

Background information

EU sanctions against Russia - Causes and effects

Since March 2014, the EU has gradually imposed restrictive measures against Russia in the form of diplomatic measures, restrictive measures against 150 individuals and 38 institutions, restrictions on economic relations with Crimea and Sevastopol and restrictions on economic cooperation, due to the "annexation of Crimea contrary to international law and the deliberate destabilisation of Ukraine". Russia has reacted with drastic import restrictions.

At the EU summit in Brussels on 14 December 2017, the Heads of State and Government extended the European economic sanctions for a further 6 months despite high losses of domestic companies worth billions due to "insufficient progress in the peace process for Ukraine".

In 2016, German-Russian trade was around 48 billion euros, compared with almost twice as much just a few years earlier.

In connection with the extension of sanctions, there are increasing demands from business and politics to relax economic sanctions against Russia.

Are the conditions in place for this?

The following illustration shows the causes and global political and security implications.

Ukraine - 1991 referendum and European peace order

With the referendum on 01.12.1991, the Ukrainian population voted for independence with 93% (crime rate 54%) and on 05.12.91, by denouncing the treaty with the Soviet Union, for the separation from the Soviet Union.

Historians see this step as a "sparking off" for the dissolution of the Soviet Union.

The referendum was unanimously declared valid by the UN General Assembly (with the vote of Russia).

Thus, within the borders of 1991 (**including Crimea**) Ukraine became a **sovereign state** with a fundamentally democratic and federal structure by referendum, whereby the **Crimea** had been granted a constitutionally anchored autonomy status, but **decided by an absolute majority to belong to the independent Ukraine**.

This status and the borders were confirmed and established by both sides in the Russian-Ukrainian Basic Treaty of 1997.

The dissolution of the Soviet Union made Ukraine the third strongest nuclear power. In the spirit of the newly emerging European peace order, **Ukraine was required by the Budapest Agreement of 1994 to carry out total nuclear disarmament through the scrapping or partial transfer of nuclear weapons** to Russia.

In return, the signatory states "Russia, USA, Great Britain, China and France" **guaranteed the sovereignty and territorial integrity of Ukraine within the borders of 1991**.

With the signing of the **European treaties** (the Helsinki agreements, the Charter of Paris and Istanbul, etc.) Russia, together with 57 states, committed itself in the 1990s to the **European peace order** and thus **to a future policy which demanded respect for human rights, the right to self-determination of the peoples, free election of an alliance for all states and peaceful conflict resolution as a basis for action**.

The policy of the **"Cold War" (maintaining peace through deterrence)** in Europe had thus been replaced by a **policy of peaceful cooperation and conflict resolution**. A policy in which the **enforcement of political objectives by means of violence should be excluded**.

Russia's break in the European order of peace

Prehistory

Starting in 2009, so-called "Special Forces for Hybrid Warfare" were established in Russia, which were to be enabled to protect Russians abroad, among other things. In the context of the "Revolution on the Maydan" in Kiev (2013/2014), Putin expressed concern about the fate of his "compatriots in the Crimea" and in the Ukrainian regions of New Russia. From February 2014 onwards, small but steady steps of escalation were carried out in the Ukrainian cities of the former New Russia "Kharkiv, Odessa, Mariopol, Luhansk and Donetsk as well as the Crimea" with the aim of destabilizing Russian and Prussian operations.

Political and military events in Crimea

On 26.02.2014 "Russia Today" reports that "fascist Banderovtsy" from Kiev has infiltrated the territory of Crimea... local authorities and volunteers must take action against it...".

On 27.02.2014 "armed forces without emblems of sovereignty" occupied the parliament in Simferopol. Only selected members of parliament approved by the "armed forces" were allowed to attend the special session. The previous government was dismissed. With 36 deputies and 53 votes Sergej Aksjonov is elected by the party "Russian Unity" (4% at the last election). The Russian commander-in-chief, Colonel Girkin, said: "It was the fighters who rounded up the deputies and forced them to vote. Yes, I was one of the commanders of those fighters..."

In further development, "armed forces without emblems of sovereignty" occupy important public institutions. Pro-Ukrainian media will be shut down. The Ukrainian military was asked to hand over equipment and installations.

On March 1, Russian President Putin asked the Federation Council for permission to deploy Russian forces in Ukraine. This was necessary in view of the extraordinary situation in order to protect Russian citizens and the armed forces stationed in Crimea. The Federation Council authorized Putin to deploy the troops on the same day. (After taking over the Crimea, Putin explained in April 2014 that, contrary to his previous statements, Russian troops in Crimea had actively supported local "self-defense forces".

On 11.03.2014 the Crimean Parliament declares the Crimea as independent.

The referendum takes place on 16.03.2014

On **18 March 2014 Vladimir Putin told** members of the Federation Council and deputies of the State Duma in Moscow:

.... On 16 March a referendum was held in Crimea, which was entirely in accordance with democratic procedures and international legal norms. 82% of voters took part in the vote, more than 96% voted in favour of reunification with Russia.... In the hearts and minds of the people, **Crimea was and remains an inseparable part of Russia.**"

Following this address, the treaty on the accession of Crimea and Sevastopol to the Russian Federation was signed in the Kremlin as 84th and 85th federal subjects, respectively.

On 21 March 2014, this Treaty was ratified by the Russian Federation Council. **Since then, the Russian Federation has considered the Republic of Crimea and Sevastopol to be part of Russia.**

International reactions

The UN General Assembly declared the referendum and secession of Crimea invalid in resolution 68/262 by 100 votes, 58 abstentions and 11 votes against.

EU Council President Herman Van Rompuy and EU Commission President Jose Manuel Barroso declared, according to Live Ticker, Sunday, 16.03.2014, that the EU would not recognise the referendum. "The resolution of the crisis in Ukraine must be based on the territorial integrity, sovereignty and independence of Ukraine...".

EU Energy Commissioner Oettinger told Deutschlandfunk radio on 15 March 2014: "If we exclude the use of armies to protect Ukraine, economic sanctions are **the most effective or almost the only way** to influence Moscow's opinion-forming effectively...".

The US, Australia, Canada and the EU imposed sanctions in March 2014 to prevent the planned expansion of the conflict to the whole of southern Ukraine and return to a "status quo ante".

In the meantime, sanctions have been conditioned by the implementation of the "MINSK II" treaty.

Russia's attempt to annex the regions of southern Ukraine in "**hybrid warfare**", **started on 01 and 02 May 2014** from the city of Odessa, has failed thanks to the decisive defence in Odessa, the solidarity of the Ukrainian democrats and, **in particular, the Western sanctions.**

The war could be limited to the Donbass, but it could not be ended yet. The consequences there: 10,000 dead, 20,000 injured, 1.5 million on the run. The current situation is that **a large number of ceasefire violations** occur every day. The concentration of Russian military forces in the occupied territories of the Donbass and at the Russian-Ukrainian state border make a rapid further military occupation probable, especially if the risk has become calculable for Russia in terms of foreign policy.

Resumé

1. With the annexation of Crimea and the war in Eastern Ukraine, Russia has broken according to international rating
 - the 1994 Budapest Convention and
 - the basic treaty between Ukraine and Russia of 1997,
 - and ignored the 1991 referendum, in which the Crimean population was unable to agree with an absolute majority of the vote.
 - and ignored that the majority has decided to join Ukraine,
 - has signed against international law and the provisions of the European Treaties.
 - values and the corresponding set of rules.

In this way, Russia has once again allowed "war to become a means of politics" in Europe, thus undermining and terminating the European peace order.

2. The states "China, Russia, USA, France, Russia and Great Britain", which are obliged to guarantee the territorial integrity of Ukraine in accordance with the Budapest Agreement, have not complied with their protection mandate. According to the Treaty, they are obliged to guarantee or restore territorial integrity.

In the case of **small states without a protection alliance**, the failure of the protective powers will lead to becoming part of a protection alliance and/or stationing their **own nuclear weapons**.

3. The sanctions have succeeded in using non-military means to curb Russia's policy of aggression and to deter a further escalation of war and expansion of power in Ukraine and the Baltic States.

4. Any relaxation or lifting of sanctions without prior restoration of Ukraine's territorial integrity will lead directly or indirectly to

- Legitimacy of Russia's war against Ukraine and its actions contrary to international law,
- Loss of a pledge to improve the situation and end the war
- increasing the danger of war for the Ukrainian population, especially in southern Ukraine
- New Russia), which is a latent threat to the economic upswing and economic recovery.
- the democratization of the country,
- undermining European peace efforts to end the war in Ukraine
- a reduction in the deterrent value of economic sanctions, leading to an appreciation of the value of economic sanctions.
- of military deterrence and arms race,
- Negation of the values of the European peace order
- Incentive for totalitarian states to a "policy of strength" with "war as a continuation of politics by other means "
- Contribution to the destabilisation of Europe

The introductory question "**are there preconditions for an easing of sanctions?**" is answered automatically!

Karlsfeld, 16.02.2018

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