



Plenary sitting

B9-0453/2023

6.11.2023

MOTION FOR A RESOLUTION

to wind up the debate on the statements by the Council and the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the effectiveness of the EU sanctions on Russia
(2023/2905(RSP))

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on behalf of the S&D Group

European Parliament resolution on the effectiveness of the EU sanctions on Russia (2023/2905(RSP))

The European Parliament,

- having regard to its previous resolutions on Russia’s war of aggression against Ukraine,
 - having regard to the UN Charter, in particular Article 41 thereof on measures not involving the use of armed force,
 - having regard to Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine¹, and all subsequent amendments,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas since February 2022, the EU has adopted an unprecedentedly high number of restrictive measures, or sanctions, related to Russia’s war of aggression against Ukraine, aimed at ending the war, undermining Russia’s economic, financial and military ability to sustain the war effort, defending the territorial integrity of Ukraine and the safety of its population and ensuring respect for international law and the principles of the UN Charter;
- B. whereas the first set of sanctions, consisting in a prohibition to finance the Russian Federation, its government and central bank, was adopted by the Council on 23 February 2022 as a reaction to the decision of the President of the Russian Federation on 21 February 2022 to recognise the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine as independent entities and the ensuing decision to send Russian troops into these areas;
- C. whereas the Council has since adopted ten additional packages of sanctions on 25 and 28 February 2022, 15 March 2022, 8 April 2022, 3 June 2022, 21 July 2022, 6 October 2022, 16 December 2022, 25 February 2023 and 23 June 2023; whereas these restrictive measures include: travel bans and asset freezes affecting almost 1 800 individuals and entities; export and import restrictions in various sectors, including a ban on imports of crude oil since December 2022 and a ban on imports of refined petroleum products since February 2023, with the exception of products related to health, pharmaceuticals, food and agriculture; export bans on dual-use goods as well as goods that may contribute to Russia’s defence and security capabilities; the prohibition of public financing of or financial assistance for trade with or investment in Russia; a set of prohibitions in the aviation sector including the prohibition of the overflight of EU airspace and access to EU airports by Russian carriers; a ban on a range of financial interactions and transactions with Russia; the prohibition of all transactions with the Russian Central Bank; the exclusion of key Russian banks from the SWIFT financial messaging system; the suspension of the transmission and distribution of certain

¹ OJ L 78, 17.3.2014, p. 16.

Russian state-owned or state-backed disinformation outlets; and several more packages of sectoral economic measures and financial and trade prohibitions;

- D. whereas, in addition, the Council has imposed restrictive measures under the EU's Global Human Rights Sanctions Regime on several individuals responsible for serious human rights violations in the Russian Federation and in the territories of Ukraine that Russia has temporarily occupied, and has imposed diplomatic sanctions such as the suspension of the EU-Russia visa facilitation agreement and the denial of most-favoured-nation treatment for Russian products and services on EU markets;
- E. whereas the EU has also adopted additional sanctions against Belarus, in response to its involvement in the war of aggression against Ukraine, and Iran, in relation to the use of Iranian drones in Russia's war;
- F. whereas in May 2023, the High Representative of the Union for Foreign Affairs and Security Policy proposed to establish a dedicated horizontal common foreign and security policy (CFSP) anti-corruption sanctions regime and put forward a proposal for a Council regulation on restrictive measures against serious acts of corruption; whereas continued illicit financial flows, including high-level corruption and money laundering, are an integral part of Russia's foreign and security policy and are critical for the funding of Russia's military;
- G. whereas, furthermore, the EU has decided to add the violation of restrictive measures to the list of particularly serious crimes, the so-called EU crimes, under Article 83(1) of the Treaty on the Functioning of the European Union and the Commission has presented a proposal for a directive on the definition of criminal offences and penalties for the violation of Union restrictive measures; whereas this directive would establish harmonised minimum rules on the violation of Union restrictive measures and would ensure the availability of effective, dissuasive and proportionate criminal penalties for serious offences in this field; whereas Parliament has the ambition to conclude the negotiations as soon as possible;
- H. whereas restrictive measures, or sanctions, are one of the tools available under the CFSP; whereas they are generally part of a comprehensive policy approach that includes political dialogue, multilateral coordination and diplomatic efforts with the aim of countering certain policies and activities and should not be presented as a punitive measure;
- I. whereas EU sanctions do not target a country or population but specific policies or activities, the means to conduct them and those responsible for them, such as governments, entities or individuals, and comply with obligations under international law, in particular with regard to respect for human rights and fundamental freedoms;
- J. whereas Russia's unabated war of aggression against Ukraine, its apparent ability to purchase new ammunition, military equipment and components and its continued economic, financial and military ability to sustain the war effort call into question the effectiveness of the existing sanctions against Russia, notably with regard to persisting exemptions and unintended loopholes, lack of implementation or enforcement, circumvention and the possibilities to strengthen and broaden international coordination;

1. Reiterates its condemnation in the strongest terms of Russia's unprovoked, illegal and unjustified war of aggression against Ukraine and of the involvement of the Lukashenka regime in Belarus; calls on Russia to immediately terminate all military activities in Ukraine and to completely and unconditionally withdraw all forces, proxies and military equipment from the entire internationally recognised territory of Ukraine, to end its forced deportations of Ukrainian civilians and to release all detained and deported Ukrainians, particularly children;
2. Emphasises that EU sanctions do not target either Russia as a country or its population, but are aimed at ending Russia's unprovoked, illegal and unjustified war of aggression against Ukraine;
3. Underlines that the objective of EU sanctions in response to Russia's war of aggression against Ukraine is to strategically weaken the Russian economic and industrial base, in particular the military-industrial complex, in order to undermine the ability of the Russian Federation to continue waging the war, attacking the civilian population and violating the territorial integrity of Ukraine, as well as to hamper Russia's access to military technologies and components and to target Russian political and economic elites to undermine their support for the regime;
4. Welcomes the swift adoption of severe sanctions by the Council since the start of Russia's war of aggression against Ukraine, which reflects the fact that Russia's actions constitute a serious violation of international law and the UN Charter and are in contradiction with its obligations as a permanent member of the UN Security Council, such as maintaining peace and security;
5. Expresses its support to the Council and the Member States for the 11 sanctions packages adopted so far and calls on the Council to remain seized of the matter and to review and continue strengthening the effectiveness of the sanctions, with a focus on enforcement and anti-circumvention measures; calls on all the Member States to actively contribute towards maintaining unity on sanctions and therefore calls for the systematic provision for renewal periods for all sanctions regimes related to Russia's actions against Ukraine of not less than twelve months; calls for the mirroring of the sanctions imposed on Russia against the illegitimate Lukashenka regime in Belarus as it is gravely complicit in Russia's war of aggression against Ukraine;
6. Notes that the EU's sanctions packages have not yet developed their full long-term impact; expresses its concern that Russia may still be able to intensify its war efforts against Ukraine in the short term, especially during the upcoming winter season, and therefore calls for additional restrictive measures such as decreasing the oil price cap and prohibiting EU insurance companies from insuring shipment vessels transporting Russian oil and gas, fully banning all Russian fossil fuel imports including liquefied natural gas (LNG) and fuels imported via pipeline or shipment, as well as imports of Russian nuclear products, harmonising standards on export controls, broadening financial sanctions, extending sanctions to metals and banning imports of Russian diamonds;
7. Reiterates its call to maintain a coherent approach towards sanctions without any exemptions induced by sectoral or national interests; emphasises the need for Member

States to acknowledge and accept that severe sanctions against the Russian Federation unavoidably entail negative effects on their own economic situation;

8. Highlights the need for continued unity, consistency and effectiveness of EU sanctions in the face of the Russian war of aggression against Ukraine; calls on the High Representative of the Union for Foreign Affairs and Security Policy to continue contributing to long-term unity and increased effectiveness by making ample use of his right to submit proposals;
9. Urges support for the work of the EU's International Special Envoy for the Implementation of EU Sanctions on anti-circumvention, including by making full use of the anti-circumvention measures adopted as part of the EU's 11th sanctions package, in order to prevent the systematic re-export of sanctioned EU goods to Russia, which seriously undermines the effectiveness of EU sanctions and obstructs the international efforts to end the war; urges all candidate and potential candidate countries for EU accession, in this respect, to strictly align with EU sanctions in response to Russia's war of aggression against Ukraine as a sign of their preparedness for taking on the obligations of EU membership;
10. Reiterates its call to establish a legal basis for the confiscation of Russian public assets frozen under EU sanctions for the purpose of supporting the economic and social recovery and reconstruction of Ukraine; highlights the need for a more harmonised approach and greater transparency with regard to the location and total amounts of frozen assets;
11. Calls for the harmonisation of penalties for serious criminal offences concerning violations of EU sanctions; underlines that penalties should remain proportionate but also sufficiently high to have a deterrent effect; insists that violations of EU sanctions due to serious negligence should be considered serious criminal offences and that humanitarian assistance should not be affected by the provisions of the proposed directive on the definition of criminal offences and penalties for the violation of Union restrictive measures;
12. Calls on the Council to accelerate its work towards reaching an agreement for the swift adoption of the proposed regulation on restrictive measures against serious acts of corruption; calls on the Council to rapidly impose sanctions under this new regime on natural and legal persons responsible for acts of corruption in the context of Russia's war of aggression against Ukraine and that aim to support the Russian regime;
13. Calls on the Member States to assess and strengthen their administrative capacities to ensure swift implementation and strict enforcement of EU sanctions; calls for harmonised testing of the origin of fossil fuel, LNG and refined fossil fuel imports to prevent the re-export of Russian energy to the EU; welcomes the clarifications and guidance notes addressed by the Commission to European businesses to help them identify and avoid circumvention; calls on the Member States to thoroughly investigate the compliance of companies with export restrictions on listed goods and to impose dissuasive penalties;
14. Calls on the Commission and on the Member States to increase efforts to inform the broader public about the EU's restrictive measures against Russia, in particular their

objective, and to make use in this regard of the experience of the Special Envoy in convincing international partners, organisations and key industries of the need to prevent the circumvention of efforts aimed at cutting the revenues available for the continuation of Russia's war of aggression against Ukraine;

15. Calls on the European External Action Service, together with the Commission, to undertake a comprehensive review of the EU sanctions in response to Russia's war of aggression against Ukraine and to submit proposals on how to further improve the preparation, maintenance, monitoring of implementation and enforcement of EU sanctions, and their coordination with transatlantic allies, G7 and G20 partners, other like-minded partners and UN members in general;
16. Calls on all EU businesses to exercise particular diligence when exporting goods whose export to Russia is prohibited; emphasises that EU companies and their subsidiaries that are found to be in violation of EU restrictive measures must be disqualified from tenders and other forms of funding as part of the Ukraine Facility and other reconstruction programmes in Ukraine;
17. Highlights that the limited effectiveness of sanctions underlines the need for a more comprehensive approach towards Russia; calls, therefore, for EU sanctions in response to Russia's war of aggression against Ukraine to be embedded in a comprehensive political and diplomatic strategy towards Russia that also includes support to Russia's exiled opposition, civil society and independent media and journalists opposed to the war, coordination with international partners on countering Russia's interference in democratic processes and international conflicts, and effective multilateral cooperation to offset Russia's obstruction or abuse of multilateral institutions or mechanisms;
18. Underlines that both the effectiveness of EU sanctions and the EU's policy on Russia's war of aggression against Ukraine are proving to be a test case for the effectiveness of EU foreign policy in general;
19. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the Organization for Security and Co-operation in Europe and the President, Government and Parliament of Ukraine.