

How Russia Is Testing the EU's Resolve on Sanctions

It's not just about its enclave in Kaliningrad. It's also about a cluster islands in the far north of Norway.

Recently Russia has been screaming bloody murder about the effects of sanctions on its enclave of Kaliningrad. The Russians have declared, baselessly, that EU sanctions restricting the movement of certain goods—so far steel, and ferrous metals—over EU territory to Kaliningrad are a “blockade.” More goods will be restricted in the future as sanctions are further implemented. A blockade is an act of war, and with this language Russia is trying to raise the specter of a war over rail access to Kaliningrad for propaganda effect. Never mind that the ports of Kaliningrad and St. Petersburg remain wide open, with no impediments to transport between them. If they are successful in gaining exceptions for Kaliningrad, still more of these kinds of propaganda campaigns can begin preparing the way for creating even larger loopholes in the sanctions, and eventually to rolling them back entirely. This strategy already seems to be working, and it looks like Russia has already chosen its next target for this fake “blockade” propaganda strategy: the Norwegian island of Svalbard.

There have been some news reports of cracks in the EU about these sanctions with regard to Kaliningrad. Reuters published a story that goods transit through Lithuania to Russia could return back to normal “within days.” Then Politico reported that German Chancellor Olaf Scholz “sought to cool tensions in the Baltic region by urging Lithuania and the EU to lift restrictions on freight transport from Russia to its Kaliningrad exclave, arguing that EU sanctions against Moscow should not apply there.” Der Spiegel reported that the EU was going to issue a “clarification” that would allow Russia to move all kinds of goods overland to Kaliningrad, though in limited amounts.

This looks like German pressure to get Lithuania to cave, or to get the EU to carve out enough space to weaken the sanctions in a way that would leave Lithuania without diplomatic support if it insists on limiting the transit of Russian goods through its territory. There is already a treaty guaranteeing the transit of Russian passengers through Lithuania to Kaliningrad, and this is already enough

of a potential security risk for Lithuania. In addition to punishing Russia for its aggression in Ukraine, the EU sanctions allow Lithuania to deny permits for the transit of some Russian goods across its territory with diplomatic and political cover from the rest of Europe. As the different phases of the sanctions kick in, the transit of products other than steel and ferrous metals will be stopped: On July 10 the transit cement and alcohol will be prohibited, coal in August, and oil in December. If the Russians exploit a rift between Germany and Lithuania—part of the broader rift between Eastern and Western Europeans about how to deal with Russia—Russia might not only stop the implementation of these sanctions but even maneuver Europe into a position in which Russia has even more legal guarantees to the transit of goods than it had before Russia's invasion of Ukraine.

Russian publications are gleeful about this rift. Multiple Russian news websites are repeating this quote by an upset Ukrainian expert about what is happening with Kaliningrad, saying that the Western European powers were leaving Lithuania out in the cold:

“Europe was very afraid and practically left Estonia and Lithuania to face Russia one-on-one. After all, transit closed the European Union by their [the EU's] decision, but for some reason it is not clear that Macron or Scholz called Putin and said that it was they who imposed sanctions, and not just Lithuania.”

The fact that this quote is proliferating indicates that this story likely has an important role to play in internal Russian propaganda, in addition to its role in Russian diplomacy and foreign propaganda. That cracks appear in the EU sanctions regime so quickly after Russia began throwing a fit about a non-existent blockade allows the Russian government to hold out hope to the Russian population that this will all be over soon, that the sanctions won't last. As Tsargrad, a hardcore Russian Orthodox nationalist outlet, put it: “After Lithuania announced the blockade, overzealous Russophobes were disowned not only in Europe, explaining everything as a misunderstanding and promising to return everything as it was.”

Russian propagandists have identified an effective lever to create cracks and exceptions in European sanctions: Claim there is an imaginary blockade and threaten war, and then wait for Germany to pressure Russia's smaller neighbors for Russia's benefit. With such great early success after so little effort with Kaliningrad, really just noise, Russia has already moved on to the next target of

the same tactic: Norway and Svalbard.

Svalbard is a cluster of islands in the far north. This desolate place has a population of a few thousand, many of them Russians. Under a treaty recognizing Norwegian sovereignty over Svalbard, other powers were given the right to exploit the natural resources there without restrictions. The USSR operated some coal mines there and Russia has continued to operate one that is certainly heavily subsidized. These forlorn settlements and abandoned mines have the distinction of hosting the farthest-north monuments to Lenin. Russia is not running this state enterprise in the far north because of the potential of Svalbard's almost-depleted coal reserves but to keep a foothold to guarantee access to the ocean shelf around it and shore up Russia's claims to exploit the resources there—perhaps even with an eye to one day annexing Svalbard outright. (Lawfare had a good article about this in February.)

The first public indication of this new Svalbard propaganda ruckus seems to have come when the Russian online tabloid Komsomolskaya Pravda reported that Norway has banned the land transit of two containers destined for Svalbard, containers containing “products” (probably food) and “components for ships and vehicles” Norway is not part of the EU but in March it passed legislation to bring itself in line with EU sanctions against Russia—sanctions that ban Russian transport companies from operating.

The Svalbard “blockade” propaganda charge is being led by Konstantin Kosachev, a Russian senator and the chair of their Foreign Relations Committee. In a Telegram post Koscharev said:

“By their strong-willed decision, the Norwegian authorities are trying to leave Russian miners without food, which is inherently immoral. This violates human rights and the principles of humanism.

But there is something else in this as well. Let me remind you that the international legal status of the Svalbard archipelago is determined by the Paris Treaty of 1920 (aka the Svalbard Treaty), which was concluded between Norway, the USA, Denmark, France, Italy, Japan, the Netherlands, Great Britain and Sweden (which came into force in 1925 and is still a legally binding international treaty for 46 states). The Soviet Union acceded to the document on May 7, 1935, and Russia participates in it as the successor state of the USSR.

The parties recognized the full and absolute sovereignty of Norway over the Svalbard archipelago, however, on the terms determined by the Paris Treaty itself (Article 1).

By its behavior, Norway violates the provisions of Article 3 of the Treaty of Paris:

“It is agreed that in all respects, and in particular in all matters relating to export, import and transit, the citizens of all the High Contracting Parties, their ships and their cargoes shall not be subject to any charges or restrictions not applicable to citizens, ships or most-favored nation treatment in Norway, Norwegian nationals, their ships and their cargoes being for this purpose equal to the citizens, ships and cargoes of the other High Contracting Parties and not enjoying in any respect more favorable treatment.”

The Russian media space is now filling up with dramatic headlines similar to what we saw with Kaliningrad: “Norwegian attack: the Russians staged a blockade on Svalbard”, “Blockade of Svalbard: what the current situation can lead to”, “Norway steals Svalbard from Russia”, etc. This accusation that Norway is blockading Svalbard is even more ridiculous than the accusation of a Kaliningrad blockade. The Norwegian foreign minister has stated that the Russian items were denied permission to cross into Norwegian territory because of the EU sanctions that prohibit Russian trucking companies from transporting anything on Norwegian territory. According to the Norwegian foreign minister, there is nothing preventing Russia from delivering goods directly to Svalbard by sea. The goods in question are not on a Russian ship bound for Kaliningrad that the Norwegians are stopping. Russian shipping companies are just not allowed to send containers into Norway for onward transit to Svalbard using Norwegian ports or the ships of other countries. There is no violation of any treaty or even any threat to prevent any kind of transport from Russian ports to the Russian community in Svalbard. As stated by the June 22 Komsomolskaya Pravda piece, the truth is that Russia has been relying on Norwegian-provided transport to supply its unprofitable state-owned venture in Svalbard, and it would be too expensive to supply the settlement on its own:

Previously, cargo for the coal miners of Svalbard was delivered by land by road to the Norwegian port of Tromsø, and from there to Barentsburg on Norwegian container ships. Now, if the Norwegians do not unblock transit, the necessary cargo for the Russians working on the island will have to be delivered only by sea

from [the Russian port of] Murmansk, which is much more difficult and expensive.

Russia is trying, again, to make threats related to a fake “blockade” to get another country to cave on sanctions, and perhaps even generate some kind of regulatory codification of Russia’s permission to use Norwegian infrastructure to evade sanctions and harm Norway’s security. This is preposterous, of course, and European leaders should take note of the obvious Russian disingenuousness regarding both Kaliningrad and Svalbard.

Many Russian strategists see the future for their country in exploiting the resources of the Arctic. If Russia is forced to shut down its foothold on Svalbard because of these sanctions this might be a serious blow to its Arctic strategy. Perhaps Russian strategists should have thought of this before Russia expanded its invasion of Ukraine. If Europe stands firm, Russia will earn some fitting punishment for its attacks on European security—being denied the use of European territory and infrastructure to maintain its empire. If Europe caves, well, expect Russia to find still more places where there are “blockades.”

Source: <https://thedispatch.com/p/how-russia-is-testing-the-eus-resolve>

[Disclaimer]