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Editorial

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Sanctions have always operated at the intersection of law and politics. Yet it is the past several years that have brought an unprecedented expansion of sanctions, transforming them from an exceptional measure among many policy tools into a primary, almost natural, instrument of contemporary policymaking. While sanctions are a long-term endeavour whose effectiveness can only be assessed over time, and thus falls outside the scope of this edition of the Journal, the moment politics becomes binding law, critical questions emerge that must be answered not years from now, but today: *how should sanctions be applied in practice?*

The recent period has seen a rapid and substantial increase in both the scope and practical significance of restrictive measures. The sanctions regimes adopted in response to Russia's aggression against Ukraine, characterised by their sophistication and the speed with which they were introduced, have transformed sanctions compliance from a specialist concern into a central operational challenge not only for the private sector, which must implement these measures, but also for public authorities tasked with enforcing them effectively.

Although the history and legal foundations of sanctions are well explored in academic scholarship, the practical application of sanctions continues to reveal gaps, ambiguities, and tensions that require closer analytical examination.

This special issue, aims to analyze how sanctions function in practice: how they are interpreted, how they are enforced, and how they are experienced by various National Competent Authorities (NCAs).

Sanctions regimes are changing fast, so businesses and authorities often struggle with fragmented guidance and overlapping or contradictory legal interpretations. These difficulties are even more visible particularly within the European Union, where enforcement almost entirely relies on national approach that differ across all 27 Member States. It results in significant level of uncertainty for economic operators who are engaged in cross-border business activities, even if they are not engaged in trade with sanctioned jurisdictions.

For many companies the risks of non-compliance often lead to defensive strategies that exceed what the sanctions law strictly requires. This tendency towards overcompliance reflects institutional caution but also confirms the need for clearer and more predictable enforcement frameworks and guidance. Several contributions to this Journal highlight how uncertainty around sanctions provisions, sanctions circumvention, obligatory level of due diligence or rules of liability, affects day-to-day operations and can distort the functioning of entire industries.

Another observation emerging from the contributions is the fragmentation within national sanctions enforcement systems, which can affect the coherent application of EU sanctions. Differences in national laws on the implementation of sanctions, the varying roles of public authorities, and differing institutional needs shape how sanctions are interpreted and applied. This influences not only the effectiveness of enforcement but also, at times, the practical severity of EU sanctions for companies registered in particular Member States. Several articles highlight efforts toward consolidation and reform, while others illustrate how case law, administrative practice, or entrenched enforcement cultures shape the contours of national sanctions laws -often moving in different directions.

Equally important is the burden placed on private-sector actors, who in practice serve as the first line of sanctions enforcement. Companies are expected to conduct complex due-diligence checks, monitor supply chains, understand the extraterritorial effects of non-EU regimes, and anticipate risks arising from inconsistent national practices. In effect, companies are expected to be as effective as prosecutors, investigators, intelligence services, and other law-enforcement bodies but without possessing any of the corresponding powers.

However, this argument should not be used as an excuse, either for intentional sanctions violations or for negligence or wilful blindness, where companies, under the guise of "impossibility," disregard compliance obligations altogether and choose to prioritise profit.

As several contributions note, sanctions compliance is no longer a purely legal exercise but requires multidisciplinary coordination, technical assessments, and sophisticated internal governance systems - expectations that often exceed the resources of smaller market participants.

Finally, the issue also explores broader conceptual and systemic questions, including the evolving nature of sanctions as a tool of international governance and the ways in which legal doctrines, enforcement rationales, and geopolitical developments shape their application. These contributions remind us that sanctions do not operate in a normative vacuum: they are embedded within legal systems, administrative infrastructures, and dynamic international relationships that influence how they are perceived and implemented.

The articles in this issue underscore the importance of bringing practical experience into scholarly discussion. As in response to more and more frquent geopolitical crises sanctions regimes continue to evolve. The

insights derived from sanctions practitioners are indispensable for understanding how sanctions operate beyond the text of legislation.

I hope that this special issue will contribute to the discussion on the practical aspects of sanctions. By analysing sanctions through the lens of implementation rather than abstract theory, this issue aims to enhance our realistic understanding of sanctions as a complex legal instrument. I extend my sincere thanks to all contributors and reviewers for their engagement and expertise, and to our readers for their interest in this increasingly vital field of transnational legal relations.