

73

August
2023

IKV BRIEF

EU SANCTIONS ON RUSSIA AND TÜRKİYE'S POSITION

Tunç İbrahim Ceylan
IKV Junior Researcher

ECONOMIC DEVELOPMENT FOUNDATION

www.ikv.org.tr



These days, the efficiency and the impact of the EU sanctions on Russia are frequently being discussed by policy analysts and academics. The sanctions imposed by the EU on Russia, which began as of the 2014 Russian annexation of Crimea, were immensely expanded last year in response to Russian military aggression against Ukraine. In the course of this brief, the term “sanction” will be defined in the context of international politics and the foreign policy of the EU. Then, sanctions introduced by the EU against Russia will be explained in detail. Finally, Türkiye’s position about these sanctions will be provided.

What Does “Sanction” Mean?

According to the Cambridge Dictionary, the word sanction is defined as “an official order, such as the stopping of trade, that is taken against a country in order to make it obey international law” and “a strong action taken in order to make people obey a law or rule, or a punishment given when they do not obey.”¹ In international politics, sanctions are used to compel some countries and/or individuals to abide by the norms and principles of the international system.

These sanctions may target the economic base of a country, its commercial activities and diplomatic ties. Some sanctions might have the intention of limiting the military abilities of a country by way of banning sales of arms and ammunition, for example. Moreover, sports can also be a topic of sanctioning by blocking the sanctioned countries to host and attend any international competition. Despite their differences, all these types of sanctions serve as a foreign policy tool to discourage the sanctioned country or individual to continue what is seen as inappropriate and unacceptable.

Sanctions may also vary in terms of how and with which purpose the decision to impose a specific sanction on a specific country and/or individual is taken. If one country/organization imposes sanctions (generally economic) to change the route of the targeted country in line with its interests, this type is called “unilateral sanctions”. On the contrary, “multilateral sanctions” are imposed and continued based on a decision taken by international law. Multilateral sanctions are put forward by multilateral organizations, primarily by the United Nations, to guarantee international peace and preserve the international order. The UN body is responsible for “determining the existence of any threat to the peace, breach of the peace, or act of aggression” and “making recommendations, or deciding what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security” is the United Nations

¹“Sanction,” *Cambridge Dictionary*. Date accessed: 24.07.2023
<https://dictionary.cambridge.org/dictionary/english/sanction>



Security Council (UNSC).² This subject is covered in Chapter 7 of the United Nations Charter. Unilateral sanctions are in question, and their effectiveness is a subject of controversy, particularly from the perspective of human rights and international legality.

Sanctions as a Foreign Policy Tool of the EU

As a tool of the EU's common foreign and security policy, sanctions are used in case of a necessity "to prevent conflict or respond to current or emerging crisis" according to the statement given on the website of the European Commission on the EU sanctions.³ In order to respond and initiate a reverse in a policy which is seen inappropriate, the EU imposes sanctions on countries, individuals and organizations. The main objectives for implementing sanctions are given as:

- Promoting international peace and security
- Preventing conflicts
- Supporting democracy, the rule of law and human rights
- Defending the principles of international law.⁴

It is also mentioned here that the EU uses the term "restrictive measures" interchangeably with the term "sanctions". The Council of the EU is the main body of the Union which decides sanctioning and renewing, amending and lifting the sanctions imposed on a country, individual or organization after a proposal brought by the High Representative of the Union for Foreign Affairs and Security Policy and European Commission. The European External Action Service (EEAS) also actively participates in the process of preparation, implementation and review of the restrictive measures as it supports the High Representative while s/he prepares the proposals. European Commission is responsible for overseeing the proper implementation of a sanction regime after it is adopted and published in the Official Journal.⁵ Once the sanction regime is approved by the Council of the EU, it is binding for all Member States. Each Member State must take necessary actions

² United Nations, "Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression (Articles 39-51)." Date accessed: 24.07.2023 <https://www.un.org/en/about-us/un-charter/chapter-7>

³ European Commission, "Overview of sanctions and related resources," Date accessed: 25.07.2023. https://finance.ec.europa.eu/eu-and-world/sanctions-restrictive-measures/overview-sanctions-and-related-resources_en

⁴Ibid, Date accessed: 25.07.2023. https://finance.ec.europa.eu/eu-and-world/sanctions-restrictive-measures/overview-sanctions-and-related-resources_en

⁵ European External Action Service, "Why are Sanctions Imposed?," in *European Union Sanctions*, 07.10.2021. Date accessed: 25.07.2023. https://www.eeas.europa.eu/eeas/european-union-sanctions_en#10702



to enforce the sanction regime fully and properly in its jurisdiction and penalize any kind of breach.

When one examines EU sanctioning policy, it becomes clear that the EU does not just impose penalties and restrictive measures on its own. Basically, in connection with the Common Foreign and Security Policy, the EU implements and supports the sanction regimes that the UN Security Council initiates. Other than backing the UNSC sanctions, sometimes, the EU takes some further measures to make the UN sanction regime more efficient and easier to implement. As a third type, there are autonomous sanction regimes of the EU to support its values and foreign policy aims, especially when there is no agreement in the UN Security Council to impose a sanction regime and there are significant problems regarding human rights violations, democracy and rule of law in the country in question.⁶

Sanctions imposed by the EU may target different areas and sectors which extend from travel bans to limitations on trade of some goods and services. These different areas can be classified under four main categories:

- Trade restrictions: Export and import restrictions, transfers and provisions are subjects of this category besides weapons of war, equipment used for internal repression, dual-use goods, telecommunication equipment, hydrocarbons like crude oil and natural gas and products made of them, and other goods like precious metals.
- Restrictions on the movement of people: Targeted individuals are refused to enter the EU through travel and visa bans.
- Restrictions targeting economic and financial base: Freezing assets, restrictions on financing options and investment to the targeted country, restrictions relating to banking transactions like access to interbank networks and so on.
- Specific controls: Shipment requirements such as providing information to the authorities about the country of origin or destination of cargo, refusing the use of ports and air routes and so on.⁷

The sanction regimes the EU adopt can also be implemented by EU candidate countries and European Free Trade Association and European Economic Area countries as the EU regularly calls them to align their actions with the sanction regimes of the Union.⁸ The EU

⁶ Thomas Biersteker and Clara Portela, "EU sanctions in context: three types," *European Union Institute for Security Studies*, July 2015. Date accessed: 25.07.2023 https://www.files.ethz.ch/isn/192691/Brief_26_EU_sanctions.pdf

⁷ Éric Andre Martin. "The Sanctions Policy of the European Union: Multilateral Ambitions Versus Power Politics," *Études de l'Ifri*. Ifri, October 2019, pp. 41-44. Date accessed: 25.07.2023

⁸European External Action Service, "Which Other Countries Implement EU Sanctions?," in *European Union Sanctions*, 07.10.2021. Date accessed: 01.08.2023 https://www.eeas.europa.eu/eeas/european-union-sanctions_en



is actively imposing more than 40 sanctions regimes that include the ones initiated and taken into force by the UNSC and the regimes adopted and implemented autonomously by the EU.⁹ For example, the restrictive measures against North Korea, Libya, South Sudan are adopted both by UNSC and EU while EU has and implements its measure packages independently against Belarus, Russia and Venezuela. Among others, the sanctions targeting Russia, which started first in 2014 and have been expanded immensely as of February 2022 after the Russian invasion of Ukraine, constitute one of the widest sanctions regimes the EU has ever imposed.

EU Sanctions Targeting Russia

EU sanctions based on Russian aggression towards Ukraine have been developed and implemented from March 2014 onwards which was the date Russia declared the annexation of Crimea and violated the Minsk agreements. By 23 February 2022, the recognition of the independence of Donetsk and Luhansk oblasts from Ukraine; sending military units into these areas and subsequent occupation of Zaporizhzhia and Kherson regions through a war of aggression led to the expansion of the existing restrictive measures to a great extent. Up until August 2023, 11 packages composed of restrictive measures have been announced by the Council of the EU. These sanctions “are designed to weaken Russia’s economic base, depriving it of critical technologies and markets and significantly curtailing its ability to wage war.”¹⁰ Each sanction package further increases both the extent of the existing measures and adds more individuals and organizations/companies to the list of sanctioned institutions. When these 11 packages are examined:

- **First Package:** This package was adopted by the Council on 23 February 2022 and mainly aims to prevent further escalation and aggression by way of blocking Russian state and government financing through the EU’s capital, markets and services. 555 individuals and 52 organizations are listed as the ones working against the territorial integrity of Ukraine. All 351 members of the Russian State Duma, members of the Russian government, oligarchs, businesspersons, military officers “who have played a role in undermining or threatening the territorial integrity, sovereignty and independence of Ukraine” have been targeted. The restrictions have included a wide

⁹ European Commission, “Overview of sanctions and related resources,” Date accessed: 01.08.2023. https://finance.ec.europa.eu/eu-and-world/sanctions-restrictive-measures/overview-sanctions-and-related-resources_en

¹⁰ European Council, “EU restrictive measures against Russia over Ukraine (since 2014),” Last reviewed: 29.06.2023. Date accessed: <https://www.consilium.europa.eu/en/policies/sanctions/restrictive-measures-against-russia-over-ukraine/>



range of measures from asset freeze, measures for prohibition from making funds available for listed individuals, travel ban to trade and financial restrictions targeting Russia and the National Central Bank of Russia.¹¹

- **Second Package:** It was adopted on 25 February 2022 and sought to expand the existing sanctions related to the Russian invasion of Ukraine. With this package, Belarus has become a target of the sanctions. Apart from widening the scope of financial restrictive measures, this package has dealt with energy, transport, technology sectors and brought visa restrictions for Russian diplomats, state officials and businesspeople through ending visa facilitation provisions. Additionally, President of the Russian Federation Vladimir Putin and Minister of Foreign Affairs Sergey Lavrov have started to be sanctioned.¹²
- **Third Package:** The Council decisions on 28 February and 2 March 2022 have constituted the third package. One of the most important points has been excluding Russian banks from the SWIFT system making financial transactions difficult to conduct efficiently. Other than this measure, EU airspace has been banned for Russian planes. Moreover, Russian state-owned media outlets *Russia Today* and *Sputnik* have been banned in the EU.¹³
- **Compliance Package:** This package was declared on 9 May 2022, and it was mostly interested in blocking the circumvention of the restrictive measures imposed on Russia through Belarus. Therefore, it has brought SWIFT bans for Belarussian banks, transaction prohibition with the Central Bank of Belarus and limits on the amount that can be transferred to the EU from Belarus. For Russia, technologies regarding maritime navigation and radio communication exports have been restricted.
- **Fourth Package:** EU sanctions on Russia were strengthened with the fourth package came out on 15 March 2022 which introduced a ban on all transactions with Russian

¹¹ Council of the European Union, “EU adopts package of sanctions in response to Russian recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and sending of troops into the region,” 23.02.2022. Date accessed: 01.08.2023 <https://www.consilium.europa.eu/en/press/press-releases/2022/02/23/russian-recognition-of-the-non-government-controlled-areas-of-the-donetsk-and-luhansk-oblasts-of-ukraine-as-independent-entities-eu-adopts-package-of-sanctions/>

¹² Council of the European Union, “Russia’s military aggression against Ukraine: EU imposes sanctions against President Putin and Foreign Minister Lavrov and adopts wide ranging individual and economic sanctions,” 25.02.2022. Date accessed: 01.08.2023 <https://www.consilium.europa.eu/en/press/press-releases/2022/02/25/russia-s-military-aggression-against-ukraine-eu-imposes-sanctions-against-president-putin-and-foreign-minister-lavrov-and-adopts-wide-ranging-individual-and-economic-sanctions/>

¹³ European Commission, “Sanctions adopted following Russia’s military aggression against Ukraine,” Date accessed: 01.08.2023 https://finance.ec.europa.eu/eu-and-world/sanctions-restrictive-measures/sanctions-adopted-following-russias-military-aggression-against-ukraine_en#timeline-measures-adopted-in-2022-2023



state-owned enterprises; prohibition of financial rating services provided by EU agencies, and luxury goods exports.¹⁴

- **Fifth Package:** A new package was announced on 8 April 2023 expanding the already existing sanctions to a great extent. A coal import ban has been introduced in addition to a ban on all Russian and Belarusian freight road operators in the EU and Russian-flagged ships to use EU reports. Additional restrictions have targeted Russian banks and widened the scope of asset freezing. High-technology products like quantum computing and advanced semiconductors have been prohibited to be exported to Russia. Import restrictions have also been increased. Russian nationals have been excluded from public contracts and EU money.¹⁵
- **Sixth Package:** 3 June 2022 was the date of announcement of the sixth package which strictly regulated crude oil and refined petroleum products in addition to extending the scope of SWIFT ban to cover more Russian banks and broadcasting restrictions for some Russian TV channels.¹⁶
- **Maintenance and Alignment Package:** The Council of the EU sought to support and provide more efficiency to the current economic restrictive measures with this package declared on 21 July 2022. It has introduced some clarifications for some fields like public procurement, aviation and justice. The package involves gold import ban, targeted export bans regarding “dual use and advanced technology”, an extension of access ban for ships and additional financial measures requiring prior authorisation for cross-border trade to prevent the circumvention of the sanctions.¹⁷
- **Eight Package:** This package, which was dated on October 6, 2022, not only set a price cap for the marine movement of Russian oil to third countries, but it also targeted the maritime transit of both crude oil and petroleum products to third nations. Also, steel-related import restrictions have been widened. The value of restricted trade items that could be employed in the security and defence industries has also been revised. It is

¹⁴ European Commission, “Sanctions adopted following Russia’s military aggression against Ukraine,” Date accessed: 01.08.2023. https://finance.ec.europa.eu/eu-and-world/sanctions-restrictive-measures/sanctions-adopted-following-russias-military-aggression-against-ukraine_en#timeline-measures-adopted-in-2022-2023

¹⁵ Ibid, Date accessed: 01.08.2023. https://finance.ec.europa.eu/eu-and-world/sanctions-restrictive-measures/sanctions-adopted-following-russias-military-aggression-against-ukraine_en#timeline-measures-adopted-in-2022-2023

¹⁶ European Council, “EU response to Russia’s invasion of Ukraine,” Last reviewed: 26.07.2023 Data accessed: 01.08.2023. <https://www.consilium.europa.eu/en/policies/eu-response-ukraine-invasion/>

¹⁷ Council of the EU, “Russia’s aggression against Ukraine: EU adopts ‘maintenance and alignment’ package,” 21.07.2023. Data accessed: 01.08.2023. <https://www.consilium.europa.eu/en/press/press-releases/2022/07/21/russia-s-aggression-against-ukraine-eu-adopts-maintenance-and-alignment-package/>



forbidden for citizens of the EU to hold any office inside the Russian governing structures. This package has also extended the geographical scope of the restrictive measures to Zaporizhzhia and Kherson oblasts, controlled by Russian forces.¹⁸

- **Ninth Package:** Ninth Package of sanctions commenced on 16 December 2022, has tried to put significant obstacles for Russia to reach dual-use goods and technology including chemicals and different electronic and IT components. Aircraft engines and drone engines have also been banned to export to Russia. Mining sector investments in Russia have also been prohibited through this package.¹⁹
- **Tenth Package:** One year after the war broke out, the EU adopted tenth package of sanctions on 25 February 2023 which intended the availability of a range of important goods from rare parts for trucks and jet engines to components of cranes. Dual-use goods and technology's transit through Russia has also been prohibited to avoid circumvention. Apart from further widening the financial restrictions like introducing more detailed reporting obligations, this package has also restricted the provision of gas storage capacity to Russian nationals.²⁰
- **Eleventh Package:** On 23 June 2023, the Council of the EU issued this package, and except for strengthening the existing restrictive measures, the package has intended to prevent circumvention of the sanctions imposed on Russia. It has been stated that even though the constructive dialogue with third countries to avert actions causing circumvention is the priority for the EU, the EU might decide to impose sanctions, such as export bans, to third countries which have still the potential to circumvent the sanctions despite the dialogue. The package has brought further restrictions to the goods and technologies which are transported through Russia, and dual-use goods and technologies put on the restriction list have been extended. Road and seaway transport

¹⁸ Council of the EU, "EU adopts its latest package of sanctions against Russia over the illegal annexation of Ukraine's Donetsk, Luhansk, Zaporizhzhia and Kherson regions," 06.10.2022. Date accessed: 01.08.2023. <https://www.consilium.europa.eu/en/press/press-releases/2022/10/06/eu-adopts-its-latest-package-of-sanctions-against-russia-over-the-illegal-annexation-of-ukraine-s-donetsk-luhansk-zaporizhzhia-and-kherson-regions/>

¹⁹ Council of the EU, "Russia's war of aggression against Ukraine: EU adopts 9th package of economic and individual sanctions," 16.12.2022. Date accessed: 02.08.2023 <https://www.consilium.europa.eu/en/press/press-releases/2022/12/16/russia-s-war-of-aggression-against-ukraine-eu-adopts-9th-package-of-economic-and-individual-sanctions/>

²⁰ Council of the EU, "One year of Russia's full-scale invasion and war of aggression against Ukraine, EU adopts its 10th package of economic and individual sanctions," 25.02.2023. Date accessed: 02.08.2023. <https://www.consilium.europa.eu/en/press/press-releases/2023/02/25/one-year-of-russia-s-full-scale-invasion-and-war-of-aggression-against-ukraine-eu-adopts-its-10th-package-of-economic-and-individual-sanctions/>



has also been restricted to decrease the chance of any kind of attempt of circumvention. Plus, the Druzhba oil pipeline has been stopped to be used to import Russian crude oil.²¹

These sanctions impact almost every aspect of economic life; so, the issue of humanitarian consequences of the EU sanctions has been questioned, especially in the context of global supply chains of food. Despite the immense range of sanctioned goods and services, EU insists on that the restrictive measures are not targeting food and agricultural products; thus, any kind of food crisis has nothing to do with the EU sanctions on Russia. In the conclusions of the European Council on 23-24 June 2022, EU leaders emphasized that “EU sanctions against Russia allow the free flow of agricultural and food products and the delivery of humanitarian assistance.”²²

Türkiye’s Attitude Towards the Conflict and EU Sanctions

Just after the war broke out, Türkiye identified the military activities of Russia against Ukraine as unacceptable and rejected it by considering these military activities as “a grave violation of international law” and “a serious threat to the security of our region and the world.” Türkiye has always affirmed its position by stressing the importance of respecting the territorial integrity and sovereignty of countries and indicating that the use of arms to change borders shall not be acknowledged. The support for Ukraine’s “political unity, sovereignty and territorial integrity” has always been at the top of Turkish priorities in this conflict, and Russia is called to give an end to “this unjust and unlawful act.”²³

As a NATO member since 1952, Türkiye affirmed and supported the Alliance’s position regarding the war in Ukraine which was epitomized in 2022 Madrid and 2023 Vilnius summits’ communiques which condemned “Russia’s war of aggression against Ukraine in the strongest possible terms”, defined this military action as a “blatant violation of

²¹ Council of the EU, “Russia’s war of aggression against Ukraine: EU adopts 11th package of economic and individual sanctions,” 23.06.2023, Date accessed: 02.08.2023. <https://www.consilium.europa.eu/en/press/press-releases/2023/06/23/russia-s-war-of-aggression-against-ukraine-eu-adopts-11th-package-of-economic-and-individual-sanctions/>

²² European Council, “European Council meeting (23 and 24 June 2022) – Conclusions,” 24.06.2023. Date accessed: 02.08.2023. <https://www.consilium.europa.eu/media/57442/2022-06-2324-euco-conclusions-en.pdf>

²³ Republic of Türkiye Ministry of Foreign Affairs, “No: 62, 24 February 2022, Press Release Regarding the Russian Federation’s Military Operation Against Ukraine,” Date accessed: 02.08.2023. https://www.mfa.gov.tr/no_-62_-rusya-federasyonu-tarafindan-ukrayna-ya-yonelik-baslatilan-askeri-operasyon-hk.en.mfa



international law” and stressed the Russian responsibility for intensifying “food and energy crisis, affecting billions of people around the world.”²⁴ In Vilnius Summit, Russia was identified as “the most significant and direct threat to Allies’ security and to peace and stability in the Euro-Atlantic area” and called on to “stop this illegal war of aggression, cease its use of force against Ukraine, and completely and unconditionally withdraw all of its forces and equipment from the territory of Ukraine within its internationally recognised borders.”²⁵ In the same summit, assistance for Ukraine in a lot of areas, ranging from medical supplies to equipment for counter mines, was decided to be strengthened through a multi-year assistance programme. While fully backing these decisions and fulfilling its responsibilities to the Alliance, Türkiye has also declared its support to both the general open-door policy for NATO and specifically Ukraine’s accession prospect.

From day one to today, Türkiye has developed and implemented policies to decrease the tension between warring countries and seek to find ways of getting the sides together around the same table. One of the most obvious results of these efforts has been the Grain Deal which was initiated by the UN and Türkiye. In order to prevent a global food -and consequently a humanitarian- crisis, the Grain Deal has ensured that grain from both Ukraine and Russia continues to be traded without any interruption. The deal was signed with Ukraine and Russia separately on 22 July 2022, and, during the year it was in place, more than 32 million tons of grain were exported from these two countries and helping the food prices not to fluctuate intensely.²⁶

Apart from constant efforts to create an atmosphere for starting the negotiations between Russia and Ukraine and some diplomatic successes like the Grain Deal, Türkiye also led efforts for a prisoner exchange. All these have become possible with Türkiye’s principled stance prioritizing the humanitarian perspective, requirements of international law and agreements it is a part of. The implementation of the Montreux Convention is a vivid example of this prioritization and the realization of this prioritization.

According to this stance, Mevlüt Çavuşoğlu, the former Turkish Foreign Minister, said at the start of the conflict, “As a principle, we did not participate in such measures generally. We also have no plans to participate in these penalties.”²⁷ This stance is justified by the

²⁴ North Atlantic Treaty Organization, “Madrid Summit Declaration,” 29.06.2022. Date accessed: 08.08.2023. https://www.nato.int/cps/en/natohq/official_texts_196951.htm

²⁵ North Atlantic Treaty Organization, “Vilnius Summit Communiqué,” 11.07.2023, Date accessed: 08.08.2023. https://www.nato.int/cps/en/natohq/official_texts_217320.htm

²⁶ “Rusya Tahıl Koridoru Anlaşması’ndan neden çekildi, bundan sonra ne olacak?,” *BBC News Türkçe*, 17.07.2023. Date accessed: 02.08.2023 <https://www.bbc.com/turkce/articles/c281rnz1xmwo>

²⁷ Burak Bir, “Türkiye has no intention of joining sanctions against Russia: Foreign Minister,” *Anadolu Agency*, 02.03.2022. Date accessed: 03.08.2023. <https://www.aa.com.tr/en/russia-ukraine-crisis/turkiye-has-no-intention-of-joining-sanctions-against-russia-foreign-minister/2520387>



argument that Türkiye is not required to join these sanctions unless the sanctions in question are ones that the UN has imposed. Turkish attempts to put an end to armed confrontations between parties and avert a humanitarian disaster, which have been exemplified by the Grain Deal and the prisoner exchange noted above, have continued despite the country's stance in favour of fully adopting and enforcing EU sanctions against Russia.

The dialogue between Türkiye and the EU has also been active in this entire process. On 6-7 October 2022, European Commissioner for Financial Stability, Financial Services and the Capital Markets Union Mairead McGuinness visited Türkiye to meet the Minister of Treasury and Finance Nureddin Nebati, Minister of Trade Mehmet Muş, Governor of the Central Bank of Türkiye Şahap Kavcıoğlu and major business organizations. The visit was planned to discuss the cooperation opportunities, and essentially, to inform Türkiye about the EU sanctions targeting Russia and call Türkiye to adopt the sanctions.²⁸

Just after the visit, the European Commission published its 2022 Country Report on Türkiye on 12 October 2022, which emphasizes the low level of alignment of Türkiye with the EU Foreign, Security and Defence Policy. This report also highlights the situation of Türkiye concerning the EU sanctions on Russia, which is not adopting the sanctions regimes except UN-imposed ones.²⁹ As a response to this statement, The Ministry of Foreign Affairs, once again, indicated that there is no obligation for Turkey to comply with such sanctions.³⁰

In December 2022, in a written answer given by High Representative and Vice President of the European Commission Josep Borrell Fontelles to a written question asked by Manolis Kefalogiannis, a Member of the European Parliament, it was stated that “all candidate countries, including Türkiye, are expected to align with the EU High Representative statements on behalf of the EU and Council Decisions on restrictive measures” and “Türkiye's continued policy of not aligning with restrictive measures against Russia is of increasing concern due to the free circulation of products, including dual-use goods, within

²⁸ Delegation of the European Union to Türkiye, “Commissioner McGuinness in Türkiye to discuss sanctions policy, opportunities to cooperate further, and meet members of the government,” 21.10.2022. Date accessed: 03.08.2023. https://www.eeas.europa.eu/delegations/t%C3%BCrkiye/commissioner-mcguinness-t%C3%BCrkiye-discuss-sanctions-policy-opportunities_en?page_lang=tr&s=230

²⁹ European Commission, “Türkiye 2022 Report,” 12.10.2022. Date accessed: 03.08.2023. <https://neighbourhood-enlargement.ec.europa.eu/system/files/2022-10/T%C3%BCrkiye%20Report%202022.pdf> p. 125.

³⁰ Republic of Türkiye Ministry of Foreign Affairs, “No: 312, 12 October 2022, Press Release Regarding the European Commission 2022 Country Report on Türkiye,” Date accessed: 03.08.2023. https://www.mfa.gov.tr/no_-312_-avrupa-birligi-komisyonu-2022-turkiye-raporu-hk.en.mfa



the EU-Turkey Customs Union.”³¹ Likewise, the conclusion of the General Affairs Council of 13 December 2022 put forward “its strong expectation of Türkiye to step up its alignment with EU Common Foreign and Security Policy positions and restrictive measures as a matter of utmost priority” and the importance of not allowing the circumvention of the EU sanctions.³²

One of the recent developments in the scope of the Turkish position within the context of EU sanctions on Russia is that in March 2023, some media outlets claimed that the Turkish government informed the companies in the country about the prohibited foreign goods by sending a list and wanted them not to tranship the banned goods to Russia as of March 1. Furthermore, a European Union official mentioned Türkiye’s verbal assurance to the European Commission regarding the goods on the sanction lists announced by the EU, US and UK are not allowed to transfer to Russia despite the Ministry of Trade having no statement about it.³³

Conclusion

As a foreign policy tool, the EU uses restrictive measures to prevent conflicts and consequent crises which may damage peace and humanitarian situation adversely. There are more than 40 sanctions regimes in place which is being imposed by the EU, and one of the widest one is concerning Russia due to its military aggression against Ukraine. The sanctions which were first adopted in 2014 after the Russian annexation of Crimea have been enlarged immensely as of February 2022. Up until this day, the sanctions have been widened and updated through 11 packages introducing new restrictions on various goods and services and also individuals and organizations.

Although the EU calls on all the candidate countries and partners to follow the sanctions regimes it initiates, Türkiye’s decision not to align with this policy cannot be considered a violation of international law or agreements. Candidate countries might adopt the Union’s decisions to get closer and harmonize with the laws and principles of the EU; nevertheless, not following this path on every occasion may not necessarily mean the total dealignment

³¹ European Parliament, “Answer given by High Representative/Vice-President Borrell i Fontelles on behalf of the European Commission,” 07.12.2023. Date accessed: 03.08.2023. https://www.europarl.europa.eu/doceo/document/E-9-2022-003495-ASW_EN.html

³² Council of the EU, “Enlargement and Stabilisation and Association Process – Council conclusions,” 13.12.2022, Date accessed: 03.08.2023. <https://www.consilium.europa.eu/media/60797/st15935-en22.pdf>

³³ Ceyda Çağlayan and Jonathan Spicer, “Turkey halts transit of sanctioned goods to Russia -exporter, diplomat,” *Reuters*, 20.03.2023. Date accessed: 03.08.2023. <https://www.reuters.com/world/middle-east/turkey-halts-transit-sanctioned-goods-russia-exporter-diplomat-2023-03-20/>



from the EU and its policies and circumventing the sanctions. In this respect, in a press release from the Ministry of Foreign Affairs, it is stated that “not taking part in unilateral sanctions” does not mean “a deliberate circumvention of the sanctions;” plus, the current economic relations of Türkiye with Russia do not undermine the sanctions.³⁴

Forecasting the future of both the EU sanctions -sometimes creating divergences between EU members like Hungary,³⁵ Greece and Germany who are also NATO allies-³⁶ and Türkiye’s level of alignment with these restrictive measures is not an easy task as the war continues and geopolitical developments impact upon the actors’ attitudes and motivations. It may be extrapolated that Turkish alignment/realignment with the EU and the West in general might probably be on the horizon when the recent rapprochement towards the West -for a lot of reasons including economic and political necessities- is taken into consideration. Nonetheless, Türkiye’s unique position in this conflict enabling its mediatory role possible till today should also be recalled and expectation management, which signifies a gradual and subtle manner in Türkiye’s adoption of Western-imposed sanctions, should not be missed out.³⁷

³⁴ Republic of Türkiye Ministry of Foreign Affairs, “No: 378, 14 December 2022, Press Release Regarding EU General Affairs Council Conclusions Which Relate to Türkiye,” Date accessed: 03.08.2023. <https://www.mfa.gov.tr/no-378-avrupa-birligi-genel-isler-konseyi-nde-ulkemize-iliskin-alinan-karar-hk.en.mfa>

³⁵ Gökhan Ergöçün, “Hungary's prime minister criticizes EU's sanctions policy targeting Russia,” *Anadolu Agency*. 23.05.2023. Date accessed: 08.08.2023. <https://www.aa.com.tr/en/economy/hungarys-prime-minister-criticizes-eus-sanctions-policy-targeting-russia/2904060>

³⁶ Barbara Moens, Jacopo Barigazzi and Leonie Kijewski, “New sanctions against Russia stuck in limbo over Greek-Hungarian protest,” *Politico*, 26.05.2023. Date accessed: 08.08.2023. <https://www.politico.eu/article/new-sanctions-against-russia-stuck-limbo-greece-hungary-protest-ukraine-war/>

³⁷ Tan Albayrak, “Turkey looks West as it tightens its sanctions enforcement,” *Euractiv*, 20.07.2023. Date accessed: 03.08.2023. <https://www.euractiv.com/section/global-europe/opinion/turkey-looks-west-as-it-tightens-its-sanctions-enforcement/>

