

# On the Legal Nature and Non-Extension of E.O. 14024

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Relevant as of April 16, 2025



On April 14, 2025, the US Federal Register placed a notice on its website on continuation of the national emergency<sup>1</sup> (the **National Emergency**) imposed by Executive Order 14024<sup>2</sup> (the **Executive Order**), with the media wasting no time latching onto the news of the US' anti-Russian sanctions being extended. Dmitry Peskov, the Russian President spokesman, stated that this had come as no surprise to the Kremlin.<sup>3</sup>

So, what has really happened, and does the extension of the National Emergency mean that the hopes for a relaxation of the sanctions regime recently entertained by some Russians were vain?

## Executive Order 14024: the Basics

Executive Order 14024 was issued by President Joe Biden on 15 April 2021. It gave grounds for the blocking sanctions to be imposed on any person assisting the "harmful activities" of Russia.

The harmful activities were defined there as follows:

- meddling in elections in the United States and its allies and partners;
- engaging in and facilitating malicious cyber-enabled activities against the United States;
- using transnational corruption to interfere in domestic affairs of foreign countries;
- oppressing dissidents and journalists;
- undermining security in countries and regions important to United States national security;
- violating well-established principles of international law, including respect for the territorial integrity of states.

Therefore, this Executive Order, unlike Executive Order 13660,<sup>4</sup> does not focus solely on the Ukrainian 2014 crisis, which determines the specific nature of the grounds for inclusion in the SDN List under Executive Order 14024.

The authority to introduce targeted blocking sanctions is granted to the US President by Sections 202 and 203 of the International Emergency Economic Powers Act («**IEEPA**»)<sup>5</sup> while the Congress comes up with requests for imposition of the relevant sanctions in such areas as protection of human rights, curbing the proliferation of weapons, international terrorism, drug trafficking, etc.

This being the case, the allocation of authorities between the US President and the Congress varies depending on the sanctions in question. For instance, Section 216 of the Countering America's Adversaries Through Sanctions Act (**CAATSA**) states that the

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<sup>1</sup> Notice of April 10, 2025: Continuation of the National Emergency with Respect to Specified Harmful Foreign Activities of the Government of the Russian Federation, 90 FR 15523.

<sup>2</sup> Executive Order 14024 of April 15, 2021, 86 FR 20249.

<sup>3</sup> The Kremlin expected Trump to extend sanctions, TASS: Sanctions against Russia URL: <https://tass.ru/ekonomika/23678271> (reference date: 14 April 2025).

<sup>4</sup> Executive Order 13660 of March 6, 2014, 79 FR 13493.

<sup>5</sup> International Emergency Economic Powers, 50 U.S.C Ch. 35.

President may lift the sanctions imposed by Executive Order 13660 (as subsequently supplemented by Executive Orders 13661, 13662, 13685, 13849 and 14065) only subject to the approval by the Congress. In contrast, the National Emergency regime introduced by Executive Order 14024, which is governed solely by the IEEPA and the National Emergencies Act (**NEA**), may be lifted by the US President without having to obtain a consent from the Congress.

One of the crucial characteristics of National Emergency regimes is that they remain in force for one year only.<sup>6</sup> This limitation emphasizes both the extraordinary nature of such measures and of the authorities vested in the US President to properly counter threats to national security. As stressed by the draftsmen of the IEEPA, "a state of national emergency should not be a normal state of affairs"<sup>7</sup>.

At the same time, where the grounds for declaring the National Emergency are still in place the US President may decide to extend this regime one year after the relevant Executive order was issued.<sup>8</sup>

## What Happened on 10 April 2025?

Given his public statements on the need for rapprochement with Russia made during the election campaign, Donald Trump's inauguration sparked hopes for sanctions "thaw". Optimistic sentiments were fueled by reports of a potential easing of US sanctions coming from such credible media as Reuters<sup>9</sup>.

This was followed by the temporary lifting of US sanctions against Kirill Dmitriev enabling him to get involved in negotiations and the exclusion of US citizen Karina Rotenberg from the SDN list, making the imminent relief of sanctions pressure on Russia look even more realistic, with particular hopes pinned on the non-extension and automatic termination of Executive Order 14024, the main instrument of US sanctions policy against Russia.

Should the hopes of optimistic observers materialize, all sanctions imposed by Executive Order 14024 and the relevant supplementing orders would have been immediately lifted on April 16, 2025. However, on April 10, 2025, the US President determined, pursuant to the obligatory procedure, that the specified harmful foreign activities on the part of Russia continued to pose an unusual and extraordinary threat to the national security, foreign policy and economy of the United States and, correspondingly, extended Executive Order 14024 (as then in effect) for another year.

Verba Legal lawyers believe that the extension of sanctions under Executive Order 14024 was predictable, given the present state of political affairs. As noted above, getting included in the sanctions lists under Executive Order 14024 does not necessarily relate to

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<sup>6</sup> National Emergencies Act, 50 U.S. Code § 1622, Sec. 202.

<sup>7</sup> House Committee on International Relations, Trading with the Enemy Act Reform Legislation, H.R. Rep. No. 95-459, 1977, p. 10.

<sup>8</sup> National Emergencies Act, 50 U.S. Code § 1622, Sec. 202(d).

<sup>9</sup> Erin Banco, White House seeks plan for possible Russia sanctions relief, sources say, Reuters. Com (published on 4 March 2025) URL: <https://www.reuters.com/world/white-house-seeks-plan-possible-russia-sanctions-relief-sources-say-2025-03-03/> (reference date: 14 April 2025).

the Ukrainian program, which means it was unlikely that all sanctions imposed by it would be lifted at once by the newly-elected US President.

At the same time, there is a high probability of continued case-specific easing of sanctions as well as the issuance of new general licenses expanding transactional possibilities amid the still existing sanctions restrictions imposed on Russia.

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