sufficiency. It can be achieved by a variety of tactics including tariffs, import quotas, and subsidized government loans.

Sanctions have led Russia to consider its diversification of its economy, which is progressing, particularly in certain sectors such as information technology, pharmaceuticals, the automotive industry and the agri-food sector. However the diversification faces structural barriers.

Most significant result has been achieved by the agri-food sector of Russia. Despite resorting to other foreign suppliers, significant subsidies and illegal imports via third countries, the scarcity led to an increase in prices that diverted Russian consumers from imported products to those produced locally or simply discouraged them from buying those.

There are more than 1100 import substitution projects running in Russia for the critical industries currently. Those that have reached the stage of serial production is 342 and more than 760 are still at the final stage of implementation. (Novikov, 2019)

The Ministry of Agriculture have noted that in 2018 Russia's exports of foodstuffs amounted to 25.8 billion US dollars, up from 16.8 billion US dollars in 2013. Russian food imports have dropped from 43.3 billion US dollars in 2013 to 29.8 billion US dollars in 2018. The amount of state support to the agricultural sector increased – in 2019 it was planned at 307.9 billion rubles (4.7 billion US dollars). (Russia Business Today, 2019)

Import substitution is one of the main achievements of the Russian economy, that failed to show failure to Western sanctioning countries. Almost all sectors of the economy followed this main vector of movement in the Russian economy. Industry, being one of the most valuable asset of

the state, and if industries develop the scientific, technical and production potential, it ensures the place of an economically stable Russia. The use of accurate, modern technologies and expensive specialized equipment of course cries for large financial investments from the State and the creation of special research centers to keep up with the level of other countries. The total budget for the import substitution program is estimated at 159 billion Russian rubles. (Novikov, 2019)

In 2016 the total exports to Russia totaled 5.8 billion US dollars which is a 18.2% decrease from 2015, which in numbers is a 1.3 billion US dollars. Imports from Russia totaled 14.5 billion US dollars which is an 11.3% (1.8 billion US dollars) decrease. Trade deficit was 8.7 billion US dollars decrease in the deficit, that is 564,1 million US dollars. Of the 5.8 billion US dollars in U.S. exports to Russia in 2016, the top commodity sectors were transportation equipment (33.9%), machinery and mechanical appliances (31.0%), and chemicals, plastics, and leather products (13.9%). Of the 14.5 billion US dollar in U.S. imports from Russia in 2016, the top commodity sectors were minerals (49.9%) and base metals (20.8%). (Office of Technology Evaluations, 2016) Application of sanctions against Russia is a fairly straightforward exercise of leveraging advantages of the US against Russia. There is relatively little economic cost to the United States from sanctions on Russia, in part due to the design of the sanctions and in part due to the limited degree of U.S. exposure to the Russian economy. (Weiss, 2016)

I would like to end this chapter by the work of Peter Glofák who is a Hungarian economist who investigated whether the artificial influence of oil prices could be an effective economic warfare tool against Russia's actions violating European interests. Analysing oil market data and military spending database linear regression relationship can be discerned between the price of crude oil and the evolution of military spending of Russia. The performance of the Russian economy is strongly correlated with the change in the world market price of crude oil. Average negative effect on Russian military spending of 1% fall in oil prices can be quantified. When the oil price changes by 1%, Russia's GDP per capita varies by an average of 0.6% to the same direction. Military and government budget is also affected, when the oil price changes by 1% the Russian military spending by an average of 0.41% changes to the same direction.

According to his research results, by artificially lowering the price of oil, it is possible to reduce the GDP of Russia together with its military spending. The author found out that European

countries alone do not have sufficient economic potential to induce a sustainable and significant price drop on the world oil market. However, allies mainly the United States and Saudi Arabia already have potential to cite a fall in prices of the world oil market in a significant way.

Péter Glofák in his work also grouped the means of economic warfare as follows:

- suspension of aid or subsidies
- discriminatory customs policy
- freezing or reseizure of assets
- boycotts: exclusion of exports from the market of the target country
- embargoes: banning of imports of certain products
- attack on the country's financial system
- coerning arms competition

For more effective implementation, they can be combined with other means of exerting pressure, such as attacks on IT systems, action against international organizations in international organizations (eg UN, WTO) or military demonstrations (military exercises).

(Glofák, 2019)

VI. CONCLUSION – ON AN EMERGING COLD WAR BETWEEN SUPERPOWERS

14. POSSIBLE ECONOMIC OUTCOME

Sanctions against Russia are continuing to flow.

As an example of eurasianist efforts can be regarded the construction of the Nord Stream II where the three “geostrategic players”: Russia, Germany, and the United States, are currently engaged in a contest to secure itself geopolitically and geoeconomically. However markets use regulation as a geoeconomic tool to force suppliers to play within a structure of laws and

principles that benefits the consumers. This legal weapon is the key to the EU maximization of benefits from the Russia-US contest over EU market.

Russian economy has adapted to the sanctions under the influence of deliberate government regulations. This enables Russia to become less and less sensitive to external shocks. Russian economy seems resilient under the conditions of sanctions and can be stated that it even strengthened in a sense. The growth of stability was facilitated by the policy of import substitution. Russian economic authorities governed by tight monetary policy and the favourable conjuncture on the commodity markets enabled Russia to strengthen its inner market. But it should be noted that it has negative slides as well to get used to the adaptation to existence under the conditions of sanctions and, most importantly, to the expectation of new sanctions, in addition to the positive effect of increasing resilience. Gaining additional stability comes at the cost of losing growth dynamics. This loss of dynamics can be a deepening fallback in development. However visible achievements of the government's economic policy is the huge size of the National Wealth Fund, the low ratio of the country's debt to its GDP and even low inflation.

But the country pays for this with an increase in the tax burden and an increase in the retirement age, low growth (and sometimes a decline) in real incomes of citizens, a decrease in GDP growth and investment, a decrease in the importance of entrepreneurship and private initiative for the economy, a bias towards the public sector and an aggravation of dependence on export of hydrocarbons instead of reducing this dependence. Therefore, do not rush to exult at the praise of the American financial publication. The implementation of national projects should give a new impulse to the Russian economy, especially in terms of infrastructure modernization.

Goals of sanctions identified by the Russian Council

- 1) Impact on the political system of Russia. Discrediting and isolating the country's political leadership. Fragmentation of the Russian political elite.
- 2) The transformation of Russia into a "toxic" partner for countries that have not joined the sanctions policy. Undermining Russia's authority in the international arena.
- 3) Isolation of Russia from investments and advanced technologies in critical for her areas. Financial pressure on Russia. Undermining investor confidence in Russia.

- 4) The consolidation of European allies against the backdrop of the “Russian threat”. Strengthening American influence in Europe.
- 5) Stimulating European countries to expand the range of sanctions and financial investments in the ideological opposition of Russia.
- 6) The crowding out of Russia from the energy markets of Europe in the interests of American suppliers. The solution of similar problems in the global arms and military equipment market.
- 7) The transformation of Russia into a European "rogue", the use of Russia in the politics of identity as a recognizable enemy.
- 8) The elimination of Russia as an active player in the post-Soviet space.
- 9) A radical change in the Russian foreign policy for all key areas.

According to these goals, sanctions proved to be effective in the manner that it had influence the Russian economy, thus influencing the lives of its citizens. However, considering that this will lead to an unsatisfaction towards the governing elite, and Putin is not likely to arise significantly, which means that sanctions are proven to be not effective concerning Russia. However this sanction war has ruined the recently growing positive relationship between the parties, it is not foreseeable what the outcome will be, which is not only depends on political relationships but economic interests as well. We can see various attitudes towards this tense geopolitical structure what we have nowadays. There are politicians who crave for a bipolar world and others prefer to have an unipolar system.

For Ukraine, continued unrest will be harmful to its future development and economic recovery, threatening its ability to remain a functioning state and to defend its territory. For Europe, resolving the Russia - Ukraine conflict will help secure its eastern borders and prevent further damage to its economies. It is up to Ukraine’s governance what policy they are going to follow, as Russia is willing to fulfill the Minsk Agreements. (Timofeev, 2018)

15. POSSIBLE GEOPOLITICAL OUTCOME

With the proclamation and establishment of international institutions on the Eastern side of the globe as a counterpart to Western institutions Russian government strives to balance power while more and more achieving a multipolar world order. The Eurasian Economic Union, the establishment of the Shanghai Cooperation Organization, the accession to the Asia-Pacific Economic Cooperation and the building of relations with other international integrations, it has become a structural power of the system of international relations. In the wake of global power shifting from West to East, which is one of the main driving forces for the rise of new regional power centres such as the BRICS (Brazil, Russia, India, China and South-Africa) the state and non –state actors are facing more uncertainty, a higher conflict risk potential and stronger competition over natural resources, access to economic markets, trade routes as well as global influence in international relations. Against this background, new genuine changes and challenges have occurred for the EU's policy towards its direct Eastern neighbourhood, which should be addressed within the scope of the EU's approach towards its periphery. The growing power vacuum in the direct European neighbourhood which is located between the EU and Russia, and encompasses six Eastern European countries – Ukraine, Belarus, Moldova, Armenia, Azerbaijan and Georgia.

Taking into account the indicated trends the Russian Council has identified the following directions in the Russian arsenal of minimizing damage from sanctions and adaptation to them, as well as countering the sanctions policy:

- 1) Diversification of trade and economic ties especially in case of the industries affected by trade restrictions. Russia sees its future in cooperation with the BRICS countries, however it does not solve the problem, the creation of alternative payment and financial system is in line with the interest of all BRICS countries as they are historically are subject to US sanctions. Limitation of this approach suggests that companies and banks of BRICS countries are unlikely to sacrifice shares in the US market or go to the risk of sanctions because they maintain friendship with Russia.
- 2) The aggravation of relations with the EU should be avoided, and Russia should lead an extremely cautious information policy regarding the EU in order to maintain an open and frank dialogue on complex topics and common challenges. The most essential for the relationship with the EU is to progress the implementation of the Minsk agreements. The EU's tough stance on Ukraine's situation will not change. Real progress in Ukraine

will significantly strengthen the position of those countries who are willing to build back trust and are committed to partnership with Russia.

- 3) Despite the fact that American sanctions will last for decades, Russia should not focus on breaking ties with them. It is necessary to maintain ties at the level of business, universities, NGOs, research centers and expert organizations. It is necessary to restore inter-parliamentary ties which will be extremely difficult to do, but maintaining this is important even if it takes time. A similar dialogue is required at the media level in order to reduce the bias in assessments from both sides. It requires an open, systematic and unbiased discussion of the key problems of bilateral relations, the development of new predictable “rules” of interaction, including complex areas like digital space.

Russia is a state for which the building of effective political institutions, the rule of law and the fight against corruption should be among the priorities. In this regard, the goals of Russia and the United States paradoxically coincide. Identification of cases with Americans illegal financial transactions and corruption schemes must be carefully checked by the Russian competent authorities with the understanding that corruption is not nationally owned and should be punished regardless of the political situation.

- 4) It is necessary to consistently raise the issue at UN institutions on the illegality of unilateral sanctions. In 1996, the GA resolution on this issue (A / Res / 51/103) was supported by a total of 57 countries, 45 countries opposed and 59 abstained. But already in December 2014 (A / Res / 69/180) the number of supporters rose to 134, with 53 votes against and just one abstained. This indicates a serious increase in concern about the possibility of unilateral sanctions. Big role for the current discussions of the problem are also played by the reports of Idris Jazairi, Special Rapporteur of the Human Rights Council on the negative impact of unilateral coercive measures. Activation needed dialogue with China and other countries that consider unilateral sanctions illegal.
- 5) Russia needs to concentrate on issues of its own development as economic and technological lag is the main threat to sovereignty. The most important thing is the development of the Russian economy, its diversification, deepening ties with the world market and global business. Sanctions work against economically weak and isolated states. The price of sanctions against large and globally integrated economies is usually too high for initiators. (Timofeev, 2018)

The European Union was one of the most interesting economic experiments of the 20th century. However the European Union is not a homogeneous country, neither socially, nor politically it is has been facing recently disputes when it comes to a mutual decisionmaking. This is because alltogether the 28 member states are so diversified in nations, ethnics, cultures and of course political views as well. The weight of history, and of individual countries' histories is too strong. However there is a vision for a further political integration of the European Union. The European Federation's idea is a desired concept to achieve, however France would first achieve solidarity and economic convergence, and Germany voice a political Europe first in order to then forge Europe of solidarity. The European Union as a Federation would have a President elected by the Congress.

There is no foreseeable future for Ukraine to gain membership into the European Union, especially recently due to the increasing Nazi propaganda and their discriminative language laws that are designed against Russian language, affecting other minorities that the EU take into consideration (Hungarian minority). Ukraine is neither likely to accept Russia back as a „big brother” unless the current political elite disappears, but that would not change drastically the people's opinion which has been deteriorated by the current government. But politicians and experts agree that placing the euro area crisis behind us for good can be achieved only by the creation of a political Europe. Lacking a European government with adequate European instruments, national governments are left to protect their own citizens and interests as they can. Recently, due to the Coronavirus pandemic fast spreading the European Union reconsidered this earlier thought to establish the Union of European Federalists.

Russia, though currently undergoing a new time of troubles, still occupies the Heartland and possesses vast human and natural resources, as well as thousands of nuclear weapons. The economic sanctions are generally believed to have helped weaken the Russian economy slightly and to intensify the challenges that Russia was facing. However the changed market situation and the volatile prices of rubel taught Russia that its economy should be less dependent on external implications. It made Russia realize the need to expand the internal market and invest in its own agriculture and its own industries in order to be able to fulfill domestic needs and suffer less of the losses due to trade regulations and volatile exchange rates. This in the long run favourizes the situation where Russia becomes less independent of the international market of exchanging goods and services.

What concerns foreign relations, if this situation is not likely to stop Russia might consider closing more its foreign relations towards the Western world and become more and more a closed country economically and politically.

The United States will further expand its orbit of interest taking into consideration the strategies proposed by former great geostrategists, taking into consideration Russia. The United States will keep in mind not to let China come to domination over the world economy or the oceans and naval routes. China with access to the sea, possesses sufficient human and natural resources to make a bid for Eurasian mastery sometime in this new century. Whatever specific power constellation emerges, however, U.S. foreign policy will continue to be shaped by Mackinder's geopolitical vision of an Eurasian-based world hegemony.

The EU will not challenge the American primacy as it is visible in the case of sanctions. The EU let itself to the sanction war taking a huge risk and loss in their markets, and is still maintaining the sanctions. Europe might be competitive economically, however we can see that the strong dependency on natural gas and resources and the non homogeneity in the political integrity slows it down to compete politically. Bipolar world is more likely to reemerge with China as the United States' rival, but the criticism of such event is that China has still two decades of development ahead to be able to militarily rival the US. When the gap between the US and the rest of the world narrows, a multipolar balance of power will most likely return.

Advancing the ideas of multipolarity and a multipolar world order has become important for Russia in order to remain as a significant voice in the international arena. Forming alliances with those who are critical of the unipolar world order is a powerful instrument in order to strive to assure lasting peace within civilizations. Eurasianists see the logical solution of all this as the global dominance of a Western oligarchy that enriches itself by exploiting a subjugated and chaotic world. There is therefore not just a Russian, but also a global imperative to resist Western universalism. Because each people represents a specialized adaption to its environment, local autonomy should be protected, with unity needed only on issues of civilizational importance, such as foreign policy, inter-group relations, macroeconomics and a common ideological infrastructure. Unification and political arrangements tend towards a 'natural order', most of all the idea that geographical unity naturally leads to political unity. In fact that it doesn't in reality is therefore the result of nature-violating artificial involvement and forces like Western material power, or the spread of Western values such as 'self

determination'. The United States and the institutional system behind, assumes its leadership role in shaping the next world order.

Drawing on these ideas, Eurasianists recommend Russia to be the unifying state thanks to its size and extensive interaction with all other Eurasian peoples – pursue policies that defend or cordon off Eurasian states against Western power, allowing nature to take its course. Dugin proposes a neutral stronghold stretching across Eastern Europe and the Middle East. Unification also requires proper internal organization to defend the unity against universalist attempts.

Dugin's Fourth Political Theory advocates a general idea of civilizational distinctiveness and spirituality. Promotes top-down guidance over society and over the economy to state control over strategic sectors – defense, natural resources, communications, finance – to ensure that profit does not override civilizational values or unity. On politics he mirrors this by calling for an 'organic democracy' where, instead of vote counting, local elites rule and guide society with popular feedback creating a strategically oriented top-down government with strong local autonomy.

In the unipolar world most like the big digital conglomerates will act as global corporate monopoly capitalists representing not only economic powerhouses but corporate state powers. The progression of the human history from ideologies were competing and fighting each other. The big war between communism and fascism manifested in the Second World War where the two ideologies battled with each other. The dualism and cooperation of liberalism and fascism helped to win over marxism. During the Cold War the liberalist ideology took over the communist ideology thus gaining dominance over the world. Liberalism works both left and right way, and that are based on two positions whether one complies (centrists) or dissents (the periphery). It is due to this that nowadays the Minority controls over the Majority creating an imbalanced and certainly not democratic environment. Dugin believes that we must reject all of the ideologies that we know already, as they turned out to be not working out well in coordinating our world in the right directions. Rejecting these three ideologies means that no overlapping is accepted, thus there should be a new subject. In the second ideology: in communism the subject was the bourgeoisie and the class which was fought, in the third ideology the subject was the nation (like Moussolini's fascism) or the supreme rass (like Hitler's National Socialism). In the first ideology: liberalism the individual is the subject, and its liberation. While thriving to Therefore Dugin suggests to have a Fourth Political Theory, where he found to subject the 'staying in the realism'. As the fight will emerge with the first ideology: the global liberalism. Global liberalism is in such a great crisis, yet it is still dominating largely

on the globe. Global liberalism pulled out the ground of reality beneath us, transforming into something different, backsliding from its original concepts. (Dugin, 2009)

VII. SUMMARY

I have presented first the geopolitical schools of thought both from Western and Eastern (Russian) geopolitical strategies. Both theory's are based on Halford Mackinder's Heartland theory. From the Western side I have presented the theory of the democratic regimes against all by Zigniew Brzezinski, who evisioned a future without a strong Soviet Union and its successor Russia, letting the United States to be the sole empire and hegemony in a unipolar world. Brzezinski emphasizes the importance of the international institutions that lets the United States to properly enforce their interests geopolitically. After the 1990s liberalism as an ideology with political, economic, cultural, social aspects became the sole ideology shifting the world towards a unipolar world order in the twentieth century.

The other theory as a counterpole presented in this thesis, is the concept of a multipolar world order elaborated by Alexander Dugin, who raises concern and worries about the liberal ideology, that undermines traditional values of most civilizations. Dugin criticizes post-modernism and modernity in general, as he believes that humanity should attach back to its roots of traditions of each civilization. He believes that liberalism goes through a radical change today, because it is not the same liberalism as it was twenty years ago.

Both theories lays on the principles and the geopolitical founding and concepts of Mackinder. Principally both the United States' and Russia's goal is – besides being dominant over the whole world politically and economically – to gain the maximum possible influence over the Heartland.

The historical chronology of events that led to the secession of Crimea and the reunification to the Russian Federation are presented in the second big chapter. Here I have showed first how Crimea have been transferred by Khrushchov to Ukraine in 1954. Then I have presented the dissolution of the Soviet Union in 1991. The dissolution is presented in details in order to link the first chapter of the thesis, as I aim to show how the world entered into the unipolar world concept. Human rights, globalism, consumerism, cosmopolitanism, and capitalism sustained by liberal ideology are easily exportable and appealing to many across the world, enabling imperialistic behaviour and tendencies by privileged liberal states or economic actors over non-liberal ones.

These two events have crucial importance as the transfer of Crimea remains to be debated legally. Most Western scholars and juridists state that the transfer was illegitimate according to international and Ukrainian law, however as the Crimean case can be considered as an unprecedented act, Russian scholars emphasize the facts that led Crimea to be a part of Ukraine after the dissolution of the Soviet Union. Considering also the fact that the nuclear weaponry and the military base of Sevastopol belongs to Russia that falls under strict international and bilateral agreements, not excluding the fact of Ukraine's strategic importance to Russia as well as the cultural, linguistic, religious and historical connection that links Russia and Ukraine, it is crucial to admit that Russia has its valid interest not to let Crimea lose its connection to Russia. The loss of Ukraine as a strategic partner hurts to Russia not only for the economic ties, but for the fact that these two countries have been always considered to be each others siblings. This is a moment where the United States and the strategic power behind caught the very moment to stab its adversary where it hurts the most, thus getting closer and closer to bring it to its heels. However Russia – as in the history many times – could prove it wrong. Nevertheless all the economic losses, Russian economy proves to be resilient and even strategically prepared. It introduced import substitution, it keeps enforcing and validating its economic presense disregarding the sanctions imposed.

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APPENDIX

Litvinenko:

Source	Opinion on the referendum
Anna Stepanowa, <i>Cambridge Journal of International and Comparative Law</i>	Illegal although there is no precedent either way
Marc Weller, <i>University of Cambridge</i>	Illegal because previously “Russia has clearly and unambiguously recognised Ukraine and its present borders” Crimean legislature has no authority to undermine Ukrainian law.
David Rothkopf, <i>Foreign Policy Magazine</i>	„Depends on your perspective.”
Chrisella Herzog, <i>Diplomatic Courier</i>	Political legitimacy is in the eye of the beholder
Stefan Soesanto, <i>Center for Strategic and International Studies</i>	May be legal because Ukraine’s interim government itself is illegitimate
John Balouziyeh, <i>Lexis Nexis</i>	“arguably illegitimate” “lacks a proper Ukrainian legal basis” “international law has little to say as to the legality of political referendums for independence. The International Court of Justice, in its 2010 Advisory opinion on Kosovo’s declaration of independence, held that a unilateral declaration of independence is not a per se violation of international law.”
OSCE High Commissioner on National Minorities	No opinion. “All decisions on essential issues, such as the status of Crimea, language policy or national minority policy, must be taken in dialogue with all parties and be consistent with international law”
William W. BurkeWhite, <i>University of Pennsylvania Law School</i>	“Russia is taking a card straight from America’s playbook.” “while in 1999 the US was able to control the interpretation and enforcement of international law to secure Kosovo’s independence without legal consequence, Washington finds itself in 2014 unable to fully counteract Moscow’s legal argument that its support for, and ultimate annexation of, Crimea is equally grounded in international law.”
Euan Murray, <i>Academia.edu</i>	“a matter for debate” “even if Russia was advocating humanitarian intervention, it has no basis in either the United Nations Charter or customary international law, which would render the use of force incompatible with the UN Charter” “Although not expressly made legal by the UN Charter, it has come to be accepted that States may, in principle, use force within the territory of another State if they have received an invitation to do so.” “the Russian use of force in Crimea,

	although potentially legitimate, will not be in accordance with self-defence and the UN Charter.” “whether Russia’s part in the Crimean Crisis actually constitutes aggression is questionable”
<i>The Economist</i>	Neither here nor there. “International law does not recognise a right to secede per se, but it also steers clear of prohibiting unilateral declarations of independence. International legal bodies regard the result of successful break-ups the way friends see a separating couple: as two newly unlinked individuals, like it or not.”
Lea Brilmayer, <i>The Guardian</i>	Illegal. “the referendum seems inconsistent with the Ukrainian constitution, which says all Ukrainians would have to vote on Crimea’s secession” “the Russian proposal is based on an outdated theory of secession” “Using principles of self-determination to justify imposing ethnic homogeneity has resulted in genocide and ethnic cleansing.”
Rebecca Lowe, <i>International Bar Association</i>	Illegal. “no justification for the annexation of the province under international law” “It doesn’t matter what the result of the so-called referendum was, or what the will of the Crimean people may have been.” “Under the Ukraine Constitution it is possible for a region to seek selfdetermination, but only through a national referendum.”
Himanil Raina, <i>International Policy Digest</i>	May be legal. “Article 12 of the Ukraine-Russia Friendship Treaty which specifically requires the protection of Russian origin ethnic minorities provides Moscow with some legal cover for its actions. Ukraine can block Crimean actions if they contravene Ukrainian law.” However, the legitimacy of Ukraine’s current authorities itself is in question. “There is no prohibition on unilateral declarations of independence as made clear by the International Court of Justice in its advisory opinion on Kosovo’s declaration of independence.”
Ashley Deeks, <i>New Republic</i>	May be legal. “two recurrent themes in ‘use of force’ law: That many of its concepts remain malleable on paper, and that certain forcible actions fall within the core understandings of those concepts, such that most credible observers would agree that those actions violate international law.” ⁸⁸ Russia used force, but “using force” is not

	the same as “armed attack” – therefore Ukraine cannot play victim.
Anton Moiseienko, <i>Opinio Juris</i>	Illegal. “Russia’s annexation of Crimea raises serious questions of compliance with international law”
Julian Ku, <i>Opinio Juris</i>	Neutral. “the ICJ found (among other things) that general international law does not prohibit unilateral declarations of independence”
Robert McCorquodale, <i>Opinio Juris</i>	Illegal. “It is not unlawful for it to have a referendum and declare itself independent (or that it wishes to merge with Russia), as this was allowed by the International Court of Justice in its (poorly reasoned) advisory opinion on the declaration of independence by Kosovo. However, such a declaration of independence or merging is not effective in international law by itself.” “there can be no international legal effect of any independence or merger declaration that might arise from a referendum” ⁹
Benjamin J. Rhodes, <i>President Obama’s deputy national security adviser</i>	Probably illegal. “apples and oranges” “You can’t ignore the context that this is taking place days after the violation of Ukrainian sovereignty and territorial integrity. It’s not a permissive environment for people to make up their own minds.”
Dimitri K. Simes, <i>President of the Center for the National Interest</i>	May be legal. “Kosovo is very much a legitimate precedent” “Independence was accomplished despite strong opposition by a legitimate, democratic and basically Western-oriented government of Serbia.” By contrast, the new Kiev government “lacks legitimacy” ⁹
Samuel Charap, <i>International Institute for Strategic Studies</i>	Neither here nor there. “No state has been consistent in its application of this” [views on independence]
Anne Peters, <i>Social Science Research Project</i>	Illegal. “the referendum was not free and fair, and could not form a basis for the alteration of Crimea’s territorial status.” “What happened with Crimea is probably best qualified as a seizure of territory under threat of force, i.e. as an unlawful annexation.” “holding a free and fair referendum is only a necessary, but not a sufficient condition for a territorial realignment to be accepted as lawful by international law.”
Chris Borgen, <i>Opinio Juris</i>	Illegal. “The legal issue here is really one of Ukrainian Constitutional law more than of

	<p>international law, because, as it is generally understood, there is no right to secede under international law. Under international law, a secession is neither a right nor necessarily illegal. It is treated as a fact: a secession either was successful, it was not, or it is still being contested.” “The only place that could confer a right to Crimea to leave by referendum is the Ukrainian Constitution.” “there is no mention of secession”</p>
<p>John B. Bellinger III, <i>Council on Foreign Relations</i></p>	<p>Illegal. “the March 16 vote violates both the Ukrainian constitution and general principles of international law, which respect the territorial integrity of states” “Russia may find that its support for Crimea's independence might trigger referenda or secession movements that it opposes, such as in Chechnya” “International law prefers to preserve the territorial integrity of states and limit the right of popular self-determination because minority secession movements, if allowed to proceed without limits, do not reflect the views of the majority in a state and could lead to the breakdown of the international system”</p>
<p>Charles Krauthammer, <i>Commentary</i></p>	<p>Illegal. “Russia cannot rewrite Ukraine’s frontiers at will” “the last official international borders constitute the new boundary lines” “this principle applies in full when the old borders were colonial or otherwise undemocratically imposed. If it were not so, new countries would be born with all their borders in dispute, and endless frontier conflicts between neighbors would ensue”</p>
<p>René Värk, <i>Diplomaatia</i></p>	<p>Illegal because outside force was used. “The right of selfdetermination has conditions and most certainly does not represent an absolute entitlement, permitting the people to unilaterally secede from the “parent State” at any time and without paying attention to the interest of the parent State. (...) Secession is neither a right nor necessarily a breach under international law. It is treated as a fact, i.e. secession is successful or fails. The success depends of political recognition by States — if the seceding State gains enough international recognition, it gains gradually legitimacy</p>

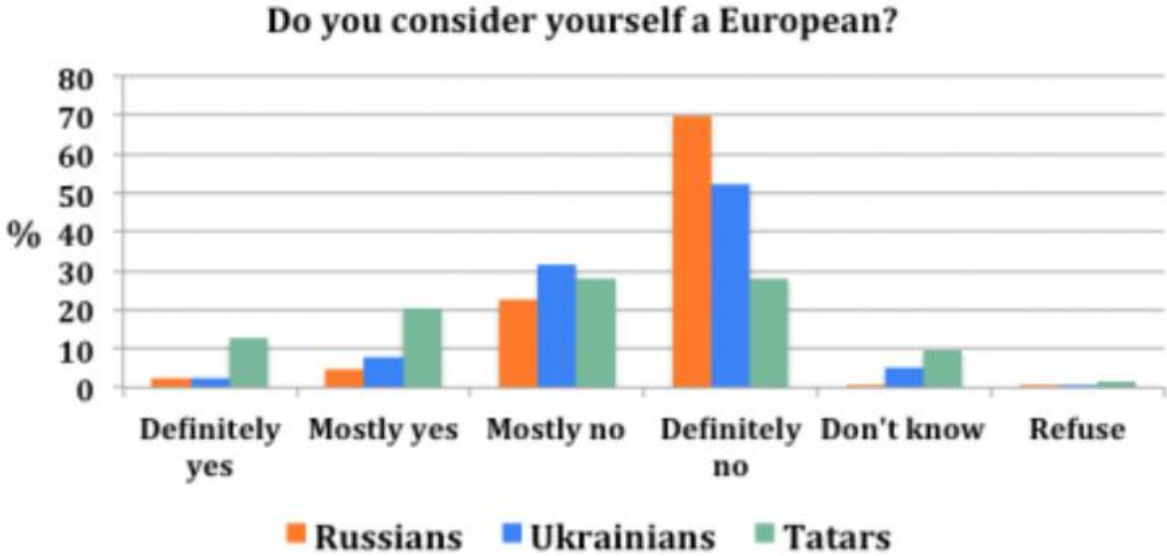
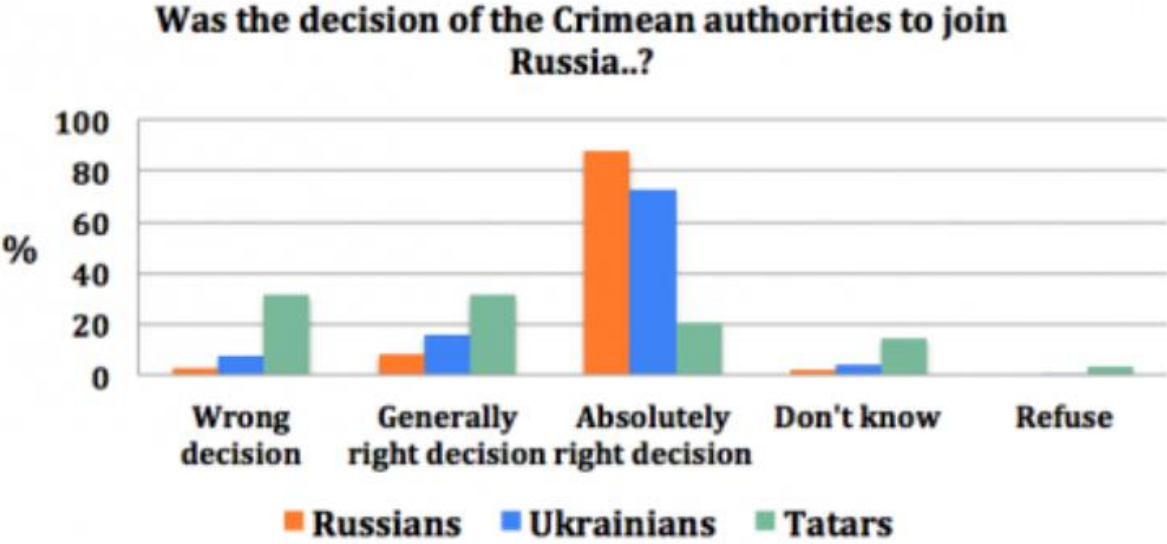
	and finally statehood. In practice, secession is generally disfavoured. (...) [The] declaration of independence does not violate international law. [But] the referendum and declaration of independence in Crimea would have been impossible without the support from Russian forces.”
Olexandr Zadorozhny, <i>European Political and Law Discourse</i>	Illegal. “clear violation of international law” “the events of the Crimea crisis cannot be justified by international law” “the Russian actions in Crimea constitute a breach of international law and cannot be justified”
Jure Vidmar, <i>European Journal of International Law</i>	“while the referendum itself was not illegal in international law, the shift of territorial sovereignty would be illegal” 1
Natalia Cwicinskaja, <i>Polish Yearbook of International Law</i>	Illegal if only because too hasty. “inconsistent with international law” “under international law, when a state recognizes the seceding unit prematurely such recognition has been considered to constitute an illegal act” “International law does not provide any legal definition of ‘secession’” “the concept of secession is not a subject of agreement among legal scholars” “international law neither authorizes nor prohibits secession” “to take effect in international law, secession should be recognized by the international community” “the principle of territorial integrity is the overriding principle, and secession without the consent of the “home” state remains illegal”
Robin Geiss, <i>International Law Studies</i>	Illegal. “wholly inconceivable” “even if there had been a legal basis for a territorial status alteration of Crimea, the fact that it was brought about by, and is inseparably linked to, an unlawful use of force renders it null and void”
Roy Allison, Thomas Grant, Philip Leach, and Elizabeth Wilmshurst, <i>Chatham House</i>	Illegal. “difficult to find a legal basis justifying Russia’s actions in Crimea” “even if it were to be assumed that the intervention in Kosovo was a breach of international law, the argument that Russia could therefore commit such a breach was not a legal argument, but a political one”
Wendy Zeldin, <i>Global Legal Monitor</i>	No opinion, just a re-statement of UN resolutions
Zhandos Kuderin, <i>Michigan Journal of International Law</i>	Neutral. “the Crimean situation seems to present a different beast: a clear-cut geopolitical interest. Any action by the

	Security Council would be compromised by Russian interests. Thus, even if the Security Council does take measures in relation to Crimea, can Ukraine refuse to abide by them and continue exercising self-defense? The Charter suggests that it would be a violation of international law and Ukraine might get labeled as an aggressor and subject to sanctions.” “a dangerous reversion to a realist thinking in international law” ¹
Lawrence A. Howard, <i>New English Review</i>	“the Ukrainian Constitution recognized that the people were sovereign” “therefore if the people of Crimea overwhelmingly support merger with Russia, that is their legitimate right” “Neither the G-7 statement nor official US objections have dealt directly with the Crimean electorate’s right to self-determination except to reject the legitimacy of the referendum.” “Compared with the two American “humanitarian” interventions, there is nothing remarkable or notably illegal about Russian President Vladimir Putin’s annexation of Crimea.”
Barry Kellman, <i>DePaul University</i>	Illegal. “The problem, from Russia's standpoint, is with recognition.” “any arguments emerging from Moscow about Russian law in the days ahead are irrelevant under international law” ¹
Yuval Shany, <i>Brown Journal of World Affairs</i>	Uncertain. “the combined effect of the international response to Crimea and Kosovo throws international law on selfdetermination into a state of uncertainty, threatening the stability of the existing state system” “the legal relationship between the right to self-determination and the principle of territorial integrity of existing states is in flux”
Milena Sterio, <i>IntLawGrrls</i>	Probably illegal. “international law does not positively recognize the right for groups to separate from their mother states” “no positive right to secession exists within international law” “we need to step back and analyze the region’s history, as well as to take into account its population’s true desires” ¹
OSCE Permanent Council	“illegal and illegitimate” “subsequent illegal annexation” “act of violation of international law”
UN Security Council resolution	Illegal. “having no legal validity” ¹¹² “failed to adopt any decision due to Russia’s veto” ¹

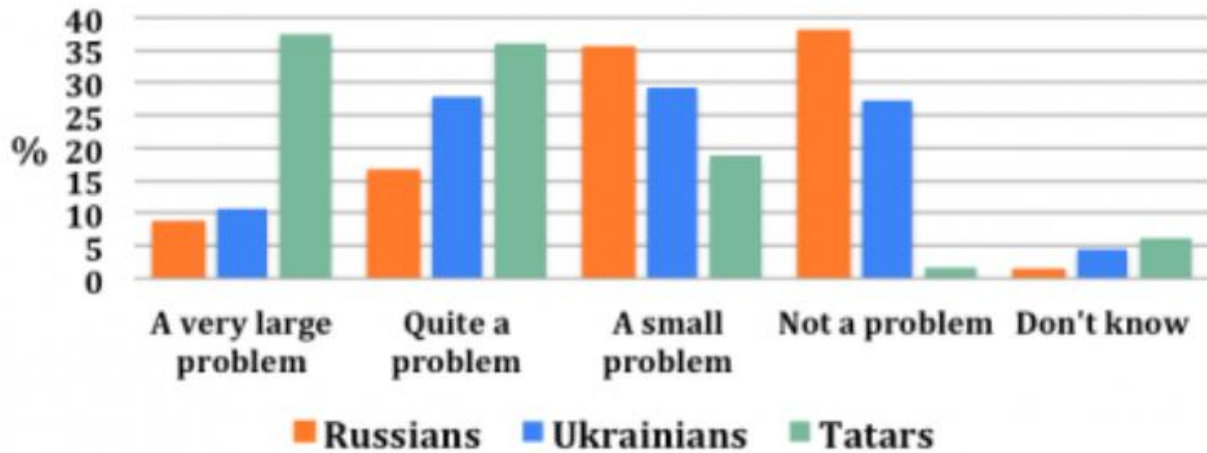
UN General Assembly	Illegal. UN Member States “not recognise any alteration in the status of the Autonomous Republic of Crimea.” ¹¹⁴ “the referendum and the subsequent decisions of the selfproclaimed Crimean authorities and the decision-makers of the Russian Federation are illegal”
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Source: Litvinenko, D. (2016). The Legal Aspects of Crimea’s Independence Referendum of 2014 With the Subsequent Annexation of the Peninsula by Russia.. Master's thesis, Harvard Extension School. Retrieved on the 05/03/2021 from <https://dash.harvard.edu/bitstream/handle/1/33797389/LITVINENKO-DOCUMENT-2016.pdf?sequence=1&isAllowed=y>

Tables:



How much of a problem has been the joining of Crimea to Russia?



Source: Toal G. and O'Loughlin J. (2015) Crimean conundrum. OpenDemocracy.net
Retrieved on the 08/09/2020 from <https://www.opendemocracy.net/en/odr/crimean-conundrum/>

List of Sanctions:

2014

4 march

Investment and military cooperation with Russia is frozen

Occasion: Ukraine

March 17

Sanctions have been introduced against 21 Russian and Crimean politicians and officials. They are banned from entering the EU and their assets are frozen.

Occasion: Ukraine

March 17

Sanctions have been introduced against a number of Russian politicians. The list included 11 people, they were imposed visa restrictions, and their assets were frozen. The list includes Speaker of the Federation Council Valentina Matvienko, Deputy Prime Minister Dmitry Rogozin and Presidential Aide Vladislav Surkov

Occasion: Ukraine

20th of March

EU-Russia summit canceled

Occasion: Ukraine

20th of March

19 more Russian officials added to the list

Occasion: Ukraine

21 March

The list of sanctions includes 12 more Russians: Chairman of the Federation Council Valentina Matvienko, Deputy Commander of the Black Sea Fleet Valery Kulikov, Head of the Sevastopol Election Commission Valery Medvedev, Aide to the President of Russia Vladislav Surkov, General Director of the Russia Today news agency Dmitry Kiselyov and Deputy Prime Minister Dmitry Rogozin, who oversaw Russian military-industrial complex

Occasion: Ukraine

March, 25

EU embassies in Russia banned from issuing visas to residents of Crimea

Occasion: Ukraine

28 march

The licensing of the export of defense goods and services to Russia was terminated

Occasion: Ukraine

30th of March

The work of the Russian-American Presidential Commission has been terminated

Occasion: Ukraine

April 11th

Sanctions were imposed on seven Crimean officials and Chernomorneftegaz

Occasion: Ukraine

28 april

It was decided to add 15 more people to the list

Occasion: Ukraine

28 april

The sanctions were imposed on seven Russian officials and 17 companies. It is forbidden to sell to Russia high-tech goods that can enhance the combat capability of the army

Occasion: Ukraine

12 May

The list includes 13 people, as well as the companies "Chernomorneftegaz" and "Feodosia"

Occasion: Ukraine

June 20

Sanctions have been imposed on seven more Russian officials and separatists. Among them are "DPR Minister of Defense" Igor Girkin (Strelkov), "DPR Supreme Council Head" Denis Pushilin, "People's Mayor" of Luhansk Valery Bolotov, "DPR" Deputy Prime Minister Andrey Purgin, former "People's Mayor" Slavyansk Vyacheslav Ponomarev, "Acting Governor" of Sevastopol Serhiy Menyailo and Chairman of the Union of Orthodox Citizens of Ukraine Valery Kaurov

Occasion: Ukraine

July, 12

Added 11 more people to the list

Occasion: Ukraine

July 16

The first sectoral sanctions were introduced. The list includes Rosneft, Novatek, Vnesheconombank and Gazprombank, as well as the military corporations Almaz-Antey, Kalashnikov concern, NPO Basalt (produces air bombs) and Uralvagonzavod (manufacturer of tanks)

Occasion: Ukraine

July 18

European Investment Bank has stopped financing projects in Russia

Occasion: Ukraine

26 July

The list includes 15 individuals and 18 legal entities, including the head of Chechnya Ramzan Kadyrov and Deputy Secretary of the Security Council Boris Gryzlov

Occasion: Ukraine

July 29

Sanctions were introduced against the state-owned banks "Bank of Moscow" (at that time it was in the process of being taken over by VTB), VTB itself and "Rosselkhozbank". Also introduced sanctions against the United Shipbuilding Corporation

Occasion: Ukraine

July 30

8 individuals and 3 legal entities have been added to the list - the Russian National Commercial Bank, the Almaz-Antey concern and the Dobrolet airline. A ban has been introduced on investments in the infrastructure, transport and energy sectors of Russia, as well as on the production of oil and gas in the territory of the Russian Federation. European companies are prohibited from supplying equipment for these sectors, as well as providing financial services to companies from the infrastructure, transport and energy sectors of Russia

Occasion: Ukraine

July 31

The sanctions were imposed against Sberbank of Russia, VTB, Gazprombank, Vnesheconombank, and Rosselkhozbank. Also introduced an embargo on the import and export of weapons to Russia, a ban on the export of dual-use goods and technology for military use

Occasion: Ukraine

6 August

The supply of equipment for deep oil and gas production, development of the Arctic shelf and production of shale oil and gas reserves is prohibited in Russia. Also prohibited are deliveries to Russia of drilling platforms, parts for horizontal drilling, subsea equipment, offshore equipment for working in the Arctic, software for hydraulic fracturing

Occasion: Ukraine

12-th of September

Prohibited financing of three Russian companies: "Rosneft", "Transneft" and "Gazprom Neft". The restrictions on the provision of loans to five Russian state-owned banks have been tightened: Sberbank of Russia, VTB, Gazprombank, Vnesheconombank, and Rosselkhozbank. Prohibited financing of three defense concerns: "Uralvagonzavod", "Oboronprom", "United Aircraft Corporation". The sanctions list includes nine Russian defense concerns: Sirius, Stankoinstrument, Khimkompozit, Kalashnikov Concern, Tula Arms Plant, Mechanical Engineering Technologies, NPO High-Precision Complexes, Almaz-Antey and Basalt ... 24 individuals added to the list of persons subject to sanctions

Occasion: Ukraine

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Occasion: Ukraine

2016

2nd of March

Sanctions against the Russian economy extended for a year

Occasion: Ukraine

10th of March

The sanctions against 146 individuals and 37 legal entities were extended until September 15, 2016. (Deceased are excluded from the list)

Occasion: Ukraine

June 17

Sanctions against Crimea extended until June 23, 2017

Occasion: Ukraine

July 2

Sanctions against the Russian economy extended until January 31, 2017

Occasion: Ukraine

September 1

Another 17 individuals and 20 legal entities are included in the sanctions list

Occasion: Ukraine

6 September

The sanctions list of companies has been updated. He made up 81 companies and organizations. Seven of them are from Crimea, 75 are from Russia, two are from India and Hong Kong. 11 more companies have been added to the previous list

Occasion: Ukraine

September 15th

Sanctions against 146 individuals and 37 legal entities extended until March 15, 2017

Occasion: Ukraine

November 9

Sanctions were introduced against 6 individuals

Occasion: Ukraine

15th of November

Sanctions were introduced against 6 more individuals

Occasion: Ukraine

December 19th

Sanctions against the Russian economy extended until July 31, 2017

Occasion: Ukraine

December 20

The list includes 7 more individuals, as well as a number of companies - "Stroyproekt", "Crimean Sea Ports", "Crimean Railway" and others

Occasion: Ukraine

December 23rd

US Department of Defense banned from allocating funds for military cooperation with Russia

Occasion: Ukraine

2017

13th of January

Sanctions against the Russian economy extended for a year

Occasion: Ukraine

March 15th

Sanctions against 150 individuals and 37 legal entities extended for six months

Occasion: Ukraine

June 19

Sanctions against Crimea extended until June 23, 2018

Occasion: Ukraine

June 20

The list of sanctions included another 19 individuals and 19 legal entities.

Occasion: Ukraine

June 29

Sanctions against the Russian economy extended until January 31, 2018

Occasion: Ukraine

4 August

The list of sanctions has been expanded due to the scandal with the supply of Siemens turbines to Crimea. Three Russian citizens and three companies were added to the list

Occasion: Ukraine

14 september

Sanctions against 149 individuals and 38 companies extended until March 15, 2018

Occasion: Ukraine

November 21

Sanctions have been introduced against the "governor" of Sevastopol Dmitry Ovsyannikov

Reason: Ukraine

December 22

Sanctions against the Russian economy extended until July 31, 2018

Occasion: Ukraine

2018

January 26

Sanctions imposed against 21 individuals and 9 companies

Occasion: Ukraine

January 30

The US Treasury has released the "Kremlin report" - a list of persons close to Russian President Vladimir Putin, against whom sanctions may be imposed. The document included 210 people, including all members of the Russian government, employees of the Putin administration, heads of state corporations, heads of law enforcement agencies and oligarchs

Reason: Interference with American elections

2nd of March

Sanctions against the Russian economy extended for a year

Occasion: Ukraine

12 march

Sanctions against 150 individuals and 38 organizations extended until September 15, 2018

Occasion: Ukraine

March 15th

For the first time, the Law "On Countering America's Adversaries Through Sanctions" was applied, which entered into force on January 29. The list includes 14 individuals and one legal entity - the Internet Research Agency, known as the "troll factory", associated with entrepreneur Yevgeny Prigozhin

Reason: Interference with American elections

26 March

The United States and its allies announced the expulsion of Russian diplomats due to the poisoning in Britain of ex-GRU officer Sergei Skripal. In total, 29 countries expelled more than 150 Russian diplomats and employees of diplomatic missions. Most of all Russians were expelled by the USA, more than 60 people, and also Great Britain - 23 people.

Occasion: Skripal Poisoning

6 april

The United States imposed sanctions for "harmful acts around the world, including the continued occupation of Crimea, fueling violence in eastern Ukraine, and supplying [Syrian President Bashar] Assad's regime with weapons." The list includes 38 Russian businessmen: Oleg Deripaska, Igor Rotenberg, Kirill Shamalov, Viktor Vekselberg, Suleiman Kerimov. The sanctions also hit the Minister of Internal Affairs Vladimir Kolokoltsev, the head of the Rosgvardia Viktor Zolotov, the head of Roskomnadzor Alexander Zharov, the head of VTB Andrei Kostin and the governor of the Tula region Alexei Dyumin. All of the above are included in the "inner circle" of Vladimir Putin

Occasion: Syria

May 14

Sanctions introduced against 5 individuals involved in the presidential elections in Russia in Crimea

Occasion: Ukraine

June 8

Sanctions against Crimea extended until June 23, 2019

Occasion: Ukraine

July 9

Sanctions against the Russian economy extended until January 31, 2019

Occasion: Ukraine

July 30

Sanctions have been introduced against six companies that took part in the construction of the Kerch Bridge. We are talking about the companies "Stroygazmontazh", its "daughter" "SGM-

Most", JSC "VAD", the shipyard "Zaliv", PJSC "Mostotrest", JSC "Institute Giprostroykost - St. Petersburg"

Occasion: Ukraine

August 27

The supply of foreign aid to Russia has been stopped, with the exception of emergency humanitarian aid. The supply of food and agricultural products is stopped, the sale of weapons and any goods for defense purposes, defense services, design and construction services has been stopped. The US also refuses to issue any loans and credit guarantees to Russia. The United States may tighten these sanctions if Moscow does not provide guarantees of non-use of chemical and biological weapons.

Occasion: Skripal Poisoning

September 20

The US State Department has included in the so-called blacklist 33 Russian individuals and legal entities - 27 people and five companies associated with the defense industry and intelligence services, as well as Wagner's Private Military Company and Prigozhin's controlled Concord and the Internet Research Agency, which The US is accused of meddling in the presidential elections.

Reason: Ukraine, interference in American elections

September 26

The US Department of Commerce has imposed sanctions against 12 Russian companies, whose actions, according to the department, are contrary to US interests.

Reason: for material support of Iran's missile program and assistance to "malicious" Russian subjects in cyberspace

November 8

The US Treasury Department has imposed new sanctions on three individuals and nine organizations. Among the defendants are two citizens of Ukraine.

Reason: annexation of Crimea and Moscow's intervention in the conflict in Donbass

21 December

The European Union has extended economic sanctions against Russia until July 31, 2019.

Reason: annexation of Crimea and Moscow's intervention in the conflict in Donbass

2019

January 21

The European Union imposed sanctions against the head of the GRU Igor Kostyukov, his deputy Vladimir Alekseev, as well as Anatoly Chepiga and Alexander Mishkin (also known as Ruslan Boshirov and Alexander Petrov, respectively) in connection with the Skripal poisoning.

Occasion: Skripal Poisoning

28 January

The US Treasury Department announced the lifting of sanctions previously imposed on three companies associated with Russian oligarch Oleg Deripaska: US Rusal plc, En + Group plc and JSC EuroSibEnergo.

Reason: Deripaska formally reduced the number of shares he owns in these companies

4 march

The sanctions against the Russian economy were extended for a year.

Occasion: Ukraine

March 15th

The European Union imposed sanctions on eight Russian citizens in connection with the hijacking of Ukrainian warships in the Black Sea and the arrest of their crew in November 2018.

Occasion: Ukraine

June 20

The Council of the European Union has extended restrictive measures against Russia until June 23, 2020.

Occasion: Ukraine

August, 26th

The United States enacted a second package of sanctions against Russia over the Skripals case. The United States requires international financial institutions not to provide Russia with any international loans or financial or technical assistance. The government also prohibits any US

bank from making any loan or lending of any kind to the Russian government - with the exception of loans or credits intended to buy food or other agricultural goods or products.

Occasion: Skripal Poisoning

October 14

The Council of the European Union extended sanctions against the head of the GRU Igor Kostyukov, his deputy Vladimir Alekseev, as well as Anatoly Chepiga and Alexander Mishkin (also known as Ruslan Boshirov and Alexander Petrov, respectively) for a year.

Occasion: Skripal Poisoning

Source: Ageev, M. and Yarmoshchuk T. (2020). All U.S. and European Union sanctions against Russia since 2014. "Novoe Vremya" Online project. Retrieved on the 05/03/2021 from: <https://www.currenttime.tv/a/russia-american-european-sanctions/29449693.html>

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