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Explaining EU sanctions policy: Case of Belarus

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I have written this Master's thesis independently. All viewpoints of other authors, literary sources and data from elsewhere used for writing this paper have been referenced.

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Abstract

In the past decades, the EU has made extensive use of targeted or "smart" sanctions to achieve its policy objectives. Their goal is not to penalize, however, to modify their behavior or policies. The thesis reveals patterns in EU sanctions on Belarus, as well as notable changes over time, from 1996 to the present, when the EU increased and decreased sanctions against Belarus. The goal of research is firstly to explain the patterns of EU sanctions policy towards Belarus, as it has evolved over time, secondly to account for the logic of interest-based and value-based explanations, when/why/under what circumstances it anticipates the EU to apply sanctions. By writing the given master's thesis, this work fills a gap in past research on this topic, as there are not sufficient research investigating the EU sanctions regime on Belarus response to new change and timeframe analysis. To explain this pattern, in the study the previous explanation of EU sanctions policy will be analyzed, which focused on human rights infractions. The latter by indicating areas of interest. It allows to summarize whether EU sanctions on Belarus were driven primarily by values (human rights concerns) or interests. More broadly, it enables to determine under what conditions the EU promotes a value-based approach, particularly when geopolitical interests are absent. Importantly, to give an in-depth examination of interests, as well as how geopolitical interests condition the EU's reaction to human rights abuses through sanctions. The study is based on theory-testing and considered as theoretical study research, which prolongs the literature on the EU sanctions regime on Belarus study over time (1996-present). It balances qualitative research with a close examination of official documents and specific reports, applying document analysis. It is also worth to highlight in the study the corresponding changes for each time period by matching changes in HR situation and the EU sanctions policy. It examines the comparison of the consistency or inconsistency of EU sanctions policy towards Belarus across time to evaluate the relative significance of values and interests. This finding suggests that ultimately, EU sanctions policy is driven by a combination of values and interests, whereby interests condition whether the EU responds to HR violations or not. As a consequence, the study argues by presenting the patterns of EU sanctions policy and analyzing whether the EU's stance is driven by value or interest.

Keywords: *European Union, sanctions, Belarus, change, Human rights violations, interest*

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List of abbreviations

AMG - Advisory Monitoring Group

CFSP- Common Foreign and Security Policy

COARM - Council Working Party on Conventional Arms Exports

COREPER - Committee of Permanent Representatives

CSTO - Collective Security Treaty Organization

ENP – European Neighborhood Policy

EU- European Union

EurAsEC - Eurasian Economic Community

HRW- Human Rights Watch

HR- Human Rights

ICCPR - International Covenant on Civil and Political Rights

OSCE -Organization for Security and Cooperation in Europe

PCA–Partnership and Cooperation Agreement

UN- United Nations

UNSC -United Nations Security Council

Chapter 1. Introduction

Sanctions are a central tool for the EU for several reasons. The driving puzzle of the research is sanctions, as the EU has limited military and political capabilities. One country against which the EU has applied sanctions is Belarus. Throughout the 1990s, Belarus has been harshly condemned by the US, the EU, the OSCE (Organization for Security and Co-operation in Europe), and the UN for human rights violations and election fraud yet, with significant variations over time. For the first time, the EU in 1996 imposed sanctions towards Belarus, two years after President Aleksandr Lukashenka seized power and began turning Belarus into "Europe's last dictatorship." Sanctions were lifted in 1999 when disputes over diplomatic residences appeared to be resolved, but they were reinstated after Minsk refused to allow EU (EU) monitors visas (Marples, 2004). Following the increase of political persecution in future years, more restrictions in the form of a visa ban and asset freezes were imposed. However, following the Russo-Georgian conflict and hints from Minsk that it was eager to resume collaborating with the West, most targeted sanctions were temporarily halted again in 2008 (Marples, 2004). However, hopes were crushed when the administration ruthlessly suppressed demonstrators alleging electoral fraud in 2010. Sanctions have been steadily increased since then. Belarus is unique in that it is the only Eastern Partnership (EaP) country to be sanctioned by the EU. Despite being under sanctions, Belarus was welcomed to join the EaP. Furthermore, the sanctions were put in place in reaction to the rigged presidential elections in Belarus in August 2020, as well as the intimidation and brutal suppression of peaceful protestors and members of the opposition. Numerous Belarusian politicians, businesses, and corporations with ties to President Alexander Lukashenko's administration have undergone asset freezes and travel restrictions. Presently, the EU has been systematically imposing restrictive measures/sanctions against Belarus since October 2020. Overall, the pattern of EU sanctions against Belarus displays significant variation over time, the period when the sanctions are increased and decreased: from 1996- 2004; 2004-2010; 2011-2019, and 2020-present. Hence, the study first of all is attempting to find out an answer to the research puzzle through explaining the patterns of EU sanctions policy against Belarus. And, secondary aim, to explore what role geopolitical interests/contexts (value/interest basis) play in the EU's sanctions policy. It usually assumed to be value-guided, however interests also play an important role. In the

case of Belarus, it is aimed to find out what role geopolitical interests/context plays in shaping EU sanctions policy and whether this factor can explain variations over time in EU sanctions policy towards Belarus.

On the other hand, the EU has colossal economic power. EU restrictive measures can influence target countries or individuals by coercing them to behave in one way or another or punishing specific actions. The EU's receptivity to these measures reflects its character as a flexible negotiator when it comes to its own sanctions regimes. The use of sanctions allows Brussels to partially compensate for the lack of military power and, at the same time, use its economic potential for political purposes. They serve as a symbol of the unity of the EU members on crucial issues of international relations. Nevertheless, for instance, C. Portela divides the targets into broad geographic areas and assesses the frequency with which EU sanctions are used in each, and formulates her argument as follows: 'The closer an area is to the EU, the more frequently EU sanctions regimes are applied' (Portela, 2005, p.83). Furthermore, in general, to justify the human rights violations, there is some reliance on scholars over time: for two primary reasons, the post-Soviet space is a suitable proving ground for human rights promotional strategies. First, Russia consistently and publicly opposes the EU's support of human rights in the area (Delcour and Wolczuk 2015; Tolstrup 2015; Grauvogel and Von Soest 2014). Second,

the EU is far more concerned about the state of human rights in its immediate neighborhood (which involves post-Soviet countries) than in some other geographic areas (Portela 2005). As a result, sanctions are an essential tool for the EU in the neighborhood.

Regarding the research problem, it is necessary to highlight that in the modern world, against the background of the growing reluctance and unwillingness of most states to use military force, the role of alternative methods of coercion and instruments of influence in international relations, such as, for example, economic and non-economic sanctions, is growing. But even at the current stage, many researchers (e.g., F. Giumelli.2013, 2016, 2021; J. Korosteleva, 2012; Bosse, 2012; C. Portela 2005, 2011, 2016, 2022) question the ability of the European Union (EU) to pursue a standard foreign policy comparable to that of a nation-state, since reaching a consensus is complicated by differences in the national security interests of the EU member states.

The research question of the study is to respond to: **Under what conditions do changes in human rights violations in the target country lead to corresponding changes in the EU's sanctions policy?**

The first study hypothesis can be stated and explained as following: **under the condition of no EU geopolitical interests, changes in human rights violations lead to corresponding changes in the EU sanctions policy**, in this case if the first proposed hypothesis is valid this means in other words, under these conditions EU sanctions policy is consistent. In order to test the validity of hypothesis alongside with the period specific analysis, general discussion with dedicated to conclude whether the EU sanctions policy is consistent or inconsistent. Therefore, in order to suggest a logical understanding the second hypothesis is proposed below to test validity of study under the conditions of inconsistency of EU sanctions policy: **under the condition of EU geopolitical interests, changes in human rights situation do not lead to corresponding changes in the EU sanctions policy**, in other words, it is referred as under these conditions EU sanctions policy is inconsistent. As it is elaborated above the study is examining the EU's sanctions policy within the framework of two different hypotheses, which will contribute to propose valid conclusions.

As a theoretical framework, the study relies on existing explanations of the EU sanctions policy in the literature on the EU as a sanctioning actor. The value-based explanation, reflecting the idea of the EU as a normative power, argues that EU sanctions policy reflects violations of EU values (Portela, 2005.) When EU values are violated somewhere, then the EU sanctions this behaviour by imposing sanctions. In contrast, the interest-based explanation challenges the normative character (Portela, 2005). According to K. Brummer, although norms and principles play a significant role in the EU's sanctions policy, security and economic interests typically take precedence. The EU's sanctions policy will continue to bounce between interests, norms, and values since none of the underlying causes for inconsistency (e.g., the primacy of national interests, divergent views on the feasibility of sanctions) will go away anytime soon (Brummer, 2009). To conclude, what drives EU sanctions policy: from these two positions in the debate, the hypotheses are derived. In the empirical part, the study is going to test these explanations of EU sanctions policy by studying whether EU sanctions policy against Belarus has been driven primarily by values or interests. Similarly, Smith has argued the interest-based

explanation that the EU of being "guilty of inconsistency since third countries are treated differently, even though their Human Rights and democratic records are similar" (Smith 2003, p.116). Eventually, Smith acknowledges that the EU's defense of Human Rights is partway "the result of thinking that it constitutes a security strategy" as human rights violations jeopardize stability and security among and between countries (Smith 2003, p.98).

The EU has dedicated extra focus to sanctions since the Maastricht Treaty's entrance into effect. On a total of 27 occasions, the Council has imposed sanctions under the Common Foreign and Security Policy (CFSP) against countries, economic sectors, groups, individuals, and entities (Guimelli, 2013). Belarusian society, which had been cautious and apolitical for three decades, appears to have awakened (Petrova and Korosteleva, 2021), monitoring a profound transformation of state-society relations in a short period, bringing them to a qualitatively new level of self-organization and self-awareness. Sanctions are frequently imposed to "show the imposing government's efficacy, a willingness and capacity to act" or "to foresee or avoid criticism" (Barber, 1979, p. 380). Some scholars recognize that conformity is not always the essential aim of a sanctions system. It may not even be among its objectives (Lindsay, 1986), and senders' priorities for the various sanctions objectives may change over time (Barber 1979).

Although norms and principles play a significant role in the EU's sanctions policy, security and economic interests typically take precedence (Giumelli, 2013). The literature claims that there is a debate about whether driven by values or interests. The EU's sanctions policy will continue to bounce between interests, norms, and values since none of the underlying causes for inconsistency will disappear anytime soon (Brummer, 2009). According to the additional research, which can be relied upon, the meaning of security and 'shared values,' such as democracy or human rights, is what the EU makes them (Bosse, 2007). This is a significant acknowledgment, given that much of the existing literature focuses on the means through which the EU attempts to export its values rather than addressing the actual substance of and interactions between various sets of values. On another note, the EU is "guilty of inconsistency since third countries are treated differently, even though their Human Rights and democratic records are similar" (Smith 2003, p.116). Eventually, Smith acknowledges that the EU's defense of Human Rights is partway "the result of thinking that it constitutes a security strategy" as human rights

violations jeopardize stability and security among and between countries (Smith 2003, p.98). Therefore, the study is also going to identify these competing arguments of the EU sanctions policy by explaining variations in the case of Belarus, and provide an explanation under what conditions EU sanctions policy is interest or value-driven.

Several publications attempt to research sanctions policy as an effective tool or from the geopolitical side (e.g., Åslund and Hagemeyer, Smeets, Hörbelt), while others analyze it from a normative perspective (e.g., Portela, Guimelli). Even though there are a plethora of publications based on EU sanctions policy on Belarus (e.g., Korosteleva, Bosse), it can be admitted that the study has been poorly done for such an ongoing agenda. For instance, according to Portela, it can be noticed, that there is an attempt to explain the imposition of sanctions by a different approach, referring even to post-Soviet space, which can be considered as a gap, as she could focus on a more directly normative perspective, or even analyze the effectiveness of the tools (Portela, 2005). Referring to all the scholars mentioned in the study, there has been detected a small number of decent articles or study based straightforwardly on why and when does EU impose or lifted, increase or decrease sanctions.

The goal of research is firstly to explain the patterns of EU sanctions policy, secondly to account for the logic of interest-based and value-based explanations, when, why and under what circumstances it anticipates the EU to apply sanctions. The research is relying on theory-testing based and considered as theoretical study research, which prolongs the literature on the EU sanctions regime on Belarus study over time (1996-present), looking at different moments in time and what changed during those moments, which will bring together concepts of change in the Human rights situation in Belarus and change in EU sanctions policy, at the same time from geopolitical context based on the change in EU interest, which will be analyzed deeply in the study. The contribution to the study of EU sanctions have been made by directly sanction analyzers and scholars (e.g., Guimelli 2017, Portela 2010, Drezner 2000, Peksen 2009, Brooks 2002); some tried to analyze sanction from effectiveness side, and some tried by normative side, up today it can be stated that some aspects have not been directly addressed. The scholars above mainly focus on the effectiveness of the sanctions, as well as the normative side; they have a few, not exactly similar or no research on the sanctions with a division into specific periods with a focus on one case while examining the imposition of sanctions on Belarus by the

EU, the situation of human rights in Belarus, as well as the interest of the EU in Belarus, which is what my research will do. My study will now contribute to this debate by providing empirical evidence from the case of EU sanctions policy against Belarus for which side is right. The structure of the thesis is as follows. Following the introduction and literature review, the first empirical chapter delves into the various viewpoints of the EU and Belarus. By offering a complete overview in Chapter one, the second chapter focuses on the theoretical framework of the EU as a sanctioning actor, while the third chapter emphasizes the methods. In chapter four, twelve subchapters address country-specific analysis, which is continued by a review of three categories (corresponding change in the EU sanctions, human rights violations, and EU interest in Belarus) which is studied over time (1996-present). Ultimately, the study contains a conclusion and references, which are available in the end.

Chapter 2. Theoretical Framework: The EU as a Sanctioning Actor in World Politics

The given chapter describes what sanctions are and how they work and emphasize the EU functioning as a sanctioning actor in world politics. Restrictive measures or sanctions are a vital tool in the EU's foreign policy, which has risen to become one of the world's top sanction imposers. As a result, the EU has used its market size and economic and financial strength to its advantage (trade relations, bilateral agreements, and aid policy) (Martin, 2019).

Referring to the first hypothesis, which is: if a deterioration of the human rights situation, then an increase in EU sanctions. The EU has been highly implementing sanctions in its near European neighborhood, responding rather rapidly wherever there has been a significant concern to the region's security. It puts on view a genuine interest in changes in the proximity. In the case of Belarus, this vulnerability to the European East is evident. Ever since a minor level of hostility was observed, the EU retaliated with sanctions. So, if the restrictions enforced were ineffective, such activity demonstrates a genuine desire to resolve situations that may lead to conflict. Sanctions were initially implemented in Belarus in retaliation for the abuse of EU diplomats and also the OSCE operation (Portela, 2005).

The EU has improved its image as a normative power and global player by actively contributing to world peace and stability throughout its significant engagement in the realm of sanctions. The EU's sanctions were enacted in a favorable international environment, characterized by legitimacy provided, for the most part, by UN resolutions and joint collaboration with the US (Portela, 2014).

The initial step in understanding how, when and whether sanctions operate is to recognize that sanctions have numerous aims. The majority of scholarly analyses on sanctions begin with the idea that restrictions are primarily meant to induce an alteration in the targeted party's behavior (e.g., Giumelli, Portela). Most studies of how and when economic sanctions work to concentrate on whether a sanctioning state may increase the amount of economic hardship it perpetrates on the sanctioned state. This makes sense, considering that the usual theory of economic sanctions is that severe economic hardship would lead to political reform. Furthermore, the sanctioned state's adoption of policy adjustments that reduce the economic consequences imposed by sanctions appears to be amongst the most evident methods that sanctions appear to fail.

Economic sanctions are only one option in the national foreign policy toolkit, as David Baldwin points out. They can be used in conjunction with specific other political coercion measures to enhance not just the economic but also the overall political restrictions that refractory target governments would incur (Baldwin, 1998). In reality, because economic sanctions are intended to affect target countries in effect by provoking internal political opposition to the sanctioned program, their political costs outweigh their economic impact. Other international circumstances unconnected to their implementation or the sender state's policy decisions might amplify the political consequences of disobedience with economic sanctions (Baldwin, 1998).

Moreover, failing to impose or eliminate sanctions causes two issues for the sanctioned countries. They impose an administrative cost on sender countries or organizations, for starters. Furthermore, during the 1990s, the UN never had so much than six or seven sanctions regimes in force simultaneously. Presently, there are sixteen different regimes running at the same time.¹ Further, failing to release sanctions after the

¹ Council on Foreign Relations, 2019: <https://www.cfr.org/backgrounder/what-are-economic-sanctions>

situation has changed diminishes sending institutions' authority and makes it challenging for them to enforce consistency from others.

Since the end of the Cold War, international economic sanctions have become more significant as military war substitutes. Smart or targeted sanctions may be applied for eloquent goals rather than to cause maximum material damage to the target.² Furthermore, sanctions' political impact on the target country might be paradoxical, resulting in increasing political opposition to the sanctioners' requirements.

The first approach to fully understanding why and how the EU uses sanctions is to see them in a more practical light since one policy tool is applied in each scenario rather than as the primary policy tool. Rather than believing that sanctions themselves can decide a transformation or the fulfillment of a policy goal, the correct approach from this premise is to examine how sanctions impact targets and integrate into a wider system of tools. The aforementioned perspective transforms sanctions into other foreign policy tool capable of coercing, constraining, or signaling other players (Giumelli, 2011).

Sanctions are essential to the EU for several reasons. On the one hand, the EU has limited military-political capabilities. On the other hand, the EU has colossal economic power. EU restrictive measures can harm target countries or individuals by forcing them to behave in one way or another or punish them for certain actions. The application of sanctions allows Brussels to partially compensate for the lack of military power and, at the same time, use its economic potential for political purposes. They serve as a symbol of the unity of EU members on crucial issues of international relations.

Furthermore, sanctions should be evaluated in terms of how they affect individuals, non-state enterprises, and nations, with the purpose of sanctions being more important than the sanctions' stated aims (Portela, 2020). This viewpoint helps to form more anticipations about what sanctions can accomplish. Corresponding institutional capacity to enforce and evaluate sanctions with a better understanding of what sanctions can attain as a foreign policy tool may help to improve sanctions' reputation, allowing them to be viewed as effective as other foreign policy instruments without being tainted by negative opinions or evaluations of their effectiveness or influence.

² <https://www.brookings.edu/research/economic-sanctions-too-much-of-a-bad-thing/>

Arguments about the efficiency of imposing sanctions on some of the world's poorest peoples, or revoking trade favors, creates uncertainty about using way of reinforcing more widely (Manners 2009). Clara Portela proposes that EU sanctions be prioritized geographically, that only 'targeted sanctions' be used, and that new 'modes of operation' incorporating reciprocal accommodation be used (Portela 2005). The study by Portela demonstrates how the EU's use of tangible incentives, such as sanctions policy, is increasingly impacted by the desire to stimulate involvement and communication processes (Portela 2005; 2009).

According to the existing literature, the EU follows a two-track approach, distinguishing between individuals responsible for violations of electoral norms and human rights and the Belarusian citizens as a whole. Its asset freeze and visa ban are aimed at accountable persons whose names appear on public blacklists, thereby labeling them as *persona non grata*. (Pomorska, 2006). On the other hand, the EU remain in touch with middle-level authorities. Simultaneously, the EU has made it plain that it would avoid sanctions that damage the wider population (Ferrero-Waldner, 2006). Indeed, it asserts that social and economic prosperity will meet the needs of the population.

Regarding the scholarly presented above, it is necessary to highlight the conceptualization of my variables. The EU is a central actor in the study. On the one side, the EU is undoubtedly recognized as a global player; on the other side, the EU is expected to place more emphasis to its geographical neighbors than to other areas. Nevertheless, it has been stated that the EU's sanctions strategy is heavily influenced by the EU's regional rather than just global interest (Eriksson 2005, p.109). The European Security Strategy confirms this notion, stating that "geography is still important in an era of globalisation" (Council of the EU 2003a, p.8). Thus, it can be noted that the EU plays a role of single actor in the study.

Official EU statements shows that sanctions are implemented with the goal of changing target behavior, which is consistent with scholarly results. Nevertheless, additional logics, including such constraining and signaling (or stigmatizing), have been used to support behavioral change (Giumelli 2011). A conception of sanctions, according to Tostensen and Bull, is "purposeful planned measures by states or international organizations designed to elicit change in a target's behaviour in a specific direction" (Tostensen & Bull, 2002, p. 374). Therefore, regarding last definition proposed by

Tostensen & Bull. 2002, 'corresponding change in the sanctions', the 'corresponding' is denoted as 'consistency in the increase in sanctions and in HR violations at the same time. In turn, at the same time as a decrease in targeted sanctions', which will help me to present a valid analysis whether the corresponding change in the EU's sanctions policy is consistent or not. When it comes to itself, proposed as the part of my Dependent variable, will help me to operationalize it in a more effective way.

Considering the concept of 'change in the human rights violations', human rights as a general concept asserts that each and every individual has valid claims to particular freedoms and advantages from his or her own society. However, it is necessary to highlight that there is no well-identified precise definition of human rights, regarding the specific targets of my study. Human rights are some other, if any, universal rights; they are prima facie rights that must occasionally yield to compelling public interest. Human rights, according to Ronald Dworkin, usually "trump" any other public interests. These assertions on society have been formally stated, not for some vague and incoherent concept of what is desirable. They are classified into two groups in the Universal Declaration of Human Rights as well as other international tools: civil and political rights and economic and social rights. When it comes to Human rights violations specifically, which are a prevalent occurrence in today's administrations. At the very same time, there are significant disparities in the sorts and amounts of infractions that arise between administrations. Furthermore, Mitchell and McCormick argue that the distinctions are significant enough that categorizing the crimes into two categories—imprisonment and torture—is a legitimate conceptualization, particularly in terms of violations of "integrity of individuals" (Neil J. Mitchell, J. McCormick, 1988). Furthermore, these two categories might be useful as a starting point for reducing such infractions on a worldwide basis. Each individual's integrity is profoundly harmed by arbitrary detention, but systematic abuse requires all the more direct normative urgent focus and reaction. Thus, 'change in human rights situation' was conceptualized as above. Regarding the overall elaborated above to find out the precise definition, the suggested concept by the Universal Declaration of Human Rights is more closely explaining the logic of my study the violations mentioned aspects (political rights, economic and social rights), because the most human rights organizations (FH, HRW etc.) are using the same approach or techniques in their annual human rights reports.

Inferred from the discussion of concepts above, the corresponding changes' (consistency) for each timeframe are made by matching changes in HR situation and EU sanctions policy. Therefore, 'corresponding changes' can be seen in whether changes in EU sanctions policy match changes in HR situation; and 'no corresponding changes' can be seen in EU sanctions policy not matching changes in HR situation'. Next, the geopolitical interest, which intervenes to both concepts above, will be conceptualized.

When it comes to the definition of Geopolitical interest, there is also complexity to conceptualize it in more definitive way. The intervening variable 'Geopolitical interest' are considered as a combination of geographic and political factors influencing a country or region. To define the geopolitical interest, Cohen whose explanation is more similar to my study employs this definition in his 2003 book:

“Geopolitics is the analysis of the interaction between, on the one hand, geographical settings and perspectives and, on the other hand, political processes. (...) Both geographical settings and political processes are dynamic, and each influences and is influenced by the other. Geopolitics addresses the consequences of this interaction.”³

On the other hand, if we are looking at the Belarussian case, it is necessary to have an overview of contradicted interest of EU and Russia on this country, because if we are talking about EU interest on Belarus within the geopolitical context, it is necessary to highlight the interest of another actor (especially if it is competing actor) . Therefore, to specify the concept 'change in geopolitical interest' defines itself in the EU's competing geopolitical interest with Russia.

To draw attention to the signaling sanctions, in particular, which are of the nature of causing material damage to the opposing party and are not their primary purpose, although they may have an indirect negative economic impact - for example, expressed in the loss of foreign direct investment in the country subjected to sanctions (Giumelli, 2013).

Ultimately, the sanctions instrument is very important for the EU: it is one of the key expressions of the ability of its members to collectively exert economic and political

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https://exploringgeopolitics.org/publication_efferink_van_leonhardt_the_definition_of_geopolitics_classical_french_critical/

influence on the global arena, demonstrating to the allies their reliability and global power.

2.1.EU's use of sanctions as a foreign policy tool

The purpose of this subchapter is to highlight the importance of sanctions in the global arena and the usage of EU sanctions as a foreign policy tool; indeed, EU has been in the frontline along with conditionality provisions in international accords for a long time; however, sanctions have also become a powerful tool in its foreign policy as a result of unrest in its neighborhood (Portela, 2017). Despite the fact that this has attracted research interest to the EU as a sanction' sender or provider', two major shortcomings remain (Giumelli, 2011).

Some of the sanctions or restrictive measures are targeted, implying they are intended to harm only individuals or entities that are able to take responsibility for unfavorable policies and positions (European Commission 3, 2017). They are commonly associated with some other foreign policy instruments meant to encourage collaboration, culminating in a dual-track diplomacy. Safeguarding EU values, core interests, and security, maintaining peace, strengthening and promoting democracy, human rights, the rule of law, and international law norms and principles are the EU's avowed major priorities in implementing such stringent restrictions (European Council, 2017). There are four types of targeted restrictive measures: arms embargoes, travel restrictions, financial and economic measures (Giumelli 2013, p.22).

To begin with, usually, studies on restrictive measures or on sanctions explore their in-effectiveness and repercussions for target states from an analytical standpoint (Hufbauer 2007) whilst ignoring how this is tied to their design and the determinants of various possibilities (McLean and Whang, 2014). As a corollary, there is a dearth of detailed research on the formulation of EU sanctions, the variables that drive such decisions, and the efficacy of particular layouts. Scholars have not conducted thorough research on the development of EU restrictive measures yet.

The use of sanctions is one of the important directions of the foreign policy of the EU. Sanctions are understood as unilateral restrictive measures against certain states, individuals, or organizations in order to solve certain foreign policy tasks (Portela, 2014). Among such tasks are forcing the target country to change its behavior, restraining its

potential, as well as sending a signal about the unacceptability of a political course or certain actions (Giumelli 2016). Among the tools are financial, trade, visa, and other restrictions. At the same time, as a rule, we are talking about unilateral restrictive measures, that is, used by the initiators without the approval of the UN Security Council.

The sanctions applied by the EU in many ways look like a political alternative to the use of military force, material incentives, and diplomacy in a situation where some reaction to the actions of an object in the international environment is needed, and other kinds of actions are difficult or utterly unattainable for the EU (Giumelli, 2013). Lacking its own serious potential for military force, the EU can at the same time convincingly be called an economic superpower. Therefore, in itself, the use or threat of application of economic and financial sanctions on his part is very impressive. Economic sanctions may include not only trade embargoes but also asset freezes. But in international relations, in general, sanctions that do not have an economic content are also possible - for example, diplomatic ones.

Sanctions are now seen in the EU as an essential tool to respond to a volatile security situation. The restrictive measures of the EU do not have a direct economic motivation. Nevertheless, in the post-Cold War period, the relative demilitarization of European states has led elites across the EU to disagree on the desirability and limits of the possible use of military force in international relations. This further enhances the importance of European sanctions as a tool for conflict prevention and crisis response, the application of which the Member States are still in a position to agree on. Growing security threats in the world feed the "sanctions instinct" of the EU (Doraev, 2019).

In terms of the frequency of sanctions events, the EU has become a significant player in the policy of restrictive measures. It lags far behind the United States but is confidently ahead of all other nation-states and international organizations, including the UN. If to add the EU sanctions, the actions of member states to implement restrictive measures, as well as cases of third countries joining the EU sanctions regimes, then the gap from other initiators becomes even more tangible (Giumelli, 2016). The EU has an independent agenda of restrictive measures, which does not duplicate the American one. For example, the sanctions actions of the EU do not affect China and Iran to the extent that this is typical of the United States. Concerning Russia, they intersect, but they are also not identical. Moreover, in several events, the US is the object of EU criticism (for

example, in connection with US sanctions against the Nord Stream 2 project) (Drezner, 2015; Biersteker, 2016).

Improving the mechanism of economic sanctions is one of the most important priorities of the foreign policy of the EU. Sanctions are a tool to achieve political goals through financial, trade, and other restrictions. The importance of such an instrument for the EU is determined by at least three factors. First, the EU has enormous economic, technological and financial power. The euro firmly took second place in the number of reserve currencies and means of international settlements. Economic power can be easily converted into political opportunities. Secondly, the EU is still seriously limited in the use of military-political instruments. Brussels is forced to compensate for their lack by other means, among which sanctions are the most attractive. They allow inflicting real damage to target countries, as well as to individual organizations or individuals, without significant reciprocal damage to the EU itself. Thirdly, sanctions are the result of a common European foreign policy. The very fact of their use symbolizes the unity of the EU even when it comes to signaling restrictive measures purely.

At the same time, in the foreseeable future, the emphasis in EU policy on sectoral sanctions, mitigated along the way by exceptions and exemptions, most likely will not happen, despite the fact that the effectiveness of sanctions is being called into question, including within the EU: 'Whatever negative perceptions may be held about the use of sanctions, it still does not change their actual strategic importance and the fact that sanctions will be useful in the future'. (Giumelli, 2013, p.41). The notion that sanctions can or even must lead to a change in the behavior of those they target is often not justified. However, in addition to the function of coercion, they perform such important functions in EU foreign policy as deterrence and prevention. The signaling function should not be underestimated: "The act of imposing sanctions is perceived as a strong statement that can have both domestically use, targetting an audience that calls for action, and externally, sending a certain image of the EU abroad and sending specific messages to other actors as well" (Ibid, p.8).

One should agree with Francesco Giumelli that "the signaling aspect of certain sanctions should not be relegated to a residual category of non-effective sanctions" (Giumelli, 2013, p.19). The expected recipients of such a signal could be not only the country that is directly affected by the sanctions but also the international community as

a whole, some third countries, including the EU's closest allies, and even member states. A positive outcome involves projecting the normative face of the sanctioning party, in this case, the EU, into the world.

In contrast to the US sanctions regulation, the EU Regulations explicitly state that sanctions should not be economically motivated. In other words, the purpose of the EU sanctions is not related to financial or economic considerations; on the contrary, the sanctions are a reaction to the country's violation of fundamental rights and freedoms, such as freedom of speech, freedom from selective justice, national sovereignty and immunity, as well as other rights and freedoms generally recognized and accepted in a democratic society (Vines, 2012).

In general, the sanctions policy of the EU, however, contributes to strengthening its role in the global arena and makes its foreign policy more visible, which makes it illogical to expect the EU to abandon this practice in the future. The context in which sanctions can be applied is also expanding now, it includes not only the protection of human rights but also crisis management, the fight against terrorism, and the non-proliferation of weapons of mass destruction (Portela, 2005, p.83). In a more or less distant future, active challenging in courts of EU decisions related to sanctions and difficulties with their consistent implementation in individual countries on its territory, which we have noted, may lead to a relative departure from sanctions addressed to specific individuals and legal entities in favor of more consistent use of alternatives - diplomatic or even forceful measures.

Furthermore, in European studies, the primary emphasis on sanctions established under the Common Foreign and Security Policy leads to a lack of knowledge that EU sanctions come in a variety of forms. Diplomatic measures, banking prohibitions, travel bans, and different sorts of economic restrictions are all examples of sanctions (Drury, 2001). Numerous studies have attempted to reconcile research traditions between CFSP measures and trade and development policy (Portela, 2010; Koch, 2015), as well as the occasionally inconsistent approach to sanctions or constraints in expansion policy (Hellquist, 2019).

In the last two decades, the EU has increased in importance on the global stage, and one of the factors contributing to this has been its sanctions policy. The EU's institutional capacities for imposing sanctions have evolved from haphazard collaboration in foreign

and security policy to a complicated and well-developed process that governs how the 27 countries may achieve obligatory security decisions inside the EU legislative framework (Vries and Hazelzet, 2005).

Concerning the European Parliament, from a formal point of view, it only needs to be informed about the introduction of appropriate measures. In fact, European parliamentarians demand a more critical role for themselves. In some cases, the EP actively expresses its opinion on the merits and demerits of the EU sanctions policy, calling for sanctions against certain countries or accusing the EU executive of double standards.⁴ Travel bans for individuals, like arms embargoes, usually do not require additional decisions.

In principle, sanctions can be aimed at changing the behavior of the object; they are directed at restricting its freedom of action, or with their help, international players send a signal to the world community, other countries, non-governmental organizations, or individuals⁵. In this way, the authorizing party may be trying to improve its image in the international arena, raise its profile, reinforce some global norm, or demonstrate that the crisis, in its opinion, has moved to a higher and more dangerous level of diplomatic confrontation. Ultimately, this is a kind of form to demonstrate economic and political influence in the world.

To briefly summarize the EU sanctions rules, the policy of restrictive measures of the EU is determined by well-defined boundaries. These limits include, inter alia, the requirement that the relevant sanctions be proportionate, which must not be punitive or excessive. Sanctions should be reviewed periodically and any positive developments in the country or company that is sanctioned should be encouraged. Sanctions should not be motivated by economic considerations and should not be used as a tool to limit international competition.

2.2 Significant changes in EU sanctions

The primary goal of the given subchapter is to illustrate the policy-making of EU sanctions and to review the significant changes in EU sanctions. While European

⁴ [https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603869/EXPO_STU\(2018\)603869_EN.df](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603869/EXPO_STU(2018)603869_EN.df)

⁵ [Ibid](#)

Communities have used autonomous sanctions for a long time, their essence has evolved dramatically during the 1990s. Such changes might be the outcome of the ECs' metamorphosis into the EU, as well as the establishment of the EU's second pillar, the Common Foreign and Security Policy.⁶ Nevertheless, from the other side, the EU's continued efforts to attain more international prominence - portraying itself as a vital participant in international affairs - might be a driving force. Finally, changes in EU sanctions policy may reflect broader international attempts to strengthen sanctions tools and the efficacy of specific sanctions regimes (De Vries and Hazelzet, 2005).

EU sanctions policy has its origins in the EU's founding treaties, which constitute exceptions to the common market's ideals. Until the 1990s, the European sanctions strategy was characterized by its reactive nature since it primarily imposed UN sanctions at the Community and national legislative levels. Several forms of sanctions were covered by existing national legislations by the end of the 1980s, but fresh breakthroughs in integration strategies, along with new trends in sanctions regimes, prompted modifications in EU legislation (Biersteker, 2009).

Afterward, the Maastricht Treaty established the CFSP and provided an impetus for a more distinctly EU approach to foreign affairs in the 1990s; there has been a substantial shift in EU sanctions policy. After all, the EU has used self-imposed sanctions far more consistently than the UN and the Organization for Security and Cooperation in Europe (OSCE). As a result, some commentators regard the EU as a new player on the sanctions scene or highlight the change from soft to hard power (Kreutz, 2005; De Vries and Hazelzet, 2005).

The study of the sanctions regimes demonstrates that the EU's restrictive measures have always been very independent of the UN Security Council's sanctions recommendations in practice. For example, until 1991, the UN resorted to sanctions only twice: in relation to Rhodesia and South Africa, while 15 sanctions regimes were agreed upon and introduced at the European level ⁷. After the end of the Cold War, the UN

⁶ European Parliament, 2018: EU sanctions: A key foreign and security policy instrument
[https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/621870/EPRS_BRI\(2018\)621870_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/621870/EPRS_BRI(2018)621870_EN.pdf)

⁷ Security Council Report, 2013: UN Sanctions
https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/special_research_report_sanctions_2013.pdf

Security Council began to resort more often to measures of economic impact, and sanctions were imposed 23 times (Malone, 2004). However, the EU is still very active, far from always being guided by the decisions of an international organization: since its creation in 1992, the EU has imposed sanctions more than 30 times in addition to decisions sanctioned by the UN Security Council (European Commission, 2008)⁸.

Observation of the first joint actions of European states and their institutionalization (1981–2004). The starting point for a joint European sanctions policy is considered to be the London Report of the European Political Cooperation of 1981, adopted at the initiative of Great Britain and expanding the powers of the ENP and the European troika in pursuing a joint foreign policy in a crisis period, and also contributed to the creation mechanism for the emergency convocation of the Political Commission of Ministers within 48 hours (Kreutz, 2006). The report contained a commitment by the then ten members of the European Economic Community to consult before making any foreign policy decisions that might affect other members of the group. As a result, two months later, the first pan-European package of sanctions against the USSR was adopted in connection with the events in Poland, and after some time, a pan-European arms embargo against Argentina in connection with the conflict with Great Britain. The strengthening of the ENP was enshrined in the Solemn Declaration on the EU of 1983, and the steps towards the creation of a common market led to the empowerment of the ENP with authority to implement the decisions developed and adopted within its framework, including economic sanctions, which was reflected in the Law on a single Europe 1987 (Portela 2014). This Law was based primarily on economic reasons, but it seriously affected the institutional and managerial structure of the entity that would later become the EU, particularly by uniting the European Communities and the ENP and endowing the European Commission implementation functions retained by it to this day.

It is important to note that national security issues remained under the jurisdiction of states, so the arms embargo was still not introduced systematically; each state independently decided on the degree of restrictions on arms supplies. When the ineffectiveness of such a sanctions policy was revealed, the following institutional shifts were outlined: already in 1989, sanctions against China after the events in Tiananmen

⁸ European Commission, 2008:https://eeas.europa.eu/archives/docs/cfsp/sanctions/docs/index_en.pdf

Square were introduced for the first time on the basis of the Joint Statement (Harding, 1990). In 1990, the Asolo List was adopted, denoting four areas of the future Common Foreign and Security Policy, which became an important turning point in the coordination of economic coercion measures (Harding, 1990). In 1991, to coordinate the national policy in the field of arms exports, a working group of the Council Working Party on Conventional Arms Exports (COARM) was created, which adopted a list of criteria for issuing licenses for the sale of weapons (Bromley, 2008). The working group made the sanctions of European states directly dependent on the decisions not only of the UN but also of European institutions and also agreed on the General List of Embargoes, fixing on paper the independence of the European sanctions policy from external institutional structures. In 1992, with the creation of the EU on the basis of the Maastricht Treaty and the Common Foreign and Security Policy as one of its pillars, the prerequisites were laid for the formation of a modern institutional and legal framework for a common EU policy in the field of restrictive measures (Wessels and Bopp, 2008).

European sanctions, or restrictive measures, are one of the EU's tools to achieve the goals of the Common Foreign and Security Policy - peace, democracy, the rule of Law, respect for human rights, and international Law. Sanctions are introduced as part of a full-fledged policy that includes political dialogue and clearly defined conditions for the lifting of sanctions. According to the "Fundamental Principles for the Use of Restrictive Measures"⁹ June 2004, EU sanctions are introduced based on UN or OSCE sanctions, but they can either expand the latter or be introduced independently (Wyler, 2012). Despite the fact that the institutional consolidation in the field of EU restrictive measures is the result of recent reforms, and the first policy document of the consolidated sanctions policy was the 2004 Fundamental Principles for the Use of Restrictive Measures, the foundations of a common European foreign policy, in particular in the field of sanctions had been laid down since the 1980s (Russel, 2018).

Formation of a modern institutional structure for the coordination of sanctions policy at the supranational level in the EU (2004 - present). All the sanctions regimes introduced by the states at the first stage, although they were agreed upon at the supranational level, were implemented by the countries individually. Sanctions were not

⁹ Council of the European Union, 2004: <https://data.consilium.europa.eu/doc/document/ST-10198-2004-REV-1/en/pdf>

officially utilized as a foreign policy tool at the European level until 2004. Furthermore, sanctions were not listed as a component of the European security system in the European Security Plan of 2003, and neither a pan-European strategy for the deployment of sanctions measures nor a generic list of sanctioned governments were provided on the EU's official website (Dreyer, 2015). It is noteworthy that on the website of the European Commission in the United States, the European sanctions policy was presented, which indicates the greater significance of this foreign policy instrument in the United States than in Europe at that time, as well as the desire of the EU to demonstrate its contribution to the anti-terrorist war initiated by America. However, in 2004, the strategic foundations of modern sanctions policy were laid: on the basis of the Recommendations on the Implementation and Evaluation of Restrictive Measures, the Committee of Permanent Representatives (COREPER) endowed the Working Group of Advisers on Foreign Affairs with authority to implement and evaluate EU restrictive measures and developing recommendations for the most effective implementation of sanctions regimes (des Courières, 2017). As part of this group, review and recommendation documents are regularly developed, containing information and advice on the most effective and successful tactics for implementing sanctions regimes.

With the formalization of a common foreign policy of the EU, its ability to coordinate the implementation of a single sanctions policy and control over its implementation has also increased. The expansion of the use of restrictive measures and the strengthening of the coordination of this policy at the European level led to a transition to a new, deeper stage in the use of sanctions. Up until 2010, European sanctions were non-economic in nature: the European arsenal included measures such as entry bans and freezing of accounts and assets of specific people, while trade bans were limited to weapons (Russel, 2010). The most serious disputes between the European and American allies arose over dual-use goods, their precise definition, and the harmonization of lists. The key European states - Great Britain, France, and Germany - with rare exceptions, opposed the tightening and expansion of the embargo, guided not only by political but sometimes primarily by economic reasons. By the end of the first decade of the 21st century, the EU, for the first time, applied comprehensive measures, including economic ones, up to the oil embargo and financial restrictions. This case was no exception - new trade sanctions were introduced against Syria.

Lately, following the consensus type of decision-making in the Council of the EU and the European Council, on the one hand, complicates and slows down the process of harmonization; on the other hand, allows the most influential countries of the Union, such as Germany, to coordinate the activities of the EU and influence this process, either accelerating it or vetoing decisions. Sanctions are developed by regional working groups within the Council of the EU, the Foreign Relations Counsellors Working Party, the Political and Security Committee (PSC), COREPER (Russel, 2018). The decision taken by the Council of the EU is subject to mandatory implementation by the Member States. The implementation of the decision on sanctions depends on the type of measures introduced: economic measures, such as asset freezes or trade and export restrictions, are taken at the supranational level and are binding on member states; the imposition of an embargo on the export of arms and dual-use goods generally remains under the jurisdiction of national states, although it is coordinated at the level of the EU and also requires a decision of the EU Council; transport restrictions and prohibitions on the entry of certain persons are implemented by additional regulations at the level of domestic legislation regulating the activities of the relevant departments and services (Leonard, 2016).

Reportedly, the EU has the ability to impose almost all sorts of sanctions: 'diplomatic sanctions (expulsion of diplomats, severance of diplomatic ties, suspension of official visits); suspension of collaboration with a third country; trade sanctions (general and specific trade sanctions, arms blockades); financial sanctions (freezing of finances or economic means, banning on financial transactions, and investment' (European Commission, 2008, p.3).

The EU legislation has massive benefits over national legislation: it reduces the danger of various interpretations amongst member states and prevents competitive inefficiencies in a market without internal borders. Nevertheless, the EU does not have sole jurisdiction over the implementation of divestment of sporting activities or cultural festivals; at best, it may function as a facilitator.

As far as the fundamental principles of sanctions are concerned, the approach of the EU is strikingly different from that of the United States. Let's start with the basics of EU sanctions. As stated in the Instructions for the Implementation and Evaluation of Restrictive Measures or Sanctions in the Framework of the Common Foreign and Security

Policy, sanctions are imposed by the EU to change the policy or activities of the violating country, part of the country, government, organizations or individuals. Sanctions should not be punitive or excessive. The legal basis for the relevant sanctions should be clearly defined (Giumelli, 2011).

The EU regulation states that sanctions must always be proportionate to the intended purpose. The concept of respect for human rights and basic freedoms must guide sanctions. EU sanctions must also take into account the international obligations of the European Community and its member states, in particular the WTO agreements (Weber and Schneider, 2020).

The application of 'sanctions' is crucial to comprehending the EU's legislation of foreign policy. The EU has shown a strong desire and competence to impose sanctions on foreign countries, natural and legal people, and other entities in recent years. Resolutions of the United Nations Security Council (UNSC), as well as EU-led activities, have resulted in these developments. There are now approximately 30 active sanctions regimes.¹⁰ Sanctions were first used by the UNSC in the 1960s. International law requires governments to implement national measures to ensure the legal effectiveness of a UNSC Resolution on sanctions once it has been enacted. Initially, Member States adopted UNSC sanctions on their own, without the engagement of EU institutions, since UN Charter requirements do not commit the latter, and there was nothing in the Treaty provisions at the period to imply any transition of responsibility (Giumelli, 2015). This particular approach proved problematic in terms of the Member States' lack of consistency in their national policies, resulting in real or potential imbalances within the common market. Lastly, the external sources Common Commercial Policy, which already had significant EU competence, was damaged as a result of the distortions.¹¹

Sanctions are a legal instrument as well as a foreign policy means, with the ability to be challenged in court in certain situations and adopted through the legislative process in others. Moreover, sanctions are commonly used to integrate the EU's substantial economic power with its foreign policy actorness, and they have become the 'solution' at the European level in many situations. The scope of sanctions applied, or at least

¹⁰ Security Council Report, 2022: https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/2022_02_forecast.pdf

¹¹ <http://aei.pitt.edu/33652/1/LisbonImpactonTrade-rev6Mar.pdf>

considered in the Council, implies that the CFSP has moved its attention to sanctions as a realistic alternative to regional and global issues.

Furthermore, the EU's application of sanctions has supported the legalization process in both directions. The post-Lisbon CFSP concentrates on sanctions as a specially legalized instrument. Notwithstanding allegations from the several Member States that the CFSP is outside the sphere of legal and also procedural formalism, paired with punishment regimes, brings these processes within the range and progress of foreign policy (Cardwell, 2015). Simultaneously, the legality of the CFSP has allowed the Council to establish sanctions regimes in a more sophisticated manner, emphasizing their geographic and substantive diversity.

In the EU context, sanctions are one of the most prominent examples of the clear boundaries between external trade policy and foreign policy, as well as their different capabilities and institutional requirements in the Treaty structures. The legal implications and concerns of imposing sanctions, it is stated, cannot be isolated from the political in both a formal and conceptual aspect since they are intricately linked (Nanopoulos, 2019). Furthermore, sanctions are viewed as a vital tool for deterrence and conflict prevention in the EU's doctrinal papers and therefore must be used in conjunction with diplomacy. Their validity stems from international law, EU legislation, and the EU's international responsibilities under the WTO, GATT, and other organizations. In other circumstances, unilateral as well as multilateral actions are permissible.¹² At the same time, the desirability of the full calibration of sanctions is noted in order to avoid destructive social consequences. In addition, sanctions are defined as one of the tools for responding to crises; thus, the EU gives a detailed description of the sanctions and the procedure for their application (Hufbaer, 2009).

After all, at the present stage, sanctions have taken a confident position in the foreign policy arsenal of the EU. This is also reflected in the latest Global Strategy for Foreign and Security Policy of the EU, "Shared Vision, Common Action." In contrast to the 2003 European Security Strategy, the latest version emphasizes sanctions: "Restrictive measures, together with diplomacy, are the EU's key tools to achieve peaceful change. They can play a major role in deterrence, conflict prevention, and

¹² <https://greatpowerrelations.com/great-powers/status-of-great-powers/key-drivers-of-economic-capabilities/sanctions-and-trade-wars/general-overview/>

resolution. "Smart" sanctions, in line with international and European law, will be clearly calibrated and monitored in order to maintain a legitimate economic system and avoid harming local communities" (EU Global Strategy, 2016).¹³

2.3.Explanations of EU sanctions policy: values vs interests

The given subchapter provides essential explanations of EU sanctions policy and observes what other researchers have so far found, when, under what conditions, and why the EU imposes sanctions. The foreign policy of the EU, and with it the policy of applying the instrument of sanctions, has always been in a state of finding a balance between actions in order, on the one hand, to promote European democratic values in the world and, on the other hand, to protect the geopolitical interests of the EU as a whole and the interests individual EU member states in particular. When it comes to explanations of EU sanctions policy, the existing literature suggests the logic of interest-based and value-based explanations, when, why and under what conditions it expects the EU to impose sanctions.

"The foreign policy of the EU is the capacity to make and implement policies as from the road that promotes the EU's domestic values, interests, and objectives," according to Hazel Smith (Hörbelt, 2017, p. 55). Sanctions are a foreign policy instrument used by the EU to promote its own interests in third nations. The EU seeks to control a country's, government's, organizations', or individual's policy or behavioral patterns: "In particular, the EU implements restrictive measures to force the target nation, part of a country, government, entities, or individuals to modify their policies or activities. They are preventative tools that should enable the EU to react quickly to political issues and advancements.' (Ibid, p.55).

Following Manners' theory that the EU is a Normative Power rather than a Military Power, based on a value-based explanation. As a result, its foreign policy should adhere to normative standards. The EU uses sanctions to penalize target nations by basing them on basic and European principles. The normative aspect of EU foreign policies remains a defining feature (Manners 2002). It claims that the impact of the norm- and also value-

¹³ A Global Strategy for the European Union's Foreign And Security Policy, 2016: https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf

based factors in EU foreign policy has risen rather than reduced over time. This advancement would thus follow a worldwide trend that has been developing since the conclusion of the Cold War, in which universalistic ideals like human security are infiltrating the Westphalian international governing system. According to this viewpoint, the EU has incorporated the new conceptions into its own character as a foreign policy player (Checkel 2001). Youngs believes that conventional strategic rationales have been included in the rules driving EU foreign policy as a way to remedy this paradox (Youngs 2004). At the same time, according to Portela, the EU has frequently applied sanctions in circumstances that are tangentially related to security (Portela, 2014). As a corollary, Portela's research demonstrates that in Eastern Europe, the actual security context is the most significant, whereas foreign nations are sanctioned for violating EU norms and standards.

Along with several other latest types of research, the EU favors political discourse, active engagement, and positive conditionality to sanctioning (Lucarelli and Ian Manners, 2006). On the other side, emphasizing the interest-based explanation, several studies claim that, while norms and values play a significant role in the EU's sanctions framework, security and economic considerations typically outweigh them (Brummer, 2009). It is also argued that the EU applies sanctions deliberately, that the EU's objectives for applying sanctions are inconsistent, and that the EU has abstained from adopting restrictions if they would harm its critical interests (Portela, 2005). On the contrary, the EU employs sanctions regimes as a means of enforcing a consistent and long-term European foreign policy. In that way, the sanctions are founded on the UN's arguments (Smith, 2018).

Since the EU does not usually apply sanctions where it is considered acceptable, the geographic context is essential. There are several disputes throughout the world in which EU values or standards are violated or absent (Giumelli, Hoffmann, and Książczaková, 2020). Ultimately, the EU appears to have taken action outside of its own boundaries to protect better governance but also democratic rights. As a result, despite the geographical position of the question at hand, EU foreign policy should be clear and unambiguous whenever it comes to determining whether or not to use sanctions. In other respects, both in the EU's neighborhood and beyond, assisting national institutions in post-conflict situations should attract the very same priority and reaction. As a result, it

is reasonable to conclude that geographic closeness is a factor worth investigating subsequently (Giumelli, 2021).

As a result, the EU decides where sanctions should be pursued and where they should not. The EU, on either side, has become a significant global player, although the EU concentrates primarily on regional issues. It is in Europe's best interests for nations bordering the continent to be well-governed. Europe faces challenges from neighbors involved in fatal war, weak nations where organized crime thrives, dysfunctional cultures, and a growing population on its borders.

Sanctions are one way for the EU to institutionalize "shared values" in its ties with its neighbors. In fact, they can include embargoes on EU products, a prohibition on the import of items from the targeted state, a block on diplomatic connections, and limitations on the individual entrance to EU territory (Council of the EU, 2003)¹⁴. 'The content of 'security' and other 'shared values' such as democracy or human rights are – in the first instance – what the EU 'makes of them' ' (Christiansen et al. 2001, pp. 15–16, Bogutscaia et al. 2006). This is a significant acknowledgment, given that much of the earlier study focuses on the means whereby the EU attempts to promote its values, rather than addressing the actual substance of and interactions between various sets of values. The EU's external relations aims may be generally separated into two categories: democratic and human rights principles centered whether on realist top-down or idealist bottom-up methods; and soft security ideals predicated on realist notions of international relations.

However, the EU and Belarus have minimal political, institutional and legal ties, and engagement is largely occurring within semi-official networks on issues of common interest (e.g., energy security, border control) instead of shared ideals (Bosse, 2009).

In current ties between the Union and its neighbors, the role and relevance of political values have been everything but consistent. Community financial tools have not adequately institutionalized the obligation to democratic changes, and sanction measures have seldom been employed to strengthen human rights in neighboring countries. In current ties between the Union and its neighbors, the role and relevance of political values have been everything but consistent. Community financial tools have not adequately

¹⁴ <https://www.consilium.europa.eu/media/20858/75136.pdf>

institutionalized the obligation to democratic changes, and sanction measures have seldom been employed to strengthen human rights in neighboring countries.

The idea of a "common" foreign policy refers to the existence of common interests that cannot arise automatically. The interests of the EU, in this case, stem from the existence of common values that it wants to promote and defend on the international stage. Thus, the primary goal of the EU foreign policy is the protection of European values, fundamental interests, and independence. The goals to which the EU is striving in the international arena do not involve the conquest of territories. This is not the goal of possession but rather the goal of shaping the environment, i.e., adaptation to oneself and stabilization of the surrounding and international situation and conditions. In this perspective, the achievement of long-term security, stability, cooperation, and peace is emphasized. The goals of forming the environment do not exclude the pursuit of the actor's own interests. However, its interests are not achievable without constructive interaction with other actors. They cannot be achieved or independently ensured unilaterally. In this case, the EU has to make more active use of regulatory mechanisms, various kinds of agreements, and legal norms as instruments of foreign policy, which we can especially clearly observe in the area of the EU's neighborhood policy.

The relevant aspect from Giumelli work is the way of him analyzing EU sanctions policy mainly in his analyses such as 'How EU sanctions work' (2013) and 'The when, what, where and why of EU sanctions' (2021) and 'The success of sanctions: Lessons learned from the EU experience' (2013) which highly related to the study and simultaneously backs up the given analysis. At the same time, besides on relying on Giumelli's work, the research emphasizes on (e.g, Portela's, 2005, 2008, 2011; Bosse's, 2009, 2012; Korosteleva's, 2012), which aids to better conduct analysis.

In conclusion, the EU may employ sanctions as a foreign tool in the future to affect international relations. Sanctions imposed by the EU are likely to be more successful if they are accompanied by other measures and increased international collaboration with third parties. Therefore, sanctions may lose their effectiveness as a deterrence. Ultimately, EU sanction policy continues to be an important study topic for researchers, in-betweenness of value-based and interest based will be more displayed in analysis and conclusion.

3. Methodology

The study aims to identify the variation in EU sanctions policy over time. The study is based on EU sanctions policy in the case of Belarus, and the focus is primarily on the EU's imposition of sanctions: corresponding change in sanctions imposed on Belarus over time and explaining why the EU increases and decreases its sanctions. An analysis of the empirical data allows conclusions to be drawn about the EU as an international actor and, more generally, on trends in the use of sanctions as a foreign policy instrument.

In order to answer the research question, this study tests the hypothesis above through document analysis, using mainly official documents and specific reports.

The rationale of theoretical, qualitative research methods guides the range of ideas that the study uses to address its research question. The qualitative data analysis approach will be employed, allowing us to acquire a deeper knowledge of the phenomena and answer essential research questions so that suitable findings may be drawn. The qualitative approach allows to study of the case of EU sanctions against Belarus in detail and focuses on one case study over a longer period, which enables to signify of EU sanctions policy over time rather than across countries.

3.1 Research design

According to scholars, a case study should be "an extensive examination of a single unit (case) of a spatially bounded phenomenon — e.g., a nation-state, revolution, political party, election, or individual – observed at a single moment in time or over some specified period of time" according to Gerring, which highly relates to this study over time¹⁵ (Gerring, 2004: p342). It is worth noting, though, that while Gerring relates to a single unit of analysis, it's possible that emphasis must also be paid to certain sub-units. This highlights the crucial distinction between a 'holistic' case design with a single unit of analysis and an 'embedded' case design with numerous units of analysis, as defined by Yin¹⁶ (Yin, 2009: 50-52). Thus, to bring an instance, the first would focus on an

¹⁵ J.Gerring, 2004; What is a case study and what is it good for?
<https://www.jstor.org/stable/pdf/4145316.pdf>

¹⁶ Yin, R. K. (2009). Case study research: Design and methods (4th Ed.). Thousand Oaks, CA: Sage.
<https://journals.nipissingu.ca/index.php/cjar/article/view/73>

international organization's general essence, whilst the last one would focus on individual departments, programs, or policies, of certain aspects.

The several types of single case study approaches can give detailed, empirical ample evidence and comprehensive explanation of specific occurrences by combining numerous qualitative or quantitative research approaches. From diverse epistemological and analytical perspectives, a single case study examination can include both idiographic sui generis examples and nomothetic case studies suited for testing and establishing causal hypotheses when the possibility for synthesis exists (Willis, 2014). Furthermore, a significant benefit of the case study – particularly in the context of international relations – lies on a more practical rather than just theoretical level. "It is economical for all resources: money, personnel, time, effort... especially crucial, of course, if studies are fundamentally costly since they are if units are complicated collective humans," Eckstein stated ¹⁷(1975: p.149-150).

Regarding the discussion speculated above, a single case study will be conducted of the EU's sanction policy against Belarus as an instance of EU sanctions policy with multiple observations over time, the moments when the EU either consistency: increased or decreased in the corresponding change of its sanctions. In my study, I will take advantage of a single case study, as a single case study over time is best suited for the purposes of the present study, namely to Belarussian case because same country or regime, holds many factors constant, while only the ones of interest (HR situation, geopolitical context) vary. Broadly, the setting remains the same. Some degree of HR violations over long time, with variation, which allows to observe EU response to these violations. At the same time, changes in geopolitical context or interest, which allow to observe impact of this one EU sanctions policy. Simultaneously, an over-time emphasis allows for variation and the explanation of causes of within-case variance across time. Findings are generalizable to other situations including both factors or conditions, such as human rights violations and varied levels of geopolitical interests or contexts, and also explain the pattern of EU sanctions policy in such other cases.

¹⁷ <https://methods.sagepub.com/base/download/BookChapter/case-study-method/d11.xml>

3.2 Case selection

The study adopts a single case study as it is reflected above. Any meticulous qualitative case study research requires the development of a theoretical hypothesis. The existence of a superior research design and technique, as well as a greater capacity to evaluate and correlate the data acquired with the research questions and goals, are all advantages of establishing a theory (Hyett et al. 2014, Meyer 2011 and Morse 2011). The researcher's preparatory work for the qualitative single case study includes thorough analysis of literature relating to important sources, debate of the subjects and ideas, involving explanation of the issues being examined, the knowledge gap that was being addressed, and the distinctive value the qualitative case study results and conclusions were intended to provide.

Inferred from the discussion above, Belarus was selected as a case for this study, as study attempts to find out about sanctions policy against Belarus, since it aims to be both a practical and theoretical study at the same time. With a view on these secondary/theoretical goals, the case of Belarus is particularly suitable to achieve those aims within the time framework of the study, the case with long history of HR violations, but also variation in HR violations, which enables to observe whether this variation causes corresponding variation in EU response); the case in which geopolitical interests or context similarly matters or varies, so that the impact of this on EU consistency or the link between HR violations and EU response should be visible. All in all, Belarus is a very good case to study these combinations of HR violations only trigger EU response vs HR violations only trigger if certain geopolitical interests are given, because within-case variation allows to study variations in these factors/conditions over time – while all other factors remain constant. Studying other cases, this might not be the case: there might be HR violations at some point, and then again not. Or there might be geopolitical interests, and then not. But they would not give the same picture of variation in the combination of these factors over time. The case of Belarus is being observed over a long period of time, with multiple observations, in order to identify the evolution of the policy over time. Moreover, the particular interest of the EU in Belarus and the broad range of longest period of EU sanctions against Belarus make this case quite unique, why Belarus is the 'best' case to achieve the aims of study (besides explaining the pattern of EU sanctions policy towards Belarus), so why Belarus is particularly good to find out what explains

EU sanctions policy best and why not studying any other case, and at the same time the case represents for EU sanctions policy as a crucial one, which requires a distinct consideration.

3.3 Operationalization, data, and method of analysis

The study relies on Qualitative approach, which is an ongoing and responsive process that begins with the gathering of data rather than when it has ended (Stake 1995). The qualitative analyst writes down suggestions regarding the meaning of the text and how it could connect to other topics alongside with the notes or transcripts. Besides being important for scholars, several of them have referred to qualitative research involving as much "art" as science— as a "dance" (William Miller and Benjamin Crabtree, 1999, p. 323).

Qualitative research necessitates summarization, description, and analysis with the goal of identifying correlations and investigating themes and trends, as well as inconsistencies and connections (Flick, 2014b; Schurink et al., 2013). Textual, visual, audio and other non-numerical data are commonly used in qualitative research (Flick, 2014b; Schurink et al., 2013). The methods employed are qualitative data analysis approaches rather than statistics (Lacey & Luff , 2007).

Regarding the method, I will work with the document analysis. Document analysis is a form of qualitative research in which documentary material is analyzed, and particular research questions are answered using a systematic approach (Bowen, 2009). This form of analysis can be done as stand-alone research or as part of a broader qualitative or mixture methodologies study, and it's frequently used to corroborate findings from other sources (interview or focus group transcripts, observation, surveys) (Ibid). Documents may confirm or reject, explicate or expand on results across various data sources when utilized in triangulation, which helps to avoid bias (Ibid). Thus, I will conduct a study over time, looking at different moments in time and what changed during those moments, as aforementioned.

Hence, in the light of discussion elaborated above, it is logical to present our variables more visibly and define the way of operationalization for the variable specifically. Accordingly, this section presents a collection of indicators for measuring independent, intervening, and dependent variables.

(IV) *Geopolitical interest (Intervening V)* (DV)



As the conceptualization of variables is presented in the text previously, following the logics of definitions of variables, we can identify our indicators of measurement.

First of all, regarding the independent variable of the study ‘change in the human rights violations, it is necessary to recall the precise definition of the variable which is proposed concept by the Universal Declaration of Human Rights which is bringing together political rights, economic and social rights. Accordingly, the level of political rights which is also including primarily human rights is the indicator of measurement of my dependent variable, also it is necessary to highlight that the same indicator of measurement is employed by annual reports of well-known human rights organizations such as (FH, HRW etc.). Respectively the reliability of variable is ensured because the reliability of data used in the study is referring to same human rights organizations mentioned above. Lastly, when it comes to validity of study, from the perspective of DV, the employed reliable data will visibly contribute to analyze the phenomenon, if it is improved, remained same or worsened.

Secondly, concerning the dependent variable of the research ‘corresponding change in sanctions’, it is necessary to mention that the wording of the variable itself represents the ideas about the indicator of measurement for the variable by highlighting the changing. Moreover, before diving into deepness of operationalization, it is necessary to recall the precise definition of variable, proposed by Tostensen and Bull, "purposeful planned measures by states or international organizations designed to elicit change in a target's behaviour in a specific direction" (Tostensen & Bull, 2002, p. 374). Hence, first of all it is significant to note that this is complicated to identify the precise indicator of measurement within the framework of suggested variable. As it is briefly discussed above, the changing is a key factor in maintaining the indicator of measurement for phenomenon. Corresponding change’ are present or absent, the variable can therefore take two values: there can be ‘corresponding change’, or there can be ‘no corresponding change’. There is ‘corresponding change, when the change in EU sanctions policy is

consistent with the change in the human rights situation in the target country. For example, it increases when the human rights situation deteriorates, or it decreases when the human rights situation improves. There is 'no corresponding change' when the change in EU sanctions policy is inconsistent with the human rights situation in the target country. For instance, it increases when the situation does not deteriorate (e.g., does not change, or even improves), or it decreases when the situation does not improve (e.g., does not change, or deteriorate). Whether there is 'corresponding' change can therefore be determined by comparing changes in EU sanctions policy with the changes in the human rights situation that were measured before. Accordingly, the systematic analysis of reliable documents on EU sanctions (European Council, European Commission) is considerably contributing to reach valid indicator of measurement, which at the end will leads us to identify whether the corresponding change in sanctions is consistent or inconsistent.

When it comes to intervening variable of the study 'Geopolitical interest', it is crucial to accentuate that the study is targeting to make an observation within the timeframe of the study to identify whether the EU has geopolitical interests at stake or the EU does not have geopolitical interests at stake.

To broaden the discussion on variables, in order to measure the above-defined variables, I will use the legal acts from the official journal of the EU as well as official documents EU policy papers after 1996, statements of EU officials, and rely on reports from 1996 - present time, which provide such assessments. As is mentioned, numerous types of reliable literary sources will be employed in this research report. In order to measure the independent variable "Changes in Human rights situation," I will be working with the study, which will be based on NGO reports such as Human Rights Watch, Freedom House, UN Watch, which will be analyzed on the basis of Human right situation in the period from 1996 – present. At the same time, relevant bodies of international organizations such as Amnesty International, which gives annual reports on Belarus. In order to measure the intervening variable, "Change in Geopolitical interest ", I measure through EU documents: Council Conclusions after 1996 , statements, resolutions, which will be analyzed on the basis of EU and Belarus relationship in the time from 1996 - present. To measure the dependent variable " Corresponding changes in sanctions," the study relies on EU journal reports for example, Eur-Lex -Official Journal of the EU –

where all the legal texts are published, and the EU Journal provide reliable information to proceed on, which will be analyzed on the basis of EU sanctions policy from 1996 – present. All in all, I have utilized associated sources coming from considered organizations mentioned above.

4. Analysis: EU sanctions regime against Belarus timeframe (1996-present)

The imposition of EU sanctions towards Belarus, particularly against its president, has had a significant impact on the development of new perspectives and relations between Minsk and Brussels. EU authorities run the risk of losing hope of enticing Belarus' President to their side and influencing the adoption of certain management choices. So, this implies that they are aware of their influence's boundaries in a certain nation and, to some extent, throughout the post-Soviet space.

Belarus has been sanctioned by the EU in different forms since 1997 in reaction to repeated human rights abuses, rigged elections, and political persecution. However, in past years, ties between the EU and Belarus have improved. After Russia's 2014 invasion in Ukraine, Belarus showed to the West that it could play a positive role in the area by holding peace negotiations for the Donbas war. As it is the only nation without a territorial dispute in the EU's Eastern Partnership (EaP) project (which includes Azerbaijan, Armenia, Belarus, Georgia, Moldova, and Ukraine). Belarus benefits the EU by having a stable neighbor, despite the fact that it is not democratic. With the exception of targeted sanctions and an arms embargo against four persons linked to the unexplained disappearances of two opposition MPs, a journalist and businessman, in 1999- 2000, the EU applied sanctions towards Lukashenko in 2016. EU and Belarus had reached agreements on readmission and visa facilitation, as well as resuming their human rights negotiations until falsified elections of Lukashenko in 2020, which led to the new waves of sanctions towards Belarus (Portela, 2011).

Sanctions are based on an incapability to use other instruments, such as dialogue instruments, implying an urge to demonstrate confidence in the face of complete passivity. It also indicates that the EU's instruments and capacities in dealing directly with former Soviet Union countries are constrained. In actuality, while discussing this connection, numerous external elements must be considered, including the unique

interests of individual EU members and their opinions on Belarus and Russia, which still take precedence over other viewpoints. Simultaneously, this confirms the importance of ideological, political, and value aspects in the parties' debate, whereas economic significance is minor or non-existent. In the following subchapters, the development of the EU's sanctions policy towards Belarus will be introduced from 1996 till the present time, with a focus on corresponding changes in those sanctions and underlying conditions that explain those changes. Finally, concerning the combination of human rights situation in the country and the EU geopolitical interests and how the two conditions align and how this reflects in changes in EU sanctions policy.

4.1 Change in Human rights violations by Belarus, 1996-2004

Once publications appeared in the early 1990s, the human rights situation in Belarus stabilized, allowing for free debate on previously controversial subjects such as criticizing the government. Furthermore, Lukashenka's early years of rule created a precedent for his autocratic leadership style. The deliberate suppression of freedom of expression began as he tightened his hold on power by emasculating public institutions. Lukashenka signed a presidential order preventing publishing a report alleging bribery among his cabinet members only a few months after his victory.¹⁸

When armed officers forcefully disbanded a commemorative march on the tenth anniversary of the Chernobyl accident in 1996, it was the first deadly repression during Lukashenka's presidency¹⁹. Public outrage erupted as photographs of scores of bleeding protestors, notably women and teenagers, were released. Additional protests were severely suppressed in the months that followed. For surpassing the rights of journalists and creating detriment to the state's interest, the government closed down an independent radio station and imprisoned journalists. A constitutional amendment was also voted in the 1996 referendum to keep the death penalty in place. Belarusian authorities routinely use the referendum result to justify capital punishment (Potecki, 2002).

This opposition eventually resulted in a constitutional coup. The Amendment was made by referendum in November 1996, extending the presidential term from four to five years, replacing the unicameral Supreme Council with a considerably poorer bicameral

¹⁸ Human Rights Watch, 1999: <https://www.refworld.org/docid/45cafdc92.html>

¹⁹ Freedom House, 2006; Belarus: <https://freedomhouse.org/sites/default/files/Belarus2006.pdf>

Parliamentary Assembly, giving presidential ordinances of legal status, and giving the president the right to assign members of the Constitutional Court and the Central Election Commission. Furthermore, as a consequence of the constitutional coup of 1996 had a negative impact on Belarus's total human rights status (Ioffe, 2010).

Belarus' political system had devolved into an authoritarian country by 1996. This political system, which Lukashenka founded during his first presidential term in Belarus, can accurately be explained as the ultimate expression of the individualized system of leadership; essentially limitless subservience of the individual to the state via political, administrative, and coercive implies; de-legitimization of the regime's zones of social and political; and the legitimization of suppression through the codification of criminal punishment (Leshchenko, 2008).

The human rights status in Belarus after 1996 was defined by increased repression of dissent, additional restrictions on civil and political liberties, and continued crackdowns on nongovernmental groups as a result of Lukashenka's increasing power base.

In reaction to Lukashenka's authoritarian acts, such as the modification of the Constitution and violent repression of opposition organizations, Western countries placed diplomatic sanctions on the administration from 1997-to 1998 (Ioffe, 2010). However, as Rasa Gaidelyt suggested in her study, Western governments' efforts may have served to exacerbate the persecution of pro-European opposition movements. Statistical evidence supports this hypothesis: before 2000, the amount of protection for physical integrity rights has been declining (Gaidelyte, 2022). The astonishing fact that the condition of civil and political rights advanced marginally between 1997 and 2000 might be outlined by the Republic of Belarus' forthcoming presidential and parliamentary elections (Marples, 2004).

From the beginning of 2000, Belarus' human rights status started to deteriorate. Opposition members' disappearances, dubious detentions, court decisions with political ramifications, limits on the freedom to gather, and violence towards opposition marches have all become commonplace in Belarus. Ultimately, it can be added in general that the situation with human rights in Belarus has always been problematic in the period from 1996 to 2004; therefore, there was an explicit deterioration in the situation in the given timeline as aforementioned. This observation fits with the first hypothesis of EU sanctions

policy against Belarus. However, in order to test whether also to interest-based explanation holds, the next two sections investigate the consistency in EU sanctions and geopolitical context in which this first episode of the EU's sanctions policy against Belarus materialised.

4.2 Consistency in EU sanctions against Belarus, 1996-2004

The major sanctions system imposed in reaction to Belarus's path toward tyranny is composed of many interconnected regimes. Upon the approval of a new constitution in 1996 that consolidated power in President Aleksander Lukashenko's hands, he was exposed to a series of sanctions. The EU cut off strong ties and technical assistance programs, and stop ratifying the Partnership and Cooperation Agreement (PCA)— a sign that was linked by the European Parliament's declaration that it would not consider any bilateral agreement with Belarus (Fierro, 2003; Dura, 2008). The EU agreed to apply many tough sanctions in reaction to the deteriorating democratic condition in Belarus. The General Affairs Council resolved in 1997 to cease the operation of Community assistance programs, with the exception of humanitarian and regional initiatives that aided the democratization process. Furthermore, the EU Member States opposed Belarus' entrance to the Council of Europe (Council of the EU, 1997).

Some sanctions were temporarily eased following the establishment of an Advisory Monitoring Group (AMG) in Minsk in 1998, a discussion forum between the authorities and the opposition underneath the auspices of the Organization for Security and Co-operation in Europe (OSCE); nevertheless, measures were reintroduced after the Belarusian authorities withdrew their authorization in 2002. and after the rigged parliamentary elections and referendum in Belarus in October 2004, which were preceded by repression of demonstrators, the EU enhanced its initial sanctions policy by imposing travel restrictions on guilty officials (Gebert, 2013).

The response of the EU to the November 1996 referendum, in which Lukashenka solidified his control over the country, was the first significant turning point in the relationship. The referendum, as well as the president's constitutional amendments, were not acknowledged by the Union in the Council Conclusions of 1997. It established a list of punishments, including the refusal to ratify the PCA, to punish the emergent regime (Klinke, 2007). The EU denounced the Lukashenka dictatorship for the 1996 referendum,

prohibiting any interaction with Belarusian officials above the status of deputy minister, as well as any collaboration with Belarus (excluding the downplay of the Chernobyl disaster consequences). The 1996 vote started a 20-year conflict between the EU and Belarus, with human rights at the center of the debate (Giumelli, 2013).

The country's progress has been characterized by repeated financial crises and occasional political repression due to falsified elections. The EU levied the first sanctions against Belarus in 1996, after Lukashenka's changes to the Belarusian Constitution (Portela, 2008). The EU has halted technical assistance to Belarus as well as the ratification of the Partnership and Cooperation Agreement. Therefore, Lukashenka's anti-democratic and anti-capitalist stance was clear from the outset.

Since Belarus broke the Vienna Convention on Diplomatic Relations, the EU levied visa restrictions on members of the Belarusian government in 1998. Throughout a rigged election, including human rights violations, the EU imposed sanctions, which were eventually reduced when Lukashenka liberated political detainees. As a consequence, the EU lifted sanctions in 1999, only to reinstate them after the rigging of the 2004 legislative elections (Gebert, 2013, p.5).

Nonetheless, as the EU was developing its neighborhood strategy in 2003-04, Lukashenko rewrote the constitution in an egregiously flawed referendum in 2004, setting the groundwork for greater collaboration with the EU's eastern and southern neighbors (Bosse, 2012). He was re-elected as a result of this. Belarus was denied access to the European Neighbourhood Policy (ENP), resulting in a lack of democratic reforms and violations of basic human rights. As a result, the EU is unable to control its ties with Belarus on a politically and economically defined basis.. Finally, it can be emphasized from the discussion that the imposition of the first sanctions and later reintroduction of them against Belarus in the period from 1996 to 2004 the EU imposed the sanctions, as confirmed by the above. In this period, in fact, it imposed them for the first time. In the light of the analysis of this section, which is referring to reliable documents and measured according to the requirements of the indicators of the measurement of the study, it can be summarized that sanctions were corresponding. In the next phase, the geopolitical interest will be examined from 1996 till 2004.

4.3 Geopolitical interest of EU in Belarus 1996-2004

The relationship deteriorated over time, with the Drazdy crisis in 1998 acting as a low point when the dictatorship forced the majority of EU member state ambassadors to flee their homes. While some columnists on the EU-Belarus relationship make an argument that the Union's policy was redeveloped in 1999 with the implementation of a step-by-step approach²⁰, the others have identified a 1997 set of policies that had successfully resisted all substantial efforts to implement a new strategy (Klinke, 2006, 07).

From the mid-1990s until the mid-2000s, ties between the EU and the Republic of Belarus were characterized by low or restricted interaction. Official Minsk demonstrated its disinterest in strengthening relations with the EU in every manner imaginable. The country's leadership has been working to enhance the eastern vector in foreign policy since 1996. (Karliuk, 2018). The President actively contributed to the creation and development of the Union States of Russia and Belarus. This project was originally associated with his ambitions: the Belarusian leader probably wanted to lead a potential united states. However, after Putin came to power in Russia in 2000, for A. Lukashenko, the Union State and the exclusive format of relations with Russia began to play only the role of an external resource for developing the economy and maintaining internal stability (Zagorski, 2002). At that time, the Belarusian leader defiantly neglected relations with the EU. The authoritarian steps of the Belarusian leadership inside the country were met with the sanctions of the EU. Then the EU did not yet see the possibility of developing relations with the Republic of Belarus under the current President. Thus, the study shows that the interest of the EU in Belarus usually changes each time; however, in this period from 1996 to 2004, at first can be noticed that the relations between the EU and Belarus altered for the worse, and the EU did not attempt to improve the attitude, however, later there is observed an enhancement in the indicated periods as noted above, and European states focused on developing contacts with the Belarusian civil society and the opposition. Finding that in that time the EU had low geopolitical interests in Belarus, which can be explained that the consistency of EU's sanctions regime in this time, as EU interests in Belarus did not work against the EU responding to HR violations in Belarus by imposing

²⁰ EUROPEAN NEIGHBOURHOOD AND PARTNERSHIP INSTRUMENT
BELARUS, 2006: https://eeas.europa.eu/archives/docs/enp/pdf/pdf/country/enpi_csp_nip_belarus_en.pdf

sanctions, which is also conforming the validity of first hypothesis. In the first period, change in EU sanctions policy corresponded with change in HR situation in Belarus. In other words, the geopolitical contexts or interests were facilitating, they facilitated a consistent EU response, the factor 'geopolitical interest' did not interfere into the link between HR situation and EU response. This period, changes in human rights situation lead to corresponding changes in EU sanctions policy under condition that the geopolitical interest was absent. Whether this finding is applicable also beyond this period will be explored by looking at change in Human rights in the next phase.

4.4 Change in HR violations by Belarus, 2004-2010

Since the year 2000, Belarus' human rights status started to be worsening. Opposition members' disappearances, dubious detainment, court decisions with political ramifications, limits on the freedom to gather, and violence towards opposition marches have all become commonplace in Belarus.²¹

Physical integrity, political, and civic liberties were all suppressed by the Lukashenka administration in 2004. According to Human Rights Watch, Freedom House, and other human rights organizations, the Belarusian government has consistently suppressed human rights actions, limited freedom of expression and rejected the right to assemble, hassled and halted the function of several non-governmental organizations, imprisoned people on political grounds, and intended to silence media (Freedom House, 2004).²²

Considering the further worsening of ties between Minsk and Moscow due to a dispute over energy pricing and unclear inclusion prospects, the imposed sanctions may have contributed to a favorable shift in Belarus' general human rights status between 2006 and 2008. After 2006, political and civil rights conditions gradually improved, although political repression did not rise or decrease over the time period analyzed (Dura 2008).

In essence, the strain of sanctions and deteriorating ties with Moscow prompted Lukashenka to pursue reconciliation with Western countries: in 2008, to indicate his willingness to engage in dialogue, President Lukashenka released all political prisoners

²¹ <https://freedomhouse.org/sites/default/files/Belarus2006.pdf>

²² Ibid

and destabilized authority over some media outlets (Dura, 2008). Nonetheless, this participation strategy has not resulted in long-term development in Belarus' human rights status.

Eventually, as explicitly described above, the situation with human rights in Belarus deteriorated from 2004 to 2010, and as well in 2010, with Lukashenka's re-election for a fourth term amid widespread anger with the economy, the condition of human rights and democratic freedoms proceeded to worsen once more. Physical integrity, political, and civic liberties were all suppressed by the Lukashenka administration in 2004. According to Human Rights Watch, Freedom House, and other human rights organizations, the Belarusian government has consistently suppressed human rights actions, limited freedom of expression and rejected the right to assemble, hassled and halted the function of several non-governmental organizations, imprisoned people on political grounds, and intended to silence media. Following the advance of such a policy in Georgia, Serbia, and Ukraine, the US and the EU commenced funneling financial help to Belarus' opposition and civil society to foster democracy in Belarus (Freedom House, 2004).

4.5 Corresponding change of EU sanctions against Belarus, 2004-2010

After the fraudulent parliamentary elections and referendum in Belarus in October 2004, which were followed by the repression of demonstrators, the EU reinforced its first round of sanctions with a visa ban on involved officials. Upon the March 2006 presidential elections, the EU extended its visa restriction to individuals solely involved in violations of international electoral rules and the assault on the opposition, blackballing President Lukashenko for the first time. Furthermore, in October 2004, Belarus staged fraudulent parliamentary elections and a referendum that abolished presidential powers, paving the path for Lukashenka's third reelection in 2006 (Bosse, 2011).

Secondary sanctions, driven by the mistreatment of Western diplomats and the abduction of three lawmakers and a journalist, coincided with EU pro-democracy measures (Portela, 2010, p. 88). The EU sanctions policy evolved in tandem with Belarus's progressive slide toward authoritarianism and eventually included a travel restriction and asset freeze on persons linked to violations of international election norms, suppression of peaceful protestors, and obstruction of justice. When the downward tendency hit its height in late 2006, the Commission issued a non-paper on "what it could

bring to Belarus" (European Commission, 2006, p.1). Nonetheless, the EU simultaneously revoked the implementation of the Generalised System of Preferences (GSP) in Belarus, leading to a shortage of trade union independence, a move that took effect in 2007 (Klinke 2006-07).

Nevertheless, in 2008, the EU withdrew sanctions against Belarus because it had liberalized its economy. Moreover, the EU offered Belarus to join its Eastern Partnership in 2009; however, Belarus has refused to participate as it has not met any of the prerequisites (Korosteleva, 2012). As a result, the EU began to interact with the dictatorship and, in 2008-2009, eased visa restrictions on most Belarusian officials (Dura, 2008).

The set of prerequisites for further loosening of sanctions was noticeably less than that of the Commission's non-paper, containing just the political situation and omitting the calls for market-oriented change, bringing the total range of demands down to five. Shortly following, the Belarusian leadership decided to initiate discussions, permitting two independent publications to use state-run presses and distribution systems (Sahm, 2010).

The situation surrounding the presidential elections in December 2010 – the repression of protestors and a faulty voting process, concluded by the closing of the OSCE headquarters in Minsk – shows that the EU's attempts to convince the Belarusian government to abide by democratic norms failed. As per the Council's own judgment (Council of the EU, 2009), the period leading up to the elections was marked by a "shortage of real improvement," pointing to a continued standstill.²³

Leading to a shortage of clarity about how to come to terms with President Lukashenka's rule at the time, Western nations saw financial backing for the Belarusian opposition as the greatest alternative for peacefully removing the authoritarian leader and restoring the country's human rights condition. The notion behind a "color revolution" in Belarus was that when the next round of electoral fraud took place, opposition parties would launch a significant protest movement that would force Lukashenka out of power (Korosteleva, 2012). In the end, it is worth highlighting that the imposition of the secondary sanctions and additional restrictions towards Belarus in the period from 2004

²³ https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/111243.pdf

to 2010 can be determined as the same, despite the fact that more sanctions were applied by the EU, this period can be identified as the corresponding change. In the following section, change in HR violations by Belarus from 2004 till 2010 will be considered.

The finding that the HR situation deteriorated, however in the section above the non-corresponding change in the EU's sanctions regime in that period stayed the same, suggests a disconnect between the HR situation and the EU's response. This finding contradicts with the first hypothesis, with a value-based explanation of EU sanctions policy, and calls for further interest explanation, which will be done in the next section.

4.6 Geopolitical interest of EU in Belarus, 2004-2010

Upon first glance, this objective appears to minimize the impact of EU initiatives on Belarus' calculations. 'It was not EU constraint in the first place that triggered the process of alteration in Belarus,' Fischer claims (Fischer, 2009, p. 10). The regime was compelled to seek an agreement with the EU because of the expected internal and foreign consequences of the energy crisis.

Nonetheless, EU players aided Belarus's reunion with the EU, notably from member states physically next to Belarus, whose entrance to the EU in 2004 prompted a reform of Belarus policy (Portela, 2011).

The energy crisis in January 2007 played a significant role in EU-Belarus relations. The trade deficit deteriorated substantially following Russia's statement that it would inflate the price it imposed on Belarus for energy (Dura, 2008). The European Commission and Belarus established structured negotiations' on energy within weeks, laying the groundwork for an energy debate. Following this initial move, there were other signals of progress, such as the Belarusian government approving the establishment of a European Commission Delegation in Minsk in 2007 (Bosse and Korosteleva, 2009). Lately, Germany, a major contributor to Belarus, campaigned to release political opponents, while Finland used its OSCE chairmanship in 2008 to emphasize the EU's willingness to accommodate Belarusian elites. Western powers had consistently expressed their desire to cooperate if Belarus' democratic frameworks were reinstated well before the 2007- 2008 tipping point (Portela, 2011).

Immediately after the Cold War ended, the EU's first response to Belarus was to express unequivocal disapproval of both governments. Despite no indication that the

policies of the two regimes had changed much, the EU appeared to have switched direction years later. The Council discovered in October 2009 that since October 2008, new avenues for dialogue and closer engagement between the EU and Belarus have expanded. The EU's Council of Ministers praised increased high-level political dialogue between the EU and Belarus, as well as the establishment of a Human Rights Dialogue, developed materials cooperation, and Belarus' participation in the Eastern Partnership, as means of increasing mutual understanding and offering initiatives to address pressing issues (Council of the EU, 2009, p1.)²⁴.

Lastly, the EU gained from the collaboration with other organizations, particularly the OSCE. Besides the CIS, the OSCE was the only pan-European organization where Belarus had a full member headquartered in Minsk in the absence of official connections with the EU and the Council of Europe. Finland's OSCE leadership in 2008, led by a pro-rapprochement Foreign Minister, aided development due to Finland's dual membership in the OSCE and the EU (Portela, 2011). After all, it can be safely stated that the interest of the EU in Belarus increased once more in the timeframe from 2004-2010 as claimed above. Finding suggest that the EU geopolitical interests was present at the given period. And this can explain why HR situation did not determine the EU response. This suggests second hypothesis explains, but not the first. Inferred from the discussion elaborated above it can be insisted on the validity of second hypothesis in the given time, as under the condition of EU geopolitical interest, change in human rights situation do not bring to corresponding changes in the EU sanctions policy. In other words, the geopolitical contexts or interests lead to an inconsistent to EU response, the factor geopolitical interest did not interfere into the link between HR situation and EU response. In this period, the interest is present, changes in HR situation do not lead to changes in EU sanctions policy. Whether this finding is applicable also beyond this period will be explored by looking at Human rights violations in the next phase.

4.7 Change in HR Violations by Belarus, 2010-2020

Lukashenka won the presidential election in December 2010, and the election was judged to be fraudulent by the OSCE, shattering expectations for democratic development

²⁴ https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/111243.pdf

in Belarus. Hundreds of mostly peaceful demonstrators were beaten and detained by police in riot gear on the night of the election. Over 40 people were detained; however, several were freed over the year, ostensibly in reaction to international pressure (Melyantsou, 2014).

The authorities launched a campaign of harassment against human rights advocates, political activists, and attorneys in the months that followed. The amount of repression was unparalleled, and substantial limits on freedoms of association and the media stayed unchanged. Ales Bialiatski, a notable Belarusian human rights campaigner, was detained in August 2011 on politically driven tax fraud allegations. Imposition of sanctions and various restrictions contrary to Belarus in the period from 2010 till 2020 can be defined as an upturn in the case of Belarus.²⁵

Furthermore, the fulfillment of Belarus' UN responsibilities is indeed considered as part of the Universal Periodic Review process, a Human Rights Council mechanism for assessing the human rights condition in UN member states on a regular basis. Belarus' position was reviewed as part of the second phase of the UN universal periodic review in May 2015. The Belarusian Council of Ministers approved the Human Rights Plan in October 2016, a statement intended at executing Belarus's acceptance of the Universal Periodic Review guidelines²⁶. Human rights activists, civil society, members of NGOs, and individual specialists participated in the following MFA discussions. Despite reports of cooperation among the authorities and NGOs on problems such as gender, the rights of disabled individuals, and AIDS, civil society specialists criticized the Plan's ambiguous construction, which lacked roadmaps and benchmarks (HRH, 2017).

Progress was extremely slow; according to Belarus' pledges under the UN Universal Periodic Review, no legislative action had been taken to enhance the condition of human rights since 2016 (UN HRC, 2017, p. 5)²⁷. Despite the fact that new legislation had been, the political environment had not changed significantly. Simultaneously, draconian

²⁵ <https://rightlivelihood.org/announcement/ales-bialiatski-viasna/#:~:text=In%202011%2C%20he%20was%20arrested,for%20his%20human%20rights%20work>.

²⁶ <https://humanrightshouse.org/articles/the-second-round-of-the-upr-report-of-belarus-discussed-in-the-un-human-rights-council/>

²⁷ <https://www.refworld.org/publisher.UNHRC.,BLR,5939438a4,0.html>

legislative revisions were passed, allowing for the intentional disregard of people who express opposition.

In April 2016, relevant regulations on extremism were included in the Criminal Code and the Code of Administrative Offences, along with the "formation of an extremist group" and "funding the operations of an extremist organization." Notwithstanding HRC appeals to suspend executions, the death sentence remains in place, and no independent human rights organization has been established. Belarus adopted the UN Convention on the Rights of Persons with Disabilities in November 2016. Nevertheless, the government kept on refusing to work with Miklós Haraszti, the UN Special Rapporteur on Belarus, who was assigned in 2012. Since 2016, there has been a global pattern among authorities to refrain from carrying out large-scale, brutal repression on a regular basis, despite the enforcement of exceptionally punitive sanctions on political activists, sometimes for their participation in peaceful demonstrations. In 2016, for example, 484 fines totaling EUR 200,000 were recorded, equivalent to even more than one month's average pay in Belarus.²⁸ The government forced political activist Nina Bahinskaja, who was imprisoned in May 2016 for raising a national flag on a plaza, to pay fines by seizing and auctioning her personal possessions, as well as withholding pension deductions (UN HRC, 2017).

Authorities seized not just the assets of people active in political action, as well as the assets of their families, continuing the trend of hefty sanctions into 2017. This was the situation with Juryj Hubarevi, the leader of the For Freedom movement: his and his wife's property was confiscated in order to pay penalties for his involvement in the Kurapaty and May nonviolent opposition marches (Naviny, 2017). Massive restrictions have been utilized as yet additional means of eliminating unfavorable opponents from the country's democratic processes, based on their frequency and size.

Simultaneously, by 2019 human rights in Belarus continued to be abused via politically driven detention, limits on freedom of assembly, and the press. Authorities used state persecution and coercion against peaceful street protesters, investigative media, opposition figures, and human rights advocates.²⁹ Assuredly, the status of human rights in Belarus from 2010 till 2020 remained the same, as there was no systematic alteration

²⁸ Ibid

²⁹ <https://freedomhouse.org/country/belarus/freedom-world/2019>

in the field of human rights situation, as aforementioned. In the next chapter, the consistency in EU in Belarus from 2010 till 2020 will be considered.

4.8 Consistency in the EU sanctions against Belarus, 2010-2020

The EU has been active in the run-up to the election, maintaining an incentive program but also retaining the option of continuing sanctions. It resulted in the extension of sanctions on Belarusian officials, who were prevented from visiting the EU and had their assets frozen, as well as their resuspension in late October 2010 (Giumelli, 2013).

The occurrences in Belarus following the elections in December 2010 drew a response from the EU institutions (Korosteleva, 2012) . First, in January 2010, the European Parliament passed a resolution stating that the elections failed to fulfill international norms of fair, free, and transparent elections, which were another squandered chance for democratic transition in Belarus.³⁰ They strongly denounced the persecution, police, and KGB operations targeting opposition leaders and nonviolent protestors, as well as their imprisonment, and demanded that they be released immediately. The Parliament invoked the EU's Council, Commission, as well as High Representative, among others, to evaluate the EU's policy against Belarus, along with considering targeted economic sanctions and exploring the option of suspending Belarus's involvement in Eastern Partnership actions if the conditions in the country do not "significantly enhance," and to reinstate the visa ban on leading Belarusian figures, prolonging it.³¹

The number of people on the EU list increased from six in 2004 to over 250 (243 people and 32 organizations) in 2014 (Gebert, 2013). The increase in the number of political prisoners was obviously correlated with and accompanied the extension of sanctions. Nevertheless, there is a far weaker link between the decrease in the number of political prisoners and the increase in the number of those on the blacklist. Since Belarus was tiny and inconsequential, and not connected to European organizations, imposing sanctions was quite simple. However, the paradox of sanctions is that the more burden on Lukashenka's political and economic system, the less power the EU has in Belarus. Belarus has been pulled even deeper into Russia's arms by

³⁰ https://www.europarl.europa.eu/doceo/document/TA-6-2006-0137_EN.html

³¹ Ibid

economic sanctions and political segregation. Sanctions impede economic endeavors, distract foreign investors, and increase people's reliance on the state by making the Belarusian economy further reliant on Russian assistance. Because Belarusian authorities were unable to get to Europe, they must intensify their cooperation with Russia, acquiring how to administer the nation from Moscow's representatives. Several sectors, such as higher education, freedom of travel, and civil society initiatives, are indeed harmed by international sanctions (Kryvoi and Wilson, 2015).

Whenever sanctions are applied on one another, both Belarus and Russia benefit politically. Belarus, which was a big re-exporter of such items to Russia, benefitted from Russian sanctions on European food manufacturers. Once the EU imposes sanctions on Belarus, it aids the Kremlin by bringing the Belarusian economy and bureaucracy relatively close to Moscow. Sanctions do not appear to have changed the behavior of the Belarusian government at this time (Titarenko, 2018).

On the eve of presidential elections, the Belarusian opposition has customarily staged large-scale protests in Minsk. Protests between 2006 and 2010 were violently suppressed, with key opposition leaders assaulted and detained. Belarusian authorities, on the other hand, were far less restrictive in the post-Crimea geopolitical situation. The fact that the 2015 presidential election went off without a hitch and without severe repression prepared the ground for the EU to withdraw most of Belarus' sanctions in 2016 (Kryvoi and Wilson, 2015).

The EU intended to keep its tentative normalization process with Belarus continuing so that Minsk could counteract Moscow's pressure. The elimination of EU sanctions in 2016 was a watershed moment in the process, which was also the EU-Belarus deal on visa facilitation and reintegration, which went into effect in July 2020 (Bosse, 2021).

Belarus' pro-democracy sanctions strategy had failed to encourage political reform and, in some ways, had moved the country closer to Russia. The EU could therefore concentrate not just on promoting democracy but also on developing the Belarusian community, which would benefit European interests in the long haul. At last, it can be concluded that the application and later elimination of sanctions and various restrictions contrary to Belarus in the period from 2010 till 2020 can be defined as an upturn in the

case of Belarus and can be concluded as a no corresponding change in that time. Next chapter in depth analyzes geopolitical interest from 2010 till 2020.

4.9 Geopolitical interest of EU in Belarus, 2010-2020

The desire of the Belarusian president to abandon the development of relations with the EU, which could not come to terms with the lack of democracy in the socio-political life of the country, collided with a difficult economic reality. In 2011, Belarus was unable to demonstrate economic growth against the backdrop of the exit of most European countries from the global financial crisis of 2008–2009. But in the period 2011-to 2013, the relations of Belarus remained tense not only with the EU but also with Russia (Bosse, 2012). In fact, for the EU, 2011 was a year of worsening relations not only with the official Minsk but also with Moscow. Lukashenka's hopes for a change in the nature of relations with Russia in connection with the Eurasian project quickly dried up. The negotiation with the Russian leadership on a bilateral basis, the Russian market after 2008 did not seem to be growing rapidly, and most importantly for Belarus, the abolition of customs duties on oil and gas within the framework of the Eurasian Economic Community (EurAsEC) was postponed until 2025 (Nice, 2012). A. Lukashenko found himself in a difficult situation of confrontation in three directions at once: European, Russian and internal in relations with the Belarusian society. In these difficult conditions for the Lukashenka regime, the most severe crisis between Russia and the West - the Ukrainian conflict - gave the Belarusian president a chance to open a new page in relations with the EU.

The Ukrainian crisis (2014) was the result of competition between the regional strategies of Russia and the EU: the projects of the Eurasian Economic Union and the Eastern Partnership. Just as the armed conflict over South Ossetia in 2008 became the main trigger for improving relations between Belarus and the EU, so the Ukrainian crisis, especially the annexation of Crimea to Russia and the fighting in Donbas, became the impetus for improving relations between Minsk and European capitals.³² The focus on security issues in Central and Eastern Europe after 2014 contributed to the formation of a more pragmatic approach in the foreign policy of the EU in the Belarusian direction.

³² Ibid

The new improvement in relations between the EU and the Republic of Belarus has become more balanced, solid, and realistic.

In the period after 2014, it became obvious to the EU that A. Lukashenko and the Belarusian authorities were the main counterparties in relations with the Republic of Belarus. The elections and the dispersal of the opposition action in December 2010, as well as the sluggish election campaign and the poor result of the opposition in 2015, demonstrated, both inside the country and abroad, the futility of interaction with anyone in the Republic, except for the official authorities and the president (Korosteleva, 2016). Understanding this led to a decrease in ideologization and the strengthening of a pragmatic approach in EU-Belarus relations on both sides. What is also new is that after 2014-2015, one can hardly speak about the development of the Eastern Partnership format. Following the signing of Association Agreements with the EU by Georgia, Moldova, and Ukraine, as well as Armenia's admission to the EurAsEC, the EU implements a policy targeting each of the Eastern Partnership countries individually, rather than as part of a broader project (Melyantsou, 2014). The shift from a multilateral to a bilateral structure under the Partnership in EU-Belarus Ties is favorable to Minsk and appears to be more constructive for the establishment of diplomatic relations with EU nations. The Belarusian leadership was not interested in democratization and association with the EU, which would be provided for in the Eastern Partnership format, but is extremely interested in developing economic relations with the EU and normalizing political relations. Until the mid-2000s, Russia was absolutely important for the Republic of Belarus, while the EU did not play a significant role. However, in recent decades, there has been a gradual decline in the attractiveness of the Russian Federation and the post-Soviet area, with a modest but constant increase in the relevance of the EU for this country. To date, Belarus is still vitally dependent on Russia, and the role of the EU is incomparably less.

The main task of Minsk in the European direction was to strengthen sovereignty and independence by improving relations with Brussels, correcting foreign policy and foreign economic imbalances, and, accordingly, reducing dependence on Russia. EU policy towards Belarus is also acquiring more specific goals. The EU had rather small but specific goals that coincide with the goals of the Belarusian leadership - improving political relations, as well as developing economic and technological cooperation with

Belarus. As for the military-political aspect of relations, the situation here is stable. The Republic of Belarus remains the most important military ally of Russia, which is formalized within the framework of the Collective Security Treaty Organization (CSTO) and the Union States (Karliuk, 2018).

After 2014, the Belarusian leadership pursued the development of cooperation between the EU and the Eurasian Economic Union. This position is contrary to the Western approach, according to which the EAEU is not an equal partner for the EU, just like the CSTO is for NATO (Bosse, 2018). If, for the Russian leadership, the development of relations between the Eurasian Economic Union and the EU would mean recognition by the West of the Eurasian integration project, then for Lukashenka, this notion would open up the possibility of developing relations with the EU without infuriating the Russian Federation.

To sum up, it would be in the EU's best interests to increase the progressive wing's influence among Belarus' elite. since this group strives to modernize the economy and the management system and, therefore, to bring standards closer to European ones. Belarus failed to acknowledge Russia's annexation of Crimea in 2014, which enhanced relations with the EU. With the liberation of certain political prisoners in August 2015 and nonviolent presidential elections in October 2015, political repression lessened marginally. As a consequence, the EU agreed not to prolong sanctions towards Lukashenka, 169 other Belarusians, and three companies in February 2016.³³ The implementation of the EU-Belarus visa facilitation and reintegration accords in 2020 was another indication of progress (Korosteleva and Petrova, 2021). Lastly, it can be indicated that the interest of the EU in Belarus was absent in the timeline from 2010- 2020 and at the same time it contradicts to the human rights situation which remained the same in the given period and EU sanctions were eliminated until the falsified election in 2020. However, within the indicated time frame, it is essential to highlight that the analysis, the geopolitical contexts or interests is facilitating, they facilitated as consistent to EU response, as the geopolitical interest was absent at that period and the factor 'geopolitical interest' interfered into the link between HR situation and EU response. The two hypotheses are really the inverse of each other and part of one argument suggests that

³³ <https://www.consilium.europa.eu/en/press/press-releases/2016/02/25/belarus-sanctions/>

geopolitical interests determine that changes in HR situation lead to changes in EU sanctions policy.

Lastly, whether the finding is applicable beyond this period, which will be reflected in the following chapter and which analyzes the corresponding change in the EU sanctions against Belarus from 2020 – present.

4.19 Change in HR violations by Belarus, 2020 – present

In regard to basic human rights, it is worth mentioning that Belarus is the only country in Europe that uses the death sentence and executes inmates, with the procedure shrouded in secrecy (Amnesty International 2020, p.9) ³⁴

In regard to fundamental human rights, it is worth mentioning that Belarus is Moreover, the "government's rejection of the COVID-19 epidemic and its flagrant contempt for public health protections" (Freedom House, 2020)³⁵. In relation to the Covid-19, issue endangers people's lives along with their health and well-being, and thus violates human rights.

Likewise, LGBT+ individuals face significant cultural and legal discrimination: same-sex marriage is prohibited, and assaults on them are seldom examined and prosecuted (; Amnesty International 2020, p.12)³⁶. It is not commonplace for the LGBT+ community to hide their identities due to hate crimes, assault, and abuse.

In summary, human rights and political freedoms in Lukashenko's Belarus remain severely curtailed, with authorities crushing criticism and pluralism throughout the nation.

Moreover, journalists have been persecuted by the Belarusian government for harsh treatment since the elections (RSF 2020)³⁷. Dozens of times, the rights of journalists and the press have been violated, notably denial of accreditation, beatings, arrest, detention, expulsion, and jail, all for arbitrary causes (RSF 2020-21)³⁸. ‘The culpable security

³⁴ <https://www.amnesty.org/en/location/europe-and-central-asia/belarus/report-belarus/>

³⁵ <https://freedomhouse.org/country/belarus/freedom-world/2021>

³⁶ Ibid

³⁷ <https://rsf.org/en/belarus>

³⁸ <https://rsf.org/en/news/report-analyses-lukashenkos-year-old-crackdown-belarusian-journalists>

forces, namely the military and law enforcement agencies, have not been considered responsible, and their activities, which violate a number of human rights, have not been probed' (Amnesty International 2020, p.8)³⁹. Surprisingly, peaceful demonstrators have been charged with attempting to destabilize Belarus (Civicus Monitor 2020)⁴⁰. The "most severe assault on human rights in Belarus' post-independence history" (Amnesty International 2020 p.4)⁴¹ became obvious as a result of the elections.

The Belarusian authorities have violated a number of human rights, including the right to assemble, freedom of expression and media freedom, right to be free from mass detention or detention and freedom from torture, as well as equality before the law and the right to fair trials, as a result of the actions depicted above. This is a breach of "several of Belarus' international human rights duties and commitments, notably as a party to the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Convention Against Torture, as well as a participating OSCE state," according to the report (HRW 2020,).⁴² As a result, the world community was summoned to a United Nations discussion (UN).

Finally, from 2020 till the present, the human rights situation in Belarus aggravated more after the fraudulent elections in 2020 and was named the most severe assault in the history of Human Rights of Belarus. In the next section, the geopolitical interest of EU in Belarus from 2020 – present time will be considered.

4.11 Consistency in the EU sanctions against Belarus, 2020 – present

Sanctions may be socially disagreeable and cause anxiety, albeit their costs are often insignificant when compared to the ultimate goal of regime survival. Upon the 2020 election, various nations declared that Lukashenka was not Belarus' legal president (Bosse, 2021). Even though these moves may be significant figuratively, it's uncertain

³⁹ <https://www.amnesty.org/en/location/europe-and-central-asia/belarus/report-belarus/>

⁴⁰ <https://www.civicus.org/index.php/media-resources/news/united-nations/geneva/4629-belarus-more-than-700-peaceful-protesters-arrested-and-hundreds-injured>

⁴¹ <https://www.amnesty.org/en/location/europe-and-central-asia/belarus/report-belarus/>

⁴² Human Rights Watch, 2022: Belarus: <https://www.hrw.org/ru/world-report/2020/country-chapters/336552>

what they'll imply in reality or whether they'll produce a scenario that's unfamiliar to Minsk. The greater economic sanctions imposed in the aftermath of the Ryanair jet crash in 2021 were a first. This was uncertain if they could be used as a deterrent or a tool of coercion as far as regime stability remained the ultimate aim (Ibid).

The EU's response has been delayed and hesitant, merely responding quickly to the brewing crisis in Belarus, which had resulted in many lives being endangered, vanished, assaulted, harassed, and mistreated by that time. Fearful of repeating the mistakes of the Ukraine crisis, the EU had failed to enforce a coordinated approach, which manifested itself in deferred actions and ambiguous remarks. Baltic authorities had to declare their own actions, swiftly relying on the EU to deliver a cohesive approach. The EU's approval of sanctions was once again postponed by Cyprus' internal negotiation with the EU to impose restrictive measures on Turkey, which was aided by the Belarusian crisis. As a corollary, in late September 2020, the United Kingdom and Canada became the first Western governments to impose sanctions against eight Belarusian officials, in the pattern of the Magnitsky Act (Foreign, Commonwealth, and Development Office, 2020).⁴³ The EU decided to apply a travel restriction and an asset freeze of roughly 44 Belarusian officials, but not Lukashenko. By mid-November, the latter had been joined by yet another 14 Belarusian officials, and in December, the EU announced the third wave of sanctions targeting economic players, notable entrepreneurs, and enterprises that directly benefitted Lukashenko's dictatorship (European Council, 2020).⁴⁴

In the end, it can be clarified that from 2020 until now, the waves of sanctions imposed against Belarus were necessary, as falsified elections were held back in 2020 and can be summarized as a corresponding change in that period. The following section will closely examine the geopolitical interest from 2020 – present time.

⁴³ Human Rights & Democracy
The 2020 Foreign, Commonwealth & Development Office Report,
2021: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/99607/Human_Rights_and_Democracy_the_2020_Foreign_Commonwealth_Development_Office_report.pdf

⁴⁴ <https://www.consilium.europa.eu/en/press/press-releases/2020/10/02/belarus-eu-imposes-sanctions-for-repression-and-election-falsification/>

4.12 Geopolitical interest of EU in Belarus, 2020 - present

In 2020, relations between Belarus and the EU were clearly divided into two qualitatively different periods — before and after the August presidential elections. If the first half of the year was characterized by positive dynamics and even noticeable achievements, the events of August and subsequent months led to the actual curtailment of political relations, mutual sanctions, and callous rhetoric from both sides (Leuvakets, 2021). Thus, the resumption of the conflict cycle was interrupted by the 2015 elections in Belarusian-European relations (European Parliament, 2021).⁴⁵ According to the dynamics of the demonstrations in Belarus, as well as the shifting world agenda, the severity of the diplomatic confrontation between Minsk and the EU is expected to lessen in the near future. At least, if some new event does not take place in Belarus, which could become another trigger for domestic and foreign political escalation.

The presidential campaign of 2020 broke the long-term process of normalizing relations between Belarus and the EU, as a result of which political contacts were frozen, sanctions were reintroduced, and the parties returned to their usual accusatory rhetoric (Korosteleva and Petrova, 2021). At the same time, the long and difficult process of negotiating visa facilitation and readmission agreements was completed at the beginning of the year. The COVID-19 pandemic also had a negative impact on bilateral relations even before the start of the election campaign, radically limiting diplomatic contacts and opportunities for informal communication.

After a period of cyclic development, relations between the EU and Belarus have moved to gradual linear development. Despite the fact that Russia is much more important for the Republic of Belarus and its economy than the EU, the importance of the latter for Minsk has been steadily increasing over the past decade. Now in the Republic of Belarus, there is a process of formation of a permanent European foreign policy direction with its own strategic goals, long-term tasks, and formats of interaction. This is due to the entry of its neighbors into the EU, as well as the increasingly tangible limits of the Russian potential in the eyes of the Belarusian leadership. Also, for the EU, the Republic of Belarus is turning into an independent direction of foreign policy, independent of multilateral formats such as the Eastern Partnership. Brussels is ready to consider the

⁴⁵ [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698806/EPRS_BRI\(2021\)698806_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698806/EPRS_BRI(2021)698806_EN.pdf)

Belarusian authorities as a partner with whom it is possible to negotiate the development of relations. At the same time, the factor of competition with Russia for the direction of the development of Belarus makes the EU less and less focused on regime change in Minsk. At the same time, Brussels does not want to irritate Moscow. Correcting the foreign policy and foreign economic imbalance in the development of Belarus is becoming the common goal of Brussels and Minsk (Leuvakets, 2021). Despite the falsified elections back in 2020; likewise, seek relations in the Belarus-Russia-EU triangle will develop more, most likely, without a serious escalation. Lastly, the interest of the EU in Belarus is present in the period from 2020 till the present time, the human rights situation is worsened in the given period, and then EU imposition of sanctions, contradicts to the hypothesis and suggests inconsistency. This suggests that geopolitical interest does not always lead to inconsistency, but only under some conditions, which require further study. This period is an exception and there is consistency in spite of presence of geopolitical interest. This suggests that geopolitical interests do not always work towards value-considerations, but can also reinforce them.

Conclusion

The thesis examined the EU sanctions policy on Belarus within the tackling the research question: Under what conditions do changes in HR violations in the target country lead to ‘corresponding changes in the EU’s sanctions policy? In order to provide an analysis of the case of Belarus, I have considered the reliable literature on the EU sanctions policy on Belarus study over time (1996-present). In order to conduct analysis, I investigated various points in time and what altered during those periods, bringing together notions of change in the human rights situation in Belarus and consistency in EU sanctions policy, while also considering the geopolitical context or interest response to changes in EU interests. The aim of research was firstly to explain the variation of the EU sanctions policy, secondly to find out whether it is the logic of interest-based or value-based approach, when, why and under what circumstances it expects the EU to apply sanctions, which is all applied to the study.

The qualitative analysis is a significant part of this study. The document analysis method is used in the data collection process. Legislative acts, Council resolutions, other EU documents, policy papers, and other materials were examined. In other words, changes in HR situation lead to corresponding changes in EU sanctions policy under that condition that geopolitical interest are absent. When they are present, changes in HR situation do not lead to changes in EU sanctions policy. This means that, ultimately, interests explain, and values or human rights situation explains only in combination with interests the EU’s sanctions policy. The pattern in the EU sanctions policy towards Belarus can then be explained by variations in the HR situation in the country in combination with changes in EU interests.

As the study is based on an overtime analysis, the fourth chapter focuses on three main points of the research: corresponding change in the EU sanctions, change in the Human rights situation, and change in the geopolitical interest or context of the EU in Belarus. Each subchapter presents an analysis of the framework from 1996-present. At the same time, each examined period has their own indicators, which are provided very precisely in the research.

As it is noted above, the study focuses on over time analysis based on change from 1996- present and divided into periods respectively. In depth analysis from 1996 till 2004 demonstrates that that the EU had minimal geopolitical interests in Belarus, which was

absent during this period, which might explain the EU's sanctions regime at the time, since EU interests in Belarus did not employ against the EU applying sanctions in response to HR abuses in Belarus, changes in human rights situation lead to corresponding changes in EU sanctions policy, which is consistent. Further relating to the next period from 2004 -2010 displays that EU geopolitical interests were present in Belarus at the time. This may illustrate why the HR issue had little impact on the EU's reaction. This period suggests that changes in human rights situation do not lead to changes in EU sanctions policy, which is inconsistent. Next the period from 2010 till 2020 illustrates that the EU's interest in Belarus diminished in the mentioned period, which was absent and which contrasts with the human rights situation, and which stayed constant throughout that time period and EU sanctions were diminished until the rigged election in 2020, there was no corresponding change in the given period, the presented arguments are inversed and part one argument explains that it lead to changes in EU sanctions policy, to which is consistent. Lastly on the period from 2020 till present, the EU's interest in Belarus currently escalated, which is present , the country's human rights situation deteriorated over that time, and the EU imposed sanctions, and this period is an exceptional one and there is consistency despite of presence of geopolitical interest. Findings displays those geopolitical interests do not always undermine against value-considerations, however, can also reinforce them. The result of analysis substantiates the validity of the first proposed hypotheses, at the first, third and last period are consistent and at the second period is inconsistent, however inferred from the analysis presented in the work tents to identify that corresponding change in the EU sanctions towards Belarus is consistent especially in the light of ongoing phase of the process, which requires further study.

The sanctions have primarily been used in explicitly security-related cases in Eastern Europe, particularly as a method of impacting either violent hostilities or post-conflict circumstances. The EU has been greatly applying the necessary sanctions in its close European neighborhood, responding rather quickly if there has been a prospective danger to regional security. First and foremost, this implies a great interest in trends in the direct proximity. Another factor for the frequent frequency of EU sanctions in that country might be Russia's unwillingness to endorse UN sanctions in the geographical area. The investigation of an obscure EU sanctions policy reveals a long-term and regular

employment of the foreign policy instrument, particularly in violence and conflict-related circumstances.

According to the EU sanctions research, the Union is primarily concerned with the security of Member States' area, and is hence most preoccupied with the peace of its near eastern neighbors. The emphasis reflects, to a certain degree, the change in the EU's pyramid of privileges in the post-Cold War era (Portela, 2005). Notwithstanding the dismal Human Rights and also democratic norms within those nations, and aside from the fact that destabilization in these countries might pose a huge danger to European security, the likelihood of terrorist acts from this area has triggered restrictive measures.

The EU sanctions on Belarus highlight a number of issues that have received little attention in previous sanctions studies. Even while the EU did not aim for its sanctions to harm Belarus' economy, the lack of support and investment was an evident, albeit frequently missed, concurrent consequence. Due to the obvious leadership's determination to retain the wealth and resources, sanctions were tenuous at best.

The EU's policies toward Belarus have primarily been carried out over the last two decades, interacting with the Lukashenka regime once human rights violations appeared to be decreasing and introducing various measures when the regime violently repressed mass demonstrations, even during rigged parliamentary and presidential elections. If this backing for an autonomous civil society did not figure in the official rhetoric of the EU, there has never been a larger and longer-term blueprint for the EU's approach to Belarus.

The added value of the analysis of the case of Belarus is that this case is unique in the first place, there is no single case study with over time analysis including corresponding change of sanctions, also in the situation of human rights, while simultaneously exploring the geopolitical interest of the EU in Belarus. The governance viewpoint, on the other hand, fails to account for the EU's extremely limited achievement in reforming Belarus by taking its capacity to convey values and norms for granted. In addition, what can we learn from this analysis that the same regime, geopolitical one country, one case, variations in human rights, the EU sanctions against Belarus and Alexander Lukashenko himself, which have been repeatedly introduced and canceled for almost twenty-five years, during the given period (1996-present), the interest of the EU in Belarus is changing, sometimes present, sometimes not, as well as a continuous deterioration in the state of human rights, which makes this case captivating to study.

From the conducted analysis it can be noticed that the interest-based approach of the EU is more relevant rather than value-based one in the study.

The study bridges a deficit in prior research on this issue by writing this master's thesis, as there aren't enough scholars exploring the EU sanctions regime on Belarus based on change and over time analysis. Belarus appears to be delicate to the economic sanctions imposed, as per this study. Furthermore, Belarus up to this day has been imposed by the EU and the situation is not altering for the better.

Ultimately, this study is built on EU sanctions on Belarus, which many can take an advantage from. Nevertheless, changing the cases and applying the methodology to different target nations might be valuable in determining how sanctions affected their ties and how they responded to the sanctions. Further study may, in contrast, use a more in-depth time series that includes years from the far past to analyze previous sanctions more precisely and their results and consistency or inconsistency more closely, as a consequence, thus develop a better hypothesis, simultaneously besides EU being a single traded actor, future researchers can observe the EU imposing or lifting sanctions, whether the member states are in favor or not. In further down to road, the researchers may even need to investigate broadening their theoretical emphasis outside political science.

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