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Belarus: why Europe is issuing sanctions in response to 'outrageous behaviour'

theconversation.com/belarus-why-europe-is-issuing-sanctions-in-response-to-outrageous-behaviour-161519

Paul James Cardwell



The forced landing of Ryanair flight FR4978 from Athens to Vilnius over Belarus for the purpose of detaining dissident journalist Raman Protasevich was a brazen, and almost unprecedented assault on international law. European Commission president Ursula von der Leyen described the incident as “outrageous behaviour” and talks are underway about taking action against Belarus. The EU has banned Belarusian flights from its airspace and agreed further sanctions will follow. The UK government was also facing pressure to quickly invoke its post-Brexit sanctions law.

Sanctions have become the go-to response when an international crisis hits. The UN Security Council (UNSC) can agree wide-ranging or targeted sanctions at states or individuals, and has done so around 30 times on South Africa under apartheid, Iraq and the former Yugoslavia. But this can only be done where there is agreement between the UNSC members.

Over the past 30 years, sanctions imposed outside the UNSC framework have increasingly become the norm. The US leads the way in terms of scope and numbers, but the EU is not far behind. Both the US and the EU have placed sanctions on countries including Myanmar, Syria and UNSC permanent member Russia, or added to existing UNSC sanctions. Retaliative sanctions by targeted states are the norm so the global picture is complex. At any one time, various different sanctions apply to different nations.



A picture from 2017 shows Roman Protasevich being detained by police.

Sanctions can take a variety of forms. One side might impose heavy restrictions on trade with another. It might ban financial transactions coming in or out of another state. Or it might impose targeted restrictions, such as on dealing arms or material that could be used for making weapons. Sanctions can also be targeted at individual political leaders, or private actors (such as business leaders). Typically, this would involve freezing financial assets and banning international travel, to disrupt the activities of powerful individuals.

The common denominator is that sanctions are related to foreign policy or security goals and are designed to pressure a country, or its leaders, to change direction.

‘We’ve got this’

But sanctions have become the mechanism of choice for another reason. They also demonstrate that a body is able to “do something” about a problem. For the EU, this is particularly important. Since creating the Common Foreign and Security Policy in the Maastricht Treaty (1992), it has been dogged by criticisms that it is capable of talking about its values but unable to formulate clear responses or translate words about its values into action.

Of course, the EU is not a state and does not have the kind of options open to states or military alliances such as Nato. Nor does it have the institutional structure that can lend itself to acting as quickly and coherently as might be expected. These limits were in

evidence when it was confronted by the extreme actions taken by Belarus.

The EU does have enormous economic power, and with 27 member states, it covers a huge geographic area too. Due to its legal competencies in trade matters, the EU is responsible for implementing UNSC sanctions – but it has also demonstrated its ability to forge a consensus between the member states and impose wide-ranging sanctions, even where there will be negative economic consequences for some of its members. The sanctions imposed on Russia since 2014 due to its “illegal annexation of Crimea and the deliberate destabilisation of Ukraine” stand out. Imposing sanctions on a large, powerful country has economic costs due to the disruption to trade relationships and sends the political relationship to rock-bottom.

Not only that, but the EU invites selected neighbouring states to align with its sanctions too. So, existing sanctions on Belarus are also applied by countries including Albania, North Macedonia, Iceland and Norway, among others. As such, sanctions are at the core of the EU’s geopolitical approach, which brings in a continent-wide bloc of EU members and others.

Meanwhile, across the Channel

For the UK, a similar logic applies. Post-Brexit, the UK’s own sanctions law and policy allows the government to prove its “global Britain” credentials. It can potentially apply sanctions quickly, since there is no need for prior coordination with EU members. It might also be possible for the UK to impose sanctions where the EU members are unable to forge consensus or reach an impasse, as occurred in 2020 when a single member state (Cyprus) stood in the way. On the downside, the UK now lacks the institutional ability to lead or influence the EU to adopt a common approach. UK sanctions alone will have a more limited effect unless a similar approach is taken by the EU, or other states. Building an international consensus may prove a challenge for post-Brexit UK without the springboard of the EU.

But if sanctions, or the threat of sanctions, satisfy a domestic demand for “action”, the question remains whether they actually have the desired effect on the targeted states or individuals. Many of the sanctions regimes – whether imposed by the UNSC, the US or the EU – are in place for many years, suggesting either that the targeted state is able to adapt or the sanctions hurt the general population rather than the leaders at the top. The broader the sanctions, the greater the risk of negative humanitarian effects.

The latest EU and UK sanctions on Belarus, including the flight ban, have been welcomed by many. But some experts have pointed out that this can have negative effects too. For the Belarusian leadership, an audacious act to capture Protasevich may have been a calculated risk that sanctions would fail to be imposed, or their effects would be limited. Both the EU and the UK have demonstrated their ability to impose sanctions quickly, but the bigger problem of how and when to lift them will surely arise.