TRENDS SURROUNDING SANCTIONS AGAINST RUSSIA AMID COVID-19 PANDEMIC

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SUMMARY

• With COVID-19 infections spreading globally, a mechanism has been set up to ensure the provision of medical supplies, food, and other necessities to certain sanctioned countries to prevent humanitarian crises. However, the sanctions themselves, including those against Russia, have not been suspended.

• The impact of the pandemic is affecting how Russia conducts its foreign affairs, and that is raising concerns in Western countries of the possibility that the progressive “digitalization” of Russian diplomacy may instigate more cyber attacks and election interference.

• Europe and the US are preparing additional sanctions in anticipation of Russian cyber attacks and election interference. As such, there is a need to closely monitor Russia’s movements, including with regard to the US presidential election in November 2020.

HUMANITARIAN IMPACT OF SANCTIONS IN THE MIDST OF THE COVID-19 CRISIS

With infections of COVID-19 spreading globally, on March 24, 2020, Michelle Bachelet, the UN High Commissioner for Human Rights, pointed to how sanctions could impede COVID-19 medical efforts, especially in Iran, Cuba, North Korea, Venezuela, and Zimbabwe, and said: “At this crucial time, both for global public health reasons, and to support the rights and lives of millions of people in these countries, sectoral sanctions should be eased or suspended.” Then on March 26, UN Secretary-General António Guterres, speaking at a G20 videoconference summit to address the COVID-19 pandemic, appealed for a temporary “waiving of sanctions that can undermine countries’ capacity to respond to the pandemic.”

The concerns that the effect of sanctions prohibiting trade and financial transactions could reach the general population of sanctioned countries in some cases, have been given serious consideration in international politics since the 1990 UN sanctions against Iraq. As it is said that hundreds of thousands of children in Iraq died owing in part to the UN sanctions, a movement began, led by Europe, to introduce “smart sanctions” that only target specific individuals, companies, and goods. Given the current situation of COVID-19 infections spreading globally, it is hardly surprising that the restrictions on the trade of medicines and medical supplies, resulting from sanctions, are provoking concerns that they will lead to more widespread human suffering.

Using such concerns to its advantage, Russia attempted to remove, even temporarily, the sanctions that had been imposed on it by the US and EU in response to its 2014 annexation of Crimea and intervention in eastern Ukraine. At the G20 virtual summit mentioned above, while Russian President Vladimir Putin described the issue to be a matter of human life and death, and called it a purely humanitarian issue, he also emphasized the

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3 Smart sanctions, edited by David Cortright and George A. Lopez, p201
importance during this period of the crisis “to create the so-called green corridors, free from trade wars and sanctions, for the mutual supply of medicines, food, equipment, and technology.” In addition, in a comment issued on April 4 by Russia’s Ministry of Foreign Affairs regarding the UN General Assembly’s resolution on the fight against COVID-19, Russia called for a rejection of “trade wars and bypassing of the UN Security Council’s unilateral sanctions to ensure urgent access of the population to food and medicine.” However, the US, the EU, and others voiced opposition, and Russia strongly criticized them by saying, the “unwillingness of a number of international players to say goodbye to their sanctions policies … puts ordinary people in the most vulnerable states on the brink of survival.”

The lack of widespread acceptance of Russia’s insistence for a moratorium on sanctions during the crisis of spreading COVID-19 infections could be attributed to several factors. As far as sanctions against Russia are concerned, Russia’s policies behind its annexation of Crimea and intervention in eastern Ukraine have still not changed, and as such, the reason for the sanctions has not been resolved. Also, it can be pointed out that Russia was not regarded as a country in urgent need of medical assistance, as it had achieved a certain degree of success in containing the spread of COVID-19 (the total number of positive cases in the country was 2,337, including 17 deaths as of March 31, 2020), and in view of President Vladimir Putin’s statement made on June 23, in which he asserted that even after the spread of infections, “The epidemic showed that the Russian healthcare system can effectively respond to emergencies and quickly increase its capabilities.”

RUSSIA’S “MASK DIPLOMACY”

Russia even went so far as to dispatch ventilators, medicines, and doctors to Italy and the US as humanitarian aid. Beginning on March 25, Russia sent 122 specialists, including 66 Russian military medical personnel, and airlifted diagnostic equipment, disinfecting equipment, ventilators, to Italy. On April 1, a Russian military aircraft delivered a large amount of medical supplies and equipment to New York as humanitarian aid. However, according to an exposé published by the Italian newspaper La Stampa, General Sergey Kikot, who directed the airlifting of the supplies from Russia, is the deputy commander of the Russian army’s most secretive department, the Nuclear, Chemical, and Biological Protection Troops, and the paper speculated that the dispatched “specialist medical personnel” included many officers of Russia’s military intelligence agency, the Main Directorate of the General Staff of the Armed Forces of the Russian Federation (GRU). Moreover, the exposé said 80% of the supplies delivered were items of little use.

Meanwhile, the Washington Post reported, “The idea that Russia — under US sanctions for its interference in the 2016 presidential election and its annexation of Crimea from Ukraine in 2014 — was sending medical aid in a giant military aircraft to the most powerful nation on earth seemed astounding”, and cited a Russia analyst as calling the humanitarian assistance a Kremlin propaganda ploy. It seems that Russia tried to impress upon its citizens that the democratic countries of Italy and the US were facing such desperate straits as to require assistance from Russia, and that Russia’s infection control measures were excellent, while at the same time, it sought to convey the message to Italy and the US that Russia is a true friend that they can count on in times of need. These efforts are interpreted as Russia’s attempt to have the sanctions against it eased or lifted through this deployment of Russian-style “mask diplomacy” toward Italy, which has, at times, opposed the sanctions against Russia in discussions with the major EU member states, and the US, which has broadened sanctions against Russia since 2014. In fact, the Russian company Concern Radio-Electronic Technologies (KRET) that

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4 http://www.kremlin.ru/catalog/keywords/12/events/63070
5 https://www.mid.ru/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4094623
7 http://kremlin.ru/events/president/news/63548
8 https://www.vesti.ru/doc.html?id=3250274
supplied the medical devices to the US is a subsidiary of Rostec, which is subject to US sanctions, and therefore should not be allowed to conduct trade under ordinary circumstances. However, the US importer of the medical devices from KRET was granted a special import permit and, as a result, Russia won an exception to the US sanction regime.

**EXCEPTIONS TO SANCTIONS IMPOSED BY THE WEST**

Although some exceptions are allowed as in the above case, another reason why sanctions against Russia are unlikely to be relaxed or lifted on a large scale, despite the spreading COVID-19 crisis, is that the US and EU were quick to announce exemptions to the sanctions to allow exports of medical and other supplies in consideration of the humanitarian impact. On April 16, the US Department of the Treasury’s Office of Foreign Assets Control (OFAC) issued the Provision of Humanitarian Assistance and Trade to Combat COVID-19, in which it outlined exceptions and authorizations for humanitarian trade and assistance activities under US sanctions. It also provided explanations regarding sanctions currently in place against Iran, Venezuela, North Korea, Syria, Cuba, and Crimea (Ukraine), and announced that reviews would be conducted on a case-by-case basis if special transactions were needed.\(^{11}\) Regarding the US sanctions against Iran, in particular, worth noting is the signing of the Swiss Humanitarian Trade Agreement on February 27 between the US and Switzerland, which represents US interests in Iran, and that a system for directly supplying medical products and food as humanitarian aid to the people of Iran is now fully operational.\(^{12}\) On May 11, the European Commission announced the Commission Guidance Note on the Provision of Humanitarian Aid to Fight the COVID-19 Pandemic in Certain Environments Subject to EU Restrictive Measures. Taking the sanctions against Syria as an example, the commission said humanitarian organizations are allowed to provide humanitarian assistance to EU sanctioned countries as long as they explain to the regulatory authorities in each EU country that they are complying with the required procedures. “Humanitarian assistance can reach those in need, even with sanctions in place. The two things are not incompatible,” said Valdis Dombrovskis, Executive Vice President of the European Commission for an Economy that Works for People.\(^{13}\)

To summarize the above, since there are concerns that humanitarian crises could occur in some sanctioned countries, mechanisms have been set up to enable the provision of relief supplies, namely medical supplies and food. However, the initiatives have yet to reach the stage of review of the sanctions themselves, including the ones against Russia.

**THE “DIGITALIZATION” OF RUSSIAN DIPLOMACY**

Western countries have imposed sanctions on Russia thus far for reasons that include Russia’s annexation of Crimea and its suspected intervention in the US presidential election. However, under current circumstances marked by the spread of COVID-19 infections, the “digitalization” of Russian diplomacy could become a new source of conflict between Russia and the West and possibly incite the imposition of additional sanctions.

Russia included the digital economy among the 13 National Projects announced as the feature economic policy of President Putin’s fourth term in office, which started in 2018, and the government indicated it would promote the digitalization of the economy at the national level to raise economic growth to above the global average and improve productivity. It was under these circumstances that COVID-19 infections began to spread, and prompted Russia to extend its digitalization efforts to areas beyond the economic sphere. Such endeavors have spread and are affecting the lifestyles of Russia’s citizens. For example, in Moscow, Nizhny Novgorod, and other cities, digital passes with QR codes were introduced to give citizens permission to go out during the lockdown, such as in the case of essential

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workers who need to commute to their jobs and citizens who need to go shopping for essentials. Further, when traveling by car, the vehicle’s license plate number must be registered and permission obtained in advance. A system has been established for imposing fines by identifying violators with the use of surveillance cameras installed on the road, and the movements of those who have tested positive for COVID-19 and are obliged to self-quarantine are also monitored by a smartphone app and roadside surveillance cameras. The COVID-19 monitoring center, which was established by the Russian central government and the Moscow municipal government, coordinates the efforts of federal and regional government agencies with regard to monitoring the spread of COVID-19 in Russia and abroad, and implementing countermeasures. The center also analyzes all social media posts, judges whether the contents are reliable or not, and identifies false information. These initiatives represent the full utilization of digital technologies for COVID-19 infection preventive measures. Furthermore, Russia’s national referendum on constitutional amendments, which will allow President Putin to remain in power after 2024, was postponed from April 22 to July 1 due to the spread of COVID-19 (however, early voting options were made available from June 25), and electronic voting using digital technology was adopted here as well. According to a survey by Russia’s Levada Center, considering the decline in Putin’s approval rating to a record low of 59% in April 2020, the administration set its goals to achieve a voter turnout of 55% and a support rate of 65% of votes in favor of the amendments. Undoubtedly, the government used electronic voting to show that there was widespread public support for the constitutional amendments that would enable Putin to remain in office. On July 2, Russia’s Central Election Commission announced the provisional results of the referendum, reporting a voter turnout of 67.97% with the percentage of votes in favor being 77.92%. As it turned out, the administration had successfully achieved its targets.

Such “digitalization” of Russian society in the midst of the COVID-19 crisis is also affecting Russia’s conduct in its foreign relations, with Russian diplomacy making greater use of digital technology. The volume of online communications has increased dramatically around the world owing to new modes of living and working, attributable partly to the active adoption of working from home in an effort to stop the spread of infections. This implicates that an ideal environment is being created for Russia to conduct cyber attacks, such as disseminating false information and hacking activities, which have been considered problematic from before, and an increasingly predominant view in the West is that Russia is stepping up its cyber activities. In addition, the upcoming 2020 US presidential election may be another reason for the growing concerns of election intervention and cyber activities by Russia. In the US, it was reported that an analysis by the intelligence community has determined that Russia is intervening in the Democratic primaries with a view to manipulate the 2020 presidential election in November. Furthermore, the European External Action Service is tightening its vigilance of Russia’s distribution of disinformation, and a report dated May 20 says Russia is disseminating false information, such as by associating COVID-19 with biochemical weapons and 5G technologies, as well as inciting an anti-vaccine movement by spreading conspiracy theories.

These individual episodes provide glimpses of Russia’s tactic to undermine democratic forces by deepening disruption and division in Western societies through cyber activities, and ultimately strengthening Russia’s relative power. In a joint communiqué dated June 10, the European Commission stated: “Foreign actors and certain third countries, in particular Russia and China, have engaged in targeted influence operations and disinformation campaigns around COVID-19 in the EU, its neighbourhood and globally, seeking to undermine democratic debate and exacerbate social polarisation, and improve their own image in the COVID-19 context.”

15 https://www.interfax.ru/moscow/706399
16 https://tass.ru/obschestvo/8689315
https://www.vedomosti.ru/technology/articles/2020/05/20/830668-sotsialnii-monitoring
17 http://kremlin.ru/events/president/news/62999
18 https://www.bbc.com/russian/news-52769534
SINO-RUSSIAN RELATIONS GROWING CLOSER AMID THE COVID-19 CRISIS

With US-China tensions intensifying at this time, the issue needing further scrutiny is the possibility of China and Russia cooperating more closely in the cyber domain. In the European Commission document quoted above, Russia and China were named as countries of particular concern. It is possible that China and Russia will not act individually, but instead cooperate to develop information warfare together. While the US criticized China for its initial response to the COVID-19 outbreak, in a telephone conference with Chinese President Xi Jinping on April 16, Russia's President Putin said attempts to blame China for the slowness of its reporting are unproductive, and in a follow-up teleconference on May 8, he further expressed that he has no tolerance for the politicization of the pandemic.

According to the US Brookings Institution, China has recently started imitating Russian methods of creating fake accounts on social media and disseminating disinformation, and Chinese diplomats are also using Twitter, which is prohibited in their home country, to retweet and quote from new releases by Russian state media organizations, such as RT and Sputnik. The Center for a New American Security, a US think tank, also points out that China and Russia share the following objectives: (1) undermine liberal democratic norms and systems, (2) weaken cohesion among democratic allies and partners, (3) reduce US global influence, and (4) advance Russian and Chinese positions as a result. It warns that such Chinese and Russian cyber activities could lead to dangerous synergies in the future.

Another reason why Russia supports China, whose relations with the US have become intensely antagonistic, may be the economic benefits in addition to the abovementioned benefits related to the international order. It is thought that Russia expects not only its energy resource exports to China, which succeeded in containing the spread of COVID-19 earlier than any other country and resumed economic activities, but also to benefit from China's inbound direct investment, such as for the development of digital infrastructure including 5G networks and data centers. It is likely, for this reason, that Russia is showing consideration for China, with regard to US President Donald Trump's initiative to form a strategic encirclement against China with an expanded G7, which would include Russia and South Korea. This was reflected in a comment by a Russian Ministry of Foreign Affairs official, who said to the effect that it is clearly not possible to realize global scale important action without China's participation.

COUNTERMEASURES BY THE US AND EUROPEAN COUNTRIES

In anticipation that Russia will become more and more active in its cyber activities, including cooperative efforts with China, the US and other countries are preparing countermeasures. The EU is trying to take action against the cyber activities of foreign powers with a “cyber sanctions regime” that allows for imposing sanctions to ban travel and freeze assets. Meanwhile, in the US, where preparations are underway for the presidential election in November, the Senate is arranging two bills: the “Defending Elections from Threats by Establishing Redlines Act of 2019” (commonly known as the DETER Act) and the “Defending American Security from Kremlin Aggression Act of 2019” (commonly known as the DASKA Act) (Figure). Under the DETER Act, if the Director of National Intelligence determines that the Russian government interfered in a national election within 60 days after the election, the US President can prescribe, within 30 days of the determination, sanctions against two or more of the five specified Russian banks (Sberbank, VTB Bank, Gazprombank, Vnesheconombank, Rosselkhozbank). Those sanctions are a freeze on the banks' US assets and a ban or tightened conditions for opening and maintaining correspondent accounts in the US. Other sanctions stipulated under the DETER Act

23 https://www.brookings.edu/blog/order-from-chaos/2020/05/19/the-kremlins-disinformation-playbook-goes-to-beijing/
24 https://www.cnas.org/publications/reports/dangerous-synergies
include a ban prohibiting a United States person from making new investments in Russia's energy sector, and a freeze on the US assets of foreigners with investments in Russia's energy sector as well as the US assets of Russian energy companies. The DASKA Act, meanwhile, broadens the sanctions against Russia that are stipulated in the “Countering America's Adversaries Through Sanctions Act” (commonly known as CAATSA), which was enacted in August 2017. In accordance with the DASKA Act, should the US Secretary of State and the Director of National Intelligence determine that Russia carried out cyber activities targeting the US election

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<th>Target Sector/Individuals</th>
<th>DETER Act</th>
<th>DASKA Act</th>
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<td><strong>Banking</strong></td>
<td>SEC.202, (a), (1) Freeze on US assets and a ban or more stringent conditions on the opening or maintaining of a correspondent account in the US, to be imposed on two or more of the following five banks: Sberbank, VTB Bank, Gazprombank, Vnesheconombank, and Rosselkhozbank.</td>
<td>SEC.236 Freeze on US assets, deportation, or visa cancellations for persons who knowingly engage in significant transactions with any person who supports illegal cyber activities.</td>
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<td><strong>Energy</strong></td>
<td>SEC.202, (a), (2) • Prohibition on any new investment in the US by a Russian energy company and any new investment in Russia's energy sector by a US entity. • Freeze on the US assets of foreigners who make any new investments in Russia’s energy sector or a Russian energy company.</td>
<td>SEC.229 Freeze on the assets of Russian financial institutions that have provided financial or other assistance to the Russian government for its interference in foreign democratic processes or elections.</td>
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<td><strong>Defense/Intelligence</strong></td>
<td>SEC.202, (a), (3) Freeze on the assets of entities in Russia's defense and intelligence sectors.</td>
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<td><strong>Government debt instruments</strong></td>
<td>SEC.202, (a), (4) Prohibition on transactions involving Russian sovereign debt instruments or the corporate bonds of companies owned/controlled by the Russian government, issued after passage of the Act.</td>
<td>SEC.238 Prohibition on transactions involving bonds issued by Russia's Central Bank, National Wealth Fund, or Federal Treasury with a maturity of more than 14 days, and prohibition on foreign exchange swap agreements with Russia's Central Bank, National Wealth Fund, or Federal Treasury with a duration of more than 14 days.</td>
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<td><strong>Senior Russian government officials/oligarchs</strong></td>
<td>SEC.202, (a), (5) Freeze on the US assets of Russian government officials or oligarchs found to have interfered in US elections.</td>
<td>SEC.235 Freeze on US assets, deportation, or visa cancellations for political figures/oligarchs and parastatal entities that facilitate illicit and corrupt activities.</td>
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<td><strong>Shipbuilding</strong></td>
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<td>SEC.239C. If the Russian government, including the armed forces or coast guard, interferes with the freedom of navigation of one or more vessels in the Kerch Strait or elsewhere in a manner inconsistent with international law, all entities operating in Russia's shipbuilding sector shall be subject to the same restrictions as an entity included on the SDN List.</td>
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Source: Compiled by MGSSI based on US Congressional documents.
infrastructure, the US shall impose sanctions, such as a trading ban on Russian sovereign debt instruments issued by Russia’s Central Bank, National Wealth Fund, Federal Treasury, etc.; a freeze on the assets of Russian financial institutions that helped the Russian government to interfere in foreign elections; a freeze on the assets of entities with major investments in Russian LNG export facilities located outside the Russian Federation; and a freeze on the assets of entities with investments in oil and natural gas projects located outside Russia, in which the Russian government or a government-affiliated company holds a 33% or greater interest, or has ownership of a majority of the voting interests. The sanctions stipulated by these bills also include secondary sanctions, and those regulations are drawing strong opposition from US business circles concerned about their impact. Japanese companies should pay close attention to developments on this front as well.

FUTURE OUTLOOK

As for the question of whether or not Russia, which has been dealt a double blow from the COVID-19 crisis and slump in oil prices, might interfere again in the US presidential election to the point of risking additional sanctions against it, Raiffeisen Bank’s Gunter Deuber is of the opinion that “From a financial market perspective, Russia should definitely seek to avoid US sanctions in 2020, a year in which Russia may be running a current account deficit for the first time since the early 1990s, while the rouble already trades at near four-year lows. That said, Russian elites have little interest in taking on more risks.” Nevertheless, concerns about Russia’s cyber activities are increasing, as detailed above. Oxana Antonenko of the Control Risks Group states, “History shows that Russian leadership finds it much harder to compromise on foreign policy issues at a time of stepped-up domestic uncertainty and instability.” As such, Russia’s behavior in its foreign relations amidst the COVID-19 pandemic is sure to become a focus of attention. The US Congress has started taking steps, aside from the aforementioned two bills, to strengthen sanctions against Russia. For example, despite US sanctions on vessels and their operators contracted to carry out seabed construction for the Nord Stream 2 pipeline, which is planned to transport natural gas from Russia to Germany via the Baltic Sea and bypassing Ukraine, because Russia is nonetheless proceeding with the construction of the pipeline, a bill was submitted to both chambers of Congress to extend the scope of the sanctions to include underwriters of ship insurance and reinsurance. Furthermore, a report prepared by the Republican Study Committee of the House of Representatives also proposes additional sanctions, including designating Russia as a “state sponsor of terrorism,” imposing secondary sanctions on foreigners supporting Russia’s crude oil and LNG projects, and placing Vnesheconombank on the Specially Designated Nationals And Blocked Persons (SDN) list.

In the same way that Russia’s suspected meddling in the 2016 US presidential election triggered the strengthening of US sanctions against it, should election interference by Russia become a recognized problem, the US Congress, which has been exploring a number of proposed sanctions already as described above, may move with bipartisan support to immediately impose a range of additional sanctions. Developments in the US Congress, which continues to maintain its unyielding attitude toward Russia, deserve to be followed closely.

29 https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/RAD251.pdf