



**European Politics and Society:
Václav Havel Joint Master Programme**

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Olha Kotielnikova



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**The EU response to the development in Belarus in 2021:
the human rights scope
Master's Thesis**

Author: Olha Kotielnikova

Supervisor: Mgr. Daniela Kolenovská, Ph.D.


Year of defence: 2022

Declaration

1. I hereby declare that I have compiled this thesis using the listed literature and resources only.
2. I hereby declare that my thesis has not been used to gain any other academic title.
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Prague, 31th of July 2022

Olha Kotelnikova

A handwritten signature in black ink, appearing to be 'Olha Kotelnikova', written in a cursive style.

Length of the thesis: 18892 words

Abstract

Human rights abuse in Belarus has again become a topical issue on the European Union's agenda alongside political rights violations since 2020. The Union sees its role in influencing the internal policy of the proclaimed Belarusian government for it to start respecting human rights. As a united body, it has instruments to exercise its foreign policy instruments, such as restrictive measures, negotiations, and communication. The dynamics of their usage have been changing, but there is still potential to review and adapt possible European responses.

Keywords

European Union, Belarus, foreign policy, human rights, human rights defence, resolution, sanctions, restrictive measures

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INTRODUCTION

The EU-Belarus relations have been changing dramatically since the establishment of the state. Despite the cohesion of the European international policy and few changes in the Belarusian presidency, the approach of both sides has undergone significant changes from neutral and friendly relations to direct political opposition. In 2003 the EU initiated the creation of the European Neighbourhood policy in order to re-define post-soviet (not only) countries. Nowadays, the perception of the Eastern Partnership has changed from the area of potential expansion to stabilising changes, alleviating the transition to democracy and supporting reforms to have stable states on its borders. Within the European Neighbourhood Policy, the economic, political and cultural parts were developed. The articulation of the relations in the policy does not use the language of cooperation but rather of up-down relations (support, modernising, allocating). It is mainly characterised by “umbrella” terminology, as can be found in Lisbon Treaty (European Union, 2007).

Official reference of Belarus and its government has been negated throughout the years due to the detected Belarusian human and political rights abuse and unwillingness to cooperate. Furthermore, the state was labelled as “the last dictatorship” (Lynch D., 2005). Nowadays, the EU observation of Belarus has substituted a conclusion of the country as a prominent example of the reversibility of democratic changes. And the official Brussels gave preferences to communicate with Belarusian NGOs, since the beginning of relation oscillation, and up to 2022 maintains these contacts.

Before 2020-2021 the attitude of the European states toward Belarus was not stable and was changing from a slight increase in communication with authorities to disregarding the Belarusian government from the dialogue. It is difficult to define the common EU approach toward Belarus, as there is no such document

or instrument. The particular interests of states prevail when it comes to responding to Belarusian events of abusing human rights. However, there is a cohesion in calling for human rights protection and violence termination there throughout the period of relations. Nevertheless, the actual reaction of the EU and its politics constructed by member states can be characterised as slow and relatively weak in general.

Since the character of the regime's actions has changed, there can be seen a change in the response. Until the moment when the Belarusian political crisis had been internal only, the EU government tended to show a more automatic response to the events, which is reflected in political discussion, but regarding sanctions – the dynamic remained stable. Still, after the Protasevich incident, as well as the “migration crisis” (instrumentalization of migrants), disrupting the EU organisation itself, the reaction has intensified. The EU condemns the instrumentalization of migrants performed by the Belarusian government. The EU, refereeing to actions of attracting migrants from Afghanistan, Yemen, Syria and other states and creating opportunities or “even forcing” them to cross the border with the EU, violating the mutual agreements, finds these as instrumentalization and inhumane treatment toward the third parties and besides, a threat to the internal security of the EU. As a solution, the EU started acting within its internal structure to provide security for the sufferers and the citizens of Belarus (European Economic and Social Committee, 2022). And not involving directly into the communication with the Belarusian regime, only more sanctions have been introduced.

Taking the example of the international organisations, regarding reacting to Belarusian human rights abuse, they do not have those economic leverages, which are obtained by the European Union, only political. Within the United Nations Human Rights Council, the leading specialist Anais Marin reports cases of violence, disappearance, torture and ill-treatment in 2021 in Belarus, calling for

the suspension of these actions by the Belarusian authorities and consolidation of the international community against those responsible (OHCHR, 2021).

The human rights topic has not been on the agenda since the beginning of the coordinated sanction policy toward Belarus in 2004 (Aslund A. & Hagemeyer J., 2021). The European Union seeks to influence the Belarusian government for its development toward respect for human rights and democratisation by encouraging specific behaviour or using power. The Belarusian actor for communication has also been changing depending on acknowledging the legitimacy of the government by the EU subjects.

Recently, sanctions have become one of the critical instruments in the foreign policy of the European Union, directly interacting with anti-democratic regimes, including Lukashenka's. As stated in the EU's Common Foreign and Security Policy (CFSP), such an approach is aimed to "minimise adverse consequences for those not responsible" but proportionally target those in power. They can be introduced on the EU level with the qualified majority and be binding, as on the national level. Standard EU sanctions are concerned with freezing funds and economic resources, while national focus on more specific issues of arms embargoes and equipment or technology restrictions on admission.

There are different types of sanctions which can be applied: retorsions, countermeasures and reprisals. Retorsions, targeting international trade, are the measures that do not conflict with any international obligations, contrary to the reprisals, which mean suspension of international agreements and are usually used in human rights abuse clauses. Furthermore, it is widely used by the European Union toward Belarus. Countermeasures suppose bans on products or services (Portela C., 2011).

The Belarusian government has the limited high-level possibility to communicate its position toward the EU directly. Only via official documents or conferences,

the position can be traced. For example, changing the constitution can be considered a declaration for the international audience, proclaiming its neutrality. However, for the purpose of the research, the Belarusian involvement was not broadly studied; instead, the EU's institutionalised pattern and dynamic were part of the study.

CHAPTER I. RESEARCH DESIGN AND KEY NOTIONS

1.1. METHODOLOGY AND LITERATURE

The key research questions “What is the dynamic of the European Union foreign policy toward human rights in Belarus?” and “How did the EU interact with Belarus regarding human rights in 2021?” are examined with the official EU documentation and reports concerning the facts and argumentation of exercising the foreign policy tools. “What is the potential of the sanction policy implementation toward the Belarusian government?” question is answered with a theoretical explanation and analysing of the existing literature and the official EU documents.

The way methodology was constructed to answer the research questions depends on the complex research field, which connects political and economic parts of relations between the European Union and official Minsk in the narrow area of ethical (human rights defence) context. The thesis is divided into 3 chapters. The first chapter is dedicated to introductory matters of the work, an explanation of the research design, literature and sources used, also an introduction to the study area. The second chapter is about historical and recent developments in EU-Belarus relations, giving visible dynamics on a large- and small-scale. Finally, the most prominent interaction of the European Union with the official Minsk on the example of restrictive measures is explained in the last chapter, and the conclusions follow.

The general approach to study resources, academic literature and official documents is primarily deductive. It suggests driving the conclusions from general information and making a specific confirmation or disproof. For example, the qualitative or quantitative theoretical explanation is used and applied to the Belarusian case.

The approach, which was chosen to study the EU reaction to human rights violations in 2021 in Belarus, was institutional. The units of analysis are institutions within the EU, which function in relation to each other, producing a united response in the international arena. Within the institutional approach, there are two main branches detected in studying the EU's foreign policy. The first one perceives the EU as a single actor and focuses on exploring the decisions, not how they were made. The other one – structural, is less simplified and explores actors within the EU. However, it is believed it tends to have an excessive preoccupation with the domestic context of foreign policy analysis. Despite this research being EU-centred, it connects analysis of the administrative side of decision-making and the connection to the objective international reality.

In order to answer the research question, the existing literature was studied as the primary source of analysis. The literature, which was studied, does not always provide absolute answers, but suggests a variety of visions. The literature and sources can be divided by topics and by origin. In terms of topic, there are more general ones which discuss the angles of approaching foreign policy analysis, for example, by Clifton Morgan, T. and Palmer, G. (2015), explaining crucial approaches. Furthermore, there are more specific directly related to the research field. On sanction theory, the most relevant contributors are Clara Portela and her quantitative and qualitative studies of both large-scale general research and case studies. Also, Yuliya Miadzvetskaya's (2021, 2022) and Aslund's & Hagemeyer's (2021) works are an essential source for the research, as her works are dedicated to the Belarusian context. On human rights theory, Wyatt (2019), Zielonka &

Pravda (2001), Haukkala (2008), Hoover (2011) and Nussbaum (2004) explain how the EU is using its powers, and ethically defending rights abroad. Besides the academic sources and the official documentation as part of the research. The European Union's legal acts demonstrate the EU position or the perception of the EU regarding Belarusian political and societal matters.

1.2. THE EU AS AN ACTOR

The EU in the research is studied as a single actor within the institutional approach, capable of making a common decision and having powers and legitimacy to act. It has supporting bodies and branches of executive, legislative and juridical powers to conduct internal as well as external policy.

The EU participate significantly in Belarusian political events as a single actor. However, the position within the EU itself is not entirely coherent. Some actors participate more enthusiastically, some less, and some even resist supporting Belarusian society. Actors themselves differ based on the influence in the union, geographical closeness to Belarus and national interests in foreign policy. Other than EU nation-states in their international relations react to the Belarusian events. For example, Russia, China, the United States and Ukraine are actors of no less importance. However, due to thesis limitations, these countries were not chosen as primary in the research. Focusing on the EU allows for keeping the study in a particular framework.

As a single actor, the EU plays a vital role in influencing the Belarusian government and local civil society. Despite the member states seeing their own direct benefits from interaction with Belarus and being more active in the international field, the EU also contributes to setting relations. The most significant actor of the EU is the European Parliament, European Commission and Council of the European Union.

There is a separation of powers between the EU and its member states regarding sanctions. While some are applied at the national level by member states, such as travel bans or arms embargoes, others, such as asset freezes and sectoral limitations, are implemented at the EU level. Monitoring the application and enforcement of EU sanctions by member states is another duty of the European Commission. Member states must ensure that their businesses adhere to EU sanctions (Miadzvetskaya Y., 2022).

The first body of the EU which represents interest to study is the European Parliament. It deals with the question of foreign policy, as well as domestic. “Parliament has provided a platform for exchanges among institutional and governmental policymakers, helping to raise public awareness of the CFSP and facilitating the participation of a wide range of partners within and beyond the EU, both governmental and non-governmental” (European Parliament, 2022c). It issues resolutions and declarations as the official statement of the decision. Also, the decision-making process is visible via the parliament debates and votes. The other less public work is created within the European Parliament Delegation to Belarus (European Parliament, 2022a).

European Council, representing each EU state, sets the general direction and priorities of the European Union and does not negotiate or adopt laws. (Kassim H. et al., 2020). Therefore, it presents an indirect interest for the research as it is not a decision-maker in the particular case of Belarus. Only conclusions on sanctions can be visible as the result of their involvement in the Belarusian events.

The Council of the European Union negotiates and adopts laws with the EU Parliament, develops common security and defence policies, concludes agreements, and adopts the budget with the European Parliament. In terms of Belarus, it cooperates with civil society via the Council of Europe Information Point in Minsk, promoting cooperation (Council of the European Union, 2020b).

Moreover, in terms of sanctions, it adopts regulations (Concilium, 2022). In working groups at the EU Council, sanction suggestions are first developed by member-state competent authorities. In recent years, there has been a move away from national prejudices and toward a supranationalisation in the working methods (Eckes, 2021). The EU Council is required to review the advancements achieved by the Belarusian authorities following the expiration of the restrictive measures period and choose whether to reapply restrictive measures or not. Its choice was based on the specific acts performed by the Belarusian government (Miadzvetskaya Y., 2022).

The European Commission is composing proposals for the European legislation. Besides, it functions as an executive body of the Union by implementing the decisions of the European Parliament and the Council of the EU. The official statements of the Commissioners and the President on the current issues are published (European Commission, 2022b). Financial Stability, Financial Services and Capital Markets Union, as a body of the European Commission, prepares proposals for Regulations on sanctions for adoption by the Council of the European Union and represents the European Commission in sanctions-related discussions with the Member States (which have to notify the Commission about any breach in the policy) at the Council Working Party of Foreign Relations Counsellors. The head of the body, the Director General, is also responsible for transposing certain United Nations sanctions into EU law. Also monitors the efficiency of sanctions and may also propose to increase them. It can provide guidance on an ad hoc basis by answering questions from all stakeholders. “The role of DG FISMA as the body responsible for the correct and uniform implementation of sanctions is expected to grow, especially given that the European Commission has recently set up a tool that enables the reporting of sanctions evasions” (Miadzvetskaya Y., 2022). Any citizen with doubts about the proper implementation of EU sanctions can notify DG FISMA and ask for an

investigation. When information in the press or any other venue points to the violation of the EU sanctions regime, it also has to study the case. However, when their authorities open an investigation, “the final decision regarding any actions remains in the hands of member states, with DG FISMA regularly following up. In contrast to the United States, where the Office of Foreign Assets Control oversees compliance and implementation issues concerning US sanctions, the EU system is decentralized”, which does not allow to develop “a thorough institutional memory at the EU level for improving sanctions implementation” (Miadzvetskaya Y., 2022; European Commission, 2022b).

In the EU, there are bodies which are found irrelevant for the study either because their job is difficult to track or they do not deal with the particular involvement in resolving the Belarusian crisis. Foreign Affairs Council and European External Action Service (EEAS) within it were not actively and openly communicated with Belarus. EEAS is coordinating work between the Council, Commission and Parliament. It is a supporting body which does not make any decisions but instead gives advice and settles the communication. However, the EEAS creates sanctions proposals as part of this coordinated process on behalf of the EU High Representative for Foreign Affairs and Security Policy. The EU Council then implements, renews, or lifts sanctions once the high representative makes final listing recommendations to it (Miadzvetskaya Y., 2022; Eckes C., 2021).

The detailed EU sanctions listings are not explicitly explained to outside parties by either the EEAS or the EU Council. However, it is evident that the design of the sanctions and the decision to use one measure over another is influenced not only by the trigger situation and the EU's willingness to apply pressure gradually but also by the economic considerations of the various member states, some of which are hesitant to impose more severe sanctions. Belgium has argued for a deviation of up to 2 per cent from this content level, arguing that European

companies purchasing potash from elsewhere would result in price increases and lower-quality potash. In the case of Belarus, the EU has imposed sanctions on Belarusian potash with a defined potassium resources (Nardelli A & Fedorinova Y., 2021).

Another institution is the EU Delegation in Belarus within the Foreign Affairs Council is inactive in political reaction to the events in Belarus. They promote civil cooperation; their projects were dedicated to economic development, green policy application, improving health resilience and increasing access to scholarships and educational opportunities. In 2021 financial help, they did mention that the cooperation with the official government is to be decreased significantly, but since the matter of the Delegation is the support of the people and civil society, their cooperation will continue; however, they never interact with the regime in Belarus (Council of the EU, 2020, October 12).

The European Court of Justice does not deal with foreign policy. According to the second paragraph of Article 24(1) Treaty on the European Union, “the Common Foreign and Security Policy (CFSP) is subject to specific rules and procedures”. It ends with the rather explicit sentence, “the Court of Justice of the European Union shall not have jurisdiction with respect to these provisions”. However, it must monitor the compliance of the sanctions imposed by the Union with fundamental-rights standards (Miadzvetskaya Y., 2022).

European Association for the defence of Human Rights also does not set official relations with Belarus, as well as they do not make any decisions. Their primary focus is working in civil society cooperation with the EU by providing asylum and organising conferences that were not studied.

1.3. NOTION OF FOREIGN POLICY

Two leading schools of thought emerged from discussions on international relations as a new academic field. One was undoubtedly what we now refer to as realism, with the state playing a central role and state power being projected on behalf of state interests. The other was idealism or utopianism, which proposed a broader framework for cross-border cooperation in civic organizations and multilateral diplomacy. Foreign policy analysis was never an easy topic to study because it was not historically based in the sense of using data and hindsight to make sense of and offer coherence to those who had made foreign policy decisions, as claimed to be the case in systems analysis of international relations. However, by the later 1970s, foreign policy had started to be based on an empirical basis and became a scientific field (Smith S., 1986).

Despite “a state” being considered to be a central subject to study in both the “international relations” field and “foreign policy” field, there is a crucial difference between the fields (Reus-Smit C. & Snidal D., 2008). While the subject of “international relations” implies two active actors, which interact and/or cooperate, the foreign policy analysis is primarily focused on the actor who acts toward the other one. Such an approach to studying the EU-Belarus relations was chosen due to the specificity of the internal perception of the EU foreign policy and also from the practical reasons since the European Union presents more open and trustable information.

From the state point of view, foreign policy theory operates with categories of change- and maintenance-seeking at any moment in time in the relations. The dynamics may change and be determined by general factors. First of all, the level of current relations and their correspondence to the ideal condition of mutual relations. Secondly, foreign policy toward another state may be dependent on the resources and instruments available to exercise its powers and resource endowment. However, states may not seek to use their full capabilities, and thus,

the research should also consider both the potential and actual relations. “That is, every state at every time would prefer having more of both maintenance and change to having less.” (Clifton Morgan, T., & Palmer, G., 2015). However, these preferences cannot be satisfied because of a finite number of resources. Therefore, each actor must make some trade-offs in deciding how much of the two goods it wants to create. It is supposed that the preferences of some nations are substantially skewed toward maintenance. At its most extreme, this would be consistent with the ideal state in conventional realist theory, which aims only to protect itself from all intrusions (Clifton Morgan, T., & Palmer, G., 2015).

The methods, which are operated in foreign policy, can be divided into “soft” and “hard”. The EU's “soft” and “hard” models of governance, which seek to advance democratic changes through “soft” persuasion and/or “hard” conditionality, stand in stark contrast to the principles of 'security at home' and non-interference. Because the Union does not offer a baseline framework for tying together these diametrically opposed logics that make up the “values/security nexus”, the implications for the impact of EU governance in Belarus are grave. By strategically allocating funds to enhance the capabilities of specific state institutions, about two-thirds of the European Neighbourhood Policy Instrument is focused on attaining “soft-security” goals (i.e., border and customs services). There are no connections between advancing democracy and providing funding to Belarus to lessen soft security issues. Given the involvement of high-ranking state officials and police forces in ENPI programs and/or the adverse effects of security-focused ENPI programs on bottom-up civil society efforts, this is especially problematic (Bosse G., 2009).

CHAPTER II. THE EU FOREIGN POLICY AND HUMAN RIGHTS DEFENCE IN BELARUS

2.1. THE EU HUMAN RIGHTS DEFENCE IN A THEORETICAL FRAMEWORK

Human rights are best understood as “a set of dynamic processes of conflicts of interests that strive to have their propositions recognised starting from different positions of power. Human rights should therefore be defined as object systems (values, norms, institutions) and action systems (social practices) that allow arenas of struggle for human dignity to be opened up and consolidated”, according to Herrera (Fernandez E. & Patel C., 2015). Fact Sheet No. 293 elaborates on the UN Declaration on human rights defenders with a proposed definition of an organisation or “people who, individually or with others, act to promote or protect human rights. Human rights defenders are identified above all by what they do, and it is through a description of their actions and some of the contexts in which they work that the term can best be explained”. (Fernandez E. & Patel C., 2015; United Nations, 2004).

The foreign policy of the European Union is proclaimed to be based on conflict resolution, fostering international understanding via cooperation, diplomacy, trade and humanitarian aid in order to preserve peace, strengthen international security, develop democracy, the rule of law and respect for human rights and fundamental freedoms and promote cooperation with the international actors (European Union, 2022). These norms were codified in the official documents to set the behaviour of member states, sharing the same vision, in order to generate collective action in a range of public policies (Laidi Z., 2008, p. 4). The foreign and security policy of the European Union emerged officially when Lisbon Treaty entered force on 1 December 2009. With the document, the EU obtained full legal personality and, consequently, the ability to sign international treaties in its powers. The critical legislative, juridical and executive of the Union bodies were found, including The Vice-President of the Commission/High Representative of

the Union for Foreign Affairs and Security Policy (VP/HR) and also set the framework for the common security and defence policy (European Union, 2007).

Despite the fact that the European Union does not have a regular army, the common security and defence policy provides instruments to conduct operational missions in order to set and preserve peace and enhance international security with civil and military instruments of NATO and Member States (European Parliament, 2009; European Commission, 2022c). The policy has been evolving with the adoption of new documents, for example, the “European Union Global Strategy” (EUGS), which suggested the terms of “strategic autonomy”, giving the possibility to conduct military action with less reliance on the United States to “respond to external conflicts and crises, building the capacities of partners and protect the Union and its citizens” and European Defence Action Plan (European Commission, 2016). But still remains under very restrictive rules of engagement. However, this instrument was not applicable to Belarus despite this state threatening the security of the Union.

The European Union aims to impose norms on the world system on both reluctant actors (having almost no tools to pressure) and to counter exacting the general norms for cooperation. The EU’s economic partners have to adapt to those high norms since its market is one of the largest. Within the theoretical framework, the European Union and its foreign policy are described in the gradation of “imperialism”. Ulrich Beck used the term “peaceful empire”, and Jan Zielonka described it as a “neo-medieval empire”, which predominantly uses “soft power” to interact with foreign actors (Zielonka J. & Pravda A., 2001). In addition, the asymmetrical relations are constantly outlined in bilateral communication with a monopoly on rule-setting, as suggested by Haukkala (2008) that the EU operates on the international agenda as a “normative hegemon”. The theory of natural rights is visible in the European rhetoric; for example, Griffin explains that when

it comes to protecting rights, actors “assume certain core values exert moral force on all people in the same way” (Hoover J., 2011).

The practical EU method of defending human rights abroad has been criticized due to its ambiguity and incoherence. And the problem is well described by scholar Brown, claiming that “universal rights require a shared notion of human nature, but this approach is highly problematic and necessarily involves a form of unjustifiable moral absolutism that constraints and disciplines” (Hoover J., 2011). The term “unjustifiable” is debatable within the framework of the EU’s relations with a foreign actor if it places the Union in the centre of the research, where there is no purpose of finding a justification to project for the other actors, but is needed within the internal debate.

Since the European Union does not usually aim at significant changes in the internal policies of other countries, it finds a legitimate cause to intrude due to a “set of basic human entitlements, similar to human rights, as a minimum of what justice requires for all” (Nussbaum M., 2004). The European Union does constrain its involvement, which remains mostly on the political level until the issue of violence abroad is discussed, as demonstrated in later chapters. The “sake of duty”, as explained by Kant within the “universal moral order” system, provides the reasoning to “articulate minimal conditions of representative legitimacy” (Hoover J., 2011). However, Kant does not support the imposition of norms, as well as Lawrence Kohlberg, who finds “higher levels of moral development are correlated with a greater capacity to take on the perspective of others and to seek abstract and universal rules”, which is not applicable to the EU’s perspective as itself being the norm-imposer (Hoover J., 2011).

“Responsibility to Protect” is a theoretic framework, which was suggested by S. J. Wyatt (2019) and gives insights into the role of the European Union and its human rights defenders in other countries. And the doctrine argues that the

cosmopolitan reasoning to protect human rights is emerging in societies and prevails over other reasons. Besides, self-motivated rhetoric of imperialism and setting any forms of control in a foreign state are less likely to take place (Wayatt S., 2019). The theory, within the chosen institutional approach, can explain the vision of the institutions on acting in human rights defence and the goals they aim. And it gives potential for the further research on the European Union defending its values and remaining a coherent entity.

Human rights violation has not been a primary topic in the international relations between the EU and Belarus but is still a significant one. Moreover, human rights were not a central theme in the one-sided communication of the European Union to Belarus; likely, the EU is addressing topics of political rights during and after the electoral campaigns or changing the constitution. However, it got more and more topical over the years of regime governance in Belarus.

The EU was abandoning the strict dependence on the relations with the official Minsk and was focusing on civil society cooperation. Partnership and Cooperation Agreement, for example, which had been negotiated, was suspended by the EU. And any interactions with the Belarusian government, even one-sided ones, were limited (Dura G., 2008). Further basic human rights abuse was the reason for the EU to exclude Belarus from The Eastern Neighbourhood Partnership. Declarations and resolutions as a call for democratisation were seen as the main source of interaction with authorities, while the defined political and economic framework remained undefined.

2.2. THE HISTORICAL DYNAMIC OF THE EU'S FOREIGN POLICY TOWARD BELARUS

The Republic of Belarus as an independent state emerged on the 25th of August 1991. Before, the EU only interacted with the Union of Soviet Socialistic

Republics. And in 1991, European Union within the European Economic Commission consisted of 17 UN members, including the EU Members: Belgium, Denmark, France, Greece, Luxembourg, the Netherlands, Sweden, and the United Kingdom, declared its recognition of the sovereignty of the Republic of Belarus (Centre Virtuel de la Connaissance sur l'Europe, 2016).

The dynamic of the relations between the EU and Belarus in the period of 1991-2004 has been developing steadily but not enhancing relations. Since the creation of Belarus, the European Union has fully respected the legitimacy of the Republic of Belarus and its government, acting within its generic framework of setting cooperation and using diplomacy during the first years of relations. While universal rights were respected in Belarus, the European Union did not interfere. Then Belarus was treated within a core-periphery framework when the European Union saw its role to use power to promote democratisation and oppose Lukashenka's seizing power in 1994 and concentrating it on the "referendum" in 1994 (Brantner F. & Gowan R., 2008; Dura G., 2008). Since that period, the Belarusian government itself has oscillated in relations with has been oscillated and showing either interest in engagement or retrenchment. The authoritarian developments in Belarus continued taking place, and thus, Partnership and Cooperation Agreement and Interim Trade Agreement and other high-level political mutual agreements between the EU and Belarus, which were drawn up in 1995, did not happen to enter into force (Dura G., 2008).

A transition from general economic sanctions to focused restrictive measures occurred in the EU's use of sanctions in the middle of the 1990s. The fundamental goal of the latter is to avoid sanctions that harm the populace by focusing primarily on those in charge of making policy decisions. The primary tenet of the EU sanctions strategy has been this. From 2004 until the start of 2021, the majority of EU sanctions imposed on the Belarusian government were targeted

restraints in the form of travel restrictions against top officials (Miadzvetskaya Y., 2022; Portela C., 2016). The European Union resisted dramatic changes in terms of sanction imposition and aimed at “maintaining relations” as possible, avoiding using its full potential (Clifton Morgan, T., & Palmer, G., 2015).

The European Union significantly suspended the initiation of relationship development with Belarus when the human rights situation significantly worsened, as well as political freedoms and the lack of a dialogue between the opposition between the government and the opposition. And thus, the proposition of including Belarus in the Council of Europe has also been abandoned and, in conclusion, has not been accepted by the organisation at all (Dura G., 2008). Throughout these years, the EU has chosen a strategy to limit relationship development with Belarus rather than actively opposing the rising autocratic regime.

In 1999, the Belarusian authorities initiated the creation of the internal commission to enhance the relationship with the European Union. And during this period of the early 2000s, the Belarusian government was willing to communicate. It was in 1999, the first case of releasing a political prisoner Mikalai Chyhir, established the practice of releasing prisoners as a bargaining chip (Pierson-Lyzhina E., 2021). Moreover, the political crisis in Belarus was expected to start resolving when the government agreed to accept the delegations of the Organisations of Security and Cooperation in Europe, the European Parliament and the Council of Europe to Minsk (Pierson-Lyzhina E., 2021).

In 2004, after the accession of Poland, Lithuania, Latvia and Estonia, the European Union started sharing the common border with Belarus. The need to build separate coherent policies toward the EU’s neighbouring countries created the term “Wider Europe” and consequently an adoption of the European Neighbourhood Policy. The European Neighbourhood Policy, according to

experts, had much in common with the European enlargement policy in the use of methods, instruments and ways of conveying its message. (Brantner F. & Gowan R., 2008). But the objective reality of the increased concentration of powers and the 2004 referendum in Belarus, which allowed a series of re-election for the president, has put the European Union's position toward Belarus into an indecisive condition (Dura G., 2008). As a consequence, the European Union conducted a dual policy toward Belarus. Despite the fact that Belarus is seen as a partner in cooperation and the aim of relations was directed to the development and cooperation, at that time, sanctions were enforced as a reaction to the political developments in Belarus, however with an inefficient outcome.

The objectives of the European Neighbourhood Policy were formulated through the idea of proximity in the whole European region where principles, values and standards but institutions are shared for the beneficial development of the EU and external agents (Prodi R., 2002). The perception of the EU's role on its eastern borders may be different for the inner EU and the targeted countries, as it is believed in Slavic languages the translated term "neighbour" is read not as positive as in Anglo-Saxon tradition; but still reflect the general ambiguity of the policy, implying pan-European eloquence of the "Wider Europe" and not "European Union Neighbourhood" (Brantner F. & Gowan R., 2008).

On the 20th of March in the year of 2004, there was held conference called "Belarus – Our New Neighbour" in Prague by the EU, where the Chairman of the Delegation for relations with Belarus, the EU officials and civil society representatives were among the main speakers. The conference was dedicated to discussing the role of Belarus in Europe and possibilities for future relations within the concept of the "Wider Europe" (Vesely L., 2004).

Representing the European Parliament, Mr. Jan Marius Wiersma, as Chairman of the Delegation for relations with Belarus, shared the European Parliament's view

on Belarus. Mr. Wiersma at first stated that “Belarus was highly unlikely to be admitted into the EU in the near future”, as it does not comply with basic requirements to be accepted regarding human rights and political situation. In his speech, Belarus is mainly presented as a passive actor which should be engaged with. He states that the EU should initiate engagement in terms of promoting democratic change. Otherwise, official Belarus would turn the state to further closeness and non-democratic development. Besides the EU’s consideration of enlargement and prolific cooperation with a democratic state, which Belarus could become, it sees an additional threat in the Russian influence on Belarus and, thus, a threat to EU security. Mentioning that “Moscow wants to stop the further enlargement of NATO and the EU”, posing a military threat (Vesely L., 2004). Mr. Wiersma has not specified if the European Parliament should engage with the official authorities of Belarus but clearly stated that the cooperation must be present with the Belarusian opposition (Vesely L., 2004). Before the full-scale war in Ukraine, Russia has not been the primary focus of its involvement in Belarusian internal policy and the regime's survival, but the crisis between the European Union and Russia has reflected on the EU's motivation to interact with Belarus. Both Russia and the European Union had a “clash in the perception” of the sovereignty of newly-created states after the post-Soviet era and the spheres of influence (Kratev I., 2007).

The statement of Mr. Jan Marius Wiersma from the European Parliament, in general, corresponds to calls of the civil society representatives during the “Belarus – Our New Neighbour”. However, a journalist Ms. Iryna Vidanova stressed that cooperation with official Belarus should be avoided, giving an example of warning “signing official agreements with universities and other institutions, largely because they are state-affiliated” and thus, unreliable. She found the “exchange programmes” would omit the interaction with the state and allow civil-society cooperation. On the contrary, an independent deputy Ales

Michalevich from Belarus, explained that cooperation on the small-scale level with governmental representatives was possible but still warned that cooperation with nominated governmental representatives should be avoided.

The primary focus of the European Union toward Belarus in times of crisis in relations was the increase of “soft governance”, supporting civil society. The Eastern Neighbourhood Partnership Initiative (ENPI) is a brand-new tool for EC assistance and is made up of components that are national, regional, cross-border, and thematic. According to the Country Strategy Paper 2007–13, Belarus is receiving funding for projects under the thematic programs “Democracy and Human Rights” and “Non-state Actors and Local Authorities Development”, with the national component (5 million euro annually) covering measures to mitigate the effects of the Chernobyl disaster as well as democratic development and good governance (Bosse G., 2009).

The contradictions between practical and idealistic goals that support the EU's policy for promoting democracy in Belarus are another obvious factor that affects the “soft” method of government. The ENPI is almost entirely focused on building up the capacity of the institutions of the Belarusian state, including support for border and customs institutions or the state's ability to deal with the long-term effects of the Chernobyl disaster on the environment and the health of the population, in contrast to the Commission's 2006 Non-paper, which places a high priority on the support for Belarusians and support for civil society. The fact that the majority of Commission officials no longer view the ENPI as a means of fostering bottom-up civil society initiatives in Belarus is sufficient evidence that the realist value of “state stability” has permeated not only the ENPI but also the minds of those who have been formulating the EU's official policy toward Belarus. (Bosse G., 2009).

The high-level dialogue has been restored by the decision of the Belarusian government, first of all, concerning the cooperation in the energy sector. It lasted several years during the period 2007-2010. The manoeuvring of the Belarusian government was supported by the European Union, including political actions of Minsk not to recognize Abkhazia and South Ossetia as independent states and internal human rights actions of releasing the political prisoners when the European Union had a pragmatic approach to maintaining relations (Pierson-Lyzhina E., 2021, p. 4). However, the presidential elections in Belarus in 2010 have been recognised as unjust and unfair, and the consequent violence by the Belarusian police has worsened the progress in communication.

The further decade in the EU-Belarus relations has also been oscillating. It was dependent on the openness of the regime to interact and its interest in the European Union. The European Union was prone to cooperate but still inconsistently showed concerns because of the human and political rights violations in Belarus. As of 2006, they also included travel restrictions against people deemed accountable for election fraud, violence, or repression, as well as asset freezes at all EU-based financial and credit institutions (Miadzvetskaya Y., 2022).

After the Ukraine crisis erupted in 2014, efforts to mend fences between Belarus and the EU were picked up again. The impetus was Minsk's generally neutral attitude toward Ukraine and its support for the nation's territorial integrity. By the beginning of 2015, the majority of EU members had come to the conclusion that Belarus' sanctions should be lifted only after all of the country's remaining political prisoners had been set free and given proper rehabilitation. The Council swiftly suspended almost all restrictive measures on Belarus at the end of October 2015, and the majority of them were eventually lifted in February 2016. The aim of the European Union was focused on maintaining resilience and having a

pragmatic approach toward Belarus Specific restrictions relating to the forced disappearances in 1999–2000 were still in effect, as well as an arms embargo (Miadzvetskaya Y., 2022). However, there was little conclusive proof that Belarus's human rights situation had improved, much as there was during the previous reconciliation in 2008 (Bosse G. & Vieira A., 2018). It subsequently became much worse when opposition rallies were put down following the 2016 legislative elections, and it did so once more when protests broke out in response to the so-called parasite law in February and March of 2017 (Miadzvetskaya Y., 2022).

The EU-Belarus Coordination Group, a more focused bilateral conversation, was established in 2016 and has since continued, despite requests from human rights advocates for the European External Action Service to postpone sessions (Eastern Partnership Civil Society Forum 2017). In addition, the EU and Belarus have been collaborating since 2015 to carry out a loosely defined roadmap of "measures to deepen the EU's policy of critical engagement with Belarus" (Bosse G., 2017), which includes the signing of a Mobility Partnership and discussions on a Visa Facilitation and Readmission Agreement. Belarusian civil society and human rights organizations have viewed these developments with great scepticism (Bosse G., 2017, p. 293–294). Readmission Agreements with authoritarian nations have been highly contentious, especially in light of the human rights violations committed by border guards and the police (Amnesty International, 2017).

A further highlight of the EU-Belarus relations took place after the 2020 elections of the president in Belarus. After the fraudulent practices of the pre-election period, suppressing the local opposition and following electoral fraud, the authorities responded with unprecedented levels of violence (OSCE, 2020). In several videos shared on social and alternative media, the state security forces

OMON are shown abusing thousands of people, including children and the elderly (Chernyshova N., 2020). Around 45,000 people have received imprisonment, fines, and prison sentences of up to several years six months later, while numerous well-known opposition members are being tried and could receive the death penalty (Korosteleva E. & Petrova I., 2021). At that time, the European Union started recognising Sviatlana Tsikhanouskaya as a “President-elected” and stopped high-official contacts with Alyaksandr Lukashenka.

2.3. EUROPEAN PARLIAMENT ON BELARUS IN 2021

The EU has proposed over 200 resolutions concerning human rights issues within the UN framework since the end of the Cold War (Brantner F. & Gowan R., 2008). However, experts see the European positions on human rights are getting less and less support in the UN agenda and less achieving success of EU consensus positions. But the European Union still remains an effective voting block in the General Assembly (Brantner F. & Gowan R., 2008).

Unlike the United Nations, the EU did not address issues of consistent human rights violations. When it comes to adverting the human rights agenda in Belarus, the UN had a more comprehensive approach. The European Union paid attention to the extreme cases of torture after the political events in Belarus rather than LGBTQ+ basic rights or the death penalty. Basic human rights, for instance, rights to life and liberty, and freedom from slavery and torture, became a central topic only after the oppression of the protests in Belarus in 2021. And the reaction to them is reflected in the corresponding statements, resolutions and the fourth and fight packages of sanctions.

Human rights protection has been a flexible term for the EU perception, and the criteria and standards of the need for their promotion and (or) protection have not been a constraint. Since the electoral fraud in Belarus was claimed by the UN and

the EU, the latter showed less engagement in Belarusian affairs. Following the UN, throughout the period 2020 to 2021, the European Parliament has issued three resolutions. Besides the other official statements, five packages of sanctions against the regime were adopted. The UN “Official report 17th July General Assembly: 72nd session, submitted in accordance with Human Rights Council resolution 41/22” by Anais Marin (2020) gave insights on issues which are important to address. The first UN report on human rights in the 2020-2021 period was issued before the elections but still concerned the problems of basic human rights in a socio-political field. There were brought COVID-related problems, injustice toward children, human rights activists and journalists, and inhumane detentions toward these categories, particularly highlighted Sergei Tikhanovsky case. Thus, it is visible that the comprehensive approach of the report highlighted both current human rights issues and long-term problems.

The following report, “Official report 4th May 2021. General Assembly: 76th session, submitted in accordance with Human Rights Council resolution 44/19” by the United Nations and Anais Marin (2021), contains the full overview of the state of basic human rights in Belarus in 2020 and the beginning of 2021. They did not concern with exceptionally political-related human rights violations but also addressed continuous abuses. The fourth chapter speaks about the basic rights issues in Belarus, raising the topics of the death penalty and presenting cases which do not relate to political developments. Also, there were presented examples of arbitrary deprivation of life-based on people’s participation in protests. Finally, the report includes cases of police torture, physical violence, enforced disappearances and arbitrary, forced expulsion, and arbitrary detention.

The UN has a more established procedure for reporting human rights abuse, and they regularly explore the topic of human rights situations. Meanwhile, the EU not systematically focuses on urgent matters connected with specific cases. The

European Parliament debate “The situation in Belarus after one year of protests and their violent repression”, which took place on the 5th of October 2021, addressed several crucial issues. The physical violence in Belarus was the central topic during the debate in the parliament, when the majority of deputies, including Isabela Santos, Milan Zver, and Tom Vandenkendelaere, addressed the issue of human rights, tortures and hijacking and an unjust arrest of Roman Protasevich and Sophia Sapega. Besides, six other European Parliament deputies formulated the concept of “instrumentalization of illegal migration” in the European Parliament agenda, and Radosław Sikorski used the term “terrorizing” migrants. The second importance took the topic of political and basic rights of freedom, addressed by seven more deputies. But the local safety in the EU was not raised as a topic (European Parliament, 2021e).

The text was adopted two days after the debate on the 7th of October 2021 and included an even larger list of topics raised (European Parliament, 2021e). Firstly, there was mentioned the violation of basic human rights of Belarusian people: torture, ill-treatment, and repression campaigns. Injustice toward the arrested people was presented as a separate topic. Starting with the Protasevich and Sapega cases – hijacking and instrumentalisation of migrations as a means “to destabilize the EU”, its safety, it also addressed the issues of other rights violations, including concerns about the nuclear power plant erection there and highlighted the suspension of the Belarusian membership in the Eastern Partnership project. According to Clara Portela (2011), the “geographic proximity” goes play role in the intensified political reaction, and the case, which directly involved European citizens and the European border, was followed by increased attention and tougher restrictive measures. The resolution condemned the violence and set a meeting for implanting a determined sanctions approach focusing on individuals and entities directly involved in the violations. Finally, the resolution stressed the importance of devising a comprehensive and coherent

policy toward Belarus by the Council, the Commission and the VP/HR, including a conference organisation.

A new package of sanctions followed the resolutions, as well as a conference was organised, where Svitlana Tsikhanouskaya was invited (Visegrad Insight, 2021). At the conference, the major problems in Belarus were raised: human and political rights violations. But substantially, the claimed “collective plan” has not been developed, apart from the continuation of existing practices of "strong sanction policy, non-recognition and diplomatic isolation of the regime” (Visegrad Insight, 2021).

European Parliament resolution of 11 February 2021 on the safety of the nuclear power plant in Ostrovets (Belarus) (2021/2511(RSP)) was suggested by Cristian-Silviu Buşoin, on behalf of the Committee on Industry, Research and Energy, on the safety of the Astravets nuclear power plant in Belarus (European Parliament, 2021a). The debate section allowed for the Members of the Parliament to speak up and raise the topic of basic human rights. Safety was a key priority among all speakers; however, not a single. Four deputies of the European Parliament expressed their concerns about the safety of human life, making a comparison with Chernobyl and Fukushima. Calling for protecting rights and ensuring nuclear safety was a message transmitted by the majority of deputies, including Kadri Simson, Valdemar Tomaševski and Grace O’Sullivan, Robert Hajšel, Vilija Blinkevičiūtė and Beata Mazurek. The latter speaker, a deputy Mazurek, conducts regular dialogue with its counterpart in Belarus within the framework of the International Atomic Energy Agency. Geopolitics and Russian influence was the second largest question, continued by three other deputies. However, contrary to the majority of speakers, the latter proposed full cooperation with the Belarusian authorities. Such a proposition has not been on the agenda during the last two years of EU-Belarus relations, and the more likely scenario of the

speeches did not concern cooperation with the regime but instead putting pressure. For example, Jakop G. Dalunde, while addressing health-related issues, mentioned that the EU should “ensure that the Belarusian authorities postpone the launch of the Astravjets until all the measures have been implemented.” After the debates, on the same day, the resolution was adopted with calls for the Belarusian government to revise the plan to build the plant and the decision to put Gosatomnadzor (Department of Nuclear and Radiation Safety of the Ministry for Emergency Situations) under political pressure (European Parliament, 2021a).

During the debate on the further urgent human rights matter, discussing “EP resolution on systematic repression in Belarus and the consequences for European security of the interception of an EU civilian plane”, there were no contradictory or debatable points. Joseph Borrell Fonterlles firstly brought up the question of the hijacking of the European Union aeroplane and security- and law-related issues, while political rights have not been critical in the discussion. However, the issue of basic human rights violated by Lukashenka’s regime was also stressed and thus, the importance of the regime isolation. During this debate, the topic of political prisoners was far from being central, unlike the previous debates and where it was reflected as more significant. This resolution was the only one where the importance of sanctions had been emphasised, as well the debate appeared to engage more deputies who had a similar position (European Parliament, 2021c).

The text adopted address all points mentioned in the debate. Starting from the detailed explanation of Ivan Protasevich and Sofia Sapega’s case to human rights violations, inhumane treatment, injustice, repressions of Polish minorities and operation of the Astravets nuclear power plant, concluding that the EU should take more significant measures to oppose the regime. And consequently, besides the EU calls to stop the human rights violations, the Union decides to close EU airspace and accessing EU airports for Belarusian carriers, refuse credit lines to

Belarusian banks, halt investments in Belarusian infrastructure and public sector, as well as implement sectoral economic, considering SWIFT system suspension (European Parliament, 2021b).

Debates and resolutions are not the only ways to communicate the EU's position in the Parliament. The European Parliament also has its sub-body of the Delegations to other states, including Belarus. However, their recent activity is not visible to the fullest extent. The last publications present on the official website are from 2019, which concerned parliamentary elections in Belarus. The European Parliament relying on the OSCE/ODIHR and the Council of Europe's Venice Commission expertise, concluded that political rights were violated while the EU continued supporting (European Parliament, 2019; European External Action Service, 2019). In 2020 and 2021, meetings also took place; however, there was no documentation (European Parliament, 2022a).

The only formal high-level connection with the EU is linked to the Belarusian opposition. The "opposition leader", Ms. Tikhanovskaya, is being invited to the Parliament before introducing a new package of sanctions, addressing the topic of human rights violations (European Parliament, 2021d). But Lukashenka has never been considered a legal and official president of the Republic.

Before 2021, despite all cases of human rights violations in Belarus, the European Union maintained financial contact with the Belarusian society. It has been proclaimed that the opposition which resists the regime should be supported, and projects with social development focus have never been suspended. And even after the 2021 events, the agenda on the necessity to maintain contact with the Belarusian society has been present in speeches and resolutions. However, on the institutional level after 2021, the cooperation has been cancelled in several directions. First of all, the European Investment Bank issued a statement concerning the Roman Protasevich and Sofia Sapega case (European Investment

Bank, 2021). And further, the activity of the European Investment Bank in Belarus was stopped with the short-term requirement of releasing the journalist and his partner (European Investment Bank, 2021). And in 2021, the international organisation of the European Bank for Reconstruction and Development made no investments; in addition, its offices in Minsk were closed. But Belarus remained a shareholder of the Bank (European Bank for Reconstruction and Development, 2022).

Overall, the European Parliament during 2021 cases of human rights abuses showed moderate involvement in the process. Through the resolutions, new sanctions were imposed, which did not differ from the previous cases, for example, regarding the political crisis in Belarus. However, the latter case of air-hijacking and threat to the safety of the EU citizen has attracted more attention, involved Joseph Borrell, and more severe sanctions, which are discussed in the following chapter, were introduced. Within the theoretical framework of “normative hegemon” and “peaceful empire”, the European Union, more specifically, European Parliament rhetoric was not explicit on controlling territories or expanding influence, but rather showing its “responsibility to protect” and still avoiding using all its political and economic leverages to reach the aim (Haukkala H., 2008; Zielonka J. & Pravda A., 2001; J. Wyatt, 2019).

CHAPTER III. SANCTION POLICY OF THE EU TOWARD BELARUS

3.1. KEY SANCTION NOTIONS AND LEGAL IMPLEMENTATION

Since the establishment of the Common Foreign and Security Policy, it became possible to talk about a separate “sanction policy” as a comprehensive tool for communicating and obtaining political goals (C. Portela, 2011; Koutrakos, 2001). The relevant document which expresses reasons for using the restrictive measures is called “Basic Principles on the Use of Sanctions” (Council of the European

Union, 2004). In 2018 there was an update of the regulations, which was formulated in the “Guidelines on Implementation and Evaluation of Restrictive Measures (Sanctions) in the Framework of the EU Common Foreign and Security Policy” (Council of the European Union, 2018).

Economic sanctions are always associated with the general term “sanctions”. According to Galtung, “economic sanctions” can be defined as “the actions initiated by one or more international actors (the “senders”) against one or more others (“the receivers”) with either or both of two purposes: to punish the receivers by depriving them of some value and/or to make the receivers comply with certain norms the senders deem important” (Portela C., 2011). Therefore, the objectives of imposing restrictive measures or sanctions are defined in between as a “punishment” and “making to comply”. In general, economic sanctions are aimed at coercing the receiver’s part to coerce and change its political behaviour by means of lowering trade (Pala T., 2021). It is connected to the term “hard governance” when bargaining and negotiations take place in relations. (Friis L., & Murphy A., 1999). In contrast, “soft governance” means the conditions when the EU shows its norms and values as appealing (Bosse G., 2009).

The conditions when sanctions can be enforced are formulated in the EU official document “Basic Principles on the Use of Restrictive Measures (Sanctions)”, which had several updates against the foreign actor “to maintain and restore international peace and security in accordance with the principles of the UN Charter” and of the “common foreign and security policy” (Council of the European Union, 2018). And those cases are terrorism, the proliferation of weapons of mass destruction and upholding respect for human rights, democracy, the rule of law and good governance (Council of the European Union, 2018).

An absence of the term in the legal terminology of the EU is connected with the obscurity of these “measures” identification, the definition of the goals of the sender’s part and the reaction of the receiver’s part. There is also an absent timeframe and renewal date leading for the sender’s part to difficult to categorize, type the measure and make the EU member state comply with their proclamation (as they have no legal states) and implement in the whole EU territory. Moreover, informal sanctions are rarely enforced without formal sanctions. And for the receiver – the main conditions are unclear; either they will be eased immediately after the change of political behaviour or even disappear after some time (Portela C., 2011).

The design of the restrictive measures is influenced by a number of significant factors. First, the type of measures selected (targeted, sectoral, and comprehensive economic sanctions; a ban on access to EU financial markets; trade and development measures) and their breadth are strongly related to the seriousness of the situation that prompts the implementation of sanctions (number of sectors of the economy covered, individuals and entities targeted). More complicated measures, such as sectoral economic sanctions, export restrictions, and travel bans, are implemented in response to threats to the security of the EU and the region as well as to the territorial integrity and sovereignty of the EU's neighbours (Miadzvetskaya Y., 2022). However, under undefined conditions, the economic partnership remained stable throughout the whole period of cooperation, which also includes the recent period of 2020 and 2021. Moreover, for Belarus, the EU remains the second largest economic partner after Russia (European Commission, 2021). And after 2020, despite the sanctions and the official claims, the trade in export and import goods has increased (European Commission, 2022a).

The clarity and realizability of the sanctions' objectives is another aspect of the design of the sanctions. Sanctions are planned to be lifted once their goals are achieved, in accordance with the updated directives of the EU Council (Council of the European Union, 2018). However, it is frequently ambiguous as to how to assess if the goals of particular sanctions have been achieved. Setting too high goals and expecting the regime to commit political suicide in order to lift sanctions in a situation like Belarus is not realistic. Setting clear and attainable goals may encourage some small but doable improvements rather than choosing an impossible regime change (Miadzvetskaya Y., 2022).

The Ryanair incident and the use of migrants as bargaining chips created security threats for the EU and its citizens, whereas earlier EU restrictive measures addressed Belarus' internal political crisis and disregard for the rule of law. The EU referred to the immigration situation as a hybrid type of conflict. (Miadzvetskaya Y., 2022; Golubeva M., 2021). As a result, the EU expanded its export embargo to cover other products, such as goods used in the manufacturing of tobacco products or software for monitoring telephone and Internet traffic. More significantly, the EU has restricted Belarusian financial institutions' access to EU capital markets and prohibited imports of petroleum and potassium products from Belarus (Miadzvetskaya Y., 2022).

Sanctions which concerned human rights violations by the Lukashenka regime and elections took place in 2021. Although Cyprus has been delaying the introduction and enforcement of the restrictive measures on Belarus, trying to impose its conditions first of sanction adoption against the Turkish government. Thus, among the EU's allies, it was not the first to impose sanctions, but the UK and Canada adopted the decision faster (Korosteleva E. & Petrova I., 2021). After all, there are fourth and fifth packages of sanctions which concern human rights imposed by the European Union. In comparison, previous ones were mainly

determined by political matters, of the recognition of electoral process unfaith and lack of freedom, for instance.

The first three packages included personal sanctions, including travel bans against 74 people (prosecutors, judges, security officials). Individuals close to Lukashenka continued to be the target of the European Union pressure. Besides, the fourth package targeted sectoral economic spheres and many governmental companies, for instance, “BelAZ (Belarusian Automobile Plant), Belaruskali (potash fertilizers company), tobacco and oil sectors, as well as arms trade and communication technology” were affected (Survillo I., 2021).

Financial sanctions were also enforced by restricting the Belarusian government and state-owned financial institutions from having access to the European Union capital markets. It resulted in a strong negative effect on the Belarusian banking sector, Belarusian investors, exporters and businesses by preventing quick transitions in euro and American dollars (when the US imposed their measures) for the local banks.

The fifth package of sanctions has been prepared in response to a growing “migration crisis” or framed by the EU as the “instrumentalisation of migrants” at the EU-Belarusian border with Baltic countries and Poland. They also broadened the scope of personal sanctions on additional 17 individuals, which kept a high position in the government and state media, including a travel ban and asset freeze, and besides, economic sanctions were adopted against 11 companies, including “Belavia Airlines” (Consillium, 2022). Not only passenger flight restrictions are critical for the Belarusian economy (the Belarusian budget accounts for 2.3% of total EU-Belarus economic relations), but also for other sectors, for instance, agriculture, which is more significant for mutual economic relations, and also health care. The sales of mechanical parts and services connected to airline work are also getting banned. “Consequently, even where

there are exemptions—for local travel, crop dusting, or medical evacuations—the secondary prohibitions can undercut those exemptions.” (Joy G., 2011).

3.2. THEORETICAL ASSESSMENT OF THE RESTRICTIVE MEASURES’ IMPLEMENTATION

“The effectiveness of sanctions has been broadly debated, with scholars often using different measures of success. Some highlight that sanctions have a limited impact in bringing about regime change and can even have the opposite effect” (Peksen D., 2019, Miadzvetskaya Y., 2022). Others conclude that sanctions succeeded in achieving the proposed foreign policy objectives in 34 per cent of cases, and sanctions that pursued limited goals, such as the release of political prisoners, succeeded in half of the cases (Hufbauer G. et al., 2007). “The effectiveness and impact of sanctions are predetermined to some extent by the way how they are crafted. One way of trying to judge whether they are effective or not is to look at how they are designed” (Miadzvetskaya Y., 2022). Other scholars convey the importance of other factors: the duration of sanctions also their strategy. Since, for instance, “the failure to reciprocate concessions may squander opportunities for additional compliance”, giving the example of Iraq not receiving sanctions relief after partial concessions and swerving from its positive changes (Portela C., 2016).

Targeting and lowering trade is seen as a solid and effective method to either punish or make the other party comply. Often the functioning of the authority of the receiver country, to some extent, relies on the import or export or on the support of the citizens, who may be affected by the consequences of sanctions, which also applies to Belarus, where the significant economic sector is comprised of state-owned monopoly companies, which trades with the European Union states (Pala T., 2021). However, Russia is the most significant partner for Belarus before the European Union.

On the other hand, there are arguments which demonstrate the ineffectiveness of these restrictive measures. Firstly, the costs of imposing the economic sanctions on the receiver part may be higher for the sender, while the other factors would impact more (Pala T., 2021). In addition, the fact of imposing sanctions may be treated by the receiver state government as “aggression” or even “benefit” for the economy. It is particularly harmful if the state is considered an “informational autocracy”, which partially relies on societal moods. Regarding Belarus, there are doubts about the effectiveness of the measure since Belarusian people “never showed any sign of interest in joining the EU or indeed even its neighbourhood policy” (Dura G., 2008). Another drawback of using sanctions lies in the design of the sanction implementation of the European Union. It is a lack of centralization within the Union, which undermines the homogeneity of the European market and usually gives much space for member states to have their own interpretation, preventing cohesion (Miadzvetskaya Y., 2022).

The questions proposed concern the identification of the current state of the art of economic cooperation and the determination of the leverages the EU can potentially exercise. But in the research literature, it is more common to assess the consequences of the sanctions’ implementations. However, such a method is not suitable for studying the current stage of the process regarding the restrictive measures mainly because it is an ongoing process. That is why the goal of the research is to study the state of the art of sanction policy and also its potential for the EU. The work “Sanctions. Improving the Effectiveness of Sanctions: A Checklist for the EU” by Anthonius W. de Vries, Clara Portela and Borja Guijarro-Usobiaga proposes the set of questions to identify the adequate set of sanctions to be used by setting clarity about a number of key criteria related to the imposition of sanctions (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

According to World Economics' (2022) research, the official data provided by the Belarusian government was rated as non-reliable and to be “used with caution” in 2022. Therefore, it is reasonable to omit these kinds of information but instead withdraws data from the official EU portals. It puts limitations on assessing Belarus casualties in percentage to the general economic development but allows us to observe the dynamic of the EU actions.

Therefore, it is not possible to study the development of the restrictive measures fully, according to Haufbauer et al. (1985). The research is focused on analyzing data of both sides and their mutual trade indexes. The percentage of the GNP to the target country remains unclear due to the unreliability of Belarusian official economic sources.

In the scientific literature, there is a common erroneous assumption that sanctions either never work or sometimes do. According to Gattung, the efficiency of sanctions is evaluated in compliance with the ultimate goal of the sanctions, implying that they reach the absolute in replacing the regime or changing its behaviour. This “naive” theory only focuses on the direct impact of such a tool. However, Cortright and Lopez introduce a more complex approach. They highlight that the sanctions are the tool which “creates conditions” (Portela C., 2011). Thus, the analysis of sanctions is divided into more levels, suggesting more objectives. For example, primary objects (as in the “naive theory”), those which are targeting changing actions and behaviour; also secondary, which depend on the audience (international or domestic), focus on highlighting the status, reputation or position of the targeting country; tertiary, which aim at the third countries, suggesting a pattern of their behaviour or provide support for a particular international structure (Portela C., 2011). Although Lindsay argues that sanctions do create an impact, however, due to the possible “publicity paradox”, sanctions create more friction between sender and receiver states (Portela C.,

2011). He suggests a correlation between too much pressure and the target government's resistance to cooperating.

According to Hufbauer et al. (2007), the economic harm of sanctions can be assessed based on "the cost imposed on the target country as a percentage of its GNP and the cost to the sender country". "Independent economists estimate that the current sanctions regime may cause Belarusian GDP to depreciate by 10% or more. For this reason, sanctions should also be communicated better to those social actors in Belarus who question their lack of effectiveness just a few months after their implementation" (Survillo I., 2021). To compare, the UN and US sanctions on average lead to 25,5% and 13,4% of GDP fall, respectively (Neuenkirch M. & Neumeier F., 2014). However, this method of studying sanction progress is not fully applicable to the European Union's sanction policy, which aims not only for direct implications but also for "rising target regime's costs of non-compliance" (Portela C., 2011). According to studies, targets are less likely to yield when they are engaged in conflicts that challenge their exercise of authority over territory under their jurisdiction. "If it has been said that sanctions tend to work against the states that do not seek complete hostility, then appropriate timing should be used" (Tyll et al., 2018; Pala T., 2021). However, for the EU, there is little space for manoeuvring since the recognition of Lukashenka's power goes against all collected pieces of evidence by the Union.

However, the crucial method to assess the development and the potential of sanctions in the stage of their imposition was developed by Anthonius W. de Vries, Clara Portela and Borja Guijarro-Usobiaga, who created a list of questions to answer qualitatively and then synthesize to make a conclusion about the recurring stage of the restrictive measures' imposition in the context of the European Union. They consist of "identifying the resources" and "leverages" parts, which are described in the following sub-chapters.

3.3. IDENTIFICATION OF THE EU'S RESOURCES

The EU may find it useful to specify the precise goals of its various sanctions with the aid of prior impact assessments. The EU's policy would be considerably improved if it conducted a thorough prior impact assessment of every step to discover all of its potential unfavourable impacts, even though measuring their efficacy and potential effects are challenging. This would guarantee that the average Belarusian person would not be harmed or would be harmed as little as possible by the sanctions. (Miadzvetskaya Y., 2022; Vries W., Portela C., & Guijarro-Usobiaga B., 2014)

Additionally, the EU could need to devise some ad hoc steps to lessen sanctions' possible detrimental humanitarian effects. For instance, individuals opposed to the state airline Belavia have already questioned the annual treatment of children from Belarus who were impacted by the Chernobyl nuclear tragedy in Italy. In general, it may be detrimental to the future of their relations to stop people-to-people exchanges between the EU and Belarus (Miadzvetskaya Y., 2022). The EU should also consider the region's security condition as well as the country's larger political backdrop when conducting its impact assessment. Sanctions must be used with caution because Belarus is a stopover for the Russian army. It is necessary to distinguish between Belarus and Russia. In contrast, a sanctions strategy that treats both nations equally simply serves to support the Russian government's claim that Russians, Ukrainians, and Belarusians are all members of the same ethnic group (Miadzvetskaya Y., 2022).

Thus, the following questions from the “Checklist” will be answered to assess the resources the EU owns (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

- “Which of these resources are essential, non-replaceable, subsidiary, and/or fungible? And to what extent can these resources be generated

domestically, i.e. without foreign involvement, at present, in the medium and long term?” (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

The reliance on the Belarusian production of the EU is much less significant compared to other autocratic states. For example, when it comes to Russia with a significant gas dependence, there are ways to reduce it. International Energy Agency points out a plan of cutting trade, replacing and diversifying it with alternative domestically produced sources, introducing minimum storage obligations, and some temporary tax measures to raise rates on electricity and accelerate energy efficiency improvements for the internal consumers (International Energy Agency, 2022). These measures can also be applicable to the large proportion of fuel imports from Belarus, as it is interconnected with the Russian one.

The EU targeted only 20% of Belarusian potash in 2021 by economic sanctions (Aslund A. & Hagemeyer J., 2021). However, potash is the second largest exporter of mineral products for Belarus to the EU. For the EU itself, it also represents an interest because it is essential for the economy, but the European states do not produce this mineral in sufficient quantity (Galindo G., 2022). Only Germany and Spain produce an insufficient amount of the mineral (European Parliament, 2022b). After the event with an aircraft with Protasevich on board, the EU did apply sanctions on potash, but they covered only 20% of all Belarussian potash export, which were transferred only via Lithuania, the head of Lithuanian Railways (Devitt P. & Sytas A., 2021). Therefore, of the significant impact on the Belarussian import, the ban can be widened.

The other alternative to exporting potash could be Canada, having a similarly large market which could substitute the required product. Also, China, Israel and Jordan are potential partners in substituting potash for the EU market needs. Moreover, the latest sanctions toward Belarus because of the support of the

invasion of Ukraine did increase the potash import ban from Belarus and significantly impacted the economy (European Parliament, 2022b)

There will be logistical and infrastructural difficulties with the reorientation of oil and potassium products to new markets. According to reports, the potassium and oil sectors only operate at about 30% and 50% of their normal capacity, respectively. According to reports, losses of \$10 million per month are being incurred by Belaeronavigatsia, the state-owned supplier of air navigation services (Belata, 2021). Prime Minister Raman Haloanka recently said that Western sanctions were impeding \$16–18 billion in annual Belarusian exports to the EU and North America. At the same time, it is thought that the implications of the prohibition on road transit between the EU and Belarus will mostly affect private logistics firms in Belarus rather than the government. Since the Belarusian government attempts to influence the EU for it to ease sanctions, it can be an evidence that the Belarusian economy suffers from them. In addition, the Belarusian authorities have compelled students and workers to make videos calling upon the EU not to introduce sanctions (Miadzvetskaya Y., 2022).

- “What is the organisational strength of the human resources directly linked to the reprehensible policies (quality of leadership, institutional position, level of education/training, income dependence)?” (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

The development of targeted sanctions on Belarus has had an impact on the overall effectiveness of achieving EU objectives. Expanding the listing criteria makes it easier to comply with the basic requirement in cases when sanctions are contested by the Court of Justice of the European Union. The variety of acts that can be sanctioned increases with the breadth of the listing criteria, including state violence, systematic and coordinated electoral standards violations, journalistic work for official propaganda, and politically motivated punishments. The EU

used the same listing standards as for the 2012 sanctions when deciding how to respond to the Belarusian election in August of 2020. It aimed at those who were behind acts of violence, arbitrary detentions, and rigged elections. Forty people were added to the EU sanctions list as part of the first round of restrictive measures, which were enacted in October 2020. The former national security adviser Viktor Lukashenka and Alyaksandr Lukashenka's son were not present on the list, but they were included there in November. A nationwide inclusive conversation regarding a change of power under the supervision of the OSCE was hoped to be sparked by maintaining diplomatic ties with the regime. Later, the EU mainly focused on officials from the Ministry of Internal Affairs and the Central Electoral Commission. The most frequently targeted state institutions in Belarus are the Central Electoral Commission, the courts, and the Ministry of Internal Affairs (Miadzvetskaya Y., 2022).

Open-source data is the crucial source for the EU to prepare sanctions, and listing particular people close to the regime is beneficial for several reasons. First of all, such a way provides more solid and sufficient ground for the Court of Justice of the European Union. Since in cases where confidential information was presented, the Court was likely to refuse disclosure of it, and responsible people were removed from the sanction listing (Miadzvetskaya Y., 2022). And secondly, open-source data is more reliable for the public, which influences the reputation of the individual and their business; for instance, a company “Dana Astra”, which has a connection to Lukashenko, has brought more than ten lawsuits against the Council for imposing sanctions, since they brought negative profit (Rettman A., 2021).

Targeting particularly members of the Ministry of Internal Affairs, commanders of the Belarusian troops, responsible for human rights violations over state media workers or businessmen is also a reasonable choice of the EU institutions due to

the simplicity of gathering evidence against the first category. Obviously, the second category of people is also pursued but much less, as the Court of Justice of the European Union would likely exclude journalists and businesspersons since they were not directly involved in violence. But it is clearer when decision-makers in the government perform actions of violence or order to do so; thus, the Court does not object to the listing of these people (Miadzvetskaya Y., 2022).

- “What is the strength of psychological, moral, religious, ethical, financial/material or other attachment to the reprehensive action of these persons?” (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

The justification of the human rights abuse is based on the “preserving order”, which is communicated by the leader of the state or police. Protesters or civil society members are judged under the Belarusian “violation of the order of organising and holding mass events” or the “extremism” clause (Rayskiy N., 2021). However, even these measures do not assume any kind of physical violence, which usually does accompany the arrest. No other attachments were not detected in the explicit communication of the Belarusian government.

- “What means are closely linked/contribute to the resources directly employed in the objectionable actions (through economic, financial, technical, national, local, personal or other ties)? To what extent does the objectionable behaviour increase the resources closely linked, albeit not directly employed in the objectionable behaviour (in terms of financial benefits, ideological/national/religious affiliation)?” (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

Direct means which are responsible for human rights violations in Belarus are people: personnel, law-enforcement units and state media workers. They obtain assets and interests in the European Union, which could be subjected to

sanctioning without the EU losing the leverage over the situation, but contrary, to discover the potential for extending the sanctioning list. And thus, the efficiency of sanctions would be linked to the extent of affecting those who make the crucial decisions. For detecting proper people, the European Union has designed conditions by criteria. In 2021 the list of targeted people included people close to the regime who were responsible for human rights abuse, companies and people benefitting from the regime, those who organised the forced landing of a Ryanair plane and the instrumentalization of migrants. Moreover, a decree of the European Union Council has broadened the potential of exercising the EU powers on sanctions by explaining the term “support the regime” as also “benefit from the regime’s actions”. (Miadzvetskaya Y., 2022).

- “How easily can these resources be used for the objectionable behaviour itself?” (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

The economic stability of the decision-makers to act violently against civil society members is the resource which can be limited by the European Union, influencing their behaviour. And targeting the assets of officials responsible may discourage them from performing these actions. Also, in terms of media workers and companies, which contribute to the level of accepting and encouraging human rights abuse and provide liquidity to the regime, it is vital to limit their sources and benefices to perform such a job.

The material resources provided by the European Union to the Belarusian government are often not directly used for it to exercise violence since the key export to Belarus accounts for non-military items but provides liquidity to the regime. The European Union has constantly been suspending arms trade with Belarus; however, some members did not comply with the ban and continued the exchange of the goods which were used for objectionable behaviour. For example, pictures posted on the messaging platform Telegram in the fall of 2020

claimed that Belarusian protesters were attacked with reportedly Czech-manufactured stun grenades made in 2012. In defiance of the EU's 2011 arms ban on Belarus, the Czech Republic denied exporting any such weaponry to the Belarusian government. (Svobodova K., 2020). The lack of centralization prevented the effectiveness of sanction implementation, although other necessary steps from the Union were taken.

3.4. LEVERAGES OF THE EU

- “To what extent the EU entities are involved in the provision of assets or resources linked to the objectionable policies, for example, through their subsidiaries or foreign branches)?” (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

Officially, in Belarus, there is no private property and all the biggest companies, which are participating in trade with the EU, are state-owned. The largest branch of both goods’ import and export between Belarus and the EU in 2021 was industrial products. While the export of the EU to Belarus significantly overweight imports (European Commission, 2022a). For the EU, it is more common to import raw materials like fuels, mining and agricultural products and export machinery and manufacturing. (European Commission, 2022a) Thus, it is more relevant to limit imports at first since the raw materials do not constitute special uniqueness in themselves but present vulnerability to the regime, relying on exporting them. “However, the product structure of trade with its main partners is quite different – food and agricultural products and transport equipment are predominantly exported to Russia, while both fuels and chemical products are mainly destined to the EU” (Aslund A. & Hagemeyer J., 2021). Fuels account for 45.8% of Belarusian export to the European Union and provide liquidity to the regime (Aslund A. & Hagemeyer J., 2021).

There is still a potential to extend the scope of the personal sanctions. For example, Those on the lower lever are responsible for human rights abuse, in addition to entire families of targeted personnel who are close to Lukashenka (Survillo I., 2021). Since 2012 the Belarusian government has been facing developing economic problems of the absence of economic growth and does not have the potential to recover with current internal policy; thus, the researchers argue that tougher restrictive measures of the EU would significantly influence the situation (Aslund A, & Hagemeyer J., 2021)

- “What is the extent of involvement of other foreign providers? Which of these providers may be willing to replace assets withdrawn by the EU?” (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

Minsk has announced that the government seeks to substitute lost exports and start orienting to “including Asian, African and Middle Eastern” (Ivanova A., 2022). Belarus has found a way to involve other foreign providers in order to escape the European Union sanctions. First of all, it has tightened the relationship with Russia, and secondly, with the third countries, which have the possibility to trade both with the EU and Belarus. When it comes to ties with Russia, there is a visible pattern of a “five-fold increase of the same trade flow”, which is associated with redirecting the existing EU exports from Belarus to Russia (Lukaszuk P., 2021). Moreover, according to Yeliseyev A. (2018), the forged certificates of imported goods’ origins are taking place in Belarusian trade for domestic consumption and also for exporting these banned goods to Russia. The author gives an example of documenting apples to be bought by Belarus from Ecuador and Sierra Leone, which is not likely to be an accurate source of origin (Yeliseyev A., 2018; Aslund, A., & Hagemeyer, J. 2021). In return, Russia provides Belarus with oil and gas at low prices.

Servicing only the interests of the Belarusian regime has taken over 10% of central budget spending in one quarter of 2021, and thus the financial aid of Russia is seen as a potential coverage of the “budget holes”. The current leader of Belarus has been observed to frequently visit Moscow. After all, in September 2020, Russia has loaned around 1.5 billion American dollars, which accounts for 2.5% of the Belarusian GDP, to be paid by summer 2021 (Aslund, A., & Hagemeyer, J. 2021).

Besides, a significant number of other countries continue the economic partnership with Belarus based on “their role as a trading hub” (Lukaszuk P., 2021). For example, China, Central Asia and South America (Observatory of Economic Complexity, 2022; Trading Economics, 2022) prevent the efficiency of isolating the Belarusian economy. Moreover, there is a potential effect of non-EU countries using the opportunity of unfulfilled niches which were previously occupied by the European Union countries. And the trade diversion emerges with Belarus, which is “weakening the ability of the targeted country to introduce sanctions in the future, as the sanctioning economy reduces its dependence on the sanctioning market”, although not the direct enforceability of the restrictive measures (Lukaszuk P., 2022).

Contrary to the actors, which benefit the regime, there is an alliance of democratic countries which oppose the regime alongside the European Union. Those are the United States, the United Kingdom, Canada, and New Zealand, who actively impose sanctions even in the fields that the European Union has omitted, but some overlap. Switzerland has fully aligned with the EU packages of sanctions, as some EU candidate states, like Serbia, Montenegro, Albania and North Macedonia and the European Economic Area state, like Norway, Liechtenstein, and Iceland, while Ukraine has joined only some of them. According to the quantitative study, the extent of the third parties’ involvement in the proposed sanction policy is

linked to the potential success of the initial measures. And there is a visible increase in the amount of alignment of the EU against Belarus (Miadzvetskaya Y., 2022). However, the success of a sanction's operation is not directly determined by how many nations cooperate. This view is not confirmed by the statistical analysis. Indeed, multilateral applications of sanctions were effective slightly less often than unilateral applications by a single "sender" actor (Hufbauer et al., 2007).

- "How quickly and easily can each type of EU sanction be evaded? How could EU sanctions be evaded (i.e. through domestic action or by the action of foreign entities)?" (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

The suspension of financial aid is the quickest possible opportunity to limit the financing of the regime (Afesorgbor S., 2019). It does not bring costs to the sender part but has a significant effect on the target country. Also, such instruments as capital flows, bank lending and access to SWIFT belong to the category of potentially comprehensive and quick to implement. Because banks are already a highly regulated sector and because the majority of banking transactions are electronic transfers or electronically recorded activities, financial sanctions are more easily applied in banking than in other industries (Joy G., 2011). "But outside the banking industry, implementation of financial sanctions is much more difficult to coordinate, even where businesses are willing to comply" (Joy G., 2011)

While asset freezes and travel bans, mostly targeted at political and economic elites in target states, also do not influence the sender's economy, they are less comprehensive and may be "circumvented" due to the requirement to search for the individuals' personal information. Hufbauer et al. (2007) classify the latter type of restrictive measures as "smart sanctions" and finds them less comprehensible. Smart sanctions are also known as targeted sanctions "designed

to affect only the leadership of the target country, or to restrict goods used by the leadership to engage in aggression or human rights violations.” (Joy G., 2011). Regarding such measures, according to the study, restrictive measures can influence how members of a certain group feel about themselves as belonging, or they might have a negative signalling effect because some of the people targeted may not be aware that they are on the list. Unfortunately, little is known about how people in Belarus respond to sanctions (Miadzvetskaya Y., 2022).

On the other hand, the most significant economic sanctions—and not always in a positive way—can have negative humanitarian effects on the populace without accomplishing their goals. These sanctions include stopping trade cooperation with a targeted nation. The EU has been hesitant to impose this kind of one-size-fits-all restriction on Belarus because it is hard to quantify and goes against its stated goals of "hitting the least possible" behaviour change. The only sectoral economic sanctions that the EU had deployed up to 2021 were the suspension of Belarus from the GSP in 2006 due to violations of its ILO responsibilities and the ban on weapons and equipment that may be used for internal repression since 2011 (Miadzvetskaya Y., 2022).

Since the economic sanctions on goods were implemented on the futures contracts, it is expected that their effect can be expected after January 2022 when the contracts lose their validity and the new ones are not signed. Previously it had been expected the new trade contracts to be signed in December 2021-January 2022 (Survillo I., 2021). However, potentially, the assets can be frozen immediately, despite the contracts, and accumulated into the fund for protecting the human rights of the Belarusian people and ensuring further democratic transformations. Besides, threats of sanctions also have an effect on the sender actor, which brings uncertainty for exporters and importers in Belarus and can be evaded relatively easy with political will.

There are potential threats which influence how easy the sanctions can be evaded, on the example of implementing an airline ban. There are several methods to get around flight bans, even when there are significant efforts made to make the restrictions harsher. It is possible for pilots to have planes to be registered under different names. In general, commercial passenger airlines are extensively regulated, which makes it relatively easy to enforce restrictions on passenger flights. In contrast, the air cargo industry is not, making it difficult to enforce restrictions on cargo flights. The black market in the state under sanctions is frequently fueled by these unlawful flights. (Joy G., 2011).

Issues of sanction implementation have appeared for around 20 years; for example, they often appear with arms embargoes. The majority of smart sanctions have not resulted in a noticeable improvement in effectiveness over "traditional" vast trade bans. Effectiveness should be viewed more generally than just target compliance, according to some research. As was already mentioned, Baldwin believes sanctions should be considered effective if they make the targeted actor have more costs or alter the decision-making process. Brzoska advocated for an alternative strategy, arguing that although if goal compliance for arms embargoes was extremely low, they might be seen as being considerably more successful if we focus on instances when the sender is happy with the result, independent of actual compliance (Joy G., 2011).

Sanctions are evaded and should be continued to evade through domestic means of the European Union; however, a coordinated response of the international community is necessary to avoid "smuggling", visible reexport, and significant import and export substitution for Belarusian authority.

- "How quickly and easily can each type of sanction be expanded/amended/lifted?" (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

Similar to previous restrictions enacted under the CFSP framework, EU sanctions on Belarus include "sunset clauses" that call for the annual review of sanctions. The EU Foreign Affairs Council makes the decision to suspend or lift sanctions. The sanctions may be completely, partially (applicable to only one type of measure), or selectively suspended or abolished (applying to some elements of specific measures) (Hudakova Z. et al., 2021). Successfully challenging sanctions listings at the CJEU is another way for selective delisting to occur; businessmen in Lukashenka's close circle primarily exploited this option (Miadzvetskaya Y., 2022).

The EU Council's directives imply that if a measure's goal has been achieved, it may be reconsidered and lifted. However, it is frequently hard how to tell when a particular goal has been accomplished, not least because the imposition of sanctions is frequently based on hazy assumptions rather than a detailed assessment of what they can accomplish. For instance, the EU has never been heeded when requesting that the Belarusian government hold fresh elections that are free and fair. Such a goal is unattainable. The EU must take care to avoid setting unduly ambitious goals of its sanctions (Miadzvetskaya Y., 2022). Additionally, they ought to be unambiguous but not rigid in the sense that they cannot be modified in light of the shifting political landscape. This would give the EU more negotiating leverage and enable it to get more concessions from the Belarusian government. However, one must include the issue of the independence of a regime that is heavily reliant on Russia, particularly since the beginning of its conflict with Ukraine (Miadzvetskaya Y., 2022).

- “What procedural bottlenecks would have to be overcome?” (Vries W., Portela C., & Guijarro-Usobiaga B., 2014).

The improper application of EU sanctions is a touchy subject. With its sanctions against Belarus, the EU takes a methodical approach that builds pressure

gradually. First, because of existing contracts, there is a delay in implementation. Second, some items—like the potash goods mentioned above—are exempt from restrictions. Since the EU decided to postpone the implementation of the restrictions and leave some products off the sanction lists, such exceptions are not legal loopholes (Miadzvetskaya Y., 2022).

The procedural drawbacks are more likely to happen in import-export relations, where the ties are influential and open to manoeuvring. For example, despite the crucial products like fuel, diesel, kerosene and fuel oil used to be classified under the commodity code 2710, however, from the data that the investigators received from Eurostat, it can be seen that already in July, the export of oil products from Belarus to the EU fell sharply. But at the same time as this fall, an “export miracle” happened. Even before the imposition of sanctions, the supply of petroleum products to the EU under code 2707 began to grow rapidly, which includes, for example, oils, benzene, toluene, xylene, naphthalene and others that do not fall under Western restrictions. The main flow of supplies falls in Estonia (Belsat, 2022).

The other institutional bottleneck which prevents effective sanction implementation lies in the Court of Justice of the European Union, which has issued a delisting of people who were claimed responsible for human rights abuse in Belarus. The review has touched on officials close to the Lukashenka regime and one media worker on the state television, who, under new criteria, are eligible to be sanctioned since they benefit from the regime's sustainability. The Court has reasoned its decision with a lack of evidence against these people based on their affiliation to the institution. Also, justification of the regime crimes was not considered a valid reason to punish media workers, explaining their “indirect” involvement. These exclusions of sanction listing have touched not only individuals but also large state companies, which provide liquidity to the regime,

for example, Belaeronaviatsia, Belaz and Maz in 2021 and Belshyna AAT and Belavia in 2022 (Miadzvetskaya Y., 2022). Such decisions undermine the European “sanction policy” in general and the effectiveness of other measures toward Belarus.

In light of this, improved member state and EU institution collaboration would enhance the application of sanctions. Additionally, it would serve as a motivation to institutionalize knowledge of sanctions-evasion methods and strategies. The Freeze and Seize Taskforce and Europol's Operation Oscar have improved financial investigative collaboration at the EU level following Russia's invasion of Ukraine. They are responsible for coordinating the financial investigations conducted by national authorities to find, seize, and perhaps confiscate the assets of Russian and Belarusian citizens who have been subject to sanctions. Any violations of sanctions are also subject to criminal prosecution, according to the European Commission. By pushing sanctions closer to criminal punishments, this unusual action alters the preventive role of sanctions (Miadzvetskaya Y., 2022).

3.5. THE POTENTIAL OF SANCTION IMPLEMENTATION

Sanctions' potential to accomplish their policy objectives is directly impacted by a number of design factors. The formulation of listing criteria, objectives, target identification, evidence collecting, implementation, and review procedures have an impact on the durability of EU sanctions and the EU's negotiating position. The effectiveness of sanctions as an inducement can be pragmatically loosened depending on how they are designed. For example, targeted sanctions are simpler to revoke than general sanctions. The EU can use its sanctions toolkit's flexibility, in particular, to persuade the target to alter its behaviour. Cooperation can be boosted by a limited relaxation of sanctions pressure in response to concessions made by the target (Miadzvetskaya Y., 2022).

Contingency is one of the major factors in the continuous isolation of the regime, according to many experts. Insufficiency of economic pressure is the risk of demonstrating weaknesses of the EU sanction policy and acquisition of the instrument itself as feeble. In the Belarusian case, previous sanctions “undermined them as an effective policy tool” in previous years, when they were introduced in 2006, and later in 2010, the sanctions were used for short-term goals of protecting human rights. Such a “transactional manner to bargain for the release of political prisoners” of the Lukashenka regime was insufficient for the long-term goals of pressuring the government to refuse such practices as such.

First of all, the implemented sanctions ought to remain in place to protect human rights until comprehensive changes are made. Such conditions would concern, first of all, the release of the political prisoners and allowing for the forced migrants to return safely to Belarus; secondly, the political sphere starts reforming by “organising free and fair elections with external observers, such as the OSCE” and finally, the organisation of the fair investigation of crimes (tortures and ill-treatment) of the Belarusian people and protesters committed by the Belarusian authorities on all levels (Survillo I., 2021). Moreover, “In the long term, sanctions could shorten the lifespan of the regime by eroding the structure of the Belarusian elite and partially undercutting the resources that underpin the post-Soviet institutions on which it relies” (Survillo I., 2021).

However, incomplete centralization prevents effective sanction implementation. The majority of punishment proposals are made independently by various member states. The economic interests of particular member states directly influence the decision to penalize or not sanction an entity (for example, Austria, Germany, Hungary, and Slovakia have been reluctant to sanction oil products from Russia). As a result, various national biases affect EU sanctions. This issue might be resolved by centralizing sanctions policy, which would also stop any

potential bilateral lobbying between a member state and a targeted nation (Tilahun N., 2021). For the purpose of influencing the EU's decision-making, outside parties frequently look for a weak spot in the EU. Greater consistency and coherence across various national authorities would result from the centralization and institutionalization of knowledge about the application of EU sanctions (Miadzvetskaya Y., 2022). The next potential step for the European Union would be not only remaining the existing measures but also to introduce new ones. The potential of extending sectoral economic sanctions is depicted in the developments in 2022, after the full-scale Russian invasion of Ukraine, which could have been imposed in 2021; they included construction materials ban, like wood, steel, cement and rubber products (Miadzvetskaya Y., 2022).

For future implementation, clear communication with the civil society from the EU's side is needed. There are various misconceptions about the application and enforcement of EU sanctions in Belarusian society, especially among experts. Since there are numerous ways to get around sanctions, the widespread perception is that they are toothless. It would be wise for the EU to continue working on its strategic communication with the Belarusian people and civil society and to offer trustworthy information on the goals and implementation of its sanctions. Furthermore, the EU's recently launched whistleblower mechanism, which enables the reporting of any instances of sanctions evasion, should be made known to civil society (Miadzvetskaya Y., 2022).

In order to preserve the EU's leverage, sanctions should be reviewed or suspended only after consultation with civil society, academics, and representatives of the democratic forces in Belarus. In order to represent a wide spectrum of opinions, the selection process for participants should be open and transparent.

The EU should refrain from the preliminary relaxation of sanctions if their easing is on the discussion's agenda. Given that Belarus and the EU have a history of rapprochement and retrenchment, the EU would have greater power if sanctions were suspended rather than lifted, even partially, as was the case in 2016. An incentive for the Belarusian authorities to refrain from repression is provided by reviewing the suspension of sanctions every six, nine, or twelve months. The EU has more negotiating influence when sanctions are suspended as opposed to lift because they can be reinstated if the regime resumes actions the EU deems unacceptable (Miadzvetskaya Y., 2022).

“Theoretically, it has been argued that the anticipation or a threat of sanctions produces a trade-deteriorating effect comparable to imposed sanctions” (Morrow et al., 1999). The anticipated sanctions create a situation which challenges the stability of the internal connections in the targeted state. It creates credit risks for the local companies cooperating with other international actors in the political and juridical fields (Afesorgbor S., 2019). The hypothesis is based on the ban on financial transfers as a result of economic sanctions and probable cancellation of the financial operations with no possibility to pay for the shipped products. Issues of exchange risks (however, those which provide the ground for the explicit risk, not “empty threats”) are crucial when it concerns the credibility of solvency products in transit, especially risky stockpiling conditions, when the interim or final goods may appear higher in price resulting in sunk cost. “Thus, a risk-averse exporter will be hesitant to ship products to an importer when there are possible threats or an anticipation that sanctions will be imposed on the importer country.” (Afesorgbor S., 2019). On the other hand, the risk of implementing sanctions can undermine the essence of the restrictive measures themselves because the proclamation of imposing sanctions may provide space for manoeuvring and changing the internal economic agents’ strategy in a market. Moreover, when the threat of sanctions occurs and does not get to be implemented eventually may

result in an adverse effect. And finally, the studies show that the comprehensiveness of sanction instrumentation is threatened and implemented, which leads to shortages of the products, leading to a more pronounced effect (Ali M., & Shah I.,2000).

Expecting sanctions to be eased is also an important part of restrictive measures implementation. Such EU's undefined parameters and the absence of specific requirements for evaluating sanctions have been ineffective in bringing Belarus any closer to democratization. However, easing sanctions is also one of the ways the EU can exert pressure on Belarus in order to promote change. Some voices in Brussels believe that the decision to ease sanctions in 2016, despite the lack of significant democratization, was partly motivated by a strong conviction that the EU needed to take a different tack and make room for Belarus's citizens (Miadzvetskaya Y., 2022).

CONCLUSIONS

The main subject of the research, the European Union, has the legitimacy and interest to interact with the neighbouring state, the Republic of Belarus. And in order to reach its goals, the Union has established international relations with Belarus through its institutions and mutual cooperation. However, the relations have never been stable and fluctuated between enhancement and oscillating from 1991 to the current stage. The European Council, which sets the general principles of the EU's foreign policy, has primarily conveyed the message of cooperation and diplomatic conflict resolution. However, in specific cases, like Belarus, to prevent human rights abuse in Belarus, the European Union acted in a particular way. Still, a pragmatism approach has prevailed throughout the relations of maintaining positive relations and avoiding conflicts.

Political relations worsened in the middle of the 1990s; some cooperation agreements were suspended, and sanctions were also introduced, but it was not reflected in the economic relations. The EU has been aiming to target those responsible for the crimes with human rights, but not comprehensively. In the period of 1999-2004, the European Union has been aiming at human rights defenders from a short-term perspective, using its leverages to resolve individual cases while political relations have been worsening. In 2004, when Belarus started sharing a border, the relations improved with the European Neighbourhood Policy's introduction, but the communication actor's main focus has been shifted to the civil society members. Only in the period of 2007-2010 (until the Presidential elections) were the relations partially restored due to the success of the short-term goals, not supporting the Russian invasion of Georgia and objectively limited number of rights violations in Belarus. Nevertheless, the political rights violations have also remained on the EU's agenda for a short period, and still, swerving to maintenance has prevailed. Belarus became a host country of the Minsk process for Ukraine and Russia, officially remaining neutral; thus, the European Commission and its Directorate-General for Financial Stability, Financial Service and Capital Markets Union lifted the sanctions.

Between August 2016 and August 2020, ties between Minsk and Brussels improved significantly, leading to agreements on visa ease and readmission, among other things. Additionally, the expansion of Belarus' civil society during this time period and the EU-funded projects in the nation that had a significant social impact both contributed to the mobilization of Belarusians in 2020 (Miadzvetskaya Y., 2022). But before 2020, the official political ties between the EU and Belarus were still contributing to legitimising the Lukashenka power and methods of governance. Throughout the dynamic of the relations, it is visible that the maintenance-seeking prevailed until 2020-2021 violations of human rights in Minsk and other Belarusian cities. Afterwards, Belarus was treated within the

“hard” governance approach from the one-sided perspective of the European Union, acting as a human rights defender body. The restrictive measures toward Belarus are communicating the EU’s position, calling for the stop of the human rights abuse there. However, the measures should not be seen as exclusively aiming at having a direct impact but also “creating conditions” for destabilising the regime. The EU started targeting not only the officials responsible for crimes but also the economy in general.

At the stage of economic sanctions implementation in 2021, its impact is rather limited, remaining political. Targeted officials of Belarus “generally do not travel extensively or hold assets abroad” (Survillo I., 2021). And despite some sectoral sanctions aggravating the regime in transport and logistic sectors, for example, banning state Belavia air carriers; still, the links with the European Union companies are weaker than with Russia, and thus, the impact of the sanctions is limited. The internal structure of the European Union and its bureaucracy also limit sanction implementation. Despite in October 2020, the Council of the European Union has broadened the criteria to legitimize sanction imposition, which included demands to finish repression and abuses of human rights, and release of political prisoners, the criteria still do not include occasions of instrumentalization of migrants (Miadzvetskaya Y., 2022).

Moreover, lobby groups in the European states, which have links with the Belarusian state, undermine the efficiency in the consistency of sanction implementation. Especially the continuation of importing potash fertilizers is considered a “loophole” in the “sanction policy” in 2021 (Survillo I., 2021). Within the organisation of the European Union, there is also a limitation and incoherence with the European Union Court of Justice, which undermines the procedure of sanction implementation with the unjustified detection of limited evidence in the proposed listing of Belarusian officials to the sanction list.

However, in case when the Court of Justice does not pose any objections against the sanctions proposals and they eventually come into force, the European Union has limited powers to make member states comply with this decision. For example, the Czech-Belarusian arms trade in 2021, when the arm embargo came into force. Meanwhile, the Russian and other third countries' influence may start substituting the European impact on the economy, and the predicted isolation of Belarus on the international scene would not occur. However, there is seen an extension of Russia-Belarus relations regardless of the European Union's involvement. But the clear and consistent position of the European Union would accelerate the process of oppressing the regime and possible political transformation in Belarus (Survillo I., 2021).

“The EU faces a very difficult choice as to how to react to ongoing human rights violations in Belarus and isolate Lukashenka’s regime without losing its own leverage over the development of the situation in the country.” (Miadzvetskaya Y., 2021). Less ambitious goals of the European Union sanctioning strategy is more likely to be achievable and efficient in reaching short-term objectives on human rights, which drew the attention of the Union within the “cyclical” response. Those short-term objectives are visible in the example of the recent suspension of the “instrumentalization of migrants”, earlier release of some political prisoners in the field of human rights and some attempts to reform the Electoral Code in the political field. At the same time, excessive restrictions and limitations of all forms of cooperation do not allow the European Union to obtain a bargaining chip. Those unachievable requirements of the European Union to ease sanctions, such as conducting a fair investigation against those responsible for human rights abuse and tortures, are facing the absence of action from the regime side.

The industrial sector of the Belarusian economy is a potential target for the EU. The Union has significant leverage to influence the Belarusian economy, being its second largest economic partner. Nevertheless, for example, in the most significant for Belarus sphere of potassium, it achieved to sanction only 20% of the resource by 2021. Furthermore, other spheres are also subjected to inefficacy in sanction implementation due to procedural bottlenecks. A more comprehensive range of restrictive measures could take place, considering the fact that a significant number of companies in Belarus are state-owned and directly contribute to the high-level officials' assets and vast policy budget. Besides, the EU lacks consistency, and unlike the UN, it reacts primarily to highly media-shared events rather than monitoring the human rights situation precisely.

Moreover, before introducing sanctions, by proclaiming the EU's goals, the European Union risks undermining its progress with "empty threats" and giving time for the regime to adapt. Also, scholars stress the importance of reviewing sanctions more often and investigating the processes by providing high-quality pieces of evidence for the Court not to reject them. In the stage of post-sanction enforcement, it is vital to examine if the Member States comply and provide results to the European Commission about the progress of sanction implementation. Finally, the European Union also needs to communicate their position clearer on the importance of the sanction implantation for the allies, who might support the initiative and for the Belarusian society.

THE LIST OF REFERENCES

- Afesorgbor, S. (2019). The impact of economic sanctions on international trade: How do threatened sanctions compare with imposed sanctions? *European Journal of Political Economy*.
- Ali, M. M., & Shah, I. H. (2000). Sanctions and childhood mortality in Iraq. *The Lancet*, 355(9218), 1851–1857. Retrieved May 10, 2022 from [https://doi.org/10.1016/s0140-6736\(00\)02289-3](https://doi.org/10.1016/s0140-6736(00)02289-3)

- Amnesty International (2017). The human rights risks of external migration policies. London. Retrieved May 10, 2022 from <http://www.refworld.org/pdfid/593fecfe4.pdf>.
- Aslund, A., & Hagemeyer, J. (2021). EU Sanctions on Belarus as an Effective Policy Tool. SSRN Electronic Journal. <https://doi.org/10.2139/ssrn.3991710>
- Belarus: EU adopts 5th package of sanctions over continued human rights abuses and the instrumentalisation of migrants. Consilium. (2021, December 2). Retrieved June 23, 2022, from <https://www.consilium.europa.eu/en/press/press-releases/2021/12/02/belarus-eu-adopts-5th-package-of-sanctions-over-continued-human-rights-abuses-and-the-instrumentalisation-of-migrants/>
- Belsat. (2022, February 1). *How Belarus evades sanctions*. Belsat. Retrieved June 23, 2022, from <https://belsat.eu/ru/news/01-02-2022-kak-belarus-obhodit-sanktsii-s-pomoshhyu-partnerov-oligarha-vorobyia/>
- Belta. (2021, November). Belarus to file lawsuits in international courts over losses caused by sanctions. Retrieved May 10, 2022 from <https://eng.belta.by/society/view/belarus-to-file-lawsuits-in-international-courts-over-losses-caused-by-sanctions-144674-2021>
- Bosse, G. (2009). Challenges for EU Governance Through Neighbourhood Policy and Eastern Partnership: The values/security nexus in EU–Belarus relations. *Contemporary Politics*, 15(2), 215–227. <https://doi.org/10.1080/13569770902858152>
- Bosse, G. (2017). EU–Belarus relations in the context of the European Neighbourhood Policy. In Schumacher, T., Marchetti, A., Demmelhuber, T. (eds.), *Handbook of the European Neighbourhood Policy* (pp. 290–301). London: Routledge.
- Bosse, G., & Vieira, A. (2018). Human rights in Belarus: The EU’s role since 2016. *European Parliament Think Tank*. Retrieved May 10, 2022 from [https://www.europarl.europa.eu/thinktank/en/document/EXPO_STU\(2018\)603870](https://www.europarl.europa.eu/thinktank/en/document/EXPO_STU(2018)603870)
- Brantner, F., & Gowan, R. (2008). *A Global Force for Human Rights? An Audit of European Power at the UN* (1st ed.). European Council on Foreign Relations.
- Centre Virtuel de la Connaissance sur l'Europe. (2016). The Economic Commission for Europe. Retrieved April 2, 2022, from https://www.cvce.eu/en/education/unit-content/-/unit/026961fe-0d57-4314-a40a-a4ac066a1801/12014f41-b579-4a3e-9499-4e6e066c2df1/Resources#8108664e-9f54-4756-ba22-11a33a0f2ad5_en&overlay
- Chernyshova, N. (2020). A Very Belarusian Affair: What Sets the Current Anti-Lukashenka Protests Apart? *PONARS Eurasia Policy Memo*.
- Clifton Morgan, T., & Palmer, G. (2015). Japan’s public–private approach to energy security cooperation in Northeast Asia. *Energy Security Cooperation in Northeast Asia*, 76–99. <https://doi.org/10.4324/9781315767949-10>
- Consilium. (2022). *Timeline - eu restrictive measures against Belarus*. Consilium. Retrieved June 23, 2022, from <https://www.consilium.europa.eu/en/policies/sanctions/restrictive-measures-against-belarus/belarus-timeline/>

- Council of Europe. (2020, August 27). *Belarus: Joint statement by the Committee of Ministers Presidency, pace president and secretary general*. Belarus: joint statement by the Committee of Ministers Presidency, PACE President and Secretary General. Retrieved June 23, 2022, from <https://www.coe.int/en/web/portal/-/belarus-joint-statement-by-committee-of-ministers-presidency-pace-president-and-secretary-general>
- Council of the European Union. (2018a). Basic Principles on the Use of Restrictive Measures (Sanctions).
- Council of the European Union. (2020b). *Belarus: Eu adopts conclusions*. Consilium. Retrieved June 23, 2022, from <https://www.consilium.europa.eu/en/press/press-releases/2020/10/12/belarus-eu-adopts-conclusions/>
- Devitt, P., & Sytas, A. (2021, June 25). *Most Belarus potash exports not affected by EU sanctions - analysts*. Reuters. Retrieved June 23, 2022, from <https://www.reuters.com/world/europe/most-belarus-potash-exports-not-affected-by-eu-sanctions-analysts-2021-06-25/>
- Dura, G. (2008). The EU's limited response to Belarus' pseudo 'new foreign policy'. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.1334064>
- Eckes, C. (2021). EU global human rights sanctions regime: is the genie out of the bottle? *Journal of Contemporary European Studies*, 30(2), 255–269. <https://doi.org/10.1080/14782804.2021.1965556>
- European Bank for Reconstruction and Development. (2022). *The EBRD in Belarus*. European Bank for Reconstruction and Development. Retrieved June 23, 2022, from <https://www.ebrd.com/belarus.html>
- European Commission. Directorate-General Economic and Financial Affairs (ECFIN). (2022b). European Commission. Retrieved March 21, 2022, from <https://www.eumonitor.eu/9353000/1/j9vvik7m1c3gyxp/vg9hpru5j2xz>
- European Commission. (2016, November 14). *European Democracy Action Plan*. European Commission. Retrieved June 23, 2022, from https://ec.europa.eu/info/strategy/priorities-2019-2024/new-push-european-democracy/european-democracy-action-plan_en
- European Commission. (2021). *EU trade relations with Belarus*. European Commission. Retrieved June 23, 2022, from https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/belarus_en
- European Commission. (2022, May 10c). *European Union, trade in goods with Belarus - European Commission*. European Commission. Retrieved June 23, 2022, from https://webgate.ec.europa.eu/isdb_results/factsheets/country/details_belarus_en.pdf
- European Commission. (2022a). *Common security and defence policy (CSDP)*. Migration and Home Affairs. Retrieved June 23, 2022, from https://ec.europa.eu/home-affairs/pages/glossary/common-security-and-defence-policy-csdp_en

- European Economic and Social Committee. Instrumentalisation of migrants. European Economic and Social Committee. (2022, June 22). Retrieved June 23, 2022, from <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/instrumentalisation-migrants>
- European External Action Service. (2019, November 18). *Statement by the Spokesperson on the parliamentary elections in Belarus*. Brussels. Retrieved June 22, 2022 from https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/DELEGATIONS/D-BY/DV/2019/11-27/3a_eecas_statement_elections_BY_2019-11-18_EN.pdf
- European Investment Bank. (2021, May 26). *EIB's statement concerning 23/5/2021 events in Belarus*. European Investment Bank. Retrieved June 23, 2022, from <https://www.eib.org/en/press/news/eib-statement-concerning-23-may-events-in-belarus.htm>
- European Parliament. (2022a). Foreign Policy: Aims, Instruments and Achievements. Retrieved June 22, 2022 from https://www.europarl.europa.eu/ftu/pdf/en/FTU_5.1.1.pdf
- European Parliament. (2009). Common security and defence policy. Retrieved June 22, 2022 from https://www.europarl.europa.eu/ftu/pdf/en/FTU_5.1.2.pdf
- European Parliament. (2019). *Meeting documents*. European Parliament eMeeting for Delegations. Retrieved June 23, 2022, from <https://emeeting.europarl.europa.eu/emeeting/delegation/en/archives/D-BY>
- European Parliament. (2021a). *Safety of the nuclear power plant in Ostrovets (Belarus)*. Debates. Safety of the nuclear power plant in Ostrovets (Belarus) . Retrieved June 23, 2022, from https://www.europarl.europa.eu/doceo/document/CRE-9-2021-02-11-ITM-005_EN.html
- European Parliament. (2021b). *Systematic repression in Belarus and its consequences for European security following abductions from an EU civilian plane intercepted by the Belarusian authorities. Text adopted*. European Parliament. Retrieved June 23, 2022, from https://www.europarl.europa.eu/cmsdata/235807/TA-9-2021-0293_EN_Systematic_repression_in_Belarus_&_its_consequences_for_European.pdf
- European Parliament. (2021c). *Systematic repression in Belarus and its consequences for European security following abductions from an EU civilian plane intercepted by the Belarusian authorities. debate*. European Parliament. Retrieved June 23, 2022, from https://www.europarl.europa.eu/doceo/document/CRE-9-2021-06-08-ITM-011_EN.html
- European Parliament. (2021d). *Belarusian opposition leader Sviatlana Tsikhanouskaya addresses MEPs*. European Parliament. News. Retrieved June 23, 2022, from <https://www.europarl.europa.eu/news/en/headlines/eu-affairs/20211118STO17610/belarusian-opposition-leader-sviatlana-tsikhanouskaya-addresses-meps>

- European Parliament. (2021e). European Parliament resolution of 7 October 2021 on the situation in Belarus after one year of protests and their violent repression (2021/2881(RSP)). Retrieved June 22, 2022 from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021IP0420>
- European Parliament. (2022a). Ordinary meetings: Activities: Delegations: European Parliament. Delegations. European Parliament. Retrieved June 23, 2022, from <https://www.europarl.europa.eu/delegations/en/d-by/activities/ordinary-meetings>
- European Parliament. (2022b). *Russia's war on Ukraine: Sanctions targeting Belarus*. European Parliament. Retrieved June 23, 2022, from [https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729428/EPRS_ATA\(2022\)729428_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729428/EPRS_ATA(2022)729428_EN.pdf)
- European Union. (2007, December 13). Treaty of Lisbon. Retrieved June 23, 2022, from <https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX%3A12007L%2FTXT>
- European Union. (2022c). *Foreign and security policy*. European Union. Retrieved June 23, 2022, from https://european-union.europa.eu/priorities-and-actions/actions-topic/foreign-and-security-policy_en#:~:text=The%20EU's%20joint%20foreign%20and,in%20the%20EU's%20international%20role
- Fernandez E., & Patel, C. (2015). Towards developing a critical and ethical approach for better recognising and protecting human rights defenders. *The International Journal of Human Rights*, 19(7), 896–907. <https://doi.org/10.1080/13642987.2015.1075302>
- Friis, L., & Murphy, A. (1999). The European Union and Central and Eastern Europe: Governance and Boundaries. *JCMS: Journal of Common Market Studies*, 37(2), 211–232. <https://doi.org/10.1111/1468-5965.00160>
- Galindo, G. (2022, March 7). *Why the EU's potash sanctions are looming over supermarket prices*. Politico. Retrieved June 23, 2022, from <https://www.politico.eu/article/eu-sanctions-higher-food-prices-potash/>
- Golubeva, M. (2021, August 31). EU must be ready to act on its border with Belarus. Politico. Retrieved May 1, 2022 from <https://www.politico.eu/article/eu-must-act-border-belarus-latvia-lithuania-poland-migrant-crisis/>
- Haukkala, H. (2008). The European Union as a Regional Normative Hegemon: The Case of European Neighbourhood Policy. *Europe-Asia Studies*, 60(9), 1601–1622. <https://doi.org/10.1080/09668130802362342>
- Hudakova, Z., Biersteker, T., & Moret, E. (2021). Sanctions Relaxation and Conflict Resolution. The Carter Center.
- Hufbauer, G., Schott, J., Elliott, K., & Oegg, B. (2007). Economic Sanctions Reconsidered: History and Current Policy. By Gary Clyde Hufbauer and Jeffrey J. Schott, assisted by Kimberly Ann Elliott (Washington, DC: Institute for International Economics, 1985. xvi, 753p. \$45.00). Peterson Institute for International Relations.

- International Energy Agency. (2022). *A 10-point plan to reduce the European Union's reliance on Russian natural gas – analysis*. IEA. Retrieved June 23, 2022, from <https://www.iea.org/reports/a-10-point-plan-to-reduce-the-european-unions-reliance-on-russian-natural-gas>
- Ivanova, A. (2022, May 18). *Belarus is losing up to \$ 18 miliard a year*. Deutsche Welle. Retrieved June 23, 2022, from <https://p.dw.com/p/4BLIy>
- Kassim, H., Begg, I., Young, A., & Reland, J. (2020, August 21). *The European Council – the who, what, where, how and why*. UK in a Changing Europe. Retrieved June 22, 2022 from <https://ukandeu.ac.uk/explainers/the-european-council-the-who-what-where-how-and-why/>
- Korosteleva, E., & Petrova, I. (2021). Community resilience in Belarus and the EU response. *JCMS: Journal of Common Market Studies*, 59(S1), 124–136. <https://doi.org/10.1111/jcms.13248>
- Korosteleva, E., & Petrova, I. (2021). Community Resilience in Belarus and the EU response. *JCMS: Journal of Common Market Studies*, 59(S1), 124–136. <https://doi.org/10.1111/jcms.13248>
- Kratev, I. (2007, May 26). *Globalisation: The dangers and the answers*. Open Democracy. Retrieved June 23, 2022, from https://www.opendemocracy.net/en/article_1918jsp/
- Laidi, Z. (2008). *EU Foreign Policy in a Globalized World: Normative power and social preferences (Routledge/GARNET series)* (1st ed.). Routledge.
- Lukaszuk, P. (2021). You can smuggle but you can't hide: Sanction evasion during the Ukraine crisis. *University of St.Gallen and Secretariat for Economic Affairs*, 71(1), 73–125.
- Lynch, D. (2005). Changing Belarus. Chaillot Paper, 25.
- Miadzvetskaya, Y. (2021, January 19). *Factors that shape EU foreign policy towards Belarus*. New Eastern Europe - A bimonthly news magazine dedicated to Central and Eastern European affairs. Retrieved June 23, 2022, from <https://neweasterneurope.eu/2021/01/19/factors-that-shape-eu-foreign-policy-towards-belarus/>
- Miadzvetskaya, Y. (2022). Designing Sanctions: Lessons from EU Restrictive Measures against Belarus. *The German Marshall Fund*. <https://www.gmfus.org/news/designing-sanctions-lessons-eu-restrictive-measures-against-belarus>
- Morrow, J. D., Siverson, R. M., & Tabares, T. E. (1999). Correction to “The Political Determinants of International Trade.” *American Political Science Review*, 93(4), 931–933. <https://doi.org/10.2307/2586123>
- Neuenkirch, M., & Neumeier, F. (2014). The Impact of UN and US Economic Sanctions on GDP Growth. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.2417217>

- Nussbaum, M. C. (2004). Beyond the social contract: capabilities and global justice. an Olaf Palme lecture, delivered in Oxford on 19 June 2003. *Oxford Development Studies*, 32(1), 3–18. <https://doi.org/10.1080/1360081042000184093>
- Observatory of Economic Complexity. (2022). *Belarus (BLR) exports, imports, and trade partners*. Observatory of Economic Complexity. Retrieved June 23, 2022, from <https://oec.world/en/profile/country/blr>
- OHCHR. (2021, July 5). *Belarus: Massive human rights violations unprecedented in scope and gravity, says UN expert*. Retrieved June 22, 2022 from <https://www.ohchr.org/en/press-releases/2021/07/belarus-massive-human-rights-violations-unprecedented-scope-and-gravity-says>
- OSCE. (2022). OSCE/ODIHR alarmed by increasing threats to human rights in Belarus following presidential election. OSCE. Retrieved June 22, 2022 from <https://www.osce.org/odihr/460693>
- Pierson-Lyzhina, E. (2021). Belarus’s oscillating foreign policy toward the EU: from engagement to retrenchment (1994–2021). *Canadian Slavonic Papers*, 63(3–4), 338–357. <https://doi.org/10.1080/00085006.2021.1992238>
- Portela, C. (2011). *European Union Sanctions and Foreign Policy: When and Why do they Work? (Routledge Advances in European Politics)* (1st ed.). Routledge.
- Portela, C. (2016). Are European Union sanctions “targeted”? *Cambridge Review of International Affairs*, 29(3), 912–929. <https://doi.org/10.1080/09557571.2016.1231660>
- Prodi, R. (Ed.). (2002). *A Wider Europe A Proximity Policy as the key to stability*. World Conference Jean Monnet Project.
- Rayskiy, N. (2021, December 13). Fight for exhausting. Lukashenko first called the workers “terrorists”. Lenta. Retrieved June 22, 2022 from https://lenta.ru/articles/2020/10/28/bel_zabastovka/
- Rettman, A. (2021, December 16). Lukashenko-linked firm suing EUobserver and EU Council. EUobserver. Retrieved April 2, 2022 from <https://euobserver.com/world/153839>
- Reus-Smit, C., & Snidal, D. (2008). Reuniting Ethics and Social Science: The Oxford Handbook of International Relations. *European Journal of International Law*, 22(3), 261–271. <https://doi.org/10.1111/j.1747-7093.2008.00155.x>
- Smith, S. (1986). Theories of foreign policy: an historical overview. *Review of International Studies*, 12(1), 13–29. <https://doi.org/10.1017/s026021050011410x>
- Survillo I. (2021, November 26). *The impact of EU sanctions on Belarus will be limited*. Danish Institute For International Studies. Retrieved June 23, 2022, from <https://www.diis.dk/en/research/the-impact-of-eu-sanctions-on-belarus-will-be-limited>

- Svobodova, K. (2020, August 13). Czechia denies organizing protests in Belarus and supplying them with flash-grenades. Prague Monitor. Retrieved June 22, 2022 from <https://praguemonitor.com/news/national/11/08/2020/2020-08-11-czechia-denies-organizing-protests-belarus-and-supplying-them-flash-grenades/aslund>
- Tilahun, N. (2021). The EU Global Human Rights Sanctions Regime: between Self Help and Global Governance. *International Community Law Review*, 1–33. <https://doi.org/10.1163/18719732-bja10067>
- Trading Economics. (2022). *Belarus Exports By Country*. Trading Economics. Retrieved June 23, 2022, from <https://tradingeconomics.com/belarus/exports-by-country>
- United Nations, & Marin, A. (2020, July). *Official report 17th July General Assembly: 72nd session, submitted in accordance with Human Rights Council resolution 41/22* (No. 72). United Nations.
- United Nations, & Marin, A. (2021, May). *Official report 4th May 2021 Anais Marin. General Assembly: 76th session, submitted in accordance with Human Rights Council resolution 44/19*. United Nations.
- United Nations. (2004). *Human Rights Defenders: Protecting the Right to Defend Human Rights* (No. 29). Retrieved June 22, 2022 from <http://www.ohchr.org/Documents/Publications/FactSheet29en.pdf>
- Vesely, L. (2004). *Belarus – Our New Neighbour*. Retrieved March 7, 2022 from <https://www.amo.cz/en/belarus-our-new-neighbour-2/>
- Visegrad Insight. (2021, November 26). Path to democracy in Belarus. Retrieved June 23, 2022, from <https://visegradinsight.eu/path-to-democracy-in-belarus/>
- Vries, W., Portela, C., & Guijarro-Usobiaga, B. (2014). Sanctions. Improving the Effectiveness of Sanctions: A Checklist for the EU. CEPS Special Report, 95.
- World Economics. (2022). *Economic data for the benefit of investors. Belarus*. World Economics. Retrieved June 23, 2022, from <https://www.worldeconomics.com/>
- Wyatt, S. J. (2019). *The Responsibility to Protect and a Cosmopolitan Approach to Human Protection (New Security Challenges)* (Softcover reprint of the original 1st ed. 2019 ed.). Palgrave Macmillan.
- Yeliseyeu, A. (2018, February 8). *Belarusian shrimps anyone? how EU Food Products make their way to Russia through Belarus*. Think Visegrad. Retrieved June 23, 2022, from https://www.globsec.org/wp-content/uploads/2017/11/Think-Visegrad-Analysis-by-Andrei-Yeliseyeu_Belarusian-shrimps-anyone-GLOBSEC-2017.pdf
- Zielonka, J., & Pravda, A. (2001). *Democratic Consolidation in Eastern Europe: Volume 2: International and Transnational Factors (Oxford Studies in Democratization)*. Oxford University Press.