EU SANCTIONS POLICY

Clara Portela (Coordinator)

TERRORISM

EUROPEAN SECURITY

Revista UNISCI / UNISCI Journal

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*The journal is published three times per year (January, May and October) by the Research Unit on International Security and Cooperation (UNISCI), Complutense University of Madrid. **However the Journal is not owned by the Complutense University.** All the issues are available free of charge at our website www.ucm.es/unisci.*

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EDITOR´S NOTE

Antonio Marquina[1]
Director of UNISCI

This issue of the journal deals with various topics of especial interest: The role of sanctions in the European Union Foreign and Security policy, the global terrorism forecast for 2017 and, finally, the different approaches of the Polish political parties regarding foreign and security policies, in particular to the European Union and Eastern Europe.

In the first topic, the EU sanctions policy, the articles coordinated by Professor Clara Portela present different approaches in order to clarify several questions and its particular characteristics: The difficulties in cooperation at the EU level in order to establish a common sanction policy and the struggle between the national and supranational levels for the control of the sanctions process. How the EU utilizes autonomous sanctions as an instrument to obtain its political and cultural predominance. How sanctions are diversified according to geographic vicinity or political motivation and which security objectives the EU promotes, concluding that the EU still focuses on geographic vicinity and security relevance and only the area of sanctions application has changed, from Eastern Europe to the Middle East. The internal tensions in the EU process of imposing sanction regimes and why and under what conditions the EU is ready to resort to sanctions in post-Soviet conflicts. Finally, Russia's discursive reaction to sanctions imposed by the West during the Ukrainian crisis and how the Kremlin has been able to rally the public opinion behind a political narrative, framing the crisis as the consequence of Western hegemonic ambitions against a resurgent Russia and presenting the resistance and response to the Western sanctions has as a test of Russia's ability to remain a Great Power.

With regard to global terrorism, Professor Rohan Gunaratna explains how three significant developments will characterize the global threat landscape in 2017: The likely transformation of the so-called Islamic State (IS) as a caliphate-building entity into a global terrorist movement in a similar manner as Al Qaeda (AQ). The possible collaboration and unification of both terrorist groups as a consequence of the death of either the IS leader, Abu Bakr al Baghdadi, or AQ leader, Ayman al Zawahiri. And finally how the IS, AQ and their associates will try to expand themselves in compensation for their losses in the physical space.

The last article by Professor Maciej Raś explains the evolution of the Polish political parties and groupings since 1989, the debates and the consensus reached on foreign and security policies, connected largely with Poland's accession to the Western institutions, in particular the accession to and participation in the EU, and with the policies towards Eastern Europe. This article tries also to clarify the policies of the present Polish government, once the

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PiS won an absolute majority in the Sejm. A new, more assertive foreign and security policy is being implemented with important consequences not only for Poland and Central Europe but also for the entire EU. The new government prefers an EU *a la carte,* displaying several arguments and explanations for this change.

UNISCI wants to thank all the authors, coordinators and partners for their contributions to this new issue of the journal.

BETWEEN SUPRANATIONALISM AND INTER-GOVERNMENTALISM IN THE EUROPEAN UNION´S FOREIGN POLICY: A PRINCIPAL-AGENT APPROACH OF THE SANCTION POLICY IN THE CFSP FRAMEWORK

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Abstract:

Integration in the EU Foreign Policy domain has been sporadic, preventing the EU from gaining traction internationally. However, the imposition of international sanctions has generated a great degree of member state cooperation at the EU level. From establishing a common sanctioning practice, to institutionalising the instrument as part of the CFSP toolbox, the EU sanction policy constitutes a fascinating example of delegation of foreign policy powers from the national to the supranational level. This article uses the Principal-Agent model in an attempt to make evident, as a result from the allocation of such powers to the EU, the power struggle between the national and supranational levels for the control of the sanction-making process. The analysis reveals that in spite of EU supranational bodies acquiring greater control over time, the member states have set up control mechanisms in order to limit the room for manoeuvre of the former.

Keywords : EU sanctions, EU Foreign Policy, Intergovernmentalism, Supranationalism, Principal-Agent Model, Delegation of Power.

Titulo en Castellano: Entre el Supranacionalismo y el Intergubernamentalismo en la Política Exterior de la Unión Europea: Una Aproximación "Agente Principal" en la Política de Sanciones en el marco de referencia de la PESC

Resumen:

La integración de la UE en asuntos de política exterior ha resultado ser esporádica, impidiendo así que la UE ganase fuerza internacionalmente. Sin embargo la imposición de sanciones internacionales ha generado un alto grado de cooperación entre los Estados Miembros dentro de la UE. Del establecimiento de una práctica común sancionadora a la institucionalización del instrumento como parte de las herramientas a disposición de la PESC, la política de sanciones de la UE constituye un ejemplo fascinante de delegación de poderes en política exterior desde el nivel nacional al nivel supranacional. Este artículo utiliza el modelo Agente-Principal intentando clarificar y hacer evidente la lucha entre los niveles nacional y supranacional, en el control del proceso de adopción de sanciones, como consecuencia de la delegación de estos poderes en la UE. El análisis revela que, a pesar de que los organismos supranacionales de la UE han adquirido un mayor poder a lo largo del tiempo, los Estados Miembros han establecido mecanismos de control que limitan la capacidad de maniobra de aquellos organismos.

Palabras clave: Sanciones de la UE, Política Exterior de la UE, Intergubernamentalismo, Supranacionalismo, Modelo Agente Principal, Delegación de Poder.
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1. Introduction.

The comparison of the degree of integration reached by the European Union (EU) in domains such as trade or agriculture with the pace of the 'Brusselization' process in the foreign policy domain, reveals a significant discrepancy. Coined by Allen in 1998[2], the concept of 'Brusselization' designates the shift of authority from national capitals to Brussels in the foreign policy domain. Also referred to as the supranationalisation process, it was officially triggered in 1992 with the establishment of the Common Foreign and Security Policy (CFSP) and the creation of the EU's own foreign policy Administration in Brussels. From then on, the member states gradually lost their grip on foreign policy-making and the successive European Treaties institutionalised the Union's authority.

The creation of a common foreign policy at the EU level has, nonetheless, not yielded the expected results[3]. The 28 capitals still retain the power to define their own foreign policies and tend to support the Union's initiatives in a sporadic manner[4]. The CFSP has therefore become a hybrid policy which "is […] no longer the purely intergovernmental affair of the early days, but not yet a fully-fledged policy arm of the Union"[5]. However, studies which are able to define this in-between state and identify whether the policy is taking the direction of supranationalisation are missing. In an attempt to fill this gap and identify under which conditions supranationalisation processes occur in the European foreign policy (EFP) this article is going to take the Union's sanction policy as a case study.

The EU's resort to international sanctions in the framework of the CFSP can be traced back to the 1980s. If this coercive tool was not attached with great expectations, it nonetheless reached two fundamental milestones. Firstly, in terms of coercive power it yielded superior results than the more celebrated Common Security and Defence Policy (CSDP)[6]. Secondly, and more unexpectedly, by the end of the 1990s member states became fully part of the EU's common sanctioning platform[7]. Thereby strengthening the idea that the EU is able to coordinate the preferences of its member states into sanctioning third parties but also to make use of its economic power in order to build its international influence[8].

In the literature on the EFP, this success went unnoticed and it is only at the beginning of the 2000s that the sanction policy started to be addressed. However, if academics have explained why the member states partially transferred their sanctioning powers and participated in the creation of a common sanctioning framework at the EU level, none have

[2] Allen, David (1998): "Who speaks for Europe?: the search for an effective and coherent external policy", in John Peterson & Helene Sjursen. *A Common Foreign Policy for Europe? Competing visions of the CFSP*, London, Routledge, pp. 41-58.

[3] Seidelmann, Reimund (2002): Problems and Prospects of the Common Foreign and Security Policy (CFSP) and European Security and Defense Policy (CESDP): A German View, at www.desk.c.u-tokyo.ac.jp/download/es_1_Seidelmann.pdf

[4] Bergmann, Julian & Niemann, Arne: Theories of European Integration, in Aasne Kallan Aarstad, Edith Drieskens, Knud Erik Jørgensen, Katie Laatikainen & Ben Tonra (eds.) (2015): *The Sage Handbook of European foreign Policy,* London, Sage, pp. 166-182.

[5] Nuttall, Simon (2000): *European Foreign Policy,* Oxford, Oxford University Press, p. 275

[6] Portela, Clara & Ruffa, Chiara: The politics of coercion: Assessing the EU's use of military and economic instruments, in Aasne Kallan Aarstad, Edith Drieskens, Knud Erik Jørgensen, Katie Laatikainen & Ben Tonra (eds.) (2015): *The Sage Handbook of European foreign Policy,* London, Sage, pp. 545-558.

[7] Jones, Seth. G. (2007): *The rise of European Security Cooperation,* Cambridge, Cambridge University Press.

[8] De Wilde d'Estmael, Tanguy (1998) : *La dimension politique des relations économiques extérieures de la communauté européenne. Sanctions et incitants économiques comme moyens de politique étrangère,* Bruxelles, Éditions Emile Bruylant.

gone beyond to analyse how the supranationalisation process concretely took place within the CFSP's structures and what role was given to EU supranational actors with regards to the policy-process. Indeed, it remains puzzling to witness the intentional transfer of control over such a significant foreign policy instrument from the national to the supranational level; especially given the well-known ability of the Union to seize more powers than originally envisioned. The article will consequently seek to establish under what conditions were national sanctioning powers transferred to EU institutions and to what extent has this transfer been accompanied by the member states' loss of control over the policy-making process to the profit of EU institutions.

By doing so, the objective is to get a better understanding of the drivers behind transfers of powers to Brussels-based actors in a field where member states have always been wary of any competence creep from the Union. It also relates to the current state of the Union where the member states are claiming back their sovereignty in the light of the EU's difficulties to provide with proofs of its accountability. To that aim, the article advances the relatively recent tool of the Principal-Agent model which conceptualises intentional transfers of sovereignty. The analysis will demonstrate a reversion of the supranationalisation process after the Lisbon Treaty (2007) and that despite the extensive powers given to two EU bodies, the Commission and the EEAS, the member states have preserved their control relatively well.

The article is organised as follows. It first revises the existent literature dedicated to the EU sanction policy to then adapt the principal-agent model to the institutional framework of the EU sanction policy. Secondly, it proceeds to the empirical study of the case. Finally, the findings will be discussed and their significance for the EU as an autonomous foreign policy actor will be addressed.

2. Literature review

2.1.A hidden gem in the EFP

From the Fouchet plan (1961) to the Maastricht Treaty (1992), the creation of the CFSP marked the termination of years of stalemate and concretised the Union's wish to coordinate the foreign policies of its member states and complement its economic influence with military power[9]. Despite the Union's achievement at defining a common security strategy (2003), the literature on the EFP has nonetheless quickly identified the policy's limitations in the face of coordination issues, competing interests and sporadic support from the member states[10].

In this regard, the inauguration of the CSDP in 1999 as the Union's latest crisis management instrument did not meet its initial and rather ambitious objectives[11], whilst the

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[9] Seidelmann, Reimund., *op. cit.*
[10] Major, Claudia (2008): "EU-UN cooperation in military crisis management: The experience of EUFOR RD Congo in 2006", *EUISS Occasional Paper,* Nº 33; Keukeleire, S., & Delreux, T. (2014): "European Integration and Foreign Policy: Historical Overview", in Keukeleire, S. & T. Delreux: *The Foreign Policy of the European Union* (pp. 35-60), Basingstoke, Palgrave Macmillan
[11] Toje, Asle (2011): *The European Union as a Small Power after the Post-Cold War.* Basingstoke: Palgrave Macmillan; Karp, Aron, & Karp, Regina (2013): "European security: just getting started, again?", *Contemporary Security Policy,* Vol..34, Nº 2, pp. 350-352.

drop in new CSDP missions since the Lisbon Treaty[12] and the member states' persisting national reflexes discredit the EU's platform for crisis-management[13].

The EU's imposition of sanctions for foreign policy purposes and for more than three decades has however gone unnoticed in the literature dedicated to the Union's coercive power[14]. A timespan during which it succeeded to improve and formalise its sanctioning practice but also to coordinate the one of its member states at the EU level[15]. Given the hard nature of this tool it is remarkable that sanctions are now the most resorted to instrument of the EU external action[16]. The aim of this article is to further look into this successful example of member states' coordination and EU's ability to exercise influence in the foreign policy domain.

2.2.Sanctions as a coercive foreign policy tools

International sanctions have not been clearly defined by the international community[17] but a scholarly consensus can be found according to which they designate foreign policy measures used by one or more nation-states, *the sender*, in order to end the reprehensible behaviour of another nation-state, *the target*, by inflicting pain or raising the costs of its actions[18]. They can be economic in nature while pursuing political goals[19] and EU economic sanctions are, in this regard, a formidable tool used by the Union to convert its economic power into greater political influence[20].

EU restrictive measures taken in the framework of the CFSP are divided in two categories in order to solve issues of overlapping competencies between the economic and foreign policy domain[21]. The first one refers to economic and/or financial measures such as embargoes or asset freezes and are a shared competence of the member states and the Union. The second type is, on the contrary, under the exclusive authority of the member states since it concerns arms embargoes, visa restrictions and diplomatic sanctions.

A surprisingly pessimistic consensus can be found in the literature which posits that sanctions rarely work[22] and EU sanctions have not escaped the rule[23]. Some scholars have

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[12] Howorth, Jolyon (2014): "The EU as an Overseas Crisis Management Actor", in Jolyon. Howorth, *Security and Defence Policy in the European Union* (2nd ed.), London: Palgrave Macmillan.

[13] Batora, Jozef : "European Defence Agency: A Flashpoint of Institutional Logics". *West European Politics,* Vol..32, Nº 6, (2009) pp. 1075-1098.

[14] Portela, Clara, & Ruffa, Chiara, *op. cit*

[15] *Ibid*.

[16] Gebert, Konstanty (2013*): Shooting in the dark? EU sanctions policies. European Council on Foreign Relations (ECFR)*, Policy Brief, N°71, at http://www.ecfr.eu/page/-/ECFR71_SANCTIONS_BRIEF_AW.pdf

[17] Partsch, Karl. Josef (1994): "Reprisals", in. Bernhardt, Rudolf: *Encyclopaedia of Public International Law*, Amsterdam. North-Holland; Portela, Clara (2010): *European Union Sanctions and Foreign Policy: When and Why Do They Work?* London, Routledge.

[18] Hazelzet, Hadewych.(2001): Carrots or Sticks? EU and US reactions to Human Rights violations (1989-2000). *European University Institute*; Hufbauer Gary, Schott Jeffrey, Elliott Kimberley & Oegg Barbara. (2007): *Economic Sanctions Reconsidered.* Washington DC, Institute for International Economics; Portela, Clara: *European Union Sanctions and Foreign Policy, op. cit.,* p. 21.

[19] Pape, Robert P. :"Why Economic Sanctions Do Not Work", *International Security,* Vol.22, Nº 2, (1997), pp. 90-136.

[20] De Wilde d'Estmael, Tanguy, *op. cit.*

[21] Portela, Clara: *European Union Sanctions and Foreign Policy, op. cit.*, pp. 27-28.

[22] Baldwin, David Allen (1985): *Economic Statecraft,* Princeton, Princeton University Press; Pape, Robert P., *op. cit.*; Drezner, Daniel. W. (1999): *The Sanction Paradox: Economic Statecraft and International Relations.* Cambridge, Cambridge University Press; Hufbauer et al., *op. cit.*

however attempted to depart from this negative postulate by either re-assessing the utility of sanctions[24] or emphasizing the signalling role played by sanctions[25]. Moreover, sanctions have gained in sophistication over time in order to gain in efficiency and avoid collateral damage[26]. Called 'smart' sanctions, they target specific economic sectors, companies or even individuals[27]. This evolution is visible in the EU's sanctioning practice where Russian and Syrian officials have recently been placed under a set of interdictions as part of the EU's response to the Ukrainian conflict and the Syrian civil war[28].

2.3. The EU sanction behaviour

The EU's sanctioning power comes from its member states[29] and was first used in the 1980s against the USSR and Argentina[30]. From then on, the member states gradually abandoned their individual sanctioning practice and had, by the end of the 1990s, entirely invested in EU's common sanctioning framework[31]. This transfer of sanctioning authority from the national to the supranational level was either linked to the emergence of a unipolar international system where balancing the power of the U.S became a priority[32], or to the fact that sanctions applied uniformly by all member states greatly improved their effectiveness and reduced the risk of defection[33]. Both explanations are perfectly valid and both suggest that the establishment of a joint sanction framework benefited both the national and supranational levels.

EU sanction policy was officially recognised as a part of the foreign policy toolbox with the creation of the CFSP in 1992[34]. The contours of the policy were later clarified with the release of two strategic documents: (1) the Guidelines on the Implementation and

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[23] Eriksson, Mikael (2010): *Targeting Peace: Understanding UN and EU Targeted Sanctions*, Farnham, Ashgate; Gebert, Konstanty, *op. cit.*

[24] Portela, Clara: *European Union Sanctions and Foreign Policy, op. cit.*

[25] Druláková Radka, Rolenc Jan Martin, Trávničková Zuzana & Zemanova Štepánká (2010): Assessing the Effectiveness of EU Sanctions Policy, *CEJISS*, at http://www.cejiss.org/issue-detail/assessing-the-effectiveness-of-eu-sanctions-policy; Barber, James: "Economic Sanctions as a Policy Instrument", *International Affairs*, Vol. 55 Nº3, (1979), pp. 367-384; Giumelli, Francesco: "New analytical categories for assessing EU sanctions", *The International Spectator*, Vol.45 Nº3, (2010), pp. 131-144; Giumelli, Francesco (2013): "How EU sanctions work: A new narrative", *European Union Institute for Security Studies*, Nº 129, pp. 1-46.

[26] Galtung, Johan: "On the effects of International Economic Sanctions: with examples from the case of Rhodesia", *World Politics*, Vol. 19, Nº3, (1967), pp. 378-416.

[27] Hufbauer Gary Clyde & Oegg Barbara (2000): "Targeted Sanctions: A Policy Alternative?", Paper presented at the Symposium on "Sanctions Reform? Evaluating. Sanctions Reform? Evaluating the Economic Weapon in Asia and the World", Institute for International Economics.

[28] Portela, Clara: *European Union Sanctions and Foreign Policy, op. cit.;* Portela, Clara (2014): "The EU's Use of "Targeted" Sanctions - Evaluating effectiveness", Centre for European Policy Studies, Nº 391, pp. 1-50; de Vries, Anthonius W., Portela Clara & Guijarro-Usobiaga Borja (2014): "Improving the Effectiveness of Sanctions: A Checklist for the EU", *Centre for European Policy Studies*, Nº 95, pp. 1-14.

[29] Portela, Clara: *European Union Sanctions and Foreign Policy, op. cit.*

[30] The EC adopted sanctions against the USSR in 1980 and 1981 for its role in the military crackdown in Poland. The sanctions against Argentina were adopted in 1982 by EC members in the context of the Falklands war between the United-Kingdom and Argentina

[31] Lehne, Stefan (2012): "The Role of Sanctions in EU Foreign Policy", *Carnegie Endowment for International Peace*, (December 14), at www.carnegieeurope.eu/publications/?fa=50378

[32] Jones, Seth. G.,*op. cit.*

[33] Koutrakos, Panos (2001): *Trade, Foreign Policy and Defence in EU Constitutional Law: The legal regulation of sanctions, exports of dual-use goods and armaments,* Oxford, Hart; Lukaschek, Anita (2002): "Economic Sanctions and the European Union Legal Framework", in S. Griller. Weidel: *External Economic Relations and Foreign Policy in the European Union,* Vienna, Springer.

[34] Portela, Clara: *European Union Sanctions and Foreign Policy, op. cit.*

Evaluation of Restrictive Measures (Sanctions)[35] and (2) the Basic Principles of the Use of Restrictive Measures (Sanctions)[36]. They confirmed the Union's previous practice and its sanctioning rationale which includes the protection of human rights, democracy, the rule of law and good governance but also the fight against terrorism and the proliferation of weapons of mass destruction[37].

Beyond these official sanctioning principles, the true motivations behind the EU's sanctioning practice are the subject of much debate. Some, like Manners[38], argue that the EU is purely driven by normative objectives. Portela[39] and Kreutz[40] provide with a more nuanced conclusion as they find that the EU's motives, whether security-related or norm-driven, differ depending on the target's geographical location. For Portela this differentiation pattern visible in the EU's sanctions agenda reveals its regional approach.

2.4. The formulation of EU sanctions

An analysis of the policy-making process of EU sanctions can be found in the work of Portela and Raube[41]. Their analysis focuses on issues of coherence that arise between two levels of policy-making. The first one corresponds to the vertical coherence between the measures adopted at the EU level and their implementation by member states. For Portela[42], the presence of informal control mechanisms seems to prevent member states from defecting. The rare cases of non-compliance arise from 'big' member states which have the resources to defect and whose goals are incompatible with EU goals. This is however not enough for Gebert[43], who points at the member state's relative freedom when applying sanctions.

The second perspective concerns issues of horizontal coherence between the bodies crafting sanctions and relates to the double-step adoption procedure of sanctions. Before their final adoption by the Council of the EU, sanctions are crafted by two separate preparatory bodies of the Council which have different priorities; one political, the other economic. As a result, this procedure tends to provoke the measures' watering down, as demonstrated by Buchet de Neuilly[44] in the case of EU sanctions against the Federal Republic of Yugoslavia during the Kosovo crisis. If in principle this two-step procedure evenly shares sanctioning competences between the national and supranational level, in reality it did not succeed in

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[35] Council of the European Union (2012): *Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy*, at https://europeansanctions.files.wordpress.com/2013/03/eu-guidelines-on-sanctions-2012.pdf

[36] Council of the European Union (2004): *Basic Principles on the Use of Restrictive Measures (Sanctions),* at http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010198%202004%20REV%201

[37] Portela, Clara & Ruffa, Chiara, *op. cit.,* p. 551

[38] Manners, Ian:"Normative Power Europe: A Contradiction in Terms?", *Journal of Common Market Studies,* Vol.4, Nº2 (2002), pp. 235-258.

[39] Portela, Clara: "Where and why does the EU impose sanctions?", *Politique Européenne,* Vol 3, Nº 17, (2005), pp. 83-111.

[40] Kreutz, Joakim:"Human Rights, Geostrategy, and EU Foreign Policy, 1989–2008", *International Organization,* Vol.69, Nº 1 (2015), pp. 195-217.

[41] Portela, Clara, & Raube, Kolja: "The EU Polity and Foreign Policy Coherence", *Journal of Contemporary European Research,* Vol 8, Nº1, (2012), pp. 3-20.

[42] Portela, Clara: Member States Resistance to EU Foreign Policy Sanctions, *op. cit.*

[43] Gebert, Konstanty, *op. cit.,* p. 7.

[44] Buchet de Neuilly, Yves (2003): "European Union's External Relations Fields: the Multi-pillar Issue of Economic Sanctions against Serbia", in Knodt Michèle & Princen Sebastiaan. *Understanding the European Union's external relations,* Abingdon, Routledge.

toning down the underlying conflicts between member states and EU institutions[45] or between the EU institutions themselves for the control over the policy-process[46].

Consequently, an overview of the expending literature on EU sanctions reveals the distribution of sanctioning competences between the national and supranational levels and the existing conflicts for the control of the policy-process. However, a more in-depth study on the internal adoption process would disclose the role played by member states and EU bodies, how they collaborate and most particularly whether the balance of power has evolved in favour of EU supranational bodies since the policy's creation.

3. The Principal-Agent model and EU sanction policy

The Principal-Agent model provides a comprehensive grid of analysis with which to access the hybrid nature of the EFP in a way that the classical integration theories[47] do not. Taken from rational choice new institutionalism[48], the model approaches supranationalisation in an original manner as a condition of the degree of discretion enjoyed by EU supranational agents in the policy-making process. It subsequently goes beyond the legal nature of the policy and focuses on the modalities of transfers of power from the national to the supranational level. More particularly, it posits that transfers of authority are regulated by a binding contract between two parties, the national bodies partially delegating their authority, called *the principals*, with one or more supranational bodies, referred to as *the agents*. The principals' decision to delegate is the result of a cost-benefit calculation where the benefits, namely the more efficient resolution of collective problems, outweigh the costs or the so-called 'agency losses' which result from the principals' inability to control the agents' opportunistic behaviour[49].

Initially developed to study the comitology system of the U.S congress and later adapted to the economic field[50], the PA model was introduced in European studies to examine the Commission's behaviour in international negotiations under the member states' mandate[51]. In the foreign policy domain, Drieskens has used the model in order to reveal the limited actorness of the EU, exerted through its member states, within the United Nations Security Council[52]. For the purpose of this article, the model is now going to be used to

[45] Portela, Clara: "The EU Sanctions against Syria: Conflict Management by other Means?", *UNISCI Discussion Papers,* Nº30, (2012), pp. 151-158.

[46] Van Elsuwege, Peter: "The Adoption of 'Targeted Sanctions' and the Potential for Interinstitutional Litigation after Lisbon", *Journal of Contemporary European Research,* Vol.7, Nº4, (2011) pp. 488-499.

[47] Intergovernmentalism: Hoffmann, Stanley : "Obstinate or obsolete? The Fate of the Nation State and the case of Western Europe", *Daedalus,* Vol.95, Nº3, (1966), pp. 862-915; Neofunctionalism: Haas, Ernst(1961): International Integration: The European and the universal process", *International Organizations,* Vol.14, Nº3, (1961), pp. 366-92.

[48] Hall, Peter A. & Taylor, Rosemary C. R. : "Political Science and the Three New Institutionalisms", *Political Studies,* Vol. 96, Nº 6, (1996), pp. 936-957.

[49] Pollack, Mark: Delegation, Agency, and Agenda-Setting in the European Community. *International Organization,* Vol.51, Nº1, (1997), pp. 99-134.

[50] Ross, Stephen: "The Economic Theory of Agency: The Principal's Problem", *American Economic Review,* Vol 63 Nº 2, (1973).

[51] Nicolaïdis, Kalypso:"Minimizing agency costs in two-level games: Lessons from the trade authority controversies in the United States and the European Union" in Mnookin Robert & Susskind Lawrance (1999): *Negotiating on Behalf of Others*, London, Sage, pp. 87-126; Kerremans, Bart :"What went wrong in Cancun? A principal-agent view on the EU's rationale towards the Doha Development Round", *European Foreign Affairs Review,* Vol. 9, Nº3, (2004), pp. 363-393.

[52] Drieskens. Edith: "EU Actorness at the UN Security Council: A Principal-Agent Comparison of the Legal Situation Before and After Lisbon European", *Journal of Law Reform*, Vol. 10 Nº4, (2008), pp 599-619.

analyse which level of autonomy was granted by the member states to EU supranational bodies for the making of EU autonomous sanctions.

For the two parties bound by a delegation contract *the principals* will correspond to the EU foreign ministries and the national representatives present in the Council of the EU and the Council working groups actively shaping sanctions[53]. It can be assumed that their rationale for partially delegating their sanctioning powers is to increase the credibility and coercive power of sanctions and to avoid defection issues[54]. Conversely, the EEAS and the Commission are designated as *the agents* given the fact that they are the EU bodies which have been granted with the most extensive sanctioning responsibilities[55]. Their objective is to increase their room of manoeuvre in order to adopt the most far-reaching sanctions and therefore to strengthen the EU's international influence[56]. Most importantly, the model established that the EU supranational agents' ability to gain in discretion from the member states is conditioned by four factors.

Firstly, the institutional design of delegation, which is crafted by the principals, establishes the agents' mandate and the decision-making procedure under which they have to operate[57]. This factor constitutes a powerful *ex-ante* control mechanism for the principals given that it sets the foundations of the contractual relationship[58]. The degree of agents' autonomy will depend on the clarity of mandate, the scope of the authority delegated to the agents and how flexible the decision-making procedure is[59].

Secondly, *ex-post* control mechanisms are set-up by the principals in order to limit the level of discretion enjoyed by the agents when participating in the making of sanctions[60]. Those mechanisms can take the form of monitoring[61] or sanctions to punish agents exceeding their mandates[62]. The extent to which those *ex-ante* control mechanisms are limiting the agents' autonomy will depend on how formal and credible they are.

Thirdly, the distribution of the principals' preferences (their degree of unity) can affect their ability to control the agents. The latter can exploit conflicts between member states to

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[53] The Foreign Affairs Council (FAC); the Political and Security Committee (PSC); the competent regional working group; the Working Party of Foreign Relations Counsellors (RELEX); and the Committee of the Permanent Representatives of the Governments of the Member States to the European Union (COREPER II)

[54] Koutrakos, Panos., *op. cit.*; Lukaschek, Anita, *op. cit.*

[55] The European Parliament solely has the right to be informed by the Council of the EU while the European Court of Justice is in principle not allowed to review the legality of CFSP restrictive measures, excepted on measures concerning natural or legal persons since the Lisbon treaty: Wessel, Ramses A.:"The Legal Dimensions of European Foreign Policy" in Aasne Kallan Aarstad, Edith Drieskens, Knud Erik Jørgensen, Katie Laatikainen & Ben Tonra (eds.) (2015): *The Sage Handbook of European foreign Policy,* London, Sage; Portela, C., *European Union Sanctions and Foreign Policy, op. cit.*, p. 24; Giumelli Francesco: "How EU sanctions work", *op. cit.*, p. 11.

[56] Gegout, Catherine (2010): "The European Commission: Modes of Intervention and Control in CFSP", in Catherine Gegout: *European Foreign and Security Policy: States, Power, Institutions, and American Hegemony* University of Toronto Press, pp. 161-175.

[57] Pollack, Mark, *op. cit.*, p. 108.

[58] Furness, Mark: "Who Controls the European External Action Service? Agent Autonomy in EU External Policy", *European Foreign Affairs,* Vol. 18, Nº1, (2013), pp. 103-126.

[59] *Ibid*, pp. 109-10

[60] *Ibid,* p. 11

[61] Pollack, Mark, *op. cit.*, p. 111

[62] Klein, Nadia: "Conceptualising the EU as a civil-military crisis manager: institutional actors and their principals", in Eva Gross & Anna Juncos (2011): *EU Conflict Prevention and Crisis Management,* Abingdon, Routledge, pp. 66-82.

avoid sanction[63] or adopt an entrepreneurial attitude by providing an uncertain collective principal with solutions[64]. Subsequently, it will be assumed that a high degree of disunity amongst the principals will grant the agents higher autonomy in the making of sanctions.

Fourthly, the nature of the agent-agent relationship is likely to affect the overall degree of the agents' autonomy. Indeed, when granted with similar responsibilities by the principals, EU supranational agents tend to compete for the finite amount of power and resources available[65]. These turf wars negatively affect their ability to gain independence from the principals or to fulfil their delegated functions. Subsequently, it is assumed that a high degree of competence overlap between agents increases the chance of turf wars and decreases agents' autonomy.

The analysis of each of those factors will subsequently help determine the conditions under which sanctioning powers have been delegated to EU supranational agents and, more importantly, the degree of autonomy enjoyed by those agents in the making of EU sanctions.

The analysis in this article is going to use a wide timespan; starting with the formalisation of the sanction policy in 1992 until 2015. This allows it to trace the impact of the above factors throughout the development of the policy and to find evidence of variations in the supranationalisation process. Special attention will be paid to the impact of the Lisbon Treaty on the policy because it deeply reorganised the institutional framework of the EFP and introduced the EEAS as a new actor.

In doing so, the analysis is going to rely on a qualitative content analysis of institutional documents detailing the sanction policy-process (Treaty provisions, Council decisions and national parliaments' reports), declarations from the High Representative (HR), press releases, and non-papers used by member states and EU institutions to express public views in a more informal way. Secondary literature will also be used to access the above set of data.

4. The institutional design of the delegation

The institutional design of the delegation from the national to the EU supranational level is the most crucial phase when studying processes of supranationalisation since it permanently determines the agents' frame of action. The delegation of national sanctioning powers to EU agents was designed by the Maastricht Treaty (1992) which established that the Council of the EU, in cooperation with the Commission (and the EEAS after the Lisbon Treaty), could now enact sanctions for foreign policy purposes[66]. Additionally, it formalised the shared nature of the sanction policy between the principals and the agents by recognising the two-step adoption procedure.

The Commission's mandate was established in 1992 and later clarified with the issuing of official sanctioning guidelines (2003). It states that the Commission's main responsibility is to ensure the uniform application of sanctions that fall within its

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[63] Delreux, Tom: "Bureaucratic Politics, New Institutionalism and Principal-Agent Models", in Aasne Kallan Aarstad, Edith Drieskens, Knud Erik Jørgensen, Katie Laatikainen & Ben Tonra (eds.) (2015): *The Sage Handbook of European foreign Policy,* London, Sage, pp. 152-165.
[64] Pollack, Mark, *op. cit.*, p. 130
[65] Klein, Nadia (2011) "Conceptualising the EU as a civil-military crisis manager", *op. cit.*, p. 71
[66] Portela, Clara: "Member States Resistance to EU Foreign Policy Sanctions", *European Foreign Affairs Review,* Vol.20, (2015), pp. 39-62.

competences[67]; these measures are those interrupting or reducing economic and/or financial relations with the target[68]. Furthermore, competences have been extended since by the Lisbon Treaty to include measures against natural or legal persons[69].

More concretely, the Commission is involved in both steps of the legislative procedure. It has the right to put forward, with the support of the member states, a Common Position which corresponds to the first legal and political act required to issue new sanctions[70]. The Commission is then able to submit draft proposals for the Regulation, which is the second and more technical legislative act of the procedure[71]. Subsequently, the Commission is able to shape the technical details of the restrictive measures for as long as it respects the political intention laid down in the Common Position[72].

The task of monitoring the member states' implementation of sanctions has also been attributed to the Commission[73]. However, the Commission has difficulties in fulfilling this task given its limited access to the relevant information and the member states' reluctance to communicate about the application of sanctions by their authorities. The Commission is subsequently reliant on the principals' good faith to ensure the uniform implementation of sanctions[74]. The member states have even found a way to circumvent the Commission's monitoring powers by establishing a new Council working group (RELEX/sanctions) which is also vested with monitoring functions[75]. The advantage of this new body is that it remains within the intergovernmental realm of the Council and is therefore out of the Commission's reach.

The introduction of the EEAS[76] in the EFP landscape triggered a redistribution of sanctioning responsibilities between the Commission and the EEAS. However, the agency was constrained from the start given the hostility of both the principals and the Commission with regards to its undefined nature; between intergovernmentalism and supranationalism[77]. Subsequently, the EEAS's mandate was stated in rather broad and indeterminate terms which placed the agency at the service of the newly reformed position of the High Representative of the Union for Foreign Affairs and Security Policy (HR) (Art. 27(3) TEU).

More concretely, the EEAS was granted the right to initiate proposals for the sanctions' Common Decisions[78] and Regulations (Title IV Art. 215 TEU). The EEAS was therefore given the same ability as the principals to set the political and technical terms of

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[67] European Commission (2008): *Restrictive measures,* at http://eeas.europa.eu/cfsp/sanctions/docs/index_en.pdf
[68] Council of the European Union (2005): *Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common foreign and Security Policy*
[69] Cardwell, Paul James (2012): *EU External Relations Law and Policy in the Post-Lisbon Era,* Heidelberg, Springer.
[70] European Commission: *Restrictive measures, op. cit.,* p. 9.
[71] *Ibid,* p. 9
[72] Portela, Clara, 14 June 2016, Personal Interview
[73] European Commission: *Restrictive measures, op. cit.,* p. 10
[74] Portela, Clara (2013): *Sanctions and the Balance of Competences.* Singapore Management University.
[75] Council of the European Union (2004): *Establishment of a 'Sanctions' formation of the Foreign Relations Counsellors Working party (RELEX/Sanctions)* 5603/04. Brussels.
[76] Council of the European Union (2010): *Council decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service (2010/427/EU),* at eeas.europa.eu: http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf
[77] Pomorska Karolina & Vanhoonacker Sophie: "Resisting the European External Action Service", *European Foreign Affairs Review,* Vol. 20, Nº2/1, (2015), pp. 21-38.
[78] Common Position have become Common Decision after the Lisbon Treaty

sanctions. It also plays the role of a legal adviser to the Foreign Affairs Council (FAC) and the geographical working group in addition to supporting the HR's chair of the FAC[79].

With regard to the FAC, the EEAS's ability to shape the content of FAC meetings is constrained by the HR's own lack of leadership. Indeed, the HR is still taking into account the member states' preferences when setting the agenda[80] and lacks the authority to exclude some of their priorities during meetings[81].

The HR's inability to impose itself as a foreign policy agenda-setter directly affects the EEAS's capacity to advise and influence the sanction legislative process. It was indeed pointed out in a report from the European Parliament that the EEAS "should exercise greater control over the agenda of the FAC by being more strategic and forward looking through more advance planning and more leadership"[82]. Consequently, the principals are still strongly reliant on the role played by the rotating presidency which is still in place at the COREPER level and which is a key actor in the sanctions' domain[83].

The other *ex-ante* mechanism available to the principals in order to limit the EEAS and the Commission's agency is the two-step adoption procedure[84]. The Lisbon Treaty did not significantly change this procedure and it in fact perpetuated its inter-pillar character[85]. Firstly, it appears that this procedure grants a high level of *ex-ante* control to the principals since they are responsible for the final approval of both the Decision and the Regulation[86]. Secondly, the adoption of the Decision requires the unanimity of the Council which is the most constraining voting rule[87]. The principals have consequently vested themselves with the highest degree of authority when determining the political intention of sanctions. Nonetheless, the existence of a particular mechanism of 'constructive abstention' (Art. 31, para. 1 TEU) introduces more flexibility as it allows any member state to opt-out in case of disagreement on a legislative proposal without it being casted as a veto[88].

The adoption of the Regulation is performed under the Qualified Majority Voting (QMV) due to the fact that it is a community act and constraining in nature[89]. Subsequently, this second step grants the agents with more room to design the technical aspects of restrictive measures according to their preferences since they have to convince a lower number of principals. The application of the QMV rule for the Regulation's adoption was reaffirmed by

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[79] Council of the EU: *Guidelines on implementation and evaluation (2012), op. cit.*, p. 45

[80] Helwig, Niklas (2014): The High Representative of the Union: The constrained agent of Europe's foreign policy (Dissertation). *Erlangung des Doktorgrades der Wirtschafts- und Sozialwissenschaftlichen Fakultät der Universität zu Köln.* at https://www.academia.edu/15224474/The_High_Representative_of_the_Union_The_constrained_agent_of_Europes_foreign_policy

[81] Vanhoonacker Sophie & Pomorska Karolina (2013): The European External Action Service and agenda-setting in European foreign policy, *Journal of European Public Policy, 20*(9), pp. 1316-1331.

[82] European Parliament (2013): *Study on the Organisation and functioning of the European External Action Service: Achievements, challenges and opportunities, a*t http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/457111/EXPO-AFET_ET(2013)457111_EN.pdf

[83] Vanhoonacker, Sophie & Pomorska, Karolina, *op.cit.*, p. 1325

[84] Pollack, Mark, *op.cit.,* p. 122

[85] Portela, Clara, Personal Interview, *op. cit.*

[86] Council of the EU: *Guidelines on implementation and evaluation, op. cit.*

[87] Furness, Mark, *op. cit.*, p. 109

[88] Franco, Chiara (2015): Coercive Diplomacy, Sanctions and International Law. *Instituto Affari Internazionali's Conference on Coercive Diplomacy in Global Governance: The Role of Sanctions.* Rome.

[89] Buchet de Neuilly, Yves, *op. cit.*, p. 9 ; Van Elsuwege, P., *op. cit.*, p. 493

the Lisbon Treaty and therefore confirms Lord Owen's view that the sanction policy represents "yet another area where there would be creep"[90] within the CFSP.

However, the member states have retained a considerable advantage with regards to the renewal of sanctions because their unanimous approval is systematically needed[91]. At the occasion of renewal, the principals therefore have the opportunity to oppose the continuation of sanctions. This situation is well illustrated by the now cyclical meetings of the Council for the renewal of the sanctions against the Russian Federation[92] and which invariably stir new debates and the issuing of threats by some principals[93].

To conclude, in spite of efficiently protecting the principals' sovereignty by imposing constraining voting rules, the costs that the procedure generates are high. In an attempt to tackle its cumbersome nature it was agreed that the Council should start voting simultaneously on both legal acts[94]. The Commission also suggested a simplification of the procedure, a proposition that was included in the failed European Constitutional Treaty but which was not kept by the Lisbon Treaty[95].

5. *A posteriori* **control mechanisms**

The second institutional factor which impacts the agents' ability to influence the policy process concerns *a posteriori* control mechanisms. Such additional locks are vital given the ability of agents to gain more power in the course of their function. Their main purpose is to allow the member states to both monitor the agents' daily input in the legislative process and punish independent behaviour.

Evidenced by Pollack[96], the 'comitology' system is the most efficient and costly form of monitoring which consists in the daily review of the Commission's legislative proposals by the Council working groups. Indeed, the latter provide the principals with a platform where both national and supranational experts negotiate and formulate legislative proposals before their final submission to the Council[97].

The case of the sanction policy, the daily monitoring of the agents' proposals is performed in a hierarchical and gradual manner by the following working groups[98]: the FAC, the relevant geographical working group, PSC, RELEX and COREPER II. A sanction proposal is first submitted to the FAC and examined in parallel by the PSC to be then transferred upon approval to RELEX, where the technical and economic aspects are discussed. The proposal is then transferred to COREPER II where the member states' permanent representatives issue their decision before it reaches the Council where it is formally adopted[99]. This 'multi-layered' monitoring system where a consensus is required at

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[90] House of Commons, *op. cit.*, p. 47.
[91] Portela, Clara: *Sanctions and the Balance of Competences, op. cit.*, p. 3.
[92] Council of the EU, *Guidelines on implementation and evaluation, op. cit.*
[93] Rettman, Andrew : "Hungary: EU sanctions on Russia unlikely to be renewed", *EUobserver.com*, 17 February 2016.
[94] European Commission, *Restrictive measures, op. cit.*
[95] Portela, Clara: *European Union Sanctions and Foreign Policy, op. cit.*, p. 25
[96] Pollack, Mark, *op. cit.*
[97] Pollack, Mark, *op. cit.*, p. 114
[98] Council of the European Union (2015): *Adoption procedure of EU restrictive measures*, at www.consilium.europa.eu: http://www.consilium.europa.eu/en/policies/sanctions/adoption-procedure/
[99] Giumelli, Francesco: How EU sanctions work, *op. cit.*, p. 11.

every stage greatly constrains the agents and prevents them from shaping the measures independently of member states.

Nonetheless, Gegout[100] argues that the Commission, in the period before Lisbon, managed to take advantage of this cumbersome mechanism by using it as a platform to exercise influence on the principals. Based on her study of the adoption process of the EU sanctions against the former Republic of Yugoslavia (1999), she demonstrates that the Commission benefits from an informational advantage. This is because over time it has accumulated expertise in the economic and financial domains on which member states have become increasingly reliant and this information is the foundation of EU sanction regimes. Furthermore, the principals are constrained by the lack of coordination within their own foreign ministries, since very often the political and economic sections are separated which thus limits the circulation of information[101]. Subsequently, far from being constrained by the principals' preferences, in the first twenty years of the sanction policy the Commission adopted an entrepreneurial attitude that placed it in a position where it became a 'provider' rather than a 'taker' of solutions.

This trend is most likely set to continue as the Union is increasingly resorting to far-reaching sets of sanctions which invariably include economic and financial measures. The comprehensive economic sanction package adopted against Iran in 2010[102] and which takes the form of broad interdictions to invest in the Iranian banking and energy sectors is a prime example[103]. Furthermore, the Lisbon Treaty introduced the possibility for the Union to take sanctions against individuals and is another sign of increasing Commission power. However, the introduction of the EEAS as a new agent vested with similar sanctioning powers potentially threatens the Commission's influence in the Council's preparatory bodies. Whether the EEAS has challenged the Commission's entrepreneurial role in the period after the Lisbon Treaty will be assessed in the last section of this article.

Following the Lisbon Treaty, the inclusion of member state officials within the EEAS's services[104] provides another monitoring mechanism to the principals. These nationals make up one third of the EEAS staff [105] and officially serve the Union however, in practice, they keep communication lines with their capitals and "understand very well what the national interests and national measures are"[106]. Nonetheless, it does not mean that the EEAS is purely an intergovernmental body as it has succeeded in retaining control over the recruitment process of these diplomats[107] in spite of member state complaints to Ashton[108].

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[100] Gegout, Catherine, *op. cit*.
[101] Gegout, Catherine, *op. cit*., p. 163; Buchet de Neuilly, Y., *op. cit.*
[102] It is currently being gradually lifted off under the Joint Comprehensive Plan of Action (JCPOA) established by E3/EU+3 (China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the High Representative of the European Union for Foreign Affairs and Security Policy) and the Islamic Republic of Iran in July 2015.
[103] Patterson, Ruairi :"EU Sanctions on Iran: the European Political Context", *Middle East Policy,* Vol.20, Nº1, (2013), pp. 135-146.
[104] Furness, Mark, *op. cit.*, p. 118
[105] Article 27(3) TEU
[106] House of Commons, *op. cit.*, p. 63
[107] Pomorska, Karolina, & Vanhoonacker, Shopie, *op. cit.*,p. 31
[108] Non paper on the European External Action Service from the Foreign Ministers of Belgium, Estonia, Finland, France, Germany, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland and Sweden, 8 December 2011, at:
http://www.europarl.europa.eu/meetdocs/2009_2014/documents/afet/dv/201/201203/20120321_nonpaperfms_en.pdf

With regards to the sanctioning of a shirking agent, the principals have the ability to amend the terms of the agent's mandate[109]. The review of the CFSP's legal basis by the Lisbon Treaty provided an opportunity for the principals to review the agents' sanctioning powers and introduce additional safeguards. However, of all solutions, this is the most costly and cumbersome because it requires Treaty revision. Furthermore, in the history of the European Community, Treaty revisions have all been driven by integrationist objectives and are equally shaped by the agents[110]. Therefore, the principals run the risk that a new Treaty modifies the status quo is changed in a way that is not beneficial to them. Consequently, for the House of Commons[111], The Lisbon Treaty has introduced the potential for competence creep because it introduced QMV for the adoption of a sanctions' Regulation while extending the Commission's powers to sanction individuals.

For principals, informal sanctions are a more efficient and less constraining tool allowing them to express dissent and delegitimise the agents' behaviour. As demonstrated by Pomorska and Vanhoonacker[112], member states can resort to diverse forms of public contestation such as the issuance of non-papers and declarations from their foreign ministers. The most likely target of this form of sanction is the High Representative because they represent the member states globally and speak on their behalf. Therefore, "The possible sanctioning of unwanted behaviour by the member states hangs over the High Representative like the Sword of Damocles" and most particularly in situations of crisis[113]. Mogherini's recent attempt to formulate an independent position in the case of the EU sanctions against the Russian Federation illustrates how little room of manoeuvre they enjoy. Indeed, Mogherini's declaration about the potential resumption of trade talks with Moscow provided that the Federation respected the Minsk agreements was not well received by the member states who issued statements reminding the HR of their position and their remit[114].

6. The principals' unity

The third factor which also conditions the degree of the agents' influence over EU sanction policy concerns the relationship maintained amongst the principals and the distribution of their preferences. Indeed, the PA literature posits that the principals' conflict of interests prevents them from giving clear instructions to the agents, thereby granting the later with greater room of manoeuvre to shape the policy-process according to their preferences[115].

Conflicting preferences between the principals require two conditions. Firstly, the presence of contradictory positions on a particular issue and, secondly, the failure to

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; Benelux paper (2011): The European External Action Service: Improving Synergy between the Union and its Member States, at:
https://www.google.nl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0ahUKEwjQmdz1_KzNAhWJmB oKHYlvBtUQFggqMAI&url=https%3A%2F%2Fwww.tweedekamer.nl%2Fdownloads%2Fdocument%3Fid%3 D350b6ce3-bdce-4c0a-97ff-69e8f831b531%26title%3DNon-paper%2520aan%2520HV%2520Asht
[109] Pollack, Mark., *op. cit.*, p. 118
[110] Council of the European Union (2015): *Intergovernmental conferences*, at
http://www.consilium.europa.eu/en/documents-publications/intergovernmental-conferences/
[111] House of commons, *op. cit.*, p. 44
[112] Pomorska, Karolina, & Vanhoonacker, Sophie, *op. cit.*, p. 33
[113] Helwig, Niklas *op. cit.*, p. 170
[114] Euractiv (2015): "Time no right to ease Russia sanctions, EU says", *Euractiv.com*, 20 January 2015, at
http://www.euractiv.com/section/global-europe/news/time-not-right-to-ease-russia-sanctions-eu-says/
[115] Klein, Nadia: "Conceptualising the EU as a civil-military crisis manager", *op. cit.*, p. 71; Pollack, Mark, *op. cit.*

overcome this[116]. Both conditions are easily found in the CFSP domain where "Consensus (…) remains elusive" and member states are highly likely to "break rank to protect their national economic and/or political interests"[117]. The case of the negotiations that led to the adoption of sanctions against the Russian Federation by the Union highlights this conflict. The member states were largely divided along the lines of their economic and/or political interests with Moscow. For instance, France was restricted by its contract to supply the Federation with two warships and was therefore reluctant to support the UK's proposal to introduce an arms embargo. Conversely, London did not support Paris' incentive to introduce financial sanctions, given the impact such measures could have on the City of London[118].

However, the rule of consensus in the Council forces them to find a compromise and overcome their disagreements but this affects the quality of the measures adopted. Indeed, the necessity to reach a consensus triggers a "race to the bottom for the lowest common denominator"[119] where measures are significantly watered-down in order to secure the support of all 28 members[120]. Besides, the consensus obtained remains very fragile given the limited lifetime of sanctions and the necessity of regular renewal[121]. On these occasions, sanctions are placed on the 'hot seat' and agreements previously reached by the member states are put to the test.

The mechanism of constructive abstention introduces more flexibility because it allows up to a third of the member states[122] to abstain from applying certain sanctions without stalling the adoption process[123]. However, it has been used only once during the Council Decision establishing the EULEX Kosovo mission (by Cyprus)[124].

Consequently, it would therefore appear that the high degree of disunity and the intergovernmental character of the policy-process constitutes an obstacle rather than an opportunity for the agents, which is the opposite of the initial assumption. The agents are directly dependent on the member states' political willingness to sanction and introduce a proposal to the Council in order to intervene in the working groups and shape the measure. Ashton rightly pointed out that in the "absence of political will or an agreement between Member States"[125] the HR and the EEAS both can achieve very little as they do not have the mandate to act independently. The Commission is in a similar position since a blockade of the political decision to sanction in the Council's preparatory bodies prevents it from getting involved in the subsequent formulation of the Regulation[126].

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[116] Helwig, Nadia, *op. cit.*, p. 58

[117] Blockmans, Steven (2014): Ukraine, Russia and the need for more flexibility in EU foreign policy-making. *Centre for European Policy Studies*, Policy Brief No. 320.

[118] "*EU leaders divided over new sanctions to punish Russia for annexing Crimea*", *The Telegraph*, 20 March 2014, at http://www.telegraph.co.uk/news/worldnews/europe/ukraine/10710268/EU-leaders-divided-over-new-sanctions-to-punish-Russia-for-annexing-Crimea.html

[119] Blockmans, Steven, *op. cit.*, p. 3.

[120] Portela, Clara, *Sanctions and the Balance of Competences, op. cit.*, p. 3.

[121] Kanter, James: "Italy Delays E.U.'s Renewal of Sanctions against Russia", *The New York Times*, 14 December 2015, at http://www.nytimes.com/2015/12/15/world/europe/italy-delays-eus-renewal-of-sanctions-against-russia.html?_r=0

[122] representing one third of the Union's population

[123] Blockmans, Steven., *op. cit.*, pp. 3-4

[124] I*bid*, p. 5

[125] Ashton, Catherine (2013): *EEAS Review,* p. 7 *a*t https://eeas.europa.eu/library/publications/2013/3/2013_eeas_review_en.pdf

[126] Portela, Clara, Personal Interview, *op. cit.*

A comparison of the adoption process of sanctions recently adopted against Syria and Russia highlights the impact of the principals' disunity[127] on the agents' ability to push for the adoption of far-reaching measures. As seen previously, the sanctions against Russia generated strong disagreements between the member states given the close economic and political ties maintained by some of them with the Federation. For instance, Greece relies greatly on the exports of agricultural goods to Russian markets and maintains good diplomatic relations with Moscow and therefore threatened to veto the decision in the Council and has repeatedly called for an end to the sanctions[128]. Germany or France have both also looked to ease off the sanctions during their renewal as part of their attempt to renew the dialogue with Moscow[129].

Consequently, the adoption of sanctions happened gradually starting with individual sanctions and moving on to measure targeting banking, defence and energy sectors[130]. This took over a year and was repeatedly questioned[131]. Nonetheless, the Union's ability to sanction one of its main economic partners despite such significant disagreements should not be overlooked.

By contrast, sanctions adopted against the Syrian Regime in 2012[132] because of the civil war generated a high level of consensus due the lack of significant material ties between the EU and Syria. Moreover, the member states all agreed that the issuance of sanctions against the Assad regime would decrease the need for them to intervene militarily (for the time being). As a result, the sanction package was remarkably broad (arms and trade embargo) and adopted in less than a year, which is particularly swift for the CFSP[133]. Besides, the sanctions were given a renewable twelve month-lifetime[134] as opposed to six months for the sanctions against Russia.

7. The agent-agent relationship

The last factor influencing the agents' ability to impact the EU sanction policy-process concerns the nature of the agents' relationship in the period after the Lisbon Treaty following the introduction of a new supranational agent, the EEAS. Indeed, the PA literature evidenced that the delegation of responsibilities to more than one agent is likely to generate inter-agent competition due to resource and power limitations[135]. However, such competition constrains the agents' ability to shape sanctions according to their preferences and can therefore hinder their influence to the benefit of the principals. Subsequently, the nature of the relationship

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[127] Amongst other factors

[128] Euractiv: "Tsipras calls for end to EU sanctions on Russia", 8 April 2015, at http://www.euractiv.com/section/euro-finance/news/tsipras-calls-for-end-to-eu-sanctions-on-russia/

[129] Euractiv: "France, Germany concerned about Russia sanctions policy", 6 January 2015, at http://www.euractiv.com/section/europe-s-east/news/france-germany-concerned-about-russia-sanctions-policy/; Dubien, Arnaud (2016) : Russie : vers une levée des sanctions fin 2016, *IRIS*, interview of Dubien, A, 23 May 2016, at http://www.iris-france.org/76654-russie-vers-une-levee-des-sanctions-fin-2016/

[130] Council of the European Union. (2016): *Timeline - EU restrictive measures in response to the crisis in Ukraine*, at http://www.consilium.europa.eu/en/policies/sanctions/ukraine-crisis/history-ukraine-crisis/

[131] Moret, Erica (2016): "What would Brexit mean for EU sanctions?" *European Council on Foreign Relations (ECFR),* Policy brief, March 2016.

[132] European Commission (2016): "European Union Restrictive measures (sanctions) in force", *Service for Foreign Policy Instruments*, Brussels, at http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf

[133] Portela, Clara: The EU Sanctions against Syria, *op. cit.,* p. 152.

[134] Council of the European Union (2015): *Press release - Syria: EU extends sanctions against the regime and its supporters by one year*, at http://www.consilium.europa.eu/en/press/press-releases/2015/05/28-syria-sanctions/

[135] Klein, Nadia: Conceptualising the EU as a civil-military crisis manager, *op. cit.*, p. 71.

between agents is a key factor in the policy process and depends on the degree of competence overlap and their ability to control one another.

As noted by the European Parliament[136], the institutional set up of the EEAS and the Commission has resulted in both agents running "a parallel organisational structure in many policies related to EU external action" which is "detrimental to bringing about more coherent and effective EU external action". Furthermore, one may add that it restricts the granting of increased autonomy to both agents.

Consequently, a comparative analysis of the EU sanction guidelines of 2005 and 2012 reveals a large overlap of competences between the two agents. Firstly, the proposal of the Regulation to be adopted by the Council is now a shared competence between the HR and the Commission which is a competence overlap of agenda setting powers[137]. Secondly, with regards to the monitoring function of the Commission, the EEAS has also been granted similar responsibilities in that domain. Resultantly, the member states are now invited to communicate relevant information about their application of sanctions to both the Commission and the EEAS[138]. Similarly, the assessment of the sanctions' efficacy performed by RELEX/sanction working group in cooperation with the Commission now also includes the EEAS and its Head of Missions[139].

With regards to the formulation of sanctions in the Council's relevant working groups, the Commission's experts are now working in collaboration with the EEAS' experts. The EEAS is also present in the FAC meetings and is responsible for chairing the Council's competent regional working group where the political aspects and broad terms of the restrictive measures are discussed. To fulfil that mission, it is assisted by its own country desks and sanction officers as well as experts from the Commission and the Council's legal service. Once an agreement has been reached, the proposal is transferred to RELEX where the EEAS and the Commission jointly deliver technical advice to the national representatives[140]. Consequently, it appears that there is a great degree of competence overlap in the sanction's field between the EEAS and the Commission which potentially provides a fertile ground for conflictual relations.

In order to gain a better understanding of the implications of this competence overlap, it is necessary to analyse how the EEAS was embedded in framework of the EFP and the influence the Commission is able to exert on it. The legal nature of the EEAS places it in an uneasy position, in between the Council and the Commission, and in such a manner that it appears to have absorbed some of the Commissions powers, which renders the Commission hostile to its presence[141]. In fact, the creation of the EEAS is the result of the member states' reluctance to transfer their foreign policy powers to the Commission because it would have threatened the intergovernmental nature of the CFSP. Hence, they opted for the establishment of an independent agency that would support the newly reformed HR in its coordinating role between the Council and the Commission[142]. Nonetheless, the Commission succeeded in restraining the EEAS despite its autonomous status, including in the sanction policy.

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[136] European Parliament: *Study on the Organisation and functioning, op. cit.,* p. 46
[137] Council of the EU: *Guidelines on implementation and evaluation (2012), op. cit.*, p. 6.
[138] *Ibid*, p. 13
[139] *Ibid*, p. 14
[140] *Ibid*. p. 45
[141] European Parliament: *Study on the Organisation and functioning, op. cit.,* p. 20.
[142] Furness, Mark, *op. cit.*, p. 116.

The Commission's influence is mainly exerted through its Service for Foreign Policy Instrument (FPI). Created simultaneously to the EEAS, the service is responsible for the operational budgets of the CFSP including that of the EEAS[143]. This means that every EEAS budgetary decision for increase spending must be approved by the Commission. This institutional setting is "cumbersome" in the words of an EU head of delegation and gives the Commission monetary power over the EEAS[144].

The establishment of the FPI has also enabled the Commission to maintain its expertise on foreign policy matters which hinders the EEAS's capacity to advise the FAC and other technical working groups[145]. Indeed, the FPI is "clearly a remnant of the European Commission's foreign affairs department (DG Relex)"[146] that was established in order to prevent the integral transfer of the DG Relex staff to the EEAS's services. With regards to the sanction policy, the FPI represents the Commission in RELEX and prepares proposals for Regulations. It also keeps track of the EU's action in the sanction's domain and publishes technical guidance to the member states to ensure a uniform application[147]. Furthermore, since 2012 the FPI has been assisted by the new Inter-Service Group (ISG) for Restrictive Measures[148] which has, in its first year, "prepared and negotiated 27 Proposals for Council Regulations and 31 draft Commission Regulations on CFSP restrictive measures", was "instrumental in preparing the proposal on sanctions against Iran […] and also proved useful in discussions on the Syria flight ban issue"[149].

Faced with such a strong 'protectionist reflex' from the Commission over its competence in the sanction policy, Ashton invoked the need for "a transfer of responsibilities and associated staff for the implementing measures for the EU sanctions regime from FPI into the EEAS or into a joint unit"[150]. This confirms that the EEAS policy team needs reinforcement before it is able to get fully involved in the formulation of sanctions.

The competency conflict that resulted from the insertion of the EEAS can be seen as part of the principals' strategy to regain a significant degree of control over the sanction policy after the Lisbon Treaty. Indeed, now that the Commission has to table a sanction Regulation in cooperation with the HR, it automatically enhances the Council's power in the drafting of the Regulation[151]. The HR consequently limits the Commission's ability to present proposals that only reflect its preferences.

8. Conclusions

In conclusion, this article aimed to gain an insight into the internal aspects of supranationalisation processes in the Common Foreign and Security Policy using sanction

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[143] EEAS (2011): *Report by the High Representative to the European Parliament, the Council and the Commission,* at http://www.eeas.europa.eu/images/top_stories/2011_eeas_report_cor_+_formatting.pdf

[144] Rettman, Andrew: "Commission still pulls the strings on EU foreign policy", *EUobserver*, 6 February 2012, https://euobserver.com/institutional/115145

[145] Ashton, Catherine, *op. cit.*, pp. 8-10.

[146] "Commission hopes service will hit all the right notes", *Politico,* 27 October 2010, at http://www.politico.eu/article/commission-hopes-service-will-hit-all-the-right-notes/

[147] European Commission (2015): *Service for Foreign Policy Instruments (FPI)*, at ec.europa.eu: http://ec.europa.eu/dgs/fpi/what-we-do/sanctions_en.htm

[148] "Service for Foreign Policy Instruments. (2012): Annual Activity Report", *European Commission*, at http://ec.europa.eu/dgs/fpi/documents/fpi_activity_report_2012_en.pdf

[149] *Ibid*. p. 7

[150] Ashton, Catherine, *op. cit.*, p. 9.

[151] Portela, Clara, Personal Interview, *op. cit.*

policy as a case study. Through the prism of the Principal-Agent model, the analysis scrutinised which mechanisms were put in place by the member states in order to maintain their control over the sanction policy and limit the agency of the EU institutions it empowered; the Commission and later the EEAS. In that sense, it also determined the extent to which the policy has been supranationalised since the Maastricht Treaty.

From Maastricht until the Lisbon Treaty the sanction policy gained significant supranational features under the influence of the Commission. This institution was delegated significant legislative powers and consequently became a key policy-maker in the Councils' preparatory bodies. Its ability to draft sanctions Regulations and provide member states legal advice is reliant on its economic and financial expertise. However, it is clear that member states are reluctant to grant the Commission the authority to monitor and sanction them in case of non-compliance. Nonetheless, this supranational trend has not been accompanied by the member states' loss of control over the sanction policy. The latter has been able to limit the Commission's agency due to the creation of police-patrols in the Council's working groups as well as the presence of the highly constraining two-steps adoption procedure.

However, a decrease of the Commission's influence on the policy-making process after the Lisbon Treaty led to a reduction of sanction policy's supranationalisation. The Commission is now being challenged by the EEAS whose competences with regards to the sanctions policy largely overlap with those of the Commission. The competition for resources and expertise between the two agents hinders their ability to coordinate their preferences and exert influence on the policy-making process. The Commission's 'protectionist' and non-cooperative attitude with regards to the EEAS is illustrated by the creation of its FPI service with the goal of retaining sanction expertise. However, this can be seen as horizontal control because it has reasserted the primacy of the Council and, by extension, the member states' primacy in the decision-making process. It has also been demonstrated that the ability of the EEAS to gain sanctioning powers is limited by the nature of the mandate it received and by its supporting role to the High Representative. The mandate's provisions are very general and unclear which, contrary to the initial assumption, hinders rather that facilitates its ability to gain autonomy from the principals' preferences. Furthermore, the High Representative's general lack of entrepreneurship and authority in the CFSP domain indirectly limits the EEAS' level of discretion.

Furthermore, the analysis has revealed that a divergence between the principals' preferences reduces, as opposed to increase, the agents' degree of autonomy. This is a result of the peculiarities of the decision-making process which, based on the unanimity rule, can be blocked by the member states at any moment in the case of a disagreement. It subsequently prevents the agents from putting forward their proposals as long as the member states have not politically agreed to take on new sanctions. Moreover, this situation has not changed since the introduction of the mechanism of 'constructive adoption' because the member states persist in following an unformal unanimity rule, thereby protecting the intergovernmental nature of the sanction policy.

To conclude, the analysis was useful to access the variations in the balance of power between the member states and the agents in the sanction policy-making process. It demonstrated that processes of supranationalisation can be reversed and that member states are not necessarily helpless since they have an array of control mechanisms at their disposal in order to correct agency slippage. Furthermore, it is evident that despite the member states' preservation of the intergovernmental nature of the sanction policy, it did not hinder the

development of a fruitful cooperation between the member states, the Commission and the EEAS nor the growing sophistication of the policy since the Maastricht Treaty. The EU's latest far-reaching sanction packages adopted against Iran, Syria and Russia are prime examples.

This finding goes against the common assumption in EU studies that the preservation of intergovernmentalism in a policy field is restrictive of policy sophistication and effective collaboration between the national and supranational levels. Further study of the impact of supranationalisation processes on the efficiency of policies is worthy of further to enable the EU to better identify the institutional conditions generating greater efficiency in the CFSP framework in order to, ultimately, become a stronger foreign policy actor.

Finally, an alternative application of the PA model on the sanction policy could include the European Court of Justice (ECJ) as one of the supranational agents. Known for being a strong driver of EU integration, the ECJ has started, since the Lisbon Treaty, to contest sanctions adopted against individuals in the CFSP framework. Greater attention should consequently be paid to the ECJ as a potential agent for greater supranationalisation in the sanction policy.

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EU AUTONOMOUS SANCTIONS: IGNITING PASSIVE REVOLUTION?

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Abstract:

This article[2] intends to explore why there has been an increase in the imposition of EU autonomous sanctions in the last decade although they are accepted 'ineffective'. Based on the coercive nature of sanctions within the areas of International Relations and International Political Economy, the emphasis has been put on a historical materialist approach, which advocates that the relationship between market intentions and political culture of sanctions is not necessarily deterministic, but rather dialectical. To understand to what extent market intentions play role in this strike, the multidisciplinary theory of Neo-Gramscianism is chosen to conduct an empirical analysis of case comparison. The concept of 'hegemony' that the relevant theory has brought forward, has motivated a research on how the EU utilizes autonomous sanctions as an instrument to obtain its political and cultural hegemony.

Keywords: EU Autonomous Sanctions, Neo-Gramscianism, Hegemony, International Political Economy, Transnational Capital Movement.

Titulo en Castellano: *Las Sanciones autónomas de la UE: Provocando una revolución pasiva*

Resumen:

Este artículo pretende explorar por qué se ha producido un incremento en la imposición por parte de la UE de sanciones autónomas en la última década, a pesar de que se acepta que no son efectivas. Dada la naturaleza coercitiva de las sanciones en Relaciones Internacionales y en la Economía Política, el énfasis se pone en una aproximación propia del materialismo histórico que establece una relación dialéctica, no determinista, entre las intenciones del mercado y la cultura política sancionadora. Para entender cómo las intenciones del mercado juegan un papel en esta contraposición, se escoge la teoría multidisciplinar Neo-Gransciana para realizar un análisis empírico en la comparación de casos. El concepto de "hegemonía" que esta teoría ha propuesto, ha motivado una investigación sobre cómo la UE utiliza las sanciones autónomas como un instrumento para obtener su hegemonía política y cultural

Palabras Clave: *Sanciones autónomas de la UE, Neo-Granscianismo, Hegemonía, Política Económica Internacional, Movimiento transnacional de capitales*

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1. Introduction

The role of the European Union (EU) within global political economy (GPE) is determined not only by financial and/or trade relations, but also by EU external security governance (ESG), which puts the attention to the necessity of foreign security policy instruments. Sanctions conduct the main sources of GPE since they are used as the main tools of the Common Foreign and Security Policies (CFSP). The international community (IC) witnesses the implementation of sanctions by the EU in cases of violation of international law and human rights or impudent policies against the rule of law and democratic doctrine because they are "long-term strategies"[3] which are designed with a diplomatic and economic nature. Therefore, the use of sanctions under the CFSP claims that sanctions are forms of political methodologies that aim to achieve a certain goal by creating an intersection with international trade and finance. The EU has increased the implementations of CFSP sanctions in the last decade; the implementation of autonomous sanctions, which are applied in the absence of United Nations Security Council Resolutions (UNSCRs), is more frequent than the implementation of UNSCRs. Statistics claim sanctions regimes in force increased from averagely 5 % to more than 25 % between 1991 and 2014, especially in autonomous sanctions after 2003[4].

Graph 1: Evolution of CFSP Sanctions[5]

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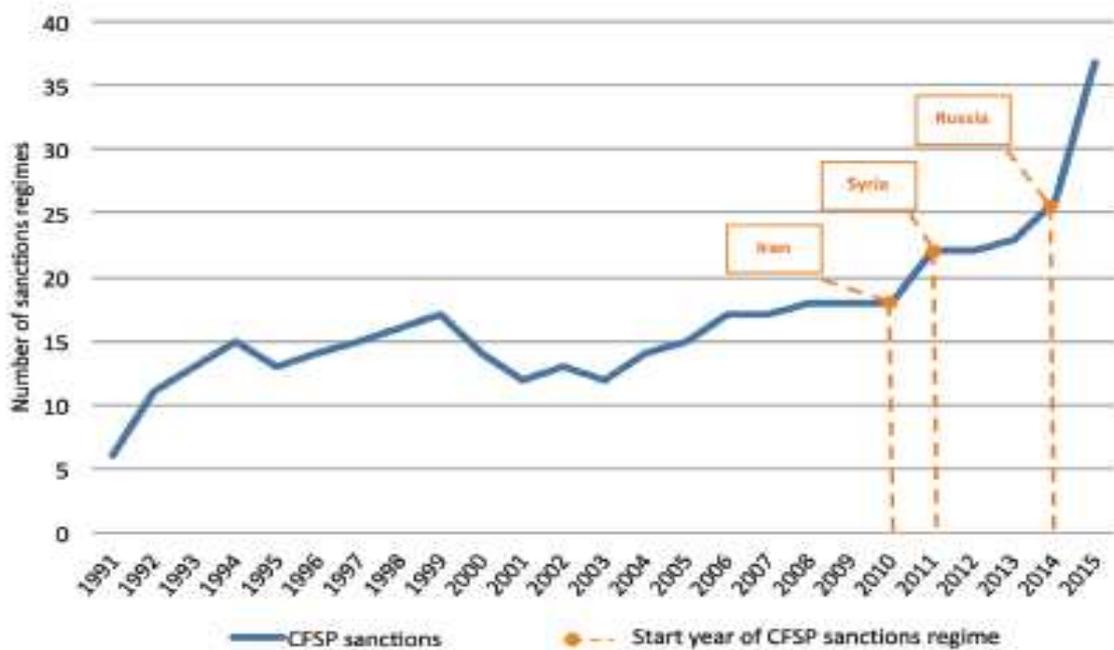
[3] EU External Action Service: "Civilian instruments for EU crisis management", *European Commission Conflict Prevention and Crisis Management Unit*, (April 2003), p. 5, at
http://eeas.europa.eu/cfsp/crisis_management/docs/cm03.pdf
[4] Vries, Anthonius W. de, Portela, Clara and Guijarro-Usobiaga, Borja: "Improving the Effectiveness of Sanctions: A Checklist for the EU", *Centre for European Policy Studies*, Nº. 95, (November 2014), p. 2, at
https://www.ceps.eu/publications/improving-effectiveness-sanctions-checklist-eu
[5] Dreyer, Iona and Luengo-Cabrera, José: "On target? EU sanctions as security policy tools", *European Union Issue for Security Studies*, N.º25 (24 September 2015), p. 9, at
ºhttp://www.iss.europa.eu/publications/detail/article/on-target-eu-sanctions-as-security-policy-tools/

Graph 2: Number of new autonomous sanctions regimes imposed by the EU per year (1990-2014)[6]
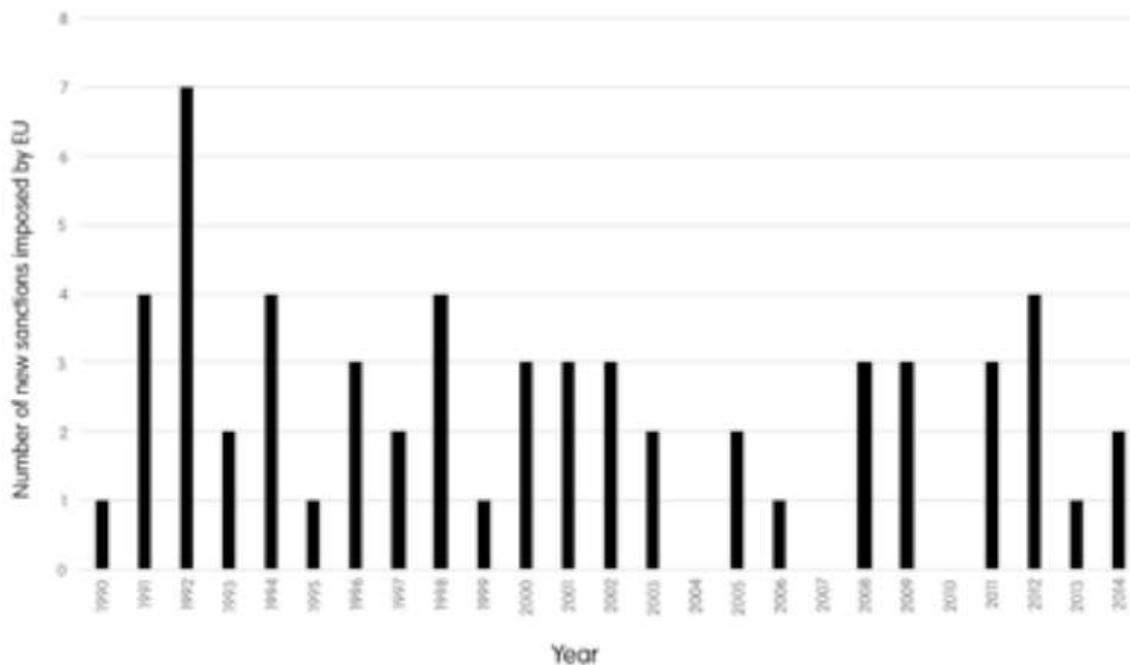
To the extent that EU sanctions are complementary to UNSCRs by nature, the reasons for increasing number of autonomous sanctions require to paid attention. Functions of sanctions are usually analysed within a cost-benefit analysis in terms of their efficiency, efficacy and effectiveness; however, these characteristics do not explain why the sanctions are increasingly applied by the EU although politicians claim that sanctions are "the worst foreign policy tools"[7], which is mentioned as the "sanctions paradox"[8]. *Then what are the motivations behind applying EU autonomous sanctions? Does the EU's behaviour rely on the functions of sanctions or is it a rebel against the UN due to its taciturnity over the international problems that it could not take any counter-reaction?*

The main idea of this article is to solve the "sanctions paradox" through a *dialectical approach* which binds International Political Economy (IPE) and International Relations (IR). In order to actualize this research; a theory, which has its roots not only in IR but also in IPE, has been chosen. Neo-Gramscianism is a post-Marxist theory that takes its origins from the Italian School of Gramscianism. Concepts that are explained in terms of the Neo-Gramscian perspective of social science reveal to what extent the EU is able to go beyond economic determinism which extends Marxism critique of a classical political economy through changing a historical economist explanation into a historical materialist one, as well as

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[6] Portela, Clara: "How the EU learned to love sanctions?", in Leonard, Mark (ed.) (2016): *Connectivity Wars*, European Council on Foreign Relations, p. 38, at http://www.ecfr.eu/page/-/Connectivity_Wars.pdf
[7] According to economist and political advisor C. Fred Bergsten (1998) sanctions almost never work when they are applied unilaterally rather than multilaterally. Gelb, Leslie H.: "Sanctions against Rogue States: Do They Work?" Interview with C. F. Bergsten & R. G. Torricelli, (20 May 1998), par. 21, at http://www.cfr.org/world/sanctions-against-rogue-states-do-they-work/p51
[8] Taylor, Brendan (2010): *Sanctions as grand strategy*, London, The International Institute for Strategic Studies, p. 18

rejecting the base-structure pyramid that the Orthodox Marxists use. Since there is not a causal web of relations, neither material, nor discursive ideational dimensions of social existence can be reduced to each other. As much as political culture has an impact on the economy, the reverse relation is also highly applicable. By this way, the relationship of economic determinism extends to a relationship of political and cultural hegemony. While the cultural hegemony refers to universally dominant ideologies becoming transnational cultural norms, political hegemony refers to popular support from civil society to political elites in terms of guiding a political manoeuvre warfare of revolutionary socialism.

The EU has the capacity to ascribe its political hegemony within a form of state with reference to its sui-generis nature of external legal capacities[9]. However, the political interests are not stable as much as the economic ones. They rather develop and change with reference to the vulnerability of the actor's impact. The EU implies all three social forces as the representative of the political society, while the proportion of consent and coercion within the sanctions policy over its Member States (MSs) refer to the civil society through creating the transnational historical bloc (THB) including all material and discursive relations. *Then to what extent do we see the influence of actors such as the UN on the political interests of the EU? To what extent does the EU utilize the autonomous sanctions taken under the CFSP as an instrument to obtain its own political and cultural hegemony?*

2. The Critical Theory of Hegemony

With respect to the description of the task of the social science by Neo-Gramscianism as to explain this relationship through the social structure, the social action and the social change, the critical theory has been utilized to analyse power structures that are shaped within GPE through explaining the dialectical relationships between social forces of institutions, ideas and material capabilities that delineate the forms of state[10]. These three social forces are also the instruments to maintain the hegemony which refers to the relations of domination between the coercion that is created by the political society, and the consent that is obtained by the civil society, while the legitimacy is gained under the name of mutual interests, so-called 'common sense'. Therefore, the concept of 'common sense' becomes a tool, which is used by the intellectuals to gain the consent through inducing its own interests to the civil society's interest in order to maintain the hegemony.

2.1 The UN and the World Order

Ideologies and forms of state emerge with the concept of hegemony itself, because an ideology is accepted as the 'dominant' political culture, while alliances also create a 'historical bloc' that would exercise an 'intellectual and moral leadership' between the political and civil society to gain political and cultural hegemony. Therefore, the hegemony refers to the proceeding of each power structure retaining the particular order. To the extent that the critical theory of hegemony is interested in explaining the changes happening in the world order, adaptation of social forces into the IC in terms of economic relations reveals a pleasant playground for the EU to challenge the UN to form an alternative world order by creating hegemony first domestically and then internationally[11].

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[9] Wessel, Ramses A.: "Revisiting the International Legal Status of the EU", *European Foreign Affairs Review*, No. 5, (2000), p. 523 at https://www.utwente.nl/bms/pa/research/wessel/wessel1.pdf

[10] Gill, Stephen (1993): Gramsci, Historical Materialism and International Relations, Cambridge, Cambridge University Press, pp. 21-48.

[11] Rupert, Mark: "Antonio Gramsci", in Edkins, Jenny and Vaughan-Williams, Nick (ed.) (2009): *Critical Theorists and International Relations*, Philpapers, pp. 176-186.

The relationship between the EU and the world order has been formed with reference to international organizations (IOs) employing their hegemonic roles, by stabilizing them through empowering the norms and values that the UN promotes as the hegemonic bloc which refers to the dominant actors created by alliances among social forces. However, giving the EU as the primary example of an IO that employs hegemonic rules, requires the EU to be accepted as a historical bloc which has reinforced its domestic hegemony already. Therefore, the first part of this article is spared to understand whether the EU is qualified enough to form a THB to dominate the relationship between the adoption of sanctions under the CFSP and their use to accumulate the transaction of transnational capital within the external security nexus.

2.2. Sanctions as the Historical Framework of Social Action

Neo-Gramscianism favours debating the relations between social forces by the discourse of hegemony rather than power in which the dynamics reveal dialectical process between coercion and consent. Sanctions policy demonstrates a reaction towards a discomfort due to violating an international norm such as the violation of human rights or construction of weapons of mass destruction (WMD) which gains its legitimacy mostly from international agreements. Therefore, when a form of state breaks the world order, policy-making elites (the political society) tend to convince that state through social forces. Thus, the sanctions policies are important examples of coercion and consent mechanisms in terms of material capabilities.

The hegemony functionalizes through the changes happening within its "spheres of activities"[12] which refer to the relationships between forms of state, world orders and social relations of production. This means that the forms of state, internationalize their civil society and institutionalize their competence through the consensus that the IOs provide. Therefore, with reference to the nature of the EU's existence being a state-like organization, the increase in the adoption of sanction policies refer to a historical action within which the EU refers to THB, the UN refers to the hegemonic bloc and the sanctions policies refer to the hegemonic project since they are universal, and represent the interest of the whole IC.

2.3 EU Autonomous Sanctions as the Passive Revolution

In addition to the dimension of hegemony as the "combination of consent and coercion"[13], political society provides the stability against the social changes happening in the world order by creating the 'intellectual and moral leadership' over the civil society. To the extent that the current hegemon is not able to express its interests to the civil society, there occurs the necessity of new dominant ideologies. Since the area within which the social forces are reproduced is the civil society, the leadership that promotes a counter-hegemony is maintained by the subaltern classes of the hegemon. This clash of ideologies that are represented by the hegemon and the counter-hegemon social force, reveals itself within two ways: While the 'war of manoeuvre' refers to the physical control over the integral state, the 'war of position' refers to the ideological resistance of culture that is created within the civil society. The concept of 'integral state' is created by Gramscianism, and refers to a united body of ruling which is obtained by the merge of political and civil societies. In that sense, a passive revolution emerges not directly from an economic but rather an international

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[12] Cox, Robert (1987): *Production, Power and World Order: Social Forces in the Making of History,* New York, Columbia University Press, p. 220.
[13] Cox, Robert W.: "Gramsci, hegemony an international relations: An essay in method", in Gill, Stephen (ed.) (1993): *Gramsci, Historical Materialism and International Relations*, Cambridge: Cambridge University Press, p. 52

ideological development through the new intellectual elites introducing new policies, such as the targeted sanctions to break the conventional policies.

Italian School describes that the radical social changes are created through the ideology of institutionalism within the liberal democracies. Therefore, the hegemony is represented through the ideology of neoliberalismwith reference to the capitalist mode of production (MoP) within which the constructions of transnational alliances control the transnational capital movement (TCM). In this article, neoliberalism is accepted as the possession of market rationality over external security governance in terms of the state becoming a market actor within the sanctions policies. As a result, to the extent that the new ideology represents the interests of the civil society, there occurs a counter-hegemonic ideology which leads to a 'passive revolution' where the political society is replaced with one of the subaltern classes. Thus, EU ESG is an area where the EU has the capacity to create a counter-hegemony against the current sanctions applied by the current hegemon.

What connects sanctions organically with these social forces is their nature of being a *collective action*: Sanctions create a marketplace in which the UN has the monopoly of collective sanctioning. In this article, it is assumed that the UN has the monopoly over collective sanctioning due to its competence to create multilateral sanctions in relation with the EU: Although the US has the leadership on implementing the unilateral sanctions with reference to being the world's biggest sanctioning power', to some extent that the US is a member of P5, so the multilateral sanctions that it would like to undertake are limited. In order to understand to what extent a 'passive revolution' occurs, the coercing, constraining, signalling (CCS) technique is used to understand whether the targeted sanctions have material expectations or rather "bargaining chips"[14] that are used during negotiations. Here, while the first term refers to behavioural change through altering cost-benefit calculations in the target country, constraining refers to the intentions of making the life of targeted individual or entity harder materially and signalling refers to targets which are influenced by practices aside from imposing material damage[15]. Consequently, through utilizing it over case comparison, whether autonomous sanctions are instruments for a counter-hegemony is tested.

3. Methodology

An empirical case comparison of EU sanctions is conducted to understand strategies behind the design of sanctions. Although it has some methodological challenges, the methodological steps that Bieler and Morton[16] promote are followed by analysing empirically how particular social forces endeavour to build hegemonic projects as a result of neoliberal ideology which emerged with reference to globalization and to what extent these hegemonic projects are challenged by other transnational actors.

The cases are chosen with reference to the transnational nature of the relevant theory. In order to conduct a *transnational* case study, cases are selected with reference to

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[14] Portela, Clara: "The EU's Use of 'Targeted' Sanctions evaluating effectiveness", *Centre for European Policy Studies*, No. 391, (March 2014), p. 35, at https://www.ceps.eu/system/files/WD391 Portela EU Targeted Sanctions.pdf.

[15] Giumelli, Francesco: "How EU sanctions work: A new narrative", *European Union Institute for Security Studies*, No. 129, (13 May 2013), p. 18, at http://www.iss.europa.eu/publications/detail/article/how-eu-sanctions-work-a-new-narrative/

[16] Bieler, Andreas and Morton, Adam David: "Theoretical & Methodological Challenges of neo-Gramscian Perspectives in International Political Economy", *International Gramsci Society Online Article*, (January 2003), at http://www.internationalgramscisociety.org/resources/online_articles/articles/bieler_morton.shtml

categorization of restrictive measures within the IC. With reference to their "embeddedness", sanctions are categorized into three groups: implementing, supplementary and autonomous[17].

While the first refers to the sanctions that are adopted after UNSCRs obligatorily in order to make UN measures valid, the second is relatively autonomous since it is not obligatory to be taken although it is also a demonstration of UN measures. The latter refers to measures taken by the EU independent from the UN since the UNSC was not able to take any restrictions on the relevant case. Consequently, country selection has been made with reference to the literature mentioned above, as a case comparison between the second and the third category of sanctions because those categories are the ones that the EU designs strategically with reference to its own political sovereignty and accumulation of TCM.

The cases that are taken under EU supplementary sanctions are additional measures to strengthen UNSCRs on Iran and the DPRK, and EU autonomous sanctions are applied in the absence of these UN sanctions on Syria and Russia. The main reason behind choosing these autonomous sanctions cases are based on the level of internationality of security threat. The objectives behind the adoptions of sanctions are the main focus point with reference to the nature of sanctions category division in the first place. In that sense, qualitative data sets have been created since the sanctions are the basic data themselves. Therefore, in order not to deform the evaluation of the EU as a foreign policy actor, UNSCRs are evaluated when necessary.

Data sets are structured as the collection of several sanctions policy documents which can be categorized mainly under seven groups: Basic Principles[18] and Guidelines[19], UNSCRs (applied on Iran and the DPRK), Decisions and Regulations taken by the EU Council (applied on Iran, the DPRK, Syria and Russia), the fact sheets, TSC project papers and reports, several press releases and academic books about (especially targeted/smart) sanctions referring relevant cases. In the first group, since Council Regulations (CRs) imposing sanctions and related Council Decisions (CDs) are an essential part of the EU 'Community Law'[20], their legal bases are examined with reference to their nature of being *collective actions*.

4.Analysis

4.1.World Order: IOs to Stabilize Hegemony

The UN subjugates the sovereignty of the states and the state formation of the EU through making them its members. Although the EU is only an observer state at the UN, it sustains the dominant alliance to take *collective action* that the political elites offer in terms of *consent* as the social force of the UNSC reveals. It also provides a *bloc* to maintain restrictive measures that the political elites oblige in terms of *coercion* such as the Permanent Five (P5). These subaltern classes exemplify civil society of the UN since they became subject to *international norms* and *values* (INaV) that are taken under the foundation treaty of the UN. *Then to what*

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[17] Biersteker, Thomas and Portela, Clara: "EU sanctions in context: Three types", *European Union Issue for Security Studies*, No. 26, (17 July 2015), p. 1, at http://www.iss.europa.eu/publications/detail/article/eu-sanctions-in-context-three-types/

[18] Basic Principles on the Use of Restrictive Measures (Sanctions), at
http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010198%202004%20REV%201

[19] Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy, at
http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2015114%202005%20INIT

[20] Sanctions or restrictive measures, p. 8, at http://eeas.europa.eu/cfsp/sanctions/docs/index_en.pdf

extent does the EU promote the roles of an economic and/or political IO while applying measures beyond the hegemon has set?

In cases of supplementary sanctions, the EU has intentions to create a THB as long as it has a market relationship with the target country. In other words, the EU applies negotiations for both diplomatic and economic relations to maintain a THB since it is economically interested in the target country; otherwise, it only promotes an *external* leadership. For instance, in the case of Iran, INaV that were on agenda, was the access to WMD and the violation of Non-Proliferation Treaty (NPT), however, the EU has changed the whole economic and financial relations mainly in order to promote INaV through sanctions. Although the negotiations between the EU and Iran were made through the Trade and Cooperation Agreement (TCA) preparations until 2002; when the government of Iran failed to explain why they started the project of Arak and Natanz nuclear plants, for the *first time* the High Representative of the Union for Foreign Affairs and Security Policy (HR) started political and economic dialogue with Iran over nuclear revelation.

However, in the case of the DPRK, the EU has been an *additional* social force that has intended to motivate the key actors to negotiate. The EU has been one of the "most enthusiastic"[21] sanctioning powers (along with Japan and the US) on the DPRK since it interpreted the case as an *intimidation* against Pyongyang's provocations as well as Iran's. *While in both cases the EU promotes* INaV *through changing the shape of social relations of production between social forces by creating common strategies and interests, only in the first case it innovates its own social forces*. In the case of Iran, interests of the EU and the common interests of alliances during bargaining process are revealed under the leadership of the HR and the social forces created under the EU such as the E3/EU+3 respectively. However, in the case of the DPRK, interests of the EU have been *more* diplomatic and *less* economic in terms of engaging the target country into IPE compared to Iran. Brokering to pursue the DPRK to engage with Six-Party Talks has been the strategy of the EU to gain the *consent* of North Korea as well as the already formed alliance of the US, Japan and North Korea in order to become the *cement* between political and civil society.

*In the cases of autonomous sanctions, the EU is interested in creating a THB as long as it has the competence of obtaining **collective action** through creating a **transnational** common sense of protecting the neoliberal* INaV *against the hegemonic bloc including the dominant state formations.* Consequently, the spheres of hegemony including the social relations of sanctions that are created by the social forces, the dominant forms of states in terms of subaltern classes and a world order lacking hegemony lead to the production process of the social structure in which the economic relations are not *primary* but *secondary*.

In the case of Syria, the UN could not obtain any alliance since two of the Permanent Five (P5) members blocked the draft. That's why the EU intended to get the consent of the 'civil society of the UN' (referring Russia and China) through the strategy of *isolating Syrian Government*. Moreover, US-like measures that do not take any economic restrictions, are followed by the EU. This situation made autonomous sanctions the *trend* of some states like Turkey and regional organizations like the Arab League through changing the *common interests* and consequently affecting the collective action taking. Therefore, the EU's interests to maintain a *common sense* under its *own* leadership has been represented by the Geneva Communique (2012) with the objective of reaching a political solution by mutual consent.

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[21] Taylor, Brendan (2010): *Sanctions as grand strategy*, London, The International Institute for Strategic Studie, p. 56.

With the annexation of Crimea, Russia challenged its diplomatic place within the IC. The basic EU approach towards Russia has been implementing diplomatic measures in order to influence another social force of the Group of Seven (G7) in terms of suspending the negotiations with Russia joining the Organization for Economic Cooperation and Development (OECD) and the International Atomic Energy Agency (IAEA)[22]. Moreover, diplomatic bans are employed rather than economic sanctions, which reveals that the use of social forces in order to create a common sense has been deployed through creating mutual interests with the other actors of IC such as constraining the target country to change behaviour via not concluding New Agreement, which the EU and Russia started negotiating on visa-free regime in 2011, however, it got suspended after the annexation.

Despite the UN was not the primary social force to dominate the IC in that case, the EU was in favour of protecting INaV as well as the sovereignty of some of its MSs through the consent of Russia to cooperate within the Organization for Security and Cooperation in Europe (OSCE)-based world order. Intentions of creating a *transnational collective action* originate from their nature of offering "gold-plating"[23] solutions to international crisis, because autonomous sanctions are rather taken by state formations of mainly the EU and the US, followed by Norway, Canada and Australia, and create a totally different alliance compared to previous ones. Thus, the EU has maintained the behaviour of a state formation by promoting an *alternative* transnational system of capital accumulation such as utilizing the European Investment Bank (EIB) as the major material capability that it has, in order to affect foreign relationships as well as finding a long-term solution, as underlined by "potential multilateral mechanism"[24] of governmental meetings at the Statement of the Heads of State or Government in Ukraine.

4.2 Social Action: Hegemonic Project of Economic Sanctions

The UN approached the problem of implying a non-violent coercion through maintaining a moral interpretation of sanctions by target specification: Targeted sanctions are restrictions which aim to minimize the negative impact on civil population. Through the political culture that they have created, they became the essential factor of the hegemonic project. Therefore, the UN has transformed into a hegemonic bloc by maintaining alliances who assist the UN to stabilize its hegemony through ratifying international agreements and taking actions under UN measures. The way of the hegemon revealing its constraints has been *different* than how the EU utilizes the language of the sanctions when applied *autonomously*. While UNSCRs imply CCS as a form of restrictive measures, CCS as a method of coding the sanctions reveals the pattern of coercion.

In cases of supplementary sanctions, the EU has been taking constraining and signalling sanctions rather than coercing sanctions parallel to the measures set by UNSCRs with reference to its economic relations with the target country. In other words, to the extent that EU measures are taken in adherence to UNSCRs, they provide coercion under UNSC

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[22] EU sanctions against Russia over Ukraine crisis [Highlights], par. 6, at
https://europa.eu/newsroom/highlights/special-coverage/eu_sanctions_en
[23] Taylor, Brendan (2010): *Sanctions as grand strategy*, London, The International Institute for Strategic Studies, p. 75
[24] Statement of the Heads of State or Government on Ukraine [Press information], par. 4, at
http://www.consilium.europa.eu/en/meetings/european-council/2014/03/06/

cultural and intellectual leadership because the hegemonic project has capacity and intention to control TCM in the first place. In the case of Iran, CCS structured nature of EU intentions are kept hidden in the *language* that the EU uses within its autonomous sanctions and international agreements. While CR 359/2011 and CD 2011/235/CFSP are taken against human rights violation and apply signalling through targeting specific names of the 'certain persons' whose funds require to be frozen, CR 267/2012 and CD 2010/413/CFSP are taken against nuclear issues and constrain the trade in dual-use goods and technology that can be used in petrochemical industry, and ban the import of Iranian crude oil and petroleum products. They exhibit parallelism to the UNSCR 1696 in terms of the social forces of governmental institutions which strengthen constraining.

Also in the case of the DPRK, all of the UNSCRs demonstrate how the control over TCM creates the coercion on policy making level through the assistance of transnational sources of capital. While the first sanction of UNSCR 1718 demonstrates signalling through 'calling for' suspending ballistic missile program and 'urge' the DPRK to negotiate, it constrained the exports and imports of luxury goods as well as nuclear technology weapons. As a result, to the extent that trade relations between the EU and the DPRK are *negligible*, the CR 329/2007 and CD 2013/183/CFSP mirror the UNSC measures more similarly than the case of Iran. As additional measures, they refer to the internal hegemony as well. While the former, which was taken with regards to the Treaty Establishing European Community (the Treaty of Nice), applied measures constraining the trade of dual-use technology that was strengthened in the subsequent UNSCR 1874, the latter has been the main signalling document that shows what kind of sectorial restrictions are taken including a transnational capital force of Central Bank of the DPRK.

However, to the extent that the EU was not a party to negotiations and alliances, its capacity to coerce has remained limited with the constraining and signalling of UNSCRs. While the two new UNSCRs of 2094 and 2270 reveal the signalling and constraining respectively through targeting specifically the Kim family regime in terms of blocking the access to cash transfers and ties to international banking system and imposing asset freeze on economic resources of the target government or the Worker's Party of Korea that are placed outside the DPRK, the EU had to follow this trend of controlling the TCM rather than creating one.

Within a world order in which there is no application of the hegemonic project since there is no common sense within the hegemonic bloc, the gap of tacit consent is intended to be maintained by the subaltern classes to persuade the civil society via coercive methods of intellectuality. *Therefore, the EU tends to promote its intellectual and cultural persuasion through the application of autonomous targeted sanctions, because with reference to the economic relationships, it promotes coercion in terms of seeking a behavioural change in target through altering the cost-benefit calculation via controlling the TCM with the support of constraining and signalling.* As the case of Syria illustrates, CD 2011/273/CFSP is the first targeted sanction for human rights violation and has been an example in terms of *signalling* since it condemned the violent repressing and extended to Assad's family, and *constraining* since it planned target list of individuals to be banned from travelling and assets frozen.

Following the first Decision, CR 36/2012 and CD 2013/255/CFSP have shown the examples of *constraining* rather than signalling, where *signalling* fits the nature of applying targeted sanctions due to not implying coercion and having minimum impact on civil society. However, since there are two important actors imposing autonomous sanctions, it would be

better to have a comparison of CCS technique to understand to what extent this historical action differs from each other in terms of maintaining the intellectual and moral leadership through coercion and/or consent. Coercion and constraining show themselves more than signalling due to the intensity of diplomatic and economic relations in the case of Russia, as well. Russia has been the EU's biggest neighbour and 3rd biggest partner in trade[25]. Therefore, not only material capabilities that the EU imposed such as in the areas of access to capital markets, defence, dual-use goods and sensitive technologies or diplomatic sanctions such as suspension of Group talks, but also the intention of creating a common sense with new alliances including target country demonstrate the *coercion* than an intention towards *consent*. Moreover, assigning the EIB for suspending new financing operations in Russia as a country reveals constraining characteristics of the political society (policy-makers within the EU). Nevertheless, sanctions that are taken against the Ukraine government in terms of reacting towards human rights violation in the Donbas region reveal to what extent the autonomous sanctions have the capacity to coerce the determined target through playing on *additional* TCM of another country: Trade and investment restrictions that the EU adopted for Crimea and Sevastopol targets the sectoral cooperation and exchanges within Russia[26]. Most importantly, intention of *coercion* towards Russia through *signalling*, applied within the process of negotiations, has been triggered by the main social force of the HR herself in September 2015, claiming that the EU aims to put pressure on Russia via ensuring "swift and coordinated implementation of the strategy"[27] towards Minsk agreements.

4.3 Social Change: Targeted Autonomous Sanctions

To the extent that the EU reveals the characteristics of a THB that has the intellectual and moral leadership of collective actions, a counter-hegemony of conventional sanctions is created by the UN. In the cases which the EU finds UN measures insufficient or lacking and decides to take autonomous sanctions, UN hegemony is challenged in terms of filling the gap of controlling the transnational market through a new perspective of targeted sanctions via its *own* institutions and policy-elites. Targeted sanctions as policy innovation differs between the UN and the EU due to their nature; while the former is a security and international cooperation organization, the second is an economic and diplomatic organization. The EU interprets targeted sanctions as the *breaking point* of the hegemonic project to create a *new* world order through a passive revolution.

To maintain hegemony internationally, it should first be obtained domestically. Moreover, as mentioned before, the passive revolution occurs if and only if the hegemony expands *horizontally*[28]. *Consequently, it is analysed that the EU has promoted counter-hegemony by applying supplementary sanctions through its own social forces as a demonstration towards not only the hegemon but also to other powerful state formations to the extent that it had economic relations to protect. However, the point view towards autonomous sanctions has been the policy innovations to take the social change in terms of altering hegemonic measures.* For instance, while engagement dimension of the dual-track

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[25] Countries and Regions: Russia, par. 1, at http://ec.europa.eu/trade/policy/countries-and-regions/countries/russia/
[26] EU sanctions against Russia over Ukraine crisis [Highlights], par. 9, at https://europa.eu/newsroom/highlights/special-coverage/eu_sanctions_en
[27] Council conclusions on the EU regional strategy for Syria and Iraq as well as the ISIL/Da'esh threat [Press release], art. 11, at http://www.consilium.europa.eu/en/press/press-releases/2015/03/16-council-conclusions-eu-regional-strategy-for-syria-and-iraq-as-well-as-the-isil-daesh-threat/
[28] Cox, Robert W.: "Social Forces, States and World Orders: Beyond International Relations Theory", *Milennium - Journal of International Studies,* Vol. 10, Nº. 2 (1981), 126-155

strategy reveals the enlargement horizontally through getting consent of Iran, "repackaged"[29] proposals that the EU offered to Iran between 2006 and 2008 demonstrate the beginning of a *new* hegemonic project since it aimed at establishing a nuclear fuel production through syndications in various locations in the world.

Moreover, the response of the EU towards UNSCRs 1803 and 1835 (which have changed the alliances of interests) via using comparatively *stronger* language in order to strengthen constraints to exercise restraint and vigilance, is a demonstration of political strategy to trigger counter-hegemony. The greatest example of this ideology can be seen as EU resistance to taking sanction against Bank Saderat of Iran although it was on the target list of UNSCR 1803 but not on the blacklist of the EU. As a result, applying differentiated sanctions than what the US has wished for, is a consequence of the EU keeping its purpose of bargaining through its *own* social forces of negotiation. For example, although the main objective of the EU was to prevent the construction of nuclear weapons and of Iran to maintain high-enriched uranium, after the signing of the international agreements of the Joint Plan of Action (JPoA) and of the Joint Comprehensive Plan of Action (JCPoA), which have been signed respectively in 2013 and 2015, neither the EU+3 could terminate the Iranian Nuclear Program (INP) nor Iran could achieve its goal. Consequently, the Geneva process, in which EU+3 negotiations were chaired by the HR as the most important social force of the EU in ESG, *changed* the initial objective of terminating the INP to main low-enriched uranium (LEU): For the next 15 years, Iran is only able to enrich uranium up to 3.67% without building new heavy-water facilities[30].

On the contrary, the EU is mostly concerned about monitoring "non-diplomatic"[31] activities as in the case of the DPRK, although diplomatic relations only consist of delegations (embassies) of seven EU MSs in North Korea. Compared to Iran case, the EU has *not* taken actions that would promote any counter-hegemony, but rather follow the hegemonic project from a relatively *neutral* point. At this very point, the intention of creating internal hegemony comes directly from the limited investments in the DPRK of EU origin; there are 6 Bilateral Investment Protection Treaties signed with 6 MSs, and currently 5 of them are still in force[32]. To the extent that the EU interprets the political dialogue as an "integral part" of critical engagement strategy, it tries to promote its internal hegemony through the social force of the EEAS since the EU has an "interest to develop bilateral relations"[33]. This situation demonstrates that the EU uses inducements to expand its neoliberal ideology of TCM since its economic relations with the DPRK are based on non-diplomatic social forces that the EU has created.

However, a social change is a *collective action* due to its nature of being a transnational growth of cultural persuasion as mentioned[34]. Therefore, in the cases of lacking

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[29] Crail, Peter: "Proposals Offered on Iranian Nuclear Program", *Arms Control Today*, (2008), p. 13, at https://www.armscontrol.org/print/2931

[30] Joint Comprehensive Plan of Action, art. 5, at http://eeas.europa.eu/statements-eeas/docs/iran_agreement/iran_joint-comprehensive-plan-of-action_en.pdf

[31] Emmott, Robin: "EU considers more North Korea sanctions after U.N. vote: Diplomats", *WTBW*, (3 March 2016), par. 5, at http://wtvbam.com/news/articles/2016/mar/03/eu-considers-more-north-korea-sanctions-after-un-vote-diplomats/

[32] EU-Democratic People's Republic of Korea (DPRK) relations [Fact sheet], p. 2, at http://eeas.europa.eu/factsheets/docs/eu-dprk_factsheet_en.pdf

[33] EU-DPRK Political Dialogue – 14th Session [Press release], par. 3, at http://eeas.europa.eu/statements-eeas/2015/150625_01_en.htm

[34] Gill, Stephen (1993): Gramsci, Historical Materialism and International Relations, Cambridge, Cambridge University Press, p. 23.

collective actions taken by the hegemon, autonomous sanctions intervene with the IC through taking a strategic position of struggle against the hegemon, called the 'war of position'. In that sense, EU autonomous sanctions have the potential to carry out a counter-hegemonic characteristic compared to supplementary actions, because the MSs become the civil society which would produce both social forces to stabilize its own hegemony and the political society that would form the policy-elites.

The autonomous targeted sanctions taken against Syria demonstrate the means to resist to UNSCRs since the EU supports the opposing groups with the US. Since they are only foreign policy instruments that the EU utilize against the civil war, their "rapidly evolved"[35] process show how the EU gets the consent of the MSs, as well as the civil population of Syria, a form of state. Although they had no impact on the government of Syria afterwards, the oil embargo on Syria which was applied in December 2011, as well as the energy embargoes on Iran, revealed the 'readiness' of the EU to 'move to broader measures', signalling the keyword for a *social change*.

Lastly, since it tends to be a THB, the EU's adoption of a "progressive approach"[36] in the case of Russia refers to the nature of targeted sanctions definition compared to the case of Syria: phase by phase, restrictions on limited framework of individuals and legal entities, and specific areas of EU-Russia cooperation (also known as the Common Space Partnership) including Russian operators are checked. Moreover, compared to the US and its *relatively* frequent unilateral sanctions history, the motivations behind the EU autonomous sanctions towards Russia come from the *will of punishing* the individuals who were directly a part of the annexation and advocators of Russian expansion towards Ukraine[37].

The EU has employed constraining rather than signalling like the US does; the motivation of US sanctions over Russia targeted directly the persons who are able to have impact on Kremlin policy, which fits the definition of targeted sanctions more due to targeting the policy elite as well as the layer, who serves for the business and defence industry. As a result, EU perspective over targeted sanctions in the case of Russia is totally different than the other cases because the targets that are listed are not only the social actor of Russia which is mainly condemned, but another actor of Ukraine which triggered the human rights violence against its own civil society in the first place.

Consequently, the Council who notably introduced targeted sanctions over Ukraine on 20 February 2014 showed the scope of its *competence* to challenge the hegemon due to the gap of the *hegemonic project*. However, the EU's intention to create a multilateral mechanism of *common sense* has altered EU perspective towards the definition of targeted sanctions. To the extent that the sanctions reveal a marketplace for negotiations, whose objective is to allow "different economic systems" to gather on a mutual ground to protect the diplomatic relationships, sanctions applied on Russia are the most "far-reaching" ones compared to other cases because they have not only covered the sectorial cooperation but also export and import embargoes in financial, oil-drilling and defence sectors[38].

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[35] Giumelli, Francesco and Ivan, Paul: "The effectiveness of EU sanctions: An analysis of Iran, Belarus, Syria and Myanmar (Burma)", *European Policy Centre,* Nº. 76, (November 2013), p. 22, at http://www.epc.eu/documents/uploads/pub_3928_epc_issue_paper_76_-_the_effectiveness_of_eu_sanctions.pdf

[36] Ćwiek-Karpowicz, Jarosław and Secrieru, Stanislav: "Sanctions and Russia", *The Polish Institute of Foreign Affairs*, (2015), p. 31, at http://www.pism.pl/files/?id_plik=19045

[37] *Ibid*., p. 41

[38] EU sanctions against Russia over Ukraine crisis [Highlights], par. 8, at https://europa.eu/newsroom/highlights/special-coverage/eu_sanctions_en

5. Conclusion

The starting point of this article has been the *paradox* behind implying sanctions as the foreign policy tools not only by the EU but also other IOs such as the UN, although they have a costly application process in the first place. In order to examine to what extent market interests play role within this increase, the relationship between sanctions as a culture of foreign policy and the control of TCM are evaluated. Consequently, it is analysed that *the EU promotes its political and cultural hegemony by creating a form of state that is composed of a relatively new political society and operationalizes autonomous sanctions as the foreign policy tools to activate its own neoliberal interests through its own social forces to the civil society within which UN has not maintained common sense under the language of targeted measures.*

This article sketched out the essential properties of material and discursive settings of the THB within which the autonomous sanctions policy became the political culture of foreign affairs by changing the conventional patterns. To the extent that the UN has expanded its hegemonic bloc into the IC and Europe, although supplementary measures of the EU go beyond the UN, forming a THB is limited with the transnational system of capital accumulation since it stabilizes the hegemony as an IO. However, the implication of autonomous sanctions through comprehensive regional strategies demonstrates the intention to conclude violation of INaV. *The EU forms a THB to the extent that it promotes the common sense of transnational collective action via creating mutual political intensions through its own social forces and mutual economic intensions by influencing other IOs that promote the target in the IPE.*

The EU's support to the UN hegemony until 2006 and domestically maintaining neoliberal ideology of TCM through its own social forces such as the oil companies or banks, reveal to what extent the EU wants to create alliances in economic terms while applying supplementary sanctions. The year of 2009 has been the milestone for the EU to accept targeted sanctions as instruments to promote its diplomatic status since it applied strengthened "targeted"[39] sanctions over gas and oil exports, which were not directly subjected to targeted multilateral sanctions before. EU supplementary sanctions against the DPRK are also the means to secure its diplomatic place through influencing other states such as Iran. Getting the consent of the target country while controlling TCM, which has been in the hands of the US such as targeting measures against the banks i.e. Bank Delta Asia, advocates although the economic intentions are not primary, they are not enough to form THB.

However, autonomous sanctions are naturally coercive tools since they serve to a civil society which is not under any hegemonic obligation to take economic measures. As a result, to the extent that they create common sense, their competence of coercing under intellectual and cultural leadership increases. In that sense, the cases of Syria and Russia exemplify the world order under the potential political leadership of the EU since they apply coercive measures through a single regulatory regime of such historical framework of sanctions as opposed to following the mainly signalling measures taken by the hegemon. *Consequently,*

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[39] Reynolds, Ceila L.: "Empirical Trends in Sanctions and Positive Inducements in Non-proliferation", in Solingen, Etel (ed.) (2012): *Sanctions, Statecraft, and Nuclear Proliferation,* Cambridge, Cambridge University Press, pp. 55

the EU has managed to behave as an intellectual and cultural leader under the altering measures of cost-benefit calculation of the target country.

Moreover, the political perspective of the EU towards targeted sanctions is different than the UN's. Although the aim of targeted sanctions is to minimize the negative effects over the civil population, as mentioned, the UN and the US have put the emphasis of the targeted sanctions over financial measures to increase constraining and signalling while the EU has put its own target list beyond and resisted applying measures to targets that are not on that list. This situation can be read as the EU's implying targeted sanctions to propose an alternative to the hegemonic project. Since the EU takes strategic position to provide INaV in terms of economic relations during the gap of an obligation, *the war of position* is strengthened through the motivation behind the passive revolution, which is to maintain consent through the application of the INaV themselves, although it cannot be created since the EU could not form a THB, yet. In that sense, the cases of Russia and Syria are the examples of a passive revolution that can happen, if and only if an active backing is maintained by co-opting elites i.e. other social forces of IOs or subaltern classes.

To conclude, targeted autonomous sanctions have been intended to create a *new hegemonic project* to the extent that it expands horizontally until it reaches a global transformative character. The EU has promoted targeted autonomous sanctions as an *alternative* to secure the protection of INaV with reference to the relationship between universalism and hegemony. In that sense, this research has indicated the concentrations of the critical theory of hegemony in terms of the roles of neoliberal ideas within EU EGS, mainly the cooperation of alliances behind protecting the INaV, from both diplomatic and economic positions to empirical pluralism which would encourage the ideologies not from a dependent but rather from an independent explanatory answer of social relations of production of sanctions.

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http://www.iss.europa.eu/publications/detail/article/how-eu-sanctions-work-a-new-narrative/

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A COMPARATIVE STUDY: WHERE AND WHY DOES THE EU IMPOSE SANCTIONS

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Abstract:

The use of the EU instrument of political and economic sanctions has continually been rising since 1987. However, the sanctions are used differently according to geographic vicinity, political motivation, and which security objectives the EU promotes. Clara Portela explored the European sanction regime for the period 1987-2003 and showed that the EU has different political motivations and objectives for each region and that, in particular, geographic vicinity plays a significant role for the application for sanctions. This article relates to Portela´s analytic approach from 2005 and verifies her hypotheses for the period 2005-2015. In summary, the article shows that the EU still focuses on geographic vicinity and security relevance. Only the area of sanction application has changed, moving from Eastern Europe to the Middle East.

Keywords: EU foreign policy, sanctions, Eastern Europe, European Security Strategy, European Studies, International Relations, Southern Mediterranean, Russia.

Título en Castellano: Un estudio comparativo: Dónde y por qué la UE impone sanciones

Resumen:

La utilización de sanciones políticas y económicas por parte de la UE ha ido creciendo de forma continuada desde 1987.Sin embargo las sanciones se utilizan de forma diferente dependiendo del cercanía geográfica, la motivación política y los objetivos de seguridad que promueve la UE. Clara Portela ha estudiado el régimen de sanciones de la UE en el periodo 1987-2003 mostrando que la UE tiene diferentes motivaciones políticas y objetivos dependiendo de la región y que, de modo particular, la cercanía geográfica juega un papel significativo en la imposición de sanciones. Este artículo toma como punto de partida su aproximación analítica desde 2005 y verifica sus hipótesis en el período 2005-2013.En suma, el artículo muestra que la UE todavía se centra en su vecindad geográfica y en su relevancia en términos de seguridad. Solamente ha cambiado el área de aplicación, pasando de Europa Oriental a Oriente Medio.

Palabras clave: *Política exterior de la UE, sanciones, Europa del Este, Estrategia de Seguridad Europea, Estudios Europeos, Relaciones Internacionales, Sur del Mediterráneo, Rusia*

1.Introduction

The European Union (hereafter abbreviated EU) wants to shape international relations, to be recognized as a strong international actor than as a so called "soft power".[2] Consequently, the EU has to take over responsibilities with "hard measures"[3] in the sphere of international affairs. Furthermore, the EU has to be a global actor, as they stated in 2003 in the key document "European Security Strategy" (hereafter abbreviated ESS), but they also state: "Even in an era of globalization, geography is still important".[4] Recently, this fact can be demonstrated when we take a look at the European sanction policy.[5] The EU sanction practices have increased in total numbers and are enforced by all its member states, even when the political and economic costs are high as we see in the example of Russia.[6] "Never before has a target of the strategic importance of Russia been sanctioned to this degree", emphasize a study of the Programme for the Study of International Governance (PSIG) at the Graduate Institute of International and Development Studies Geneva[7]. It indicates the relevance of sanctions as a strategic European foreign instrument. However, since the 1980s, the EU has been imposing sanctions against third countries. In 2005 Clara Portela in her study "Where and why does the EU impose sanction" focused in particular on the interplay between the geographic location, conflict type and political objectives of the autonomous EU sanction practice in the period 1987-2004.[8] She emphasizes the EUs' use of sanctions as a foreign policy instrument[9] - and in particular in its geography vicinity. Her analysis emphasizes that, in particular, EU neighbor states are significantly sanctioned for directly security-related objectives, whereas far away states are sanctioned for indirectly security-related objectives and rather seldom. The data set of the period of analysis covers the period until 2003. Surprisingly, the correlation has not been yet analyzed. Thus, her results of a correlation towards geographic vicinity and objectives of security relevance between 1987-2003 has to be proved in the period between 2004-2015.[10] Therefore, the leading research issues are based on Portela´s article and have the same research question: "where and why (objective) the EU imposed sanction in the period 2004-2015 and whether there exists a correlation to its geographic vicinity."[11] The aim of this essay is to explore if Portela´s results are still valid. This article has been divided into five parts. The first and the second part deals with the EU sanction regime as a political instrument and lists a detailed table with all imposed sanction in the period 2004-2015. The third part is concerned with the methodology used for this study.

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2 See in the detail the whole discussion in this article: Hyde-Price, Adrian (2006): "'Normative' power Europe: a realist critique", *Journal of European Public Policy*, Vol. 13, Nº 2, pp. 217-234.
3 Kreutz, Joachim (2005): "Hard measures from a soft power? Sanctions policy of the European Union", Bonn, Bonn International Center for Conversion.
[4] This quotation sows clearly the discrepancy between the international claim of the EU and its implemented politics. EU Document: 'A Secure Europe in a Better World' – European Security Strategy, Brussels, 12.12.2003, pp. 8.
5 In official documents the EU uses the phrase "restrictive measures" instead of sanctions; for this analysis sanction is used as a synonym. In the second chapter the meaning of sanction will be discussed and defined.
6 Fischer, Sabrina (2015): "EU-Sanktionen gegen Russland. Ziele, Wirkung und weiterer Umgang", SWP-Aktuell, Nr. 26.
[7] Moret, Erica; Bierstreker, Thomas; Giumelli, Francesco; Portela, Clara et al. (2016): "The new deterrent? International sanctions against Russia over the Ukraine Crisis. Impacts, Costs and Further Actions". Programme for the Study of International Governance (PSIG). Geneva, p. 7.
[8] Portela, Clara : Where and why does the EU impose sanctions?, *Politique européenne*, Vol. 3, Nº 17 (2005).
9 Smith, Karen (2014): *European Foreign Policy in a Changing World,* 3rd ed,, London, Polity Press.
[10] This article analyses only the period till 19 March.2015 and orients to the document entitled "European Union Restrictive measures (sanctions) in force" (2015).
[11] This article does not analyze or evaluate the normative dimension, affectivity or efficiency of EU sanction regimes. The analysis looks at the security relevance of the objectives, as well as the interplay between objectives and the geographic proximity of the targets.

The fourth section presents the findings of the research, focusing on the three key themes: A) objectives of sanctions, B) conflict types, C) geographic location and the correlations, D) between the geographic location and conflict type and E) geographic location and objectives of sanctions. The last part resumes the hypotheses, compares them with Portelas results and discusses the research question. The article ends with an outlook on the further EU sanction in future as an instrument of foreign European policy.

2. Sanction Policy of the EU

2.1.Sanctions as a Foreign Political Instrument

Sanctions are measures imposed by a sender (state, international organization like EU or in cooperation) consisting in the interruption of normal international relation or benefits (like development aid) that are imposed by a misconduct of the target state.[12] In general, sanctions are used as a punishment tool to influence target states behavior to compel it to cease or reserve the rule. Throughout this article, the term sanction will refer to the definition of Hufbauer et al.: "[sanctions are] deliberated government-inspired withdrawal of (...) trade or financial relations (to obtain) foreign policy goals."[13] The EU defines in detail its understanding of a sanction in three key documents "Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy", "Basic Principles on the Use of Restrictive Measures (Sanctions)" and "The EU Best Practices for the Effective Implementation of Restrictive Measures". Therefore, the EU uses sanction regimes as a normal foreign policy instrument within the framework of GASP.[14] The objectives of sanctions range from securing human rights to crisis management.[15] Thus, Hazel Smith defines the European Foreign Policy as: "The foreign policy of the European Union is the capacity to make and implement policies as from road that promote the domestic values, interests and policies of the European Union."[16] The EU imposes sanctions as a foreign policy tool to enforce its own interests in third countries. The EU wants to influence the policy or behavior of a country, region, government, organization or single persons: "In general terms, the EU imposes its restrictive measures to bring as from out a change in policy or activity by the target country, part of a country, government, entities or individuals. They are a preventive, non-punitive, instrument which should allow the EU to respond swiftly to political challenges and developments."[17]

Thus, the EU uses sanction regimes as an economic power tool to enforce a European coherent and sustained foreign policy.[18] In this sense the sanctions are based on the argumentation of the UN.[19]

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[12] Portela, Clara (2010): "European Union Sanctions and Foreign Policy: When and Why Do They Work?", London, Routledge, pp. 1-26.

[13] Hufbauer, Gary Clyde; et al. (1985): Economic sanctions reconsidered: history and current policy, Washington DC, Inst. for International Economics, pp. 2.

[14] See in Detail: Smith, Karen (2014): European Foreign Policy in a Changing World, third edition, Cambridge, Polity Press, pp. 44-66.

[15] Giumelli, Francesco (2013): How EU sanctions work: A new narrative, Chaillot Paper, Nº 129, pp. 7.

[16] Smith, Hazel (2002): European Union Foreign Policy. What it is and What it Does, Pluto Press, London, pp. 8.

[17] See in detail the official homepage of the European Commission about CFSP at http://eeas.europa.eu/cfsp/sanctions/index_en.htm .

[18] Smith, Michael (2013): Foreign policy and development in the post-Lisbon European Union, Cambridge Review of International Affairs, 26(3), pp. 519-535.

[19] The United Nation defines sanction, at: http://www.un.org/sc/committees/.

The EU emphasizes in the document from 2004 that she abides by UN standards, but, at the same tame, the EU seeks to enforce independent sanctions against third countries. Since the 1990s the EU enforced sanctions became increasingly independent from the UN or the USA.[20] Consequently, sanction regimes became an elementary tool of the European foreign policy.[21] A recent example is the restrictive measures against Russia since July 2014.[22]

2.3.Sanction types of the EU

The EU listed the subjects and sorts of sanctions in the document *"Basic Principle"* (2004) and defines in detail in which cases the EU can enforce sanctions: terrorism, the proliferation of weapons of mass destruction (hereafter abbreviated WMD), uphold respect for human rights, democracy, the rule of law and good governance. The following list provides the current types of sanctions of the EU.[23] However, for this article only the sanction types i) to v) are relevant, like in Portela´s research approach of 2005, because those types are the most frequently imposed by the EU.

Table 1 Mark of various sanction types.

Mark	Sanction types which are relevant for this the analysis
i)	Arms embargo
ii)	Visa-Ban
iii)	Financial sanctions:
iv)	Entry sanctions
v)	Selective economic sanctions
Mark	**Sanction types which are not important for this analysis**
a)	Targed sanction against individuals
b)	Diplomatic sanctions or sanctions towards sport or cultural events
c)	Termination of development aid

Source: table based on the document Basic Principles on the Use of Restrictive Measures (Sanctions), 10198/1/04, REV 1, PESC 450 07.06.2004.

2.4.EU sanctions between 2004-2015

The data was obtained directly from an exhaustive analysis of the EU document *"European Union Restrictive measures (sanctions) in force"*[24] and are completed with the dataset of *UCDP/PRIO Armed Conflict Dataset* of the University Uppsala from *Department of Peace and Conflict Research* when the EU LUX-Dataset lacks some details needed in the research, in particular on context situations.[25] The chosen time frame spans from the release of the "Basic Principles" to the current sanction regime against the Russian Federation. Table 2 shows in alphabetical order the EU sanction between 2004 to march 2015. The table

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[20] Borzyskowski, Inken and Portela, Clara (2016): "Piling on: The Rise of Sanctions Cooperation between Regional Organizations,the United States, and the EU", KFG Working Paper Series, No. 70, January 2016, Kolleg-Forschergruppe (KFG) "The Transformative Power of Europe", Freie Universität Berlin.
[21] Smith, Karen (2014), pp. 50f.
[22] See the note of the European Commission:" Leitfaden der Kommission für die Anwendung bestimmter Vorschriften der Verordnung"(EU) Nº 833/2014.
[23] See in detail the Journal of the European Commission: Governance and development, at: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:r12524.
[24] See the document issued by the European Commission: Restrictive measures in force (Article 215 TFEU). (Version from 18.03.2015).
[25] The Uppsala University Conflict Database is available at http://www.pcr.uu.se.

illustrates which countries or targeted subjects are affected, the start of sanctions, the objective of sanctions and the conflict constellation.

Table 2. Targeted Countries are listed in alphabet order and Sanctions are categorized by start, context, objective, sort and region.

Target Country	Start	Conflict type	Objective for sanctions	Sanction type	Region
Afghanistan	2011	Support of Terrorism	Terrorism	i), iii), iv), v)	Other/Asia
Egypt	2011	Violation of human rights	Peace keeping and stabilization mission	v) a)	Southern Mediterranean
Belarus	2006 2012	Violation of democracy, Violation of human rights	Promotion of democracy and human rights Promotion of democracy	i), iii), v),	Eastern Europe
Bosnia and Herzegovina	2011	Violation of democracy	Promotion of democracy	iii), iv)	Others/ Eastern Europe
Burma	2013	Other violations	Promotion of human rights	i), iv),	Other/Asia
Democratic Republic of the Congo	2005 2010	Violation of democracy; Violation of human rights.	Promotion of democracy And human rights	i), iii) v) a)	Other/Africa
Ivory Coast	2005 2010	Continuing conflict Violation of democracy	Peacekeeping and stabilization mission; Promotion of democracy	i), iii), iv) v),	Other/Africa
Eritrea	2010	Continuing conflict, Other violations	Peacekeeping and stabilization mission	i), iii), iv), v), a)	Other/Africa
Guinea	2009 2010	Violation of democracy; Violation of democracy	Promotion of democracy Promotion of democracy	iii), iv), v)	Other/Africa
Guinea Bissau	2012	Continuing conflict	Peacekeeping	iii), iv), v), a)	Other/Africa
Iran	2011 2010 2012	WMD WMD Violation of human rights	Peacekeeping and stabilization mission Peacekeeping and stabilization mission Promotion of democracy and human rights	i), ii), iii), iv), v), a)	Other/Asia
Iraq	2003	Continuing conflict	Peacekeeping and stabilization mission	i), iii), iv), v), a), c)	Other/Asia
Yemen	2014	Continuing conflict	Peacekeeping and stabilization mission	iii), iv), a)	Southern Mediterranean
Lebanon	2005 2006	Continuing conflict Continuing conflict	Peacekeeping and stabilization mission Peacekeeping and stabilization mission	i), v)	Southern Mediterranean

Liberia	2008	Violation of democracy	Promotion of democracy	i), iii), iv), v), a)	Other/Africa
Libya	2004	Support of Terrorism Continuing conflict	Terrorism	i), ii), iii), iv), v), a)	Southern Mediterranean
	2011		Peacekeeping and stabilization mission		
Moldova	2010	Post-conflict	Promotion of human rights	ii), iv), a),	Eastern Europe
North Korea	2007	Others	Promotion of democracy and human rights Peacekeeping and stabilization mission	i), ii), iii), iv), v), a), b),	Other/Asia
	2013	WMD			
Russian Federation	2014	Continuing conflict	Peace keeping and stabilization mission	i), iv), v),	Others/ Eastern Europe
Zimbabwe	2004 2011	Violation of democracy Violation of democracy	Promotion of democracy Promotion of democracy	i), iii), iv), v), a)	Other/Africa
Somalia	2010	Continuing conflict	Peace keeping and stabilization mission	i), iii), iv), v), a)	Other/Africa
Sudan	2014	Continuing conflict	Peacekeeping and stabilization mission	i), iii) iv), v), a)	Other/Africa
South-Sudan	2014	Continuing conflict	Peacekeeping and stabilization mission	i), iii), iv), a)	Other/Africa
Syria	2005 2006 2012	Support of Terrorism Support of Terrorism Continuing conflict	Terrorism Terrorism Peacekeeping and stabilization mission	i), ii), iii), iv), v), a)	Southern Mediterranean
	2013	Continuing conflict	Peacekeeping and stabilization mission		
Tunisia	2011	Violation of Democracy	Promotion of democracy	iii), iv), a),	Southern Mediterranean
Ukraine (Separatists area /Crimea)	2014	Continuing conflict	Peacekeeping and stabilization mission;	iii), iv), v), a)	Eastern Europe
	2014	Continuing conflict	Peacekeeping and stabilization mission;		
	2014	Continuing conflict	Peacekeeping and stabilization mission		
Central African Republic	2013 2014	Violation of democracy Violation of democracy	Promotion of democracy Promotion of democracy	i), iii), v), a)	Other/Africa

Source: Table based on dataset of European Commission – Restrictive measures in force (Article 215 TFEU) (Version 18.03.2015) and database of the Uppsala University Conflict Database, available at http://www.pcr.uu.se.

In total, since the 1980s there have been more than 100 sanction regimes enforced or added or expanded. Between 2004-2015 the EU introduced more than 40 different sanctions against 27 states. The following analysis is going into detail to elaborate the individual points of sanctions.

3. Method, categorizing and hypotheses

This part describes the methodical-analytical approach. It explains in detail the method and where and why it differs from Portela´s approach. For those readers who just would like to read the empirical results may skip this part. Each sector has to be analyzed separately, to prove the correlation between the conflict type and the objective of sanctions with the geographic location. The analysis concentrates only on the sanctions regimes of the EU. Sanctions by other international organizations or States Covenants are not included in this analysis. Various sanctions may overlap or be charged at the same time against a target country. That is why the number of sanctions type is higher than the number of target countries. Data for this study were retrospectively collected from the EU document "European Union Restrictive measures (sanctions) in force". However, further decisions on the collection of new sanctions by the Council are treated as new sanction types and listed in the table, but extensions of sanctions are treated as part of the sanctions levied. The article distinguishes between "Regulation Council" and a "Council Decision" given the fact that both greatly differ. Furthermore, this analysis includes only sanctions collected from 1 January 2004 even if they remained by 01.01.2004; Sanctions episodes are grouped in periods of five years such as Portela´s research results of the period 1987-2003 and authors research results of the period 2004-2015. If the sanctions to 1 January 2004 led to a new Council Decision and the EU adopted against the target country new sanctions, it is also listed in the analysis.[26] If another sanction was imposed with a new objective to the same target country, it is included as an independent sanction in the analysis. It was decided that the best method to adopt for this investigation was to compare the frequencies of sanctions. However, due to the small number of events, the analysis refrains from using analytical statistical methods. Further, the number of potential states in the category Others has changed since Portela published her article in 2005. Few countries of Eastern Europe are now considered as Others (Bosnia and Herzegovina or Kosovo) and other recently emerged new states, such as South Sudan. That is why the work here refers to the current United Nations list of recognized states and not on Portela´s number of states from 2004. Thus, the analysis divided the geographic zones for types into three: Eastern Europe, Southern Mediterranean and others as rest of the world. The first two zones are part of the European Neighborhood Program (hereafter abbreviated ENP). The Mediterranean neighboring countries are Algeria, Egypt, Israel, Palestine, Jordan, Lebanon, Morocco, Syria and Tunisia. The EU neighborhood states with third countries from the Eastern Partnership program are the six former Soviet republics Armenia, Azerbaijan, Belarus Georgia, Moldova and Ukraine. In addition, Portela has numbered among its study to Eastern Europe, the former Yugoslav states and the states of the former Warsaw Pact. In the period from 2004, only Bosnia and Herzegovina has been sanctioned as the only state of the former Yugoslavia and is recorded under Others, as well as the Russian Federation.

The analysis is divided into five parts:
A)   Conflict type in the target country
B)   Objective of sanctions in the target country
C)   Geographic location of the target country
D)   Correlation between conflict type and its geographic location
E)   Correlation between the objective of sanctions and its geographic location

Hence, the categorization and the methodical approach is the same as in Portela´s research of

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[26] The sanctions against Iraq from 2003 were also included in this analysis and associated with the period of 2004-2015; this case has been not recorded in Portela´s study.

2005, with some additions.[27] This enables us to compare her analysis of the sanction period 1987-2004 with this sanction period of 2005-2015. The data sets of both periods are shown in the same table for the purpose a comparison.

3.1.A) Conflict type in target countries

The EU has to define the conflict type to decide which kind of sanction has to be enforced. Sanctions are imposed by the EU in regions, where a relevant conflict for the EU or UN exists. The EU orientates its sanction policy to the official UN-Charta: „We are committed to the effective use of sanctions as an important way to maintain and restore international peace and security in accordance with the principles of the UN Charter and of our common foreign and security policy."[28] Buzan[29] divides the EU sanctions into two big dimensions, a military and a political one, whereas Francesco Giumelli[30] classifies two other dimensions, with human rights promotion and post-conflict institutional consolidation. This article uses Buzan´s approach, but with Portela´s definition. She defines military threats as directly security-related and violation of EU standards as indirectly security-related. Those conflict types are divided into two dimensions:

    1   Directly security-related contexts comprise: ongoing conflict, alleged support of terrorism and in post-conflict situations and non-proliferation of WMD.
    2   Indirectly security-related objectives encompass: such as obstruction of Democracy and of Human Rights (hereafter abbreviated DHR) or others.

The last point links to Manners concept that the EU is not a Military Power but a Normative Power.[31] Thus, its foreign policy and politics has to belong to normative rules. In consequence, the EU refers its sanction policy to the universal and European values and pursues it as a tool to discipline target states. Portela works with the following hypotheses: *"The EU has increasingly imposed sanctions in situations that are indirectly relevant to security."*

3.2.B) Objective of sanctions in target countries.

With each sanction, the EU wants to accomplish some goals. Therefore, to understand the EU objectives it is necessary to explain the self-conception in foreign policy. In 2002 the EU defined its own role quite clearly: "According to art.11 of the Treaty on European Union, the objectives of CFSP are: to safeguard the common values, fundamental interests, independence and integrity of the Union in conformity with the principles of the United Nations Charter, to strengthen the security of the Union in all ways, to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter (...), to promote international co-operation, to develop and consolidate democracy and the rule of law, and

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[27] As an example the different number of states in the Eastern Partnership can be mentioned. Further, in this article the conflict type WMD is added, because in Portela´s research period it was not included.
[28] EU Document: "Basic Principles on the Use of Restrictive Measures (Sanctions)", 10198/1/04, REV 1, PESC 450 07.06.2004.
[29] Buzan, Barry (1991): People, States and Fear, London, Harvester Wheatsheaf, pp. 19f.
[30] Giumelli, Francesco (2013): "How EU sanctions work: A new narrative", Chaillot Paper, Nº 129, pp. 12f.
[31] Manners, Ian: "Normative Power Europe: A Contradiction in Terms?", *Journal of Common Market Studies,* Vol.4, Nº2 (2002), pp. 235-258.

respect for human rights and fundamental freedoms."[32]

Kreutz[33] defines three core areas of EU objectives:
1. Respect of the international or universal rights;
2. The territorial security of the EU (it includes peacekeeping and stabilization missions);
3. Values and norms like democracy, human rights or freedom.

By contrast, it explains why sanctions are enforced and which objectives are linked to it.

Portela sorts following points to direct and indirectly security-related objectives:
1. Directly security-related objectives comprise: i) fight against terrorism; ii) preservation of regional peace and stability; iii) support an ongoing peace process and vi) non-proliferation of WMD.
2. Indirectly security-related objectives encompass: i) promotion of democracy, and ii) promotion of Human Rights (hereafter abbreviated DHR).

The second hypothesis is the following: *"The EU has increasingly imposed sanctions to promote objectives indirectly relevant to security"*.

3.3.C) Geographic location of target countries

The geographic location is relevant, because the EU does not always impose sanctions where point A) would appropriate deem it. There are many conflicts worldwide, where EU values or principles are violated or do not exist.[34] Therefore, the EU selects where to pursue sanctions and where not. However, the EU became a relevant global actor[35], on the other hand the EU focuses mostly regional, like the quotation in ESS from 2003 emphasize: "Even in an era of globalization, geography is still important. It is in the European interest that countries on its borders are well-governed. Neighbors who are engaged in violent conflict, weak states where organized crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe."[36]

In conclusion, the EU differentiates between the countries in its regional vicinity and far away ones. Portela[37] raises a vital question when it comes to sanctions: "Does the EU behave differently in a regional context than globally and, if so, in what way? In other words, how `regional´ and how `global´ is the EU as an international actor?". In 2003 the EU lays the foundation for the ENP in the Commission Communication on the New European Neighbourhood.[38] In 2008, within the ENP structures, the EU established the Union for the

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[32] EU Document: Council of the European Union, "Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy", 15579/03, Brussels, 3 December 2003.

[33] Kreutz, Joachim (2005): "Hard measures from a soft power? Sanctions policy of the European Union", Bonn, Bonn International Center for Conversion, p. 13.

[34] Borzyskowski, Inken and Portela, Clara (2016): "Piling on: The Rise of Sanctions Cooperation between Regional Organizations, the United States, and the EU", KFG Working Paper Series, No. 70, January 2016, Kolleg-Forschergruppe (KFG) "The Transformative Power of Europe", Freie Universität Berlin, pp.5-8.

[35] Fröhlich, Stefan (2014): Die Europäische Union als globaler Akteur. Eine Einführung, second edition, Berlin, Springer, pp. 201-271.

[36] 'A Secure Europe in a Better World', European Security Strategy, Brussels, 12.12.2003, p. 8.

[37] Portela, Clara (2005): Where and why does the EU impose sanctions?, Politique euro-péenne, Nr. 17 (3), 89.

[38] "Communication from the Commission to the Council and the European Parliament, Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbors". Brussels, 11.3.2003 COM (2003) 104 final.

Mediterranean and in 2009 followed the Eastern Partnership. For this reason, Portela arranges the target countries of EU sanctions in three spheres of interest:
1.   Eastern European Neighbor states / Eastern Europe.
2.   South Southern Mediterranean states/Southern Mediterranean
3.   Remaining countries/others

Therefore, Portela envisages the following third hypothesis: *"The closer a region is to the EU, the higher the frequency of EU sanctions regimes."*

3.4.D) and E) correlation between the points A) with C) and B) with C)

The last part of the analysis explores two correlations: The correlation between the geographic vicinity with conflict types and with subjects of sanctions.

D) Portela´s study shows that the direct security-related context is the most important one in Eastern Europe, instead faraway countries are sanctioned because of the violation of EU values and principles.

E) Portela´s study explores that the EU sorted mostly neighboring countries to the sphere of directly security-related objectives, whereas States of the category Others are arranged to the sphere of indirect security-related objectives.
Both last working hypotheses, D) and E), are listed at the end of this part and are created by the author, but took Portela´s interplayed hypotheses into account.

- Conflict type in target countries
"The EU has increasingly imposed sanctions in situations that are indirectly relevant to security."
- Subject of sanction in target countries
"The EU has increasingly imposed sanctions to promote objectives indirectly relevant to security."
- Geographic location of target countries
 "The closer a region is to the EU, the higher the frequency of EU sanctions regimes."
- Geographic location and conflict type
"The closer a target is located to the EU, the more the directly security-related context is recorded."
- Geographic location and subject of sanctions
"The further a target is located to the EU, the more it relates to the indirectly security-related object type."

4.Analysis

Hereinafter, the analysis explores the five hypotheses for the period 2005-2015. The analysis contains five parts:
A)   Conflict types in target countries
B)   Subject of sanctions in target countries
C)   Geographic location of target countries
D)   Correlation of geographic location with conflict types
E)   Correlation of geographic location with subject of sanctions.

The data set and results of the period 2005-2015 are integrated in one table with Portela´s results of the period 1987-2004. Some cases will be explored in more detail in each subpart.

4.1.A) Conflict type in target countries

Hypothesis 1: *"The EU has increasingly imposed sanctions in situations that are indirectly relevant to security."*

Table 3 shows the conflict type and the argument used by the EU for imposing sanctions in a target country. Overall, between 2005-2015 47 conflicts occurred. As part of directly security-related conflicts are sorted long-running conflicts, support of terrorism, proliferation of WMD and post-conflicts. Violation of democracy and others (human rights) are sorted to EU values.

Table 3. List and classification of conflict types, sorted in five year intervals.

	Results of Portelas analysis				Own research			Total
	1987-1991	1992-1997	1998-2003	1987-2003	2004-2009	2010-2015	2004-2015	
Continuing conflict	1	1	1	3	5	13	18	21
Alleged support of terrorism	2	0	1	3	3	1	4	7
proliferation of MDW	0	0	0	0	2	4	6	6
Post-conflict situation	0	5	2	7		1	1	8
Directly security related	3	6	4	13	10	19	29	42
Violation of democracy	1	3	0	4	3	6	9	13
Other violations	1	0	3	4	4	5	9	13
Indirectly security related	2	3	3	8	7	11	18	26
Total	5	9	7	21	17	30	47	68

Source: Table based on dataset of European Commission – Restrictive measures in force (Article 215 TFEU) (Version 18.03.2015) and Clara Portela: "Where and why does the EU impose sanctions?", *Politique Européenne*, Vol. 3, Nº 17 (2005), p 83.

In the part of directly security-related objectives 29 cases recorded, but in indirectly security-related objectives only18 cases are included. Between 2004-2009 the table illustrates ten conflicts, whereas between 2010-2015 the total number has nearly doubled reaching 19. The long-running conflicts are sanctioned18 times. Thus, the EU imposed the same amount of sanctions because of indirectly security-related objectives. For the supporting terrorism the EU imposed sanctions four times. The most surprising aspect of the data is that between 1987-2004 no sanctions have been imposed for the proliferation of WMD, but between 2004-2015 the EU imposed sanctions six times: North Korea and Iran have been sanctioned in various ways. Interestingly, the post-conflict is named only in one case, the sanctions against Moldavia. The violation of democracy and human rights are recorded eight times. Thus, the first hypothesis is falsified: The EU imposes sanctions more often against third countries because of directly security-related objectives.

4.2.B) Objective of sanctions in target countries

Table 4 provides for the period 2004-2015 44 various objectives of sanctions. Taken together, most of the EU sanctions were linked to direct security related objectives, in total 25, and, in particular, objectives of peacekeeping and stabilization missions,19. Before 2010, the EU imposed sanctions only four times to fight the support of terrorism. Support of Peacekeeping was mentioned only once. In the field of indirectly security related objectives, the table presents 19 cases. Most of them are related to promotion of democracy with 13 cases; those cases coincide with the Arab revolutions in North Africa. Support for HR was recorded 6 times, mostly in far away countries. What is interesting in this data is that the number of sanctions increased after 2010: between 2004-2009 the data shows 12 cases, whereas between 2010-2015 it increased rapidly to 32 cases. A comparison with the data set from UCDP/PRIO Armed Conflict vom Department of Peace and Conflict Research shows that most sanctions have been imposed because of internal conflicts with the local citizens. Taken together, these results suggest that there is an association between the Arab revolutions in North Africa[39] as well as the regional conflict in Eastern Ukraine[40]. Therefore, the hypothesis is disproved: The EU sorts more target countries to the field of directly security related objectives; in fact three times more.

Table 4 List and classification of sanction objectives, sorted in five year intervals.

	Results of Portelas analysis				Own research			Total
	1987-1991	1992-1997	1998-2003	1987-2003	2004-2009	2010-2015	2004-2015	
Peace keeping and stabilization missions	1	5	1	7	3	17	20	27
Terrorism	2	0	1	3	3	1	4	7
Support of Peace Process	0	1	1	2	0	1	1	3
Directly security related	3	6	2	11	6	19	25	36
Promotion of democracy	3	1	3	7	4	9	13	20
Support of HR	1	3	3	7	2	4	6	13
Indirectly security related	4	4	6	14	6	13	19	33
Total	7	10	8	25	12	32	44	69

Source: Table based on dataset of European Commission – Restrictive measures in force (Article 215 TFEU) (Version 18.03.2015) and Clara Portela: "Where and why does the EU impose sanctions?", *Politique Européenne,* Vol. 3, Nº 17 (2005), p 83.

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[39] Börzel, Tanja and van Hüllen, Vera: "One voice, one message, but conflicting goals: cohesiveness and consistency in the European Neighbourhood Policy", *Journal of European Public Policy*, Vol. 21, Nº 7 (2014), pp. 1033-1049.
[40] Haukkala, Hiski (2015): "From cooperative to contested Europe? The conflict in Ukraine as a culmination of a long-term crisis in EU–Russia relations", *Journal of Contemporary European Studies*, Vol. 23, Nº1, pp. 25-40.

4.3. C) Geographic location of target countries

Hypothesis 3: *"The closer a region is to the EU, the higher the frequency of EU sanctions regimes."*

The following Table 5 shows the division of sanctions per countries/regions and indicates the percentage chance of imposing a sanction. The geographical classification is based on the states of the Eastern Partnership (Eastern Europe), the partner states of the Union for the Mediterranean (Southern Mediterranean neighboring countries) and the rest of the world (Others).

Table 1 Geographic distribution of targets of EU autonomous sanctions by proximity to EU

Regions	Eastern Europe		Southern Mediterranean		Others		Total
Period	1987-2003	2004-2015	1987-2003	2004-2015	1987-2003	2004-2015	1987-2003
Frequency of targeted states	8	3	2	6	7	19	**45**
Number of possible targets	35	6	8	10	133	149	**193**
Percentage of possible target in percentage	23	50	25	60	< 5	13	**22,8**

Source: Table based on dataset of European Commission – Restrictive measures in force (Article 215 TFEU) (Version 18.03.2015) and Clara Portela: "Where and why does the EU impose sanctions?", *Politique Européenne*, Vol. 3, Nº 17 (2005)

In the period 2005-2015 the EU has levied 27 sanctions against target countries. In the category Eastern Europe were assigned only three countries: Moldova, Belarus and Ukraine or concretely the Ukrainian Eastern Provinces around Donetsk and Luhansk. Three of possible six countries were targed. This corresponds to a frequency of 50 percent. From the Southern Mediterranean States were six sanctioned, which is exactly 60 percent. Of the remaining 149 countries, the EU imposed against 19 countries sanctions, which corresponds to a probability of about 13 percent. Thus, in absolute numbers the EU imposed more sanctions against faraway states. Together these results provide important insights that the probability is higher that a neighboring state is sanctioned. Hence, it can be summed up that a country is often sanctioned by the EU when it is in geographic vicinity. Consequently, the working third hypothesis is verified.

4.4. D) Geographic distribution of targets and objectives of EU sanctions

Hypothesis 4: *"The closer a target is located to the EU, the more the directly security-related context is recorded."*

Table 6 illustrates the interplay of the geographic location and the conflict situation. It includes Portela´s results, marked in grey color. Overall, 65 conflict situations are located, 21 from Portela´s research and 44 of the current study. The table provides the various constellations of conflict situations for both periods separately as well as both periods together. The most striking result to emerge from the data is that the direct security related conflicts are measured 25 times, whereas the indirect security related conflicts are 19 times recorded. However, the total sum of direct security related conflicts is in the category others with 12 cases the highest one, but concerning to probability it is the lowest. More often the EU imposed sanctions against countries in her geographic vicinity, also when the absolute number is higher in the category Others. This is evident in the case of the category Eastern

European States (four times) and in particular Sothern Mediterranean countries (nine times). Portela presents in her research 13 cases to direct security related context and eight to indirect. The single most striking observation to emerge from the data comparison was that the sanction regimes doubled in a shorter time. Particularly, the Southern Mediterranean region

Table 2: Geographic distribution of targets and objectives of EU sanctions, sorted between the periods 1987-2003 and 2004-2015.

Countries/ Regions	Eastern Europe		Southern Mediterranean		Others		All Countries		
Conflict type	1987-2003	2004-2015	1987-2003	2004-2015	1987-2003	2004-2015	1987-2003	2004-2015	1987-2015
Continuing conflict	2	3	0	6	1	8	3	17	**20**
Alleged support of terrorism	0	0	3	3	0	1	3	4	**7**
Proliferation of MDW	0	0	0	0	0	3	0	3	**3**
Post-conflict situation	6	1	0	0	1	0	7	1	**8**
Directly security related	**8**	**4**	**3**	**9**	**2**	**12**	**13**	**25**	**38**
Violation of democracy	0	1	0	1	4	11	4	13	**17**
Other violations	2	1	0	1	2	4	4	6	**10**
Indirectly security related	**2**	**2**	**0**	**2**	**6**	**15**	**8**	**19**	**27**
Total	**10**	**6**	**3**	**11**	**8**	**27**	**21**	**44**	**65**

Source: Table based on dataset of European Commission – Restrictive measures in force (Article 215 TFEU) (Version 18.03.2015) and Clara Portela: "Where and why does the EU impose sanctions?"*, Politique Européenne*, Vol. 3, Nº 17 (2005).

has been the most affected one.

Overall, the category Others has increased in both categories. Thus, summarized for both periods, the result is clear: 38 Total conflict situations were as direct and 27 as indirect security related context identified. Therefore, Portela´s statement is still valid and the fourth hypothesis can be verified.

4.5.E) Geographic distribution of targets and conflict type

Hypothesis 5: *"The further a target is located to the EU, the more it relates to the indirectly security-related object type."*

Table 7 illustrates the interplay of the geographic location and the objective of sanctions. It includes Portela´s results, marked in grey color. Overall, there are 68 various objectives, 25 from Portela´s research and 43 from the current study. The table shows the various possible constellation of objectives between 1987-2003 and 2004-2015, as well as for both periods together (1987-2015). The most obvious finding to emerge from the analysis is that the direct security related conflicts are measured 25 times, whereas the indirect security related conflicts are recorded 19 times. For the period 2004-2015, the table provides the direct security related cases occurred 26 times, whereas the indirect security related cases are mentioned only 17 times.

This results are different from Portela´s in a number of respects. While Portela explored eleven cases for the direct security related objectives it doubled in the period between 2004-2015 26 times On the other hand, indirectly security related cases increased only from 14 to 17. The geographical location shows clearly that in particular countries sorted to direct security related cases by the EU when they are in geographical proximity. However, it is interesting to note that even if the absolute number of the category Others is mostly recorded, the probability to be sanctioned is for EU's neighboring countries still significantly higher. The converse can be seen in the table: countries of the category Others are more often sorted to indirect security related issue. Thus, from the absolute 17 cases from the period 2004-2015 13 are sorted to the category Others, which is with three cases higher than in Portela´s research; in her study, there were only ten cases presented.

Thus, the last fifth hypothesis can be verified: If a country is not in geographical proximity to the EU (category Others), the probability is higher to be sorted to the indirect security related category.

Table 3: Geographic distribution of targets and conflict type, sorted between the periods 1987-2003 and 2004-2015.

Countries/ Regions	Eastern Europe		Southern Mediterranean		Others		All Countries		
Objective of sanctions	1987-2003	2004-2015	1987-2003	2004-2015	1987-2003	2004-2015	1987-2003	2004-2015	1987-2015
Peace keeping and stabilization missions	6	3	0	6	0	12	6	21	**27**
Terrorism	0	0	3	3	0	0	3	3	**6**
Support of Peace Process	2	0	0	0	0	2	2	2	**4**
Directly security related	**8**	**3**	**3**	**9**	**0**	**14**	**11**	**26**	**37**
Promotion of democracy	1	1	0	1	5	9	6	11	**17**
Support of HR	3	2	0	0	5	4	8	6	**14**
Indirectly security Related	**4**	**3**	**0**	**1**	**10**	**13**	**14**	**17**	**31**
Total	**12**	**6**	**3**	**10**	**10**	**27**	**25**	**43**	**68**

Source: Table based on dataset of European Commission – Restrictive measures in force (Article 215 TFEU) (Version 18.03.2015) and Clara Portela: "Where and why does the EU impose sanctions?"*, Politique Européenne*, Vol. 3, Nº 17 (2005).

5.Conclusion

This article analyzed the reasons for the correlation between the EU sanction policy and its geographic vicinity. The analysis approach is based on Portela´s research.[41] Thus, in order to ensure a better comparison this analysis used the same methodic, categories and wordings as in Portela´s research, with some additions. In each subchapter of the analysis 4.1-4.5 a hypothesis has been drafted which derived from Portela´s work. Hereinafter, the hypotheses are listed in verified and non-verified, before the article returns to discuss the research question.

1. Conflict type in target countries
"The EU has increasingly imposed sanctions in situations that are indirectly relevant to security."
2. Subject of sanction in target countries
"The EU has increasingly imposed sanctions to promote objectives indirectly relevant to security."
3. Geographic location of target countries

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[41] Portela, Clara "Where and why does the EU impose sanctions?", *Politique Européenne*, Vol. 3, Nº 17 (2005), p. 83.

"The closer a region is to the EU, the higher the frequency of EU sanctions regimes."
    4.   Geographic location and conflict type
"The closer a target is located to the EU, the more the directly security-related context is recorded."
    5.   Geographic location and subject of sanctions
"The further a target is located to the EU, the more it relates to the indirectly security-related object type."

The results of this research show that three of the five hypotheses can be verified and two falsified. This result is comparable to that explored by Portela. Therefore, returning to the research question posed at the beginning of this study, it is now possible to state the geographic vicinity is still an important factor for the EU when it comes to sanctions. However, the absolute number of EU sanction against faraway states nearly trebled (1987-2003: seven cases; 2004-2015: 19 cases), simultaneously the probability increased that neighbor states of the EU are sanctioned (see chapter 4.3.). Herein exists a significant positive correlation between conflict type and the objective: Countries in European vicinity are significantly often dedicated to direct security related issues (see chapter 4.1.). The correlation is interesting because it increased since the Arabic revolutions begun.

However, there are a number of important differences between the current research and Portela´s analysis. The findings of the current study, according to the division of conflict types, do not support the previous research: In Portela´s research there have been from seven of 13 cases assigned to the category post-conflict in Eastern Europe, whereas in the current study from 25 cases 17 were counted to the category continuing conflict. Furthermore, the objectives therefore are also often in the field of direct security related field (see chapter 4.2.). Thus, the implication is then that the countries of the category Others are more often associated with indirect security related issues (see Chapter 4.5.). 17 cases between 2004-2014 are assigned to the category Others, which is with three cases higher than in Portela´s research; she sorted 10 countries in this category (see chapter 4.5.).

Further, it should be mentioned that the component of the violation of EU values in the direct security related category also plays a significant role; the EU mentions the violation for most of the cases, also when they are direct security related. Thus, the question "where and why (objective) the EU imposed sanction between 2004-2015 and exits further a correlation to its geographic vicinity" is clearly to be answered: There is still a correlation between A) the conflict in the destination country, B) the objective of sanctions and C) the geographical proximity. The EU levied maxim from the document ESS is valid: „Even in an era of globalisation, geography is still important."[42]

Furthermore, the geographic location overlaps with the ENP area as well as most of the target countries have been before a colony of an European State. The present study confirms previous findings and contributes additional evidence that suggests that the EU sanction policy became an integral part of the European foreign policy, in regional as well as in global view. It significantly increased since the EU stated its sanction policy in the key-document "Basic Principles" (compare chapter 4.3.). Summarized, the focus of imposed EU sanction regimes are still in geographic vicinity, but at the same time the international sanction against far away states significantly increased, in particular according to defending EU and international rights. Portela emphases the normative character of EU sanctions outside the immediate vicinity: *"(…) EU unilateral sanctions [are] to promote 'flagship' objectives*

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[42] 'A Secure Europe in a Better World', European Security Strategy, Brussels, 12.12.2003, p. 8.

of European foreign policy: human rights and democracy.”[43] Karen Smith[44] stresses the defending of international human rights might be a conclusion of the EU to defend also the security of the EU or at least the international rules. Overall, this study strengthens the idea that the EU expended its sanctions against far away countries. Further, the study of the PSIG showed, that the use of sanctions is a foreign instrument to punish governments or states, but it has to be used more dedicate: *“Closer coordination between sanctions and other policy instruments could be beneficial, including closer synchronisation with mediation efforts, referrals to legal tribunals and more creative use of assistance to member states and sectors negatively affected by sanctions. A more strategic use of the threat of sanctions could also be useful.”*[45] Consequently, the EU might use sanction in future as a foreign instrument to shape the international relations. Probably, sanction regimes of the EU would be more effective if they are combined with other policies and stronger international cooperation with third states or organizations. Otherwise, sanctions could lose its deterrent. Finally, the EU sanction policy remains to be a relevant research field. Another possible area of future research would be to investigate if the European sanction policy leads to a more coherent common European foreign policy in context of Europeanization.

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[43] Portela, Clara (2014): "The EU´s Use of `Targeted´Sanctions. Evaluating effectiveness", CEPS Working Document Nº 39, Brussels, p.4.

[44] Smith, Karen (2014): *European Foreign Policy in a Changing World.* 3rd ed., London, Polity Press, pp. 95f.

[45] Moret, Erica; Bierstreker, Thomas; Giumelli, Francesco; Portela, Clara et al. (2016): "The new deterrent? International sanctions against Russia over the Ukraine Crisis. Impacts, Costs and Further Actions". Programme for the Study of International Governance (PSIG), Geneva, p.5.

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EU SANCTIONS POLICY TOWARDS POST-SOVIET CONFLICTS: CASES OF CRIMEA, EASTERN UKRAINE, SOUTH OSSETIA AND ABKHAZIA

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Abstract:

Going beyond the focus on the sanctions´ effectiveness, this article is rather interested in the investigation of EU internal dynamics of decision-making. Looking at post-Soviet frozen conflicts, namely Crimea, Eastern Ukraine, South Ossetia and Abkhazia, the article analyses the internal tensions between Russia-friendly and Russia-hawkish states in the EU process of imposing sanction regimes. Despite potential economic losses and political tensions, in some cases the EU decides and successfully manages to impose sanctions, whereas in other cases no punitive measures are undertaken. Comparing cases with and without sanction regimes, this article aims to uncover the ´black box´ behind the EU´s decision to impose sanctions. It aims to analyze why and under what conditions the EU is ready to resort to sanctions in post-Soviet conflicts.

Keywords: EU sanctions, Post-Soviet conflicts, Russia, Eastern Europe

***Titulo en Castellano**: La política de sanciones en los conflictos postsoviéticos: Los casos de Crimea, Ucrania del este, el sur de Osetia y Abjasia*

Resumen:

El artículo se centra en la investigación de la dinámica interna del proceso decisorio de la UE, y no tanto en la efectividad de las sanciones. Examinando los conflictos enquistados de Crimea, Ucrania oriental, sur de Osetia, y Abjasia, el artículo analiza las tensiones internas entre los Estados Miembros de la UE, los pro-rusos y los más firmes con respecto a Rusia, en el proceso de imposición de sanciones. A pesar de las pérdidas económicas potenciales y las tensiones políticas, en algunos casos la UE decide y gestiona de forma exitosa la imposición de sanciones, en otros, sin embargo se adoptan medidas no punitivas. Comparando los casos, el artículo trata de descubrir la "caja negra" existente en el proceso decisorio, por qué y en qué condiciones la UE está dispuesta a adoptar sanciones en los conflictos de la zona post-soviética.

***Palabras clave:** Sanciones de la UE, conflictos post-soviéticos, Rusia, Europa del Este.*

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1. Introduction

Since the end of the Cold War, the number of Europe´s frozen conflicts is growing, ranging from Cyprus, throughout the Balkans to the former Soviet republics. Interested in conflict resolution and democracy promotion to the troubled regions, the EU is actively involved in crisis management. One of the EU´s hard power tools is the implementation of sanction regimes. Although to the untrained eye the EU sanction policy could be seen as a bureaucratic rubber stamp formality, it is in fact a place of contestation of national interests, external pressure and lobbying. Challenged by the Eastern Enlargement, the EU is struggling to be an effective unitary actor in foreign affairs. Going beyond the focus on the sanctions´ effectiveness, this article is rather interested in the investigation of EU´s capability to impose sanction, in particular, in the cases of post-Soviet conflicts – Crimea, Eastern Ukraine, South Ossetia and Abkhazia.

Instead of looking at the EU as a unitary power, this article disentangles the preferences of EU member states vis-à-vis the imposition of sanctions and examines the EU´s internal dissonance. Furthermore, it investigates how the relationships among the EU states and, most importantly, with Russia, shape and affect their behavior in supporting or opposing sanctions. Placed in Russia´s ´near abroad´, the frozen conflicts in Ukraine and Georgia are often perceived by EU member states through the lens of their relations with Russia. The unwillingness of some EU member states to irritate Moscow and the direct lobbying from Russia frequently weakens the EU´s unity and its decision-making power. Looking at the EU states´ dependence on Russia, the article addresses the question of how differences in national interests contribute to the formation of alliances and divisions between pushing and reluctant attitudes and poses the dilemma of value- and interest-based behavior.

Therefore, this article aims to examine the internal dynamics within the European Union towards the implementation and prolongation of sanction regimes in post-Soviet conflicts in the EU neighbourhood. Analyzing positive (Crimea and Eastern Ukraine) and negative (Abkhazia and South Ossetia) cases, it investigates the question of why and under what conditions the EU decides to impose the sanctions regime in post-Soviet conflicts. Looking from the perspective of negative cases, the article is interested in why the EU decides not to get involved and not to impose sanctions.

2. Literature Review

Combining the perspectives of International Relations and Comparative Politics, there are three strands of literature which address this research topic. The first covers the nature of EU sanctions and their pressure on a targeted actor to change its behavior. In this respect, the studies vary from analyzing the design of sanctions, the effectiveness of targeted sanctions and its impact on a country´s economy. Thus, de Vries and Hazelzet [2] analyzed the EU as a new sanctioning actor on the international arena, whereas Eriksson[3] and Portela[4] examined the EU practice of imposing targeted sanctions and their effectiveness, respectively. In her

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[2] De Vries, Anthonius W. And Hazelzet, Hadewych: "The EU as a New Actor on the Sanctions Scene", in P. Wallensteen and C. Staibano (eds.) (2005): *International Sanctions. Between Words and Wars in the Global System*, London, Frank Cass, pp. 95-107.
[3] Eriksson, Mikael (2005): "EU Sanctions: Three cases of targeted sanctions" in P. Wallensteen and C. Staibano (eds.) *International Sanctions: Between Words and Wars in the Global System*, London, Frank Cass.
[4] Portela, Clara: "The EU´s Use of Targeted Sanctions. Evaluating Effectiveness", Nº. 391 (March 2014), CEPS Working Documents, pp. 1-44.

contribution, Portela[5] tracked the role of sanctions as a tool of the EU foreign policy and analyses the link between different sanctions and geographical proximity. Another studies concentrated on the evaluation of economic impact of sanctions, e.g. against Russia after the Ukraine crisis[6].

The second strand of literature touches upon the embeddedness of EU sanctions in the sanction regimes of other international actors. Thus, a nascent series of studies analyses the correlation between EU, UN and US sanctions, establishing close interrelations between EU and UN sanctions [7], while revealing contestation between the EU and the US in imposing sanctions in the past[8], but demonstrating joint action currently [9].

The third strand of literature addresses the EU´s involvement in conflict resolution, including the imposition of sanctions. The majority of the studies are empirical in nature and analyses a single case study, such as the EU´s role in conflict resolution in Northern Ireland [10], in the Balkans,[11] in the Sub-Saharian Africa[12], in Congo[13] and in Iran[14]. A subgroup of this literature is dedicated to post-Soviet countries, again predominantly focused on a single country case, e.g. the EU sanctions policy towards Belarus[15], Uzbekistan[16], Russia[17]. Within

[5] Portela, Clara: "Where and why does the European Union impose sanctions?", *Politique Européenne* Vol. 3, Nº 17 (2005), pp. 83-111.

[6] Gross, Daniel and Mustilli, Federica: "The Economic Impact of Sanctions against Russia: Much ado about very little", *CEPS Commentary*, 25 October 2015; Connolly, Richard et al.(2015): "Sanctions on Russia: Economic Effects and Political Rationales", *Chatham House*, 30 June 2015, at
https://www.chathamhouse.org/sites/files/chathamhouse/field/field_document/2015-06-30%20Sanctions%20Event%20Summary%20final.pdf

[7] Portela, Clara (2010): *European Union Sanctions and Foreign Policy,* London, Routledge; Eriksson, Mikael (2010): *Supporting Democracy in Africa*, Stockholm, FOI; Giumelli, Francesco (2011): *Coercing, Constraining and Signaling: Explaining UN and EU Sanctions after the Cold War*, Colchester, ECPR Press; Bellamy, Alex, Williams, Paul: "The New Politics of Protection", *International Affairs* Vol. 87, Nº 4 (2011), pp. 825-850.

[8] Falke, Andreas: "The EU-US Conflict over Sanctions Policy: Confronting the Hegemon", *European Foreign Affairs Review*, Vol. 5, Nº 2 (2010), pp. 139-163; Smith, Karen E. (2003), *The European Union Foreign Policy in a Changing World*, Cambridge, Polity Press.

[9] Borzyskowski, Inken von and Portela, Clara: "Piling on: the rise of sanctions cooperation between regional organizations, the United States, and the EU", KFG Working Paper Series*,* Vol.70 (2016), Berlin: Freie Universität Berlin.

[10] Tannam, Etain: 'The European Commission and conflict in Northern Ireland', *Cambridge Review of International Affairs,* Vol. 11, Nº 1 (1997), pp. 8–27; Salmon, Trevor: 'The EU's Role in Conflict Resolution. Lessons from Northern Ireland', *European Foreign Affairs Review*, Vol. 7, Nº 3 (2002), pp. 337–358;

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[13] Martinelli, Marta: 'Helping Transition: The EU Police Mission in the Democratic Republic of Congo', *European Foreign Affairs Review,* Vol. 11, Nº 3 (2006), pp. 379–399.

[14] Esfandiary, Dina: "Assessing the European Union's Sanctions Policy: Iran as a Case Study", *Non-proliferation Papers,* No. 34, December 2013.

[15] Kreutz, Joakim: "Hard Measures by a Soft Power? Sanctions Policy of the European Union 1981 -2004", Paper 45, 2005, Bonn, Bonn International Center for Conversion; Beichelt, Tim (2007): "Externe Demokratisierungstrategien der Europäischen Union: Die Fälle Belarus und Moldawien", in: M. Knodt und A. Jünemann (eds.) *Die Externe Demokratieförderung der Europäischen Union.* Baden-Baden, Nomos Verlag; Portela, Clara: "The European Union and Belarus: Sanctions and Partnership?", *Comparative European Politics,* Vol. 9, Nº 4 (2011), pp. 486-505; Gebert, Konstanty: "Shooting in the Dark? EU Sanctions Policies", Policy Brief, European Council on Foreign Relations, December 2012; Hyndle-Hussein, Joana and Klysinsky, Kamil: "Limited EU economic sanctions on Belarus", OSW, Centre for Eastern Studies, March 28, 2012, at https://www.osw.waw.pl/en/publikacje/analyses/2012-03-28/limited-eu-economic-sanctions-belarus

this literature, some studies focused on the EU´s engagement in conflict resolution in Transnistria[18], South Ossetia and Abkhazia [19]. As an exception to a single case study, Popescu [20]compared the EU´s engagement in post-Soviet conflicts, by analysing the EU´s (in)ability to resolve conflicts in Transnistria, Nagorno-Karabakh, South Ossetia and Abkhazia, whereas Sasse[21] drew a comparison between the EU´s potential in conflict management in Moldova and Georgia. Given the variety of single case studies, some scholars started to embark on the theorization of the EU´s role in conflict resolution[22].

Looking at the previous studies, this article aims to contribute to the academic literature in three ways. First of all, in contrast to the majority of the studies, it shifts the focus from the effectiveness of sanctions towards the EU internal politics and its capability to overcome tensions, interdependences and vested interests in the case of sanctioning. The focus on the EU internal machinery will provide a good understanding of the EU as a credible foreign policy actor in its Eastern Neighbourhood. Moreover, instead of looking at a ready-made sanction policy as the previous studies did, its focus on the EU internal dynamics will provide with a detailed picture of the sanction´s design and its potential flaws. Secondly, whereas the majority of the studies concentrate on a single case study, this article aims to increase leverage and compare the Georgian and Ukrainian cases. Furthermore, while the existing studies focus only on positive cases, this article examines both positive and negative cases in order to understand what hinders the imposition of sanctions in certain cases. Finally, this article applies the imposition of sanctions to a specific case of post-Soviet frozen conflicts, which provides a plethora of overlapping relationships – those between Russia and EU member states, Russia and unrecognised entities, and non-EU member states and Russia – and how they affect the EU´s decision to sanction.

3. EU Sanctions Policy: Bureaucratic Formality or Endangered Unanimity?

Due to the growing number of member states, the EU often faces a collective action problem, which hampers the EU´s ability to act effectively and implement decisions unanimously. Despite the seeming easiness of the implementation or prolongation of the EU sanctions regimes, this unanimous action of the member states is far from a bureaucratic formality. In external relations activities the EU struggles to overcome the diverging national interests of

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[16] Portela, Clara (2010): *European Union Sanctions and Foreign Policy,* New York, Routledge.

[17] Christian Odendahl, Ian Bond, Jennifer Rankin: "Frozen: The politics and economics of sanctions against Russia", Policy Brief, 16 March 2015, at http://www.cer.org.uk/publications/archive/policy-brief/2015/frozen-politics-and-economics-sanctions-against-russia; Dolidze, Tatia: "EU Sanctions Policy towards Russia: The Sanctioner-Sanctionee´s Game of Thrones", Nº 402, CEPS Working Documents, January 2015.

[18] de Waal, Thomas: "Remaking the Nagorno-Karabakh Peace Process", *Survival,* Vol. 52, Nº. 4, 1 August 2010.

[19] Popescu, Nicu: "Europe´s Unrecognised Neighbours: the EU in Abkhazia and South Ossetia", *CEPS Working Documents,* No. 260 (March 2007); Whitman, Richard G. and Wolff, Stefan: "The EU as a conflict manager? The case of Georgia and its implications", *International Affairs*, Vol. 86, Nº 1, 2010, pp. 1-21.

[20] Popescu, Nicu: "EU and the Eastern Neighbourhood: Reluctant Involvement in Conflict Resolution", *European Foreign Affairs Review,* Vol. 14, Nº 4 (2009), pp. 457-477.

[21] Sasse, Gwendolyn: "The European Neighbourhood Policy and Conflict Management: A Comparison of Moldova and the Caucasus", *Ethnopolitics,* Vol. 8, Nº 3-4 (2009), pp. 369-386.

[22] Hill, Christopher: "The EU's Capacity for Conflict Prevention", *European Foreign Affairs Review,* Vol. 6, No. 3 (2001), pp. 315–333; Tocci, Nathalie: "EU Intervention in Ethno-Political Conflicts: The Cases of Cyprus and Serbia-Montenegro", *European Foreign Affairs Review,* Vol. 9, Nº 4 (2004), pp. 551–573; Tocci, Nathalie: "The European Union as a Normative Foreign Policy Actor", CEPS Working Documents, Nº 281 (January 2008); Barbe, Esther and Kienzle, Benjamin: "Security Provider or Security Consumer? The European Union and Conflict Management", *European Foreign Affairs Review,* Vol. 12, Nº 4 (2007), pp. 517–536; Papadimitriou, Dimitris, Petrov, Petar and Greiçevci, Labinot: "To Build a State: Europeanization, EU Actorness and State-Building in Kosovo", *European Foreign Affairs Review,* Vol. 12, Nº. 2 (2007), pp. 219–238.

the member states. In particular, the next cases will illustrate different constellations of member states, of those who pushed for a tougher approach and of those who favored a diplomatic solution.

3.1 EU and South Ossetia and Abkhazia

Started on 7-8 August 2008, a five-day war resulted in the occupation of two secessionist regions of Georgia – South Ossetia and Abkhazia – by Russia. A quick victorious war ended with Russia´s control over the Georgian regions. Soon after, orchestrated from Moscow South Ossetia and Abkhazia declared its independence from Georgia, which resulted in Russia´s further extension into Georgian territories. A French-brokered five-point peace plan aimed to stop the ceasefire and force the Russian and Georgian troops to return to its pre-war locations. Lobbying its own interpretation of the peace plan, Russia insisted on the exclusion of a sixth point, originally included in the plan – international monitoring under the UN and OSCE auspices. Since the war, both OSCE monitors and EU monitoring mission representatives were denied access to the breakaway regions. Currently, South Ossetia and Abkhazia are frozen conflicts in the Caucasus, independency of which was recognized by Russia, Venezuela, Nicaragua and Nauru only.

In September 2008, the EU officials gathered to discuss the situation in Georgia and how to deal with Russia´s aggression. Despite the violation of international law and Georgia´s territorial sovereignty, the EU leaders considered sanctions as an option of last resort. Being in the middle of resetting its relationships with Russia, the West was caught off guard and was very wary in acting too harshly. The sanctions were off the table due to the reluctant position of France and Germany. Together with other EU states, France and Germany were cautious to endanger their mutually beneficial relationships with Russia. In particular, the EU´s dependence on more than 30% on Russia´s energy supply halted France and Germany from any tough reactions. While France and Germany officially supported Georgia´s territorial integrity and condemned the violation of the international law, Italy´s position was even more blatant. "We cannot create an anti-Russia coalition in Europe, and on this point we are close to Putin's position," openly confessed Franco Frattini, the Italian Foreign Minister.[23]

Although there was a lack of consensus for imposing sanctions, the EU leaders agreed on symbolic actions such as the postponing talks on a new Partnership and Cooperation agreement with Russia, including the EU visa liberalization. Moreover, pushed by Poland and supported by Britain and Sweden, other symbolic sanctions were in place – the refusal of a WTO membership for Russia, exclusion from the G8, asset freezes of Russian bank accounts and boycott of the 2014 Winter Olympic Games in Sochi. Moscow reacted by calling the idea of sanctions and the intention to Moldova, Ukraine and Crimea as "sick imagination".[24] Being confident of its powerful position on the international arena, Russia considered the EU too weak to impose any sanctions. Summarizing Moscow´s sentiments, Mr. Zatulin, a Russian MP, declared that "the West can apply psychological pressure. But Europe cannot afford to turn down our gas and America needs our help with Afghanistan and Iran."[25]

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[23] Bennhold, Katrin: "Differences emerge in Europe of a response to Georgia conflict", *International Herald Tribune,* 12 August 2008, at
https://web.archive.org/web/20080821011829/http://www.iht.com/articles/2008/08/12/europe/diplo.php
[24] Tran, Mark, Borger, Julian and Traynor, Ian: "EU threatens sanctions against Russia", *The Guardian*, 28 August 2008, at https://www.theguardian.com/world/2008/aug/28/eu.russia
[25] "Put out even more flags", *The Economist*, 28 August 2008, at http://www.economist.com/node/12009856

Whereas France, Germany and Italy considered any punitive measures against Russia unsubstantiated, the UK pushed for the EU´s harder reactions. Together with Sweden, Poland and the Baltic states, Britain took a hardline position, advocating for the imposition of sanctions. The British Foreign Minister David Miliband expressed a tough statement by accusing Russia of violating the territorial integrity of Georgia and of redrawing the spheres of influence in Europe. Russia´s recognition of South Ossetia and Abkhazia was met with the deepest concern. "It is not just the end of the post-cold war period of growing geopolitical calm in and around Europe. It is also the moment when countries are required to set out where they stand on the significant issues of nationhood and international law", said Miliband.[26]

Echoing the British concerns, Sweden harshly criticized Russia´s illegal intervention in Georgia´s breakaway regions. The Swedish Foreign Minister Carl Bildt expressed his opinion that this type of Russia´s behavior "means they have chosen a policy of confrontation, not only with the rest of Europe, but also with the international community in general."[27] Sharing common historical memory, Poland, Latvia, Estonia, Lithuania and Ukraine expressed their fears about the spread of Russia´s "imperialist and revisionist policy".[28] In particular, Lithuania openly criticized the peace agreement brokered by Nikolas Sarkozy, questioning the terms of the agreement and its credibility to guarantee Georgia´s territorial integrity.[29]

The US position supported the stances of the EU hardliners and strongly condemned Russia´s activities in Georgia. The US assured that it will use its veto in the UN Security Council to block any Russia´s attempt to recognize the breakaway regions as independent. The Bush administration put a civilian nuclear cooperation agreement with Russia on hold, while Russia´s military cooperation with NATO were suspended and Moscow´s application for a WTO membership was halted. However, in 2010 the Obama administration signed a new arms control treaty with Russia, which de facto suspended the halt on the civilian nuclear cooperation. Moreover, Russia was welcomed to participate in the restructuring of the European missile defense system. In return, the US expected Russia to cooperate on the Iran sanctions.[30]

The position of Germany is crucial in understanding the EU´s final decision not to sanction Russia´s aggression in Georgia. Despite the deep concerns about Russia´s activities in the region raised by Poland and the Baltic states, repetitive cases of gas cut-offs and import bans as well as worrying democratic developments in Putin´s Russia, Germany adamantly remained open for a dialogue. Taking over the lead in the crisis management, Germany tried to moderate the position of the EU hardliners and seek for an arrangement with Russia acceptable for all EU members. However, Germany´s ´Russia-first´ approach raised harsh critic from other EU member states, accusing Germany of neglecting the interests of EU´s foreign policy and propelling its own. Having longstanding cordial relationships with Russia,

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[26] See Tran, Mark, Borger, Julian and Traynor, Ian, *op. cit.*

[27] "West Voices Dismay at Russia´s `Unacceptable´ Move", *Der Spiegel Online*, 26 August 2008, at http://www.spiegel.de/international/world/recognizing-georgia-s-rebel-regions-west-voices-dismay-at-russia-s-unacceptable-move-a-574537.html

[28] See Bennhold, *op. cit.*

[29] Bendiek, Annegret and Schwarzer, Daniela (2008): „The EU´s Southern Caucasus Policy under the French Council Presidency: Between Consultation, Cooperation and Confrontation", in Hans-Henning Schröder (ed.) *The Caucasus Crisis. International Perceptions and Policy Implications for Germany and Europe*, SWP Research Paper, November 2008, Berlin, p. 42.

[30] Baker, Peter and Sanger, David. E.: "U.S. Makes Concessions to Russia for Iran Sanctions", *The New York Times*, 21 May 2010, at http://www.nytimes.com/2010/05/22/world/22sanctions.html?_r=0

Germany naturally opted for a diplomatic solution, trying to avoid a direct confrontation. Despite the Caucasus crisis, Germany´s policy towards Russia barely changed, which indicated the strong influence of Russia-friendly SPD elites in the formation of Germany´s Eastern policy. Neglecting the opposition from Eastern European members, in May 2008 Germany signed a "strategic and modernization partnerships" with Russia, expending both countries´ economic cooperation and thus interdependence.[31] The new policy was based on the `change through rapprochement` principle, envisaging interlocking and interweaving between Russian and Western institutions. Only by 2012, the special relationship reached its limits and turned into disappointment and disillusion dominated in Berlin. Russia´s failure to modernize and comply with the European values paved the ground for Germany´s soberer approach, which will be observed in the next case.[32]

3.2 EU and Crimea/Eastern Ukraine

In the Ukrainian case, the EU sanctions followed after a secessionist referendum in Crimea initiated by pro-Russian forces and were significantly expanded after the hybrid war in the eastern part of Ukraine. On 15 March 2014, despite the international protests and boycott by Crimean Tatars, an ethnic minority in Ukraine, the outcome of referendum supported Crimea´s unification with Russia. While Moscow emphasized the democratic nature of referendum and reminded about the peninsula´s Russian historical roots, Washington and Brussels raised their deep concerns about the legality of the referendum. The US and EU officials refused to acknowledge the outcome and called the referendum as illegal, illegitimate and not credible. Despite the non-recognition by the international community, Crimea was de facto annexed by Russia. Blocked by Moscow, the UN Security Council failed in its attempts to adopt a draft resolution of the non-recognition of the Crimea referendum. The failed diplomatic efforts and stalemate in the UN Security Council resulted in the formation of another frozen conflict on the EU borders.

As a result, the US initiated the introduction of first round of sanctions – travel bans and asset freezes against Russian and Ukrainian politicians and officials responsible for the crisis. The US list banned the entry for seven top Russian government officials, including Dmitry Rogozin, a Russian deputy prime minister, Valentina Matviyenko, the head of the upper house of the Russian parliament, and four pro-Russian separatists. Being under the US duress, the EU sanctions followed somewhat reluctantly. Due to the diverging stances of the EU member states, the decision to impose sanctions became delayed and weakened. The EU agreed on the introduction of incremental sanctions, which would be further strengthened if Russia remains unsusceptible to the EU demands. Acting cautiously, the EU first began with symbolic actions by banning Russia´s application for the membership in OECD and the International Energy Agency, excluding from the G8 meeting and suspending visa liberalisation talks with the EU. As the pressure grew, the EU followed the US example and sanctioned 21 individuals "responsible for actions which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine".[33] In contrast to the US list though, the EU targeted only self-proclaimed Crimean authorities – Sergey Aksyonov, the acting prime-minister of Crimea, the speaker of Crimea's parliament, Vladimir Konstantinov, the acting mayor of Sevastopol and others, but excluded high-profile Russian officials.

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[31] Horsley, William: "The failure of Germany´s Russia policy", Open Democracy, 14 March 2015, at
https://www.opendemocracy.net/can-europe-make-it/william-horsley/failure-of-germany's-russia-policy
[32] Adomeit, Hannes: "German-Russian Relations. Balance Sheet since 2000 and Perspectives until 2025", ETUDE Prospective & Startegique, 2012.
[33] Council Decision 2014/145/CFSP

On 16 April 2014, the West tried to find a diplomatic solution by discussing the de-escalation process in Geneva. The negotiations foresaw a ceasefire in Eastern Ukraine, the disarmament of separatist groups, the return of seized buildings and the release of detained protesters and monitors. However, due to the lack of interest from the Russian side, none of the conditions were properly implemented. As a result of the failed Geneva agreement, the EU took a tougher stance and targeted additional thirteen individuals as well as sanctioned two Crimean oil and gas companies "Chernomorneftegas" and "Feodosia" as well as Crimean resort "Nizhnyaya Oreanda" and wine producer "Massandra".[34] Moreover, the individuals close to the Russian president were included for the first time – Vyacheslav Volodin, first deputy chief of staff, and Vladimir Shamanov, the commander of the Russian airborne troops.[35]

With the crash of the Malaysian MH17, the EU sanctions policy underwent substantial changes. The expansion of restrictive measures was officially linked to "Russia´s actions destabilizing the situation in Ukraine". While the US targeted Russia´s top energy firms and banks, including Russia's biggest oil firm Rosneft, the second largest gas company Novatek as well as Gazprombank and VEB, a bank that financed Sochi Olympics, the EU imposed targeted sanctions, in particular on the finance and energy sectors. Following the US example, the EU introduced arms embargo, banned export of technologies for oil exploration and production as well as shale gas projects. In December 2014, the EU ruled out any European investments in Crimea in real estate, oil and gas exploration and outlawed ship cruises calling at Crimean ports.[36]

Due to the escalation of violence in Eastern Ukraine, in particular the indiscriminate shelling of residential areas in Mariupol, in January 2015 the EU unanimously agreed to extend existing restrictive measures for another year. In this case, the sanctions were linked to the full implementation of the Minsk agreements.[37] In addition, in February 2015 the EU Council adopted additional listings of separatists in the East of Ukraine and their pro-Russian supporters. As a result, another nineteen persons and nine entities were put on asset freezes and travel ban lists.[38] As the Minsk I Agreement failed to de-escalate the situation, in March 2015, the EU Council extended the validity of sanctions over actions against Ukraine`s territorial integrity for another six months. The asset freezes and travel bans were imposed against 150 persons and 37 entities.[39] With the lack of progress regarding the complete implementation of the Minsk agreements, on 1 July 2016 the EU Council has extended the economic sanctions by 31 January 2017, targeting financial, energy and defence sectors as well as dual-use goods.[40] In addition to these measures, in June 2015, the EU Council prolonged the restrictions in response to illegal annexation of Crimea and Sevastopol which are in place until 23 June 2017. The restrictions included the prohibition on imports of products, investments, tourism services, and exports of certain goods and technologies.[41]

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[34] Council Regulation 2014/265/CFSP; Council Regulation No 811/2014.

[35] Council Regulation No 811/2014.

[36] Croft, Adrian and Emmott, Robin: "EU bans investment in Crimea, targets oil sector, cruises." *Reuters*, 18 December 2014, at http://www.reuters.com/article/us-ukraine-crisis-eu-idUSKBN0JW18020141218

[37] Outcome of the Council Meeting, 3369th Council Meeting, Foreign Affairs, Brussels, 29 January 2015.

[38] Council Decision (CFSP) 2015/241, 9 February 2015.

[39] Council Decision (CFSP) 2015/432 (OJ L 70, 14 March 2015).

[40] Council of the European Union: Russia: EU prolongs economic sanctions by six months, Press Release, 1 July 2016.

[41] Council of the European Union: Crimea: EU extends restrictions in response to illegal annexation, Press Release, 19 June 2015.

3.3.Backstage Tensions: The Stances of the EU Member States Towards Sanctions

Although it might seem as a rubber stamp formality, the imposition and prolongation of sanctions in the Ukrainian case struggled over push-and-pull behavior of the EU member states. The EU was divided by the states pushing for a tougher response to Russia´s actions in Ukraine, while other states were advocating a Russia-friendly approach. The economic considerations and historical legacy drew a line between the EU hawkish and dovish states. Followed after the annexation of Crimea, the United Kingdom, Poland, Sweden, Denmark, the Czech Republic, Lithuania, Latvia and Estonia strongly supported the introduction of tougher sanctions, including economic and trade restrictions, which were considered as effective measures in preventing a further destabilization in the region. This group of the EU member states is traditionally perceived as ´Russia-aware´ states, having different motivations though. Traditionally, the UK, Sweden and Denmark take a tougher stance, when it comes to Moscow´s illegal actions. The motivations of the Eastern European members of this group is mainly driven by negative historical legacy with Russia. Having experienced forced incorporation into the Soviet Union after the Second World War, Poland together with the Baltic states alarmed about the Russia´s actions in Ukraine and strongly favored tough sanctions. The historical legacy and geographical proximity predetermined hawkish position of the EU new member states. towards the Russian government.

On the other hand, a group comprising Italy, Greece, Cyprus, Bulgaria, Luxembourg, Austria, Spain, Portugal and Malta opposed the introduction of the EU sanctions and favored "business as usual" approach with Russia. Having historically close relationships with Moscow or being heavily dependent on Russia´s energy resources, this group of countries questioned the expediency and effectiveness of punitive measures. This coalition of dovish member states traditionally appealed to the EU´s potential economic losses in case of the introduction of sanctions. As the Austrian Foreign Minister put it, "we should not yearn for economic sanctions, as they would not only hit Russia but also definitely hit us"[42]. In contrast to Poland and the Baltic states, other EU new members such as Hungary and Bulgaria shared sympathy towards the Russian government. This sympathy was also shared by other EU old member states such as Italy, Spain, Portugal, Cyprus and Greece. In particular, an illiberal democratic path appealed the Orbán-led Hungarian and Tsipras-led Greek governments, who frequently criticized neoliberal democracies. A softer stance of this group was furthermore stipulated by its economic dependency on Russia´s energy resources. Being reliant on Russia´s supply of gas, Bulgaria and Hungary protected their national interests, which were neglected in the EU sanctions regime.

Interestingly, the position of the EU´s two main engines – Germany and France - varied, depending on the time period. At the beginning, both France and Germany showed their reluctance towards the sanctions, which in their views could endanger sound economic relationships between them and Russia. Having strong economic interdependency, both French and German elites preferred a diplomatic solution, thus preserving "business as usual" approach. This unwillingness to react to Moscow´s activities in Ukraine even fueled an animosity between France and the UK. The two countries, which in the course of European integration frequently displayed opposing positions in the areas of defense and security policy, had again contrasting positions regarding the arms embargo and financial sanctions. Being a home to the Russian´s investments, the UK refused to support financial sanctions,

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[42] "EU punishes Russia, adds more names to the sanctions list", EurActiv, 13 May 2014, at
https://www.euractiv.com/section/global-europe/news/eu-punishes-russia-adds-more-names-to-sanctions-list/

initiated by France, which would affect the City of London heavily. On the other hand, initiated by the UK, France opposed to the arms embargo, as it would put in jeopardy a € 1.5 billion worth contract for the delivery of two military ships Mistral. Suffering from its diverging interests, the EU´s unified position was significantly weakened, which undermined the credibility of the EU sanctions. In response, Russia launched countermeasures and banned a wide range of food products, including meat and dairy, from the US, EU, Canada, Norway and Australia, followed by an embargo on imports of consumer goods and second-hand cars from Western countries.[43]

The crash of the Malaysian MH17 proved to be a game changer in the EU sanctions policy. The positions of both France and Germany radically changed, taking a tougher stance on Russia. As a result, the French agreed to cancel its contract on the delivery of two warships to Russia and resold them to Lithuania. Similarly, the German position underwent considerable changes, where the group of Russia-friendly *Putin-Versteher* lost its dominance within Germany´s political elites. Although the SPD and Left elites, including Helmut Schmidt and Sigmar Gabriel, were among the main advocates of non-sanction policy, the escalation linked with the downing of the Malaysian aircraft pushed the pendulum towards tougher sanctions. Weakened by the internal divisions at the beginning, the German position was significantly solidified. Having a leading role in forging a unified response to the conflict, Germany´s new position shaped the attitudes of France, the Netherlands and Austria. Previously dovish and reluctant stances were changed to harsher ones. As a result of consolidated position of the EU core member states, the position of smaller and weaker states, in particular Bulgaria, raised no opposition to the EU sanctions.

4. Conclusions

The cases of South Ossetia/Abkhazia and Crimea/Eastern Ukraine illustrate the EU´s ability to respond to emergency crisis on its borders. Despite the fact that Russian aggression took place in both cases, the EU decided to sanction only after the Ukraine crisis. Why the policy of sanctioning prevailed in the last case and what hampered it in the former one?

In both cases, the EU internal politics showed some similarities and differences regarding its reaction to Russia´s aggression. Firstly, the EU member states were divided between interest- and value-based approach. Whereas old member states criticized Russia´s violations of international law, new Eastern European members were concerned about the immediate security threat. In both cases, the coalition of hawkish states was represented by Britain, Sweden, Poland and the Baltic states, whereas the group of Russian supporters was comprised of France, Italy, Germany, Spain and Portugal. Secondly, the EU reactions to Russia´s illegal activities in Georgia and Ukraine followed the same trajectory. Being internally divided between pushing and pulling tensions from within, the EU response to the aggression was somewhat belated and weak. Misunderstanding Russia´s intensions in the region, the EU continued to perceive Russia as an equal partner, who will obey to the international rules. Thirdly, trying to avoid open confrontation at any cost, the EU resorted to diplomatic options and symbolic sanctions. Shaped by the ´strategic relationship´, the EU policy was biased towards Russia and was driven by pragmatic approach, considering the EU´s energy dependency on Russia.

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[43] "Russia hits West with food import ban sanctions row", *BBC News*, 7 August 2014, at http://www.bbc.com/news/world-europe-28687172

Nevertheless, despite the abovementioned similarities, it is the differences within and outside the EU that contributed a different outcome. Firstly, the cordial relationship between Germany and Russia reached its fatigue point and turned from friendship to disappointment. Merkel´s distant and sober approach to Russia´s policy was limited to economic cooperation, maintaining widely shared disillusionment about any political transformations in Putin´s Russia. Moreover, the relationship with France and Italy also became colder and more frigid. Whereas Sarkozy and Berlusconi developed close personal contacts with Putin, the Holland and Renzi governments held safe distance. Secondly, after the sporadic gas cut-offs to Europe in 2009, Russia´s reliability as a gas supplier was severely undermined, leading to changes in the EU energy policy. In particular, Poland and the Baltic states invested in their diversification of sources, importing natural gas from Norway and the Netherlands and increasing LNG utilization. Thirdly, a *force majeure* as the shutdown of the Malaysian MH17 irrevocably changed the attitudes within the EU. Foremost, Germany´s reluctance to open confrontation altered to a hardline position, overcoming the resistance from Russia-friendly business elites. Only after this tragic event, Germany abandoned its pragmatic approach and embarked on a value-based policy. Showing its readiness to suffer from the sanctions, Germany continuously insisted on the imposition of sanctions and convinced other EU members, e.g. heavily dependent on Russian gas Bulgaria, the Czech Republic and Slovakia, to comply. Fourthly, the position of the US was stronger in the Ukrainian case in comparison with the Georgian one. It is due to the US pressure and lobbying, the EU felt compelled to resort to hard sanctioning tools. In case of South Ossetia and Abkhazia, the US sanctions were not encompassing and were quickly lifted by the Obama administration. Finally, despite the fact that Russian aggression happened on the EU borders, the difference between Ukrainian and Georgian cases was of importance. The geographical distance of South Ossetia and Abkhazia posed no sense of ultimate urgency to the EU foreign policy. Being engaged in other conflict resolutions, the EU did not treat the Georgia crisis as its priority. Questioning Georgia´s European affinity, the EU was lacking its clear and effective Caucasus foreign policy. The EU´s indecisive and reluctant reactions was aptly captured by the dilemma "too far from the EU to be really important, while it is too close to the EU to be ignored".[44]

The future of sanctions regime is dependent on the EU´s unanimous response. Questioning the effectiveness of sanctions and calling for the return to a pragmatic approach undermines the EU´s credibility as a strong foreign policy actor. In particular, the diverging opinions from the EU´s core members, especially from Germany as a leading country in solving the crises, wavers the Union´s credibility. Being perceived by Russia as soft and hesitant, the EU´s weak statements based on deep concerns only strengthens Russia´s believe in the EU´s incapability. Expressing the hesitance about the sanctions´ efficacy, the EU politicians thus entirely undermine the leverage stemming from the sanctions, what benefits Russia´s play on the EU´s diverging interests. Waiting for the right moment, Russia believes that the EU´s mixed messages will dismantle the EU´s temporarily united position on sanctions. Thus, a unified strong voice from the EU is important to increase the leverage and alter Russia´s behavior in the region.

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[44] See Popescu 2009, op. cit., p. 8.

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RUSSIA´S SANCTIONS NARRATIVE IN THE UKRANIAN CRISIS: IMPLICATIONS FOR THE WEST

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Abstract:

This article examines Russia's discursive reaction to sanctions imposed by the West during the Ukrainian crisis. By portraying sanctions as a new form of containment, the Kremlin has been able to rally public opinion behind a narrative framing the crisis as the consequence of Western hegemonic ambitions against resurgent Russia. Further, withstanding and countering Western sanctions has been presented as a test of Russia's ability to remain a Great Power. As a consequence, even if sanctions were to be lifted, Moscow's relationship with the West would remain deeply problematic. Russia's foreign policy is therefore likely to remain assertive in the years to come.

Keywords: European Union sanctions policy, Russian foreign policy, discourse analysis, normative hegemony

Título en Castellano: La narrativa rusa sobre las sanciones en la crisis de Ucrania: Implicaciones para Occidente

Resumen:

Este artículo examina la reacción en el discurso ruso a las sanciones impuestas por Occidente durante la crisis de Ucrania. Presentando las sanciones como una nueva forma de contención, el Kremlin ha sido capaz de reunir a la opinión pública detrás de una narrativa que define la crisis como la consecuencia de las ambiciones hegemónicas de Occidente contra una Rusia que resurge. A lo que se añade que resistir y contrarrestar las sanciones occidentales se ha presentado como un test de la capacidad rusa por mantenerse como una gran potencia. En consecuencia, incluso si las sanciones se levantaran, las relaciones de Moscú con occidente seguirían siendo profundamente problemáticas. De esta forma, la política exterior de Rusia probablemente permanecerá firme y enérgica en los años venideros.

Palabras clave: *Política de sanciones de la Unión Europea, Política exterior de Rusia, análisis del discurso, hegemonía normativa*

1. Introduction

The Ukrainian crisis, triggered by president Yanukovych's *volte-face* on the signing of an Association agreement with the European Union, resulted in an unprecedented escalation between Russia and the West. The demise of president Yanukovych in February 2014, culmination of the Euromaidan protests, was largely interpreted in the Kremlin as a foreign sponsored operation aiming at rolling back Russian influence in the region. For the Russian leadership, the Ukrainian revolution was perceived as a direct threat to Moscow's own regional integration project and global standing. The violation of Ukraine's territorial integrity through the annexation of the Crimean peninsula and the subsequent destabilization of the Donetsk and Luhansk regions were presented in Moscow as "indigenous reactions" against perceived Western encroachments in a State that throughout history, always occupied a central place in Russia's geopolitical and cultural landscape.

Faced with the most serious crisis with Russia since the end of the Cold War, European leaders managed to agree on a common position. The European response took the form of several sanctions packages, or "restrictive measures" in EU parlance. The first wave of sanctions targeting individuals involved in the destabilization of Ukraine entered into force on March 17th 2014. The list of individuals and entities subjected to travel bans and asset freezes was then extended, mirroring the deterioration of the situation on the ground. A turning point was reached on July the 17th 2014, with the downing of flight MH17 over separatist-held territory. This tragedy triggered the adoption of a new wave of individual sanctions, as well as additional measures targeting Russia's access to capital markets, arms trade, so called *dual-use goods* and a ban on technology transfers in the crucial oil and gas industries.

Since then, EU sanctions have been extended on several occasions[2] (September 2014, November 2014, February 2015), while restrictive measures already in place have been renewed. In articulating a response, the EU used its whole arsenal of CFSP sanctions. However, despite the growing pressure applied by the EU and its Western allies, Russia has been willing and capable of offering systematic resistance. Further, Russia has not only signaled non-compliance with regards to Western sanctions, but has consistently replicated to each new wave of sanctions with countermeasures of its own[3].

Sanctions against Russia constitute an unprecedented challenge for the EU and its Western allies. In this respect, Moscow's economic weight and political clout made its tit-for-tat strategy sustainable in the short and medium terms. This should not come as a surprise. As early as 1967, Johan Galtung identified "external economic vulnerability" as a key determinant for success in his classical study of UN sanctions against Rhodesia[4]. Yet, in the very same article, J. Galtung rightly pointed out that even in the case of severe economic vulnerabilities, economic pain caused by sanctions does not automatically lead to the political

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[2] Dreyer Iana and Luengo-Cabrera, José (ed): "On target? EU sanctions as security policy tools", ISS Report N°25, September 2015.

3 *The new deterrent? International sanctions against Russia over the Ukrainian crisis, impact, cost and future action*, Programme for the Study of International Governance (PSIG), University of Geneva, October 2016, p. 7 at

http://graduateinstitute.ch/files/live/sites/iheid/files/sites/internationalgovernance/shared/The%20New%20Deterrent%20International%20Sanctions%20Against%20Russia%20Over%20the%20Ukraine%20Crisis%20-%20Impacts,%20Costs%20and%20Further%20Action.pdf

[4] Galtung, Johan: On the Effects of International Economic Sanctions: With Examples from the Case of Rhodesia, *World Politics*, Volume 19, Nº 3 (April 1967), p. 385.

disintegration of States targeted by strict sanctions regimes. According to Galtung, this naïve "conveyor belt" mechanism is misleading. Sanctions imposed by external powers may indeed lead to a form of political integration, as "the attack from the outside is seen as an attack on the group as a whole, not only a fraction of it"[5]. Patriotic mobilization in reaction to external sanctions, also known as the "rally round the flag" effect, has since then been documented in various sanctions episodes around the globe.

Consequently, this article will explore two aspects of Russia's reaction to Western sanctions during the Ukrainian crisis. It will focus on the dissemination of a sanction narrative used to rally public opinion around a wider anti-Western discourse in support of Russia's counter-hegemonic strategy in international relations. These two components, reactivating cultural references to the Soviet and Imperial eras, can be summarized as *resurging containment* and *Great Power ethos*.

2. Sanctions as containment or Russia under siege

The Russia official narrative on sanctions reactivated geopolitical fears of encirclement by portraying the West as a hostile bloc, seeking to cut off Russia from the outside world. In projecting this threatening image, selected historical references have been used to highlight continuity with the Soviet and Imperial periods. Further, Russia's official narrative denounced sanctions as illegitimate bullying tactics violating previously agreed standards of international law. This effort has to be connected to a wider attempt at ending western "normative hegemony", that is to say eroding the Western dominance over the interpretation of international law, presented as an historical injustice contradicting Russia's traditional aspiration to act as an independent center of power in international relations. According to the Kremlin's narrative, sanctions were to be treated as another attempt by the West to contain Russia's growing capabilities and resolve to defend its "national interests". This argument was for instance put forward by V. Putin in his March 18 2014 address, given in front of Russia's top officialdom gathered in the Kremlin:

"In short, we have every reason to assume that the infamous policy of containment, led in the 18th, 19th and 20th centuries, continues today. They are constantly trying to sweep us into a corner because we have an independent position, because we maintain it and because we call things like they are and do not engage in hypocrisy. But there is a limit to everything. And with Ukraine, our western partners have crossed the line, playing the bear and acting irresponsibly and unprofessionally"[6].

With this reference to containment, pillar of the US Cold War doctrine against the Soviet Union, V. Putin inserts Western sanctions in a wider narrative of geopolitical insecurity. Sanctions are used as evidence to demonstrate that the West has always sought to isolate Russia, precisely because this country defines itself as a rival center of power, unwilling to accept Western normative hegemony. Now that Russia's power in on the rise again, the West seeks to contain it by resorting to political and economic pressure. The same historical thread was refined by Prime Minister Medvedev in December 2014, during the plenary session of the Sochi 2014 Investment Forum. On this occasion, Prime Minister Medvedev referred to Russia's 25 year-old commitment to develop strong relations with the West and integrate Russia into the global economy. The year 2014 is then presented as a turning point, with an

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[5] *Ibid.* p. 389
[6] Putin, Vladimir: *Address by the President of the Russian Federation*, 18 March 2014, at http://en.kremlin.ru/events/president/transcripts/20603

aggressive West ignoring Russia's "national interests" in relation to Ukraine. According to this narrative, behind false concerns for Ukraine's territorial integrity and respect for international law, the West actually seeks to prevent Russia from defending its interests. Sanctions play a key role in what is presented as containment under a new guise: what the West actually wants is to force Russia into submission by applying economic pressure on the country. Reviving Russia's traditional fears of hostile encirclement, Prime Minister Medvedev goes on to list restrictions previously introduced by the West against the Soviet Union:

> "Over the last century, Russia has repeatedly faced various sanctions. […] In 1925 Western nations, including the United States, stopped accepting payments in gold equipment. In 1932, imports from the Soviet Union were totally banned. In 1949, the Coordinating Committee for Multilateral Export Controls, the infamous CoCom, compiled a list of products and technologies that could not be exported to the Soviet Union in line with a strategy of controlled technological inferiority. In 1974 the Jackson-Vanik amendment we all love so much was enacted, making normal relations with the United States impossible"[7].

At about the same time, an even more radical version of the same argument was delivered by V. Putin during his December 2014 address to the Federal Assembly :

> "I'm sure that if these events had never happened, if none of that had ever happened, they would have come up with some other excuse to try to contain Russia's growing capabilities, affect our country in some way, or even take advantage of it".[8]

This remark, implying that the West uses various pretexts to weaken and isolate Russia, is telling in light of V. Putin's previous interpretations of Western policies over the last decade. From Color revolutions to Western sanctions over Ukraine, V. Putin and his circle detect a pattern of Western unilateral decisions directed against Russia's strategic interests. In this respect, sanctions are perceived as yet another manifestation of what the official narrative refers to as Western "double standards": the selective interpretation of international law to suit one's interests.

2.1 Unauthorized sanctions: Russia's legal offensive

Apart from using carefully picked historical references to paint the West as a perpetual geopolitical threat, another key dimension of Russia's sanctions discourse revolves around the legality of unilateral restrictive measures imposed outside of the United Nations framework. Russian top officials stated on numerous occasions that Western sanctions are in breach of international law. In April 2014, Sergey Ryabkov, one of Russia's Deputy Foreign Ministers, for instance declared:

> "Unilateral extraterritorial sanctions are illegitimate as such. They are contrary not just to the norms of civilized interstate communication and the organization of international affairs, but also contrary to the requirements of international law"[9].

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[7] Medvedev, Dmitri: *Address at the plenary session of the Sochi 2014 International Investment Forum*, September 2014, at http://www.russianmission.eu/en/news/prime-minister-dmitry-medvedev%E2%80%99s-address-sochi-2014-international-investment-forum
[8] Putin, Vladimir: *Presidential Address to the Federal Assembly*, 4 December 2014, at http://en.kremlin.ru/events/president/transcripts/47173
[9] Ryabkov, Sergey: *Comment by the Russian Deputy Foreign Minister, Sergey Ryabkov, to the question of ITAR-TASS agency regarding introduction of anti-Russian sanctions by the United States*, 28 April 2014, at:

V. Putin gave a similar assessment in his September 2015 interview to US channels CBS and PBS:

"You know, the sanctions, as I said, are illegal actions, destroying the principles of the international global economy, the principles of the WTO and the UN. The sanctions may be imposed only by the decision of the UN Security Council. A unilateral imposition of sanctions is a violation of international law"[10].

In legal terms, this statement appears highly questionable. The current majority view among international law scholars is that sanctions imposed by States or regional organizations outside of the UN framework are in principle legal[11]. As Michael Brzoska recalls in an article devoted to this issue, the majority view is that sanctions are legal even when they are running against previous international obligations, "as long as they occur in response to a prior violation of international law by the sanctioned entity"[12], which is the case in Crimea and Eastern Ukraine, even if Russia took great care in maintaining plausible deniability by deploying a legal cover through the clever use of self-determination. As for the reference to WTO principles, the legal argument is not extremely convincing either. Article 21 of the GATT expressly grants States the faculty to introduce sanctions and restrictions going against other provisions of the treaty "for reasons of national security"[13]. Finally, the claim that non UN-sanctions are violating international law is usually based on Chapter VII of the UN charter dealing with coercive measures. If Chapter VII creates a framework for the adoption of UN sanctions, the Charter doesn't mention any interdiction for States or regional organizations to implement sanctions outside of this framework. In fact, Chapter VIII even recommends the adoption by regional organizations of "non forceful measures for the maintenance of peace and security"[14].

However, if the grounds for challenging the legality of unilateral sanctions are limited, Russia's stance reflects a strong political reality: an increasing number of States are challenging the legality of non UN-sanctions. In 2014, a resolution of the UN General Assembly urging "all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries" and condemning "the continuing unilateral application and enforcement by certain Powers of unilateral coercive measures"[15] was passed. The non-binding resolution was supported by a significant total of 134 States. Aware of this growing political reality, Russia took the lead in challenging Western normative hegemony in the field of sanctions and beyond. Since sanctions are overwhelmingly introduced by the West, i.e. the USA and the EU, against States of the East or South, Russia can present itself as the natural champion of all nations that might at some point be targeted by Western restrictive measures.

Russia's legal offensive is not limited to the issue of sanctions. Building on its newfound strength, Russia tries to position itself as a rival hub for the interpretation of international

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http://archive.mid.ru/bdomp/brp_4.nsf/e78a48070f128a7b43256999005bcbb3/89a5b4d64bd857a444257cca0054ed5d!OpenDocument

[10] Putin, Vladimir: *Interview to American TV channels CBS and PBS*, September 29 2015, at http://en.kremlin.ru/events/president/news/50380

[11] Brzoska, Michael: "International sanctions before and beyond UN sanctions", *International Affairs,* Vol. 91, Nº 6, (November 2015), pp. 1339–1349.

[12] *Ibid.* p. 1345

[13] *Ibid.*

[14] *Ibid.* p. 1346

[15] *Ibid* p. 1345

law[16]. This interpretation favors a traditional understanding of State sovereignty, coupled with the right of every great power to defend whatever it perceives as falling into the category of "national interests". The core of this argument was put forward on numerous occasions over the recent years. During his 2014 address at the Valdaï Forum, V. Putin for instance summarized Russia's resentment with "double standards", and signaled his willingness to end what he basically considers an historical injustice:

> "Whatever Jupiter is allowed, the Ox is not. We cannot agree with such an approach. The Ox may not be allowed something, but the bear will not even bother to ask permission. Here we consider it the master of the taiga, and I know for sure that it does not intend to move to any other climatic zones - it will not be comfortable there. However, it will not let anyone have its taiga either"[17].

With this rather transparent wildlife metaphor, the president of Russia conveys a clear message. It will no longer bother to play by laws it sees as unfair and biased in the West's favor. For its part, the taiga image is meant to show that Russia will not tolerate any further encroachment in what it considers its natural "hunting ground", now besieged and threatened by Western unilateralism, - including but not limited to - the imposition of sanctions. For this reason, Russia keeps lecturing the West on the fact that the United Nations remain the only legitimate framework for taking decisions involving the use of force. As a permanent member of the UN Security Council, Russia sees the UN as a central tool for keeping its leverage and influence in international affairs. Russia's UN status also provides a powerful guaranty, by ensuring Russia can veto any decision perceived as running against its current formulation of "national interest". However, if Russia defends a conservative understanding of international law when existing rules are in its favor, this is not always the case. Events in Crimea showed in this regard that Russia can also engage in selective legal revisionism, when it perceives it as compatible with its broader agenda of challenging Western hegemony.

3. Sanctions as a test of national will: "Great Power Russia" against the West

In framing Russia's reaction to Western sanctions, Russia's political elites also relied heavily on the depiction of Russia as an independent Great power, strong enough to shield itself from foreign pressure. The argument can be subdivided into two parts. In a first stage, Western sanctions are presented as ineffective, since in contrast to the nineties, Russia has now regained enough self-confidence and strength to resist. In a second stage, sanctions are presented as an opportunity to increase economic independence by generalizing import substitution schemes, while speeding up the reorientation of Russia's foreign policy toward the BRICS.

3.1 Greatness or collapse

In his January 2016 interview to the German newspaper Bild, V. Putin made a surprising confession: Russia has made a major mistake over the last 25 years, and is therefore partly to blame for the current situation:

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[16] *Ibid.*
[17] Putin, Vladimir: *speech at the plenary session of the Valdaï Discussion Club*, 24 October 2014, at
http://en.kremlin.ru/events/president/transcripts/46860

"We have failed to assert our national interests, while we should have done that from the outset. Then the whole world could have been more balanced"[18].

In Vladimir Putin's opinion, Russia's major sin was its relative weakness during the nineties. According to the official narrative, following the collapse of the Soviet Union, the West took advantage of Russia's domestic hardships to achieve world hegemony. According to Russia's president, during this critical period, the very existence of the State was put at risk. Appointed Prime Minister in August 1999, V. Putin had to manage souring relations with the West over Chechnya. Moscow was particularly angered by the setting up in the USA of an American Committee for Peace in Chechnya, which pushed for a diplomatic solution to the conflict. In addition, Chechen separatist leader Aslan Maskhadov turned directly to the United States for assistance[19]. These initiatives strongly reinforced Cold War perceptions of the Russian establishment, already prone to see the hand of the United States in any crisis around the world. In Ukraine and Crimea, these perceptions resurfaced. Yet as V. Putin stated, the context was different. Russia was this time strong enough to defend its assertive understanding of national interest:

"This year we faced trials that only a mature and united nation and a truly sovereign and strong state can withstand. Russia has proved that it can protect its compatriots and defend truth and fairness. Russia has done this thanks to its citizens, thanks to your work and the results we have achieved together, and thanks to our profound understanding of the essence and importance of national interests"[20].

According to the official reading of events, the resurgence of Russia's economic and military capabilities made the country strong enough to sustain the pressure: Great Power Russia has passed the test of national will by successfully challenging the West over Crimea. In this narrative, the annexation of Crimea is meant to demonstrate that Russia has finally recovered from the previous era of domestic turmoil and international marginalization. Further, in a rather Darwinist depiction of international relations, president Putin makes clear that the country cannot afford anymore to appear weak or divided:

"If for some European countries national pride is a long-forgotten concept and sovereignty is too much of a luxury, true sovereignty for Russia is absolutely necessary for survival"[21].

This fragment captures well the official understanding of what is considered "true" sovereignty. As we already know, for V. Putin a country is really sovereign when it has reached self-sufficiency and is therefore capable of conducting an independent foreign policy at the global level. In other words, achieving and defending genuine sovereignty is only possible for a handful of Great Powers. Maintaining Russia's membership in this exclusive club is then connected to the very survival of the State. Hence, Russia has no choice but to resist to Western sanctions. Since Russia's interest commands that it should remain a Great Power to ensure its survival, yielding to foreign pressure would deal a mortal blow to its

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[18] Putin, Vladimir: *Interview to German newspaper Bild*, 11 January 2016, at
http://en.kremlin.ru/events/president/transcripts/statements/51154
[19] Hill, Fiona and Gaddy, Clifford G: *Mr. Putin, operative in the Kremlin*, Brookings Institution Press, Washington DC, 2015, p. 301
[20] Putin, Vladimir: *Address by the President of the Russian Federation*, 4 December 2014, at
http://en.kremlin.ru/events/president/news/47173
[21] *Ibid.*

status, thereby threatening the unity of the State V. Putin has sought to consolidate during his presidential terms.

Further, Russia's status as a Great Power capable of defending its interests is opposed to Europe, pictured as powerless and under foreign influence. From Kosovo to Ukraine, negative perceptions accumulated during major crises of the last sixteen years have convinced Russia's top leadership that the EU was actually nothing more than a US satellite seeking to prevent Russia's resurgence as a Great Power. This view finds particularly strong echoes in the Cold War style *communiqués* on sanctions published by Russia's Ministry of Foreign Affairs. In an official comment following the adoption by the EU of unprecedented sectoral economic sanctions in July 2014, the decision was plainly attributed to US pressure:

> "We are ashamed for the European Union, which after long seeking its own "unified voice" started to speak with Washington's voice and has almost thrown away basic European values"[22].

Reactivating another Cold War image, Russia denies any independent *actorness* to the EU. Disregarding numerous evidence pointing that EU sanctions were actually the product of a carefully balanced compromise between Member-States in which Chancellor Merkel's resolute stance played a decisive role[23], Russia claims that the European Union is simply doing Washington's bidding. This helps in turn painting sanctions episodes as a simple, binary conflict between a malevolent Western bloc led by the United States, and a resurging Russia challenging the West. Sanctions are then presented as doomed to fail, since Russia's status of Great Power means it has accumulated enough resources to sustain the blow. As V. Putin made it clear in October 2014:

> "Let me stress that Russia is not going to get all worked up, get offended or come begging at anyone's door. Russia is a self-sufficient country"[24].

By stating that sanctions are unlikely to force Great Power Russia into compliance, V. Putin is probably right. A quick survey of sanctions regimes of the last 25 years shows that these measures have rarely brought about a radical change of policy in targeted countries, let alone against major players. Thomas Biersteker and Peter A.G. van Bergeijk for instance suggest an overall rate of success below one case in four instances[25]. Yet, if success understood in terms of coercion is exceptional, it would be extremely naïve to assume that Western leaders had any expectation that sanctions would actually cause Russia to reverse its policies in Ukraine. Rather, the way in which EU sanctions were designed indicates that primary goals were different. In addition to linking its most significant sanctions package to the implementation of the Minsk II protocol, the EU took great care in focusing on specific individuals involved in the destabilization of Ukraine. Further, even sectoral sanctions were designed as to inflict

[22] Ministry of Foreign Affairs of the Russian Federation, *Comment by the Russian Ministry of Foreign Affairs regarding further anti-Russian sanctions agreed by the European Union*, 30 July 2014, at http://archive.mid.ru/bdomp/brp_4.nsf/e78a48070f128a7b43256999005bcbb3/eb2dd70af73db3ec44257d27005b fd9d!OpenDocument

[23] Dempsey, Judy: *A who's who guide to EU sanctions on Russia*, Carnegie Europe, 20 March 2014, at http://carnegieeurope.eu/strategiceurope/?fa=55036

[24] Putin, Vladimir: *speech at the plenary session of the Valdaï Discussion Club*, 24 October 2014, at http://en.kremlin.ru/events/president/transcripts/46860

[25] Biersteker, Thomas and van Bergeijk, Peter A.G: "How and when do sanctions work? The evidence", in Iana Dreyer and José Luengo-Cabrera (ed): *On target? EU sanctions as security policy tools*, ISS Report n°25, September 2015, p. 19

moderate economic pain by focusing on mid and long term effects. This is particularly obvious in the case of economic sanctions affecting the strategic oil and gas sector[26]. These targeted measures introduced a ban on the export of oil exploration and drilling equipments. Critically important for costly new projects such as developing offshore and arctic gas fields, these sanctions are currently not impacting oil production levels in Russia. All in all, these elements strongly suggest that the EU sought above all to send a political message of support to Ukraine, while deterring Russia from escalating the conflict even further[27]. However, the fact that V. Putin reading of EU motives for imposing sanctions does not correspond to reality should not come as a surprise. This aspect of the sanctions narrative aims above all at projecting an image of strength and resolve against Western sanctions, thereby showcasing Russia's successful reclaiming of its Great Power status, understood as the ultimate guaranty of State survival.

3.2 Sanctions as an economic opportunity

In addition to testing the resilience of Great Power Russia, the official narrative makes a virtue of necessity by presenting sanctions as an economic opportunity. According to Russia's executive duo, Western sanctions can work as a powerful incentive to develop domestic industries. This approach was formalized soon after the introduction of Western sanctions and Russian countermeasures, when a new buzzword appeared in Russian politics: *importozameshenye,* or import substitution. The sudden imposition of sanctions meant that a wide range of products and technologies were no longer available on the Russian market. As a consequence, national businesses should be strongly encouraged to fill the gap with goods and services produced in Russia. In the process, Russia would become less dependent on the West and would make headways toward diversifying its resource-based economic model. President V. Putin summarized the logic during his September 29 2015 interview to American TV channels:

> "Today, amid the sanctions, we cannot buy or we are afraid that we will be denied access to hi-tech goods, and we had to deploy large-scale programs to develop our own high-tech economy, industry, manufacturing and science. In fact, we would have to do this anyway, but we found it difficult as our own domestic markets   were filled with foreign products, and we found it very difficult to support our local manufacturers within the WTO regulations. Now, with the sanctions imposed and our partners having left our market voluntarily, we have an opportunity to develop"[28].

In other terms, sanctions are described as providing Russia with a window of opportunity to lessen its dependence on Western products and services. In a country in which according to recent data, oil and gas revenues account for nearly 70% of the total value of exports[29], petrodollars have indeed been massively used to import manufactured goods and hi-tech products from the West during the 2000-2008 period of steady economic growth. Commonly referred to as the Dutch disease, this addiction to oil revenues hampering manufacturing industries even affected Russia's enormous military-industrial complex inherited from the Soviet Union. Rapid technological changes and years of neglect have led to a situation in

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[26] Secrieru, Stanislav: *Russia under sanctions: assessing the damage, scrutinising adaptation and evasion*, The Polish Institute of International Affairs, November 2015, p. 25 at https://www.pism.pl/files/?id_plik=20910

[27] *Ibid.*

[28] Putin, Vladimir: *Interview to American TV channels CBS and PBS*, 29 September 2015, at http://en.kremlin.ru/events/president/news/50380

[29] US Energy Information Administration: *Russia profile*, at https://www.eia.gov/beta/international/analysis_includes/countries_long/Russia/russia.pdf

which up to 90% of all electronic components in Russian weaponry are currently imported[30]. Even agriculture and food production display some significant vulnerabilities and have to be supplemented by imports. One quarter of all meat consumed in the country was for instance imported from abroad in 2012, while the figure reached 69% in the case of fruits[31].

For a resurgent power aspiring to put an end to Western normative hegemony, economic dependency poses an enormous challenge. On this account, not so distant historical events highlight the difficulty of conducting an assertive foreign policy from a position of relative weakness. Even during the brief period of the early nineties during which Russia favored integration into Western structures, clashes occurred on a regular basis. In 1993-1994, the status of Russian communities in the Baltic States became a major irritant in the relationship. Post-Soviet Russia tried to link the withdrawal of remaining Russian troops in the Baltic States to the granting of citizenship to Russian minorities. However, Western economic pressure, in the form of threats to suspend vital loans to help stabilizing the Russian economy forced Russian foreign minister Kozyrev to back down[32]. As a result, Russian troops had to leave the Baltic States altogether.

More recently, president Putin referred to another episode showing the danger of financial vulnerability abroad: the 2013 Cyprus bailout aiming at preventing a collapse of the island entire financial sector. The terms of the deal included a significant levy or "haircut" on large deposits held in Cypriot banks, a traditional investment and offshore hub for wealthy Russians. The bailout plan was harshly criticized by Russian politicians, with Prime Minister Medvedev referring to "confiscation" of Russian assets[33]. This trauma in turn helped to justify relocating funds to Russia, while attempting to strengthen financial institutions at home. Then, Western sanctions imposed one year after the infamous "Cyprus confiscation" gave additional incentives to reduce foreign exposure:

> "The well-known Cyprus precedent and the politically motivated sanctions have only strengthened the trend towards seeking to bolster economic and financial sovereignty and countries' or their regional groups' desire to find ways of protecting themselves from the risks of outside pressure"[34].

Matching words with actions, several steps have been taken to reduce foreign exposure, perceived as a serious impediment to an efficient defense of Russian national interests. Thus, in response to Western sanctions affecting several Russian banks, authorities started developing a national payment card system called *Mir*. A long-term project fraught with technical difficulties, the *Mir* system should nevertheless gather pace in 2016-2017, with strong support from Russia's Central Bank[35]. By the same token, Russia seeks to sever ties with the SWIFT interbank payment system. Starting from August 2014, plans started circulating about setting up a domestic alternative that would effectively shield Russia from

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[30] Haukkala Hiski and Popescu Nicu (ed): 'Russian Futures: horizon 2025', ISS Report, N°26, March 2016, 87p.

[31] Food and Agriculture Organization of the United Nations, *Russia's restrictions on imports of agricultural and food products: An initial assessment,* p. 1, at http://www.fao.org/3/a-i4055e.pdf

[32] Hill, Fiona and Gaddy, Clifford G: *Mr. Putin, operative in the Kremlin*, Brookings Institution Press, Washington DC, 2015, p. 35

[33] Trenin, Dmitri: *Russia kisses Cyprus good-bye*, Carnegie Europe, 5 April 2013, at http://carnegieeurope.eu/strategiceurope/?fa=51426

[34] Putin, Vladimir: *speech at the plenary session of the Valdaï Discussion Club*, 24 October 2014, at http://en.kremlin.ru/events/president/transcripts/46860

[35] Secrieru, Stanislav: *Russia under sanctions: assessing the damage, scrutinising adaptation and evasion*, The Polish Institute of International Affairs, November 2015, p. 50 at https://www.pism.pl/files/?id_plik=20910

external pressure[36]. Further, substantial subsidies have been earmarked by the government to boost import substitution in the food sector. In 2015, a government commission on import substitution started working on concrete measures. It has so far allocated 800 million dollars to domestic agro-producers[37]. In sum, by placing self-sufficiency on top of the agenda, sanctions marked a symbolic rupture with previous hopes of creating a virtuous interdependency with Western economies. On the contrary, foreign exposure now constitutes a threat that should be reduced, even at the cost of significant economic hardship for Russia. Finally, trying to address economic vulnerabilities, the Kremlin increasingly makes use of another argument: as a Eurasian power, Russia can rely on its "Eastern vector" to compensate for deteriorating relations with the West[38]. As early as 2006, foreign minister Lavrov emphasized the necessity of a greater balance between these two dimensions of Russian diplomacy. Introducing the concept of "multivector diplomacy", Sergey Lavrov argued in a long article for building complementary partnerships with Russia's Eastern and Western neighbors[39]. Besides reflecting an unquestionable economic reality, the rise of Asia and in a broader sense, of non-Western actors performs a key role in Great Power Russia's struggle against Western hegemony. It provides a political basis for building a new consensus in international relations that would finally put an end to Western dominance. Russia's recent efforts in promoting the BRICS format illustrate well this point. V. Putin was the key figure propping up BRICS (Brazil, Russia, India, China and South Africa), with the hope of setting up a genuine coalition of emerging powers, willing to embrace Russia's counter-hegemonic agenda.

Following the introduction of restrictive measures, the BRICS gained even more prominence in the official narrative. In a July 15 2014 interview to Russian news agency ITAR-TASS, president Putin basically presented the BRICS as a shield against Western sanctions:

"One more important question we are going to raise at the summit is the increasing cases of unilateral sanctions. Recently Russia has been exposed to a sanction attack from the United States and its allies. We are grateful to our BRICS partners who have criticized such practices in different forms. Together we should think about a system of measures that would help prevent the harassment of countries that do not agree with some foreign policy decisions made by the United States and their allies, but would promote a civilized dialogue on all points at issue based on mutual respect"[40].

With the Western vector of Russia's foreign policy crippled by sanctions, Russia is left operating on one engine. The BRICS have become instrumental for coping with economic and political pressure. At the symbolic level, increased interactions with BRICS countries

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[36] Trenin, Dmitri: *Russia's breakout from the Post-Cold War system*, Carnegie Moscow Center, December 2014, p. 20 a: http://carnegieendowment.org/files/CP_Trenin_Putin2014_web_Eng.pdf

[37] Secrieru, Stanislav: *Russia under sanctions: assessing the damage, scrutinising adaptation and evasion*, The Polish Institute of International Affairs, November 2015, p. 61, at https://www.pism.pl/files/?id_plik=20910

[38] *The new deterrent? International sanctions against Russia over the Ukrainian crisis, impact, cost and future action*, Programme for the Study of International Governance (PSIG), University of Geneva, October 2016, p. 23, at http://graduateinstitute.ch/files/live/sites/iheid/files/sites/internationalgovernance/shared/The%20New%20Deterrent%20International%20Sanctions%20Against%20Russia%20Over%20the%20Ukraine%20Crisis%20-%20Impacts,%20Costs%20and%20Further%20Action.pdf

[39] Lavrov, Sergey: The Rise of Asia, and the Eastern Vector of Russia's Foreign Policy, *Russia in Global Affairs*, n°3, July-September 2006, at http://eng.globalaffairs.ru/number/n_6865

[40] Putin, Vladimir: *Interview to news agency ITAR-TASS*, 15 July 2014, at http://en.kremlin.ru/events/president/transcripts/46218

help to demonstrate that Russia is not isolated and cooperate actively with countries that are shaping the future. Then, in more practical terms, Russia's top leadership envisages the BRICS as a critical mass strong enough to counterweight Western dominance, or in V. Putin terms, "to prevent the harassment of countries" by the West. Several BRICS-related projects have been floating around.

The day after his interview, V. Putin flew to Fortaleza, Brazil, to attend a BRICS summit. On this occasion, a New Development Bank was established, with an initial capital of 50 billion dollars. For Russia, a country in which the memory of the humiliating 1998 default is still very much alive, the BRICS reserve funds works as an additional guaranty against foreign exposure and crisis spillover. In the same way, several Russian officials pleaded for embedding the Russian version of the SWIFT system currently under development into the BRICS format[41].

Convinced that the West has vowed to prevent Great Power Russia from being able to defend its conception of national interests, president Putin capitalized on the general discontent with Western-dominated institutions to set up an alternative framework in which Russia would play a front role, along with China and India. In this sense, BRICS integration is not an end in itself but rather a tool among others wielded by Russia to advance its counter-hegemonic agenda. However, as several commentators rightly point out[42], given that each BRICS member has its own set of objectives, embedded in country-specific political cultures, the viability of this endeavor remains an open question. Only time will tell if Russia's efforts to build a political coalition willing to directly challenge Western rules and institutions will be successful.

4. Conclusion

A critical juncture in terms of its relations with the West, Russia's reaction to sanctions combined ostensive non-compliance with systematic retaliation. As such, it constitutes a peculiar and challenging case, standing out markedly from other sanctions regimes currently in place in the world.

If Russia's material capabilities were obvious enabling factors for non-compliance, to be understood, Russia's reaction has to be inserted in a much wider historical thread. This process fueled by accumulated grievances saw the progressive reconfiguration of Russia's dominant perception of the West, which in less than 25 years, moved from the position of role model to that of Russia's chief *nemesis*. The immediate consequence of this reconfiguration was a gradual shift away from cooperation toward a more assertive foreign policy. The 2013 Ukraine crisis marked the culmination of this process. Russia's reaction to Western sanctions actually signaled the final stage of this reconfiguration, with Russia's foreign policy now fully articulated in opposition to the West. In this respect, Russia's official discourse on sanctions largely contributed to cement this anti-Western turn among the general public.
By mobilizing selected historical references and a traditional sense of geopolitical insecurity, the official narrative connected sanctions to previous containment policies, thereby framing the crisis as a clash between a resurgent Russia and a Western bloc seeking to isolate the country. Further, the official narrative presented sanctions as the latest manifestation of

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[41] Secrieru, Stanislav: *Russia under sanctions: assessing the damage, scrutinising adaptation and evasion*, The Polish Institute of International Affairs, November 2015, p. 50 at: https://www.pism.pl/files/?id_plik=20910
[42] Degaut, Marcos: *Do the BRICS still matter?*, CSIS Report, October 2015, p. 21, at http://csis.org/files/publication/151020_Degaut_DoBRICSMatter_Web.pdf

"double standards" through which the West selectively deals with the rest of the world. By contrast, in defending the relevance of the UN framework as the only legitimate body for adopting sanctions and emphasizing the right of each nation to defend its "national interests", Russia seeks to reposition itself as an independent center of power. In addition, the Russian narrative portrayed Western sanctions as a moral ordeal, testing Russia's will and ability to remain a world power (*Myrovaya Derzhava),* presented as a precondition for the survival of the Russian State and civilization. Translated at the practical level, Western sanctions implied putting the brake on integration into Western oriented structures and institutions, while reducing exposure to foreign pressure through a generalization of import substitution schemes. This turn toward greater self-sufficiency is accompanied by the promotion of the "Eastern alternative" to Western dominance. In this respect, the BRICS format has been rhetorically upgraded in official discourses, with the hope of creating a viable coalition strong enough to resist to Western pressure. If the degree of commitment of BRICS heterogeneous membership to Russia's counter-hegemonic agenda greatly varies, it nevertheless signals that Russia is serious and consistent in its attempt at rewriting the Post Cold War consensus by seeking alliances with emerging powers.

Western sanctions thus provided the Russian regime with fresh material for completing the reconfiguration of Russia's identity in opposition to the West. By capitalizing on a legacy of disappointment toward the West in the Russian society, Russia's leadership has been able to use sanctions as a mobilizing factor for its counter-hegemonic project. Opinion polls show that sanctions have played a significant role in entrenching this assertive conception of Russia's geopolitical mission among the general public. In September 2014, a few months after the imposition of Western sanctions, when asked about the goals of Western sanctions against Russia, 71% of respondents answered "to weaken and humiliate Russia". In June 2015, when the most recent survey on this topic was conducted by the Levada Center, 66% of respondents supported this view[43]. In parallel, V. Putin approval ratings reached an all time record of 89% in May 2015, compared to a mere 63% right before the Ukraine crisis and the annexation of Crimea[44]. These figures indicated that a powerful "rally round the flag effect"[45] took place in Russia following Russia's actions in Ukraine and the imposition of sanctions. Moreover, if the initial patriotic mobilization can be seen as the acceptance of V. Putin's narrative on resurgent Russia reclaiming its "Great Powerness", the sanction discourse supplemented it with other dimensions. By reactivating fears of encirclement and isolation while actively promoting a Russian sense of exceptionalism, the sanction narrative makes possible for the Kremlin to sustain its assertive foreign policy under less favorable economic conditions[46]. In sum, sanctions consolidated the anti-western narrative devised by Russian leaders to back their foreign policy goals. Under these circumstances, a major improvement in Russia's relations with the West seems unlikely in the near future. The root causes of the current situation are profound and cannot be reversed overnight. Russia's foreign policy is now fully articulated against the West, thereby foreshadowing more clashes in years to come. For this reason, even if sectoral sanctions and Russian countermeasures were to be lifted, Russia's relationship with the West would remain deeply problematic. However, despite the

[43] Levada Center, *Sanctions and countersanctions* (in Russian), June 2015, at
http://www.levada.ru/2015/06/29/sanktsii-i-kontrsanktsii-2/

[44] Levada Center, *March ratings of approbation and confidence* (in Russian), March 30 2016, at
http://www.levada.ru/2016/03/30/martovskie-rejtingi-odobreniya-i-doveriya-4/

[45] Ashford, Emma: Not-So-Smart Sanctions, the failure of western restrictions against Russia, *Foreign Affairs*, (January-February 2016), at: https://www.foreignaffairs.com/articles/russian-federation/2015-12-14/not-so-smart-sanctions

[46] Haukkala Hiski and Popescu Nicu (ed): 'Russian Futures: horizon 2025', *ISS Report,* N°26, March 2016, 87p.

autarkic temptation apparent in the sanction narrative, Russia remains economically dependent on the West. The EU in particular, is still Russia's main trading partner and a vital market for its fossil fuels. In parallel, the BRICS are still very far from constituting a unified bloc supporting Russia's counter-hegemonic strategy. As a result, the relationship will most probably display a combination of enduring assertiveness intermixed with limited cooperation on issues of mutual interest. The only alternative would be an all-out confrontation on the ground, which is neither in the interest of Russia nor of the West.

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http://graduateinstitute.ch/files/live/sites/iheid/files/sites/internationalgovernance/shared/The%20New%20Deterrent%20International%20Sanctions%20Against%20Russia%20Over%20the%20Ukraine%20Crisis%20-%20Impacts,%20Costs%20and%20Further%20Action.pdf

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GLOBAL THREAT FORECAST

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Abstract:

Three significant developments will characterize the global threat landscape in 2017. First, it is likely that the so-called Islamic State (IS) will transform itself from a caliphate-building entity into a global terrorist movement in a similar manner as Al Qaeda (AQ). Second, the death of either the IS leader Abu Bakr al Baghdadi or AQ leader Ayman al Zawahiri, may lead to collaboration or possible unification of the most powerful terrorist groups. IS, AQ and their associates will compensate for their losses in the physical space by expanding further into cyber space

Keywords: Islamic State, Al Qaeda, Global terrorism, Foreign Fighters, Cyber space

Título en Castellano: *Un Pronóstico sobre el Terrorismo Global*

Resumen:

La amenaza global en 2017 viene caracterizada por tres desarrollos significativos. El primero, es probable que el Estado Islámico(EI) se transforme de ser una entidad que constructora de un Callifato a un movimiento terrorista global, lo mismo que Al Qaeda (AQ). En segundo lugar, la muerte ya del líder del EI Abu Bakr al Baghdadi o el líder de AQ Ayman al Zawahiri puede conducir a la colaboración o a la posible unificación de los grupos terroristas más poderosos. EI y AQ y sus asociados compensarán sus pérdidas en el espacio físico expandiéndose en el ciberespacio.

Palabras clave*: Estado Islámico, Al Qaeda, Terrorismo global, Luchadores extranjeros, Cyberespacio.*

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1. Introduction

Three significant developments will characterize the global threat landscape in 2017. First, it is likely that the so-called Islamic State (IS) will transform from a caliphate-building entity into a global terrorist movement. In a manner similar to Al Qaeda (AQ) that had dispersed from its Afghanistan-Pakistan core in 2001-2002 to conflict zones worldwide, IS will refocus on consolidating the distant *wilayats* (provinces) to serve as bastions of its power. Second, the death of either the IS leader Abu Bakr al Baghdadi or AQ leader Ayman al Zawahiri, may lead to collaboration or possible unification of the most powerful terrorist groups. In this regard, the discord between IS and AQ is a leadership dispute and not an ideological in nature. Third, IS, AQ and their associates will compensate for their losses in the physical space by expanding further into cyber space. Despite government and technology firms collaborating to monitor the cyber space, the battle-space of threat groups in the virtual communities will continue to operate and grow. The rise of far-right, ethno-nationalist, anti-Islamist populist movements, particularly in the US and Europe is a pertinent development. The response of governments and their societies to these movements within their countries and ethno-nationalist challenges in the Middle East and elsewhere will determine the threat levels in the future.

2. The Context

Insurgency, terrorism and extremism will continue to characterize the international security landscape in 2017. In the backdrop of intermittent threats and attacks, the new US leader Donald Trump is seeking to expand the coalition to include other partners to dismantle IS and AQ and decapitate their leaders[2]. Trump's target-centric approach of eliminating the enemy and its infrastructure will replace Obama's population-centric approach of engaging and empowering communities whilst adopting militarized responses. In the scenario that Trump and Vladimir Putin collaborate, the threat groups will suffer further loss of territory and operational capabilities. However, the growing pool of supporters and sympathizers will replenish the losses allowing groups such as IS to fight back and recover.

IS will transform into an operation-based movement with the renewed global focus to destroy its infrastructure in Iraq and Syria, The goal of forming a caliphate will linger and live on in the cyber space and resonate among IS followers[3]. Some will hark back at its brief history and others will strive to recreate it. Contrary to popular opinion, IS will remain a threat as long as its ideology lives on in the cyber and physical space. IS will also continue to supplant AQ's influence operationally and ideologically. IS, AQ and their associated groups are likely to remain potent global actors in the domain of violence and extremism. The groups will frame the fight as a response to attacks against Islam and Muslims with their apocalyptic vision in mind.

3. Background

The genesis of IS can be traced to Afghanistan where the patronage of AQ enabled the formation and sustenance of a group of fighters from the classical Levant. After the US intervention in 2001 the group relocated to Iraq in 2002 and after the US invasion of Iraq in

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[2] Gaouette, Nicole: "Obama has degraded ISIS. Can Trump finish the job?" *CNN News*. 15 December 2016.
[3] Katz, Rita: "The complexity of eradicating Isis propaganda online", *International Business Times*, 13 December 2016

2003, the group eclipsed its mother ship, AQ. The influence of IS supplanted AQ and steadfastly grew among a segment of Muslims, diaspora communities and inspired converts after its declaration of a caliphate in June 2014[4]. IS violent ideology crystallised in the form of personalities, operational cells and facilitation networks willing to work with IS central through its control over of the cyber space. With a cautious Zawahiri in the background, IS managed to aggressively exploit the opportunity of co-opting AQ groups and their remnant networks that had been disrupted by authorities. With the IS spokesperson, Abu Mohamed al Adnani (now dead), calling for attacks since 2015, the threat steadily escalated[5].

The broader coordinated strategy developed by IS from 2015 to 2016 was to direct and inspire its operatives and supporters to mount attacks worldwide. Handpicked foreign and local fighters with communication skills and commitment were trained and co-located in Syria and Iraq, to advocate and enable attacks in their homelands by providing technical and financial support. Presently, with the disruption of oil infrastructure controlled by IS in 2015 and the weakening of its financial infrastructure in Turkey in 2016, IS external operations wing is investing in other sources of revenue in its target countries[6]. Like AQ, IS also remains engaged in credit card, bank, and cheque fraud, bank robberies, and kidnapping for ransom or execution operations as sources of finance (CAT 2015).

During the last three years, IS Central trained between 50,000 to 60,000 local and foreign fighters with access to skills, networks and resources. Considering their relocation to their home countries in the global north and south, they present a real threat to national security. Although a third of these fighters have been killed, maimed or are disillusioned, the threat from indoctrinated operatives and supporters continues to grow. Here, in addition to IS operatives who travelled using legitimate travel routes, IS also dispatched a tiny percentage of operatives through refugee routes. A small percentage of combat-hardened fighters use forged, adapted and fraudulently-obtained genuine documents to travel home to conduct attacks.

As various IS-controlled towns and cities in Iraq and Syria come under attack over the last two years, IS is directing its operators and supporters to mount attacks worldwide. This is evident in the IS-directed or -inspired attacks in Paris, Brussels, Nice, Istanbul and elsewhere. In addition to its suicide attackers and storming units, IS encouraged immersing fighters deep into the enemy frontlines where the inghimasi fights until their death. IS also intends to replicate these battlefield capabilities in off-the-battlefield arenas indicating a shift in the theatre of operations from the deserts to the cities. Moreover, IS has also expressed interest in using biological agents, after experimenting with radiological devices and using chemical weapons in the battlefield[7]

The dispersal of thousands of ideologues, financiers, combat tacticians, operations managers, and explosives experts (with the knowledge to build large devices) will heighten this threat in the foreseeable future.

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[4] Bradley, Matt: "ISIS Declares New Islamist Caliphate", *Wall Street Jour*nal, 29 June 2014

[5] Schmitt, Eric and Barnard, Anne.: "Senior ISIS Strategist and Spokesman Is Reported Killed in Syria", *New York Times,* 30 August 2016.

[6] Hughes, Chris: "ISIS 'isolated and in decline' after losing territory and vital financial sources, report claims", *Mirror.co.uk*. 16 March,2016.

[7] Bloom, Dan:"ISIS are trying to buy chemical and biological weapons warns David Cameron's Defence Review", *Mirror.co.uk.,* 23 November 2015.

4. Decentralizaion of Threat

IS will compensate for the loss of territory by expanding horizontally and strengthening its existing wilayats (provinces) while declaring new ones. The wilayats are considered the "Pillars of the Caliphate" by the self-declared caliph Baghdadi and he referred to Algeria, Bangladesh, Egypt, Libya, Afghanistan, Pakistan, Indonesia, Saudi Arabia, Tunisia, Yemen, the Philippines, Somalia and West Africa as some of the wilayats in November 2016.[8] The distant wilayats will serve as bastions of IS power and future launching pads to attack enemies. However, the regional wilayats in Libya, Yemen and Afghanistan support the neighbouring IS structures. The shifting focus of IS towards its wilayats became evident when Baghdadi urged supporters of the caliphate to migrate to Libya instead of traveling to Iraq and Syria.[9] However, the group has now been defeated and ousted from Sirte in Libya as well.[10] In a further demonstration of the emerging decentralized threat, his message was preceded by his associates urging supporters of the caliphate to migrate to IS wilayats and enclaves. For Southeast Asian fighters, the regional hub is in Mindanao in southern Philippines[11] The global pool of foreign fighters with expertise and experience are likely to gravitate to wilayats, home countries and other countries with familial links. In addition to the persistent IS threat in Muslim minority and majority countries, the dispersal of the IS core will threaten coalitions fighting IS. Directly and through proxies, IS will target coalition equities in the Iraqi and Syrian theatre and other countries.

In 2015 to 2016, multiple coalitions targeting IS contributed to the group's loss of territory. As such, with Russian airstrikes, Syrian ground forces took Palmyra in March 2016 and US-supported Kurdish and Arab groups attacked Raqqa, the de facto capital of IS in November 2016.[12] US-supported Iraqi and Kurdish forces attacked Mosul in October 2016. Both Raqqa and Mosul were used by the external operations wing of IS to plan, prepare and execute attacks. Contrary to assessments by some, IS will survive as long as the civil war persist in Syria and will remain a relevant threat to the west and other countries confronting IS. In his speech in November 2016, Baghdadi called for "attack after attack" in Saudi Arabia; he also urged his fighters and supporters to "unleash the fire of their anger" towards Turkey[13]. The bomb blast and suicide bombing outside a soccer stadium in December 2016 in Istanbul that killed 29 and injured 166 is a forecast of what IS will unleash in Istanbul and elsewhere. The overall threat landscape is unlikely to change as the ground situation in Syria will not alter dramatically in the short term.

5. IS Strategy

It is evident that the IS threat grew with coalition intervention beyond Iraq and Syria in 2015. However, it is imperative that one of the first important attacks abroad was in May 2014,

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[8] Rahmani, Bardia and Tanco, Andrea: "ISIS's Growing Caliphate: Profiles of Affiliate", *Wilson Center*, 19 February,2016.

[9] Walsh, Nick P.: "ISIS on Europe's doorstep: How terror is infiltrating the migrant route", *CNN News*, 26 May 2016.

[10] Wintour, Patrick: "ISIS loses control of Libyan city of Sirte", *The Guardian.* 6 December 2016.

[11] Liljas, Per: "ISIS Is Making Inroads in the Southern Philippines and the Implications for Asia Are Alarming", *Time,* 14 April 2016.

[12] Korybko, Andrew: "The Implications of the ISIS-Daesh Palmyra Offensive", *Centre for Research on Globalization (Oriental Review),* 12 December 2016.

[13]"ISIS leader says confident of victory in Mosul in first message after start of US-backed operation", *The Straits Times,* 3 November 2016.

when a French national of Algerian heritage Mehdi Nemmouche, 29, killed four at the Jewish Museum of Belgium in Brussels on 24 May 2014 was the first IS operative to strike Europe.[14]

The battlefield is expanding to the West with the low cost high impact attacks in countries such as Canada, US, France, Belgium, Germany and Denmark. Moreover, the shift from "Dabiq" to "Rumiyah" (Rome), visually appealing magazines, for consumption by supporters, demonstrates the evolving IS strategy[15]. The content within these magazines urges attackers trained both in the heartland and target countries to strike. The world is at an early stage of those who travelled and developed relations with IS central directing or facilitating attacks in their homelands and in third countries. Through their propaganda, AQ and IS legitimized inflicting mass fatality and mass casualty attacks at general gatherings. The Belgian citizen of Moroccan heritage, Oussama Ahmad Atar, masterminded the Paris attacks in November 2015 and the Brussels attacks in March 2016 killing 162 people[16]. While Atar directed the attack from Syria, both Europeans and Iraqis trained in Syria participated in the attack.

In addition, while battlefield targets are both hard and soft, off-the-battlefield attacks are mostly soft targets. It is apparent based on the target selection in successful, aborted and disrupted attacks, that the future likely targets are bars, clubs, restaurants, hotels, malls, sports stadiums, schools, places of religious worship, hospitals, and transport hubs. This category of soft targets permit easy access and are too vast and numerous to protect. As such, IS will stage attacks and glamorise their horrific acts to threaten their enemies and deter the international community against continued intervention. The twin threats are from the motivated and trained returnees and from those radicalised online especially those who were prevented from traveling or were otherwise unable to do so. In one case, the Canadian citizen of Bangladeshi heritage, Tamim Chowdhury, travelled to Syria and masterminded the Dhaka attack that was conducted in July 2016, killing 22[17]. Tamim, the IS Bangladesh leader, also recruited Major Syed Mohammad Ziaul Haque as a trainer for local Bangladeshis to stage the attack. In order to engage the returnees who are radicalized at home or in Iraq and Syria, governments lacked the legal frameworks, comprehensive programs and targeted interventions for custodial and community rehabilitation and reintegration. While half of the fighters are likely to return home, those wanted by the authorities are likely to relocate to third countries. At the same time, it is possible that the returnees are unlikely to engage in violence, unless they are hailed as heroes and re-recruited as mentors by the next generation.

Most IS-directed complex attacks will take place in conflict zones. IS will stage attacks off the battlefield when the group is strong numerically and possesses access to weaponry. Due to the challenges of transporting fighters from theatre to target location, most IS-inspired attacks beyond the conflict zones use basic weapons. In one such case in August 2015, high speed train from Amsterdam to Paris carrying 554 passengers was attacked by Ayoub Khazzani armed with a Kalashnikov assault rifle, 270 rounds of ammunition, a Luger

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[14] Rawlinson, Kevin: "Jewish museum shooting suspect 'is Islamic State torturer". *The Guardian*. 6 September 2014.

[15] McKernan, Bethan: "ISIS' new magazine Rumiyah shows the terror group is 'struggling to adjust to losses". *Independent*. 6 September 2016.

[16] Samuel, Henry: "Paris and Brussels terror attacks were coordinated by Syria-based jihadist called Oussama Atar, French and Belgian intelligence believe", *The Telegraph*. 8 November 2016.

[17] Dearden, Lizzie: "ISIS Bangladesh attack 'mastermind' identified as former student from Canada killed in police raid", *Independent*, 27 August 2016.

pistol, a bottle of petrol, a box-cutter and a hammer[18]. Passengers disrupted the attack preventing a large-scale impact and casualties. In addition, in the case of Paris, IS dispatched trained attackers and strike teams from its heartland of Iraq and Syria to target countries that are a part of the coalition. In countries where access to weapons is relatively easy, such as US and continental Europe, terrorists including 'lone wolves' will use both firearms and commercial and homemade explosives to conduct attacks.

6. The Future

Worldwide IS operatives and supporters possess the intent and capability to mount attacks. In the future, is likely that these threat groups will recruit serving security forces personnel, private security guards, airport personnel and others who have either access to target and weapons storage facilities. As such, IS will conduct both large-scale complex and basic attacks in 2017. However, in the past IS has conducted complex attacks in the battlefield and basic weapon attacks off-the-battlefield where access to weapons is difficult. The use of motor vehicles, knives, poison and items for conducting basic attacks has been practiced by AQ in the Arabian Peninsula (AQAP) and IS. These attacks will continue to gain momentum and will remain an effective tactic. IS has attempted to conduct at least a dozen attacks or attempts to run down pedestrians since 2013 after AQAP introduced the tactic in its English language magazine "Inspire" in October 2010. After the July 2016 attack in Promenade des Anglais in Nice that killed 87 and injured 434 others an article in "Inspire 2" titled "The Ultimate Mowing Machine" discussed the idea of attaching a camouflaged wide sharp blade to the front of the vehicle to increase deaths and injuries [19].

With the international coalitions stepping up operations against IS in Iraq and Syria and in its backup bases in Libya, Yemen, Afghanistan-Pakistan and elsewhere, IS operational focus will continue to shift. Instead of inviting men, women and children to its heartland in Iraq and Syria, IS will urge its operatives and supporters to attack coalition countries including security forces personnel and government leaders in their home countries. IS will direct its supporters to target Shia and non-Muslim symbols and communities in order to disrupt harmonious relations between communities. In addition, other prominent IS religious targets include Christians, Jews, Buddhists, Hindus and Sikhs and their places of worship along with religious gatherings.

Moreover, it is possible that IS and AQ may infiltrate peaceful rallies, demonstrations and protests to conduct violence, as demonstrated during the Arab Springs in the past. In order to instil a culture of hatred between the state and the Muslim communities, terrorists will narrow in on special religious events on landmark dates as likely targets. This remains a possibility because IS will continue to seek global media attention, as it did with attacks such as in the one in Nice when an attacker careened two kilometres through a crowd gathered to celebrate the French National Day in July 2016. Similarly, IS declared a "Ramadan jihad" [20] in 2016 precipitating 17 attacks in Saudi Arabia, Yemen, Jordan, Bangladesh, Israel, Iraq, US, France, Egypt, Afghanistan, Lebanon, Malaysia, Turkey and Indonesia. Thus, IS will also step up attacks during the religious month of Ramadan in the upcoming year as well.

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[18] McGuinness, Romina: "Paris train terror suspect Ayoub El Khazzani to speak at hearing after months of silence", *Express.co.uk*, 14 December 2016.
[19] Richter, Greg: "Jihadist Magazine Called For Using Trucks to Kill in 2010", *News Max*. 14 July 2016.
[20] "ISIS warns: More attacks to come; Dhaka only the start", *The Straits Times*, 7 July 2016.

In countries where the security apparatus and infrastructure is weak, both IS, AQ and their associates will compete to strike attractive targets. A few of such attacks conducted in the past include the downing of the Russian Metrojet originating from Egypt in October 2015, which killed 217 passengers and seven crew members. In addition, an Al Shabab suicide bomber, Abdullahi Abdisalam Borle, exploded an IED laden laptop on Daallo Airlines flight DL3159 from Mogadishu to Djibouti in February 2016, piercing the fuselage, killing himself and injuring two others. Although there is no operational cooperation between IS and Al Shabab, there is considerable exchange of ideas and competition between both, due to the latter's links with AQ[21]. For instance both IS and Al Shabab competed to attack targets in East Africa. Al Shabab also attacked the Beach View Cafe in Mogadishu on January 2016. In April 2016, IS detonated a car bomb targeting forces belonging to the African Union peacekeepers on the outskirts of the capital Mogadishu.

7. State and Societal Responses

As an active and strong insurgent and a terrorist group, IS managed to change the global threat landscape dramatically. However, like other threat groups, IS is not invincible. IS support can be isolated by containing its membership and eliminating the core with the right resources, coordinated and collaborative action, and innovative leadership. As such, it is crucial to forge and sustain a partnership between the government, private sector and community to prevent attacks, protect targets and pursue terrorists. If the European experience is observed, it is evident that only half of the IS attacks could be disrupted. This is testimony to the fact that governments should work with partners to anticipate likely attack scenarios and develop contingency and crisis management plans in the event of a successful attack. Other lessons learn in this case, include the necessity of increased security and police visibility preventing attacks.

In the battlefield, international coalitions in Syria and Iraq should raise national capabilities - both general purpose forces and special operations forces - to fight back. Coalition forces should continue to target high profile leaders, prolific advocates, facilitators and directing figures of attacks worldwide using drones and airstrikes. The kinetic or militarized phase should be followed by a stabilization phase and post-conflict peace building phase where areas recovered from insurgent and terrorist control should be stabilized to achieve an extent of normalcy.

The terrorists conducting attacks make use of communications security, both private messaging and encrypted computer applications. As such, due to the use of end-to-end encryption and the limited coverage of threat groups in planning attacks, only some of the attacks will be disrupted. Governments should simulate attack scenarios and conduct exercises to prepare both emergency services and public. It is pertinent that the attacks are developing in terms of their complexity and the response strategies of most governments are not in sync with the IS attack methodology. IS focuses on the following strategies in conducting attacks:
  (a) herd the victims and achieve mass casualties;
  (b) take the remaining hostages, prolong response and gain maximum publicity;

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[21] Laing, Aislinn: "How al-Qaeda and Islamic State are competing for al-Shabaab in Somalia", *The Telegraph.* 12 January 2016.

(c) invite the security forces for a showdown where the attacker(s) fight to death with the belief of "attaining martyrdom".

In certain situations counter terrorism tactical teams are unable to reach the target zone fast enough to stop the attack during the herding phase. In order to facilitate quick reaction response, the main intervention units should rise from within local police units and first responders. Through decentralization of the response, the probability of disrupting an attack increases. As such, the attacks in Bataclan, Dhaka, and Orlando offer a template for future targets and possible responses. In June 2016, Omar Mateen attacked the Pulse Nightclub and killed 50 and injured 53 others in Orlando, Florida. US did not take into account the incident in Paris as a warning. The US intervention units claimed that the American Muslims were better integrated, threat was low, and did not prepare for a Bataclan-type scenario. In addition, before the advent of IS, the early examples of no surrender attacks are Mumbai (2002) and Westgate Mall in Kenya (2013).

In light of the reduced flow of foreign fighters to the heartland, the timing is right for governments and their community partners to develop strategic capabilities in rehabilitation and community engagement. In this case, the approaches of rehabilitation are religious, educational, vocational, social and family, creative arts, recreational, and psychological. Engagement strategies to build relationships and integrate individuals over ideology and psychotherapy are powerful tools in transforming IS fighters. Moreover, in designing strategies to reduce and manage the foreign fighter threat, governments and partners should also consider the threat posed by both IS and non-IS fighters. In addition to rehabilitating those surrendered and captives of Jabhat Fateh Al Sham (JFS, previously Al Nusra; the AQ branch in Syria), governments should create platforms to engage Iran's militias, Shia fighters, and Hezbollah along with Sunni opposition groups. The Shia fighters are estimated to be in the thousands and the potential threat of Shias has to be managed carefully[22]. JFS poses a long-term threat, along with other ideologically indoctrinated and battle hardened groups that should not be underestimated.

Rehabilitating and reintegrating fighters and supporters should be a priority. However, in parallel, there should be a robust community engagement strategy to counter extremism and promote moderation. In order to prevent radicalisation, governments and their partners should focus on the physical and cyber space as well. The online and offline community engagement initiatives should address extremism both within and outside the Muslim community. This should also include right wing and anti-Islamic groups, which is on the rise. The emergence of right-wing anti-Islamist populist movements coupled with hate crimes and Islamophobia will only worsen the situation and play into the hands of IS and AQ. These groups want to see inter-communal discord and mayhem, which permits them to gain new recruits. In this regard, such over-reactions will justify IS war narrative against the West and non-Muslims. Particularly, there is need to temper and rein in the animus in more constructive efforts such as inter-ethnic and inter-religious dialogues, peace movements and goodwill groups .

The complex and fluid threat environment is strengthened by the growth of IS virtual communities collaborating across regions sharing information. Like AQ, IS too misinterpreted and misrepresented Islam to advance a political project. It is imperative to highlight that both these groups killed, maimed and injured more Muslims than any other government. In addition to influencing the human terrain, engaging the media, the education and religious

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[22] Nader, Zahra: "Iran covertly recruits Afghan Shias to fight in Syria", *The Guardian*, 30 June 2016.

sectors are vital. For instance, the immense suffering of Muslims both in the battlefield and in off the battlefield attacks has not been adequately portrayed. The media was unable to shed adequate light on the fact that the third of those killed by Mohamed Lahouaiej Bouhlel were Muslims. Overall, to manage the IS threat, the response should be multi-pronged, multi-agency, multi-dimensional and multi-national.

8. Conclusion

With IS struggling to survive in its heartland, a heightened security environment will prevail throughout 2017. In August 2016, according to the Pentagon, the number of foreign fighters entering Iraq and Syria diminished from 2000 to 200 in early 2015. Similarly, West Point's Combating Terrorism Centre reported that IS official online postings dropping from 700 in August 2015 to 200 a year later. As such, through sustained military action, IS operational threat is likely to diminish in the short-term (1-2 years) and ideological threat will possibly reduce in mid-term (5 years).

The greatest impact of IS is the damage it inflicted to communal harmony - Muslim-non-Muslim relations. As was evident following the Paris and Charlie Hebdo attacks, the relationship between the French Muslims and non-Muslims suffered. In the long term (10 years), governments working with community organizations will be able to reduce the suspicion, prejudice, anger and hatred precipitated by IS. However, in the meantime visionary and steadfast counter insurgency and terrorism leadership is essential to fight and defeat IS.

In the coming year, IS, AQ and their associates will gravitate to permissive environments and flourish. In the case of IS, the core is the strongest followed by its associates or wilayats worldwide. The wilayats are situated from West Africa to North Africa and East Africa, throughout the Levant and the Arabian Peninsula, the Caucasus, and in parts of Asia. In the case of AQ, its associates in Syria (JFS), Yemen (AQAP), Sahel (AQIM) and Somalia (al Shabab) are significant. As such, there is a resurgence of threat from AQ and their associated groups. With governments worldwide planning to step up their campaign against terrorism, the probability that both IS and AQ will work together is high. The dispute between AQ and IS is a leadership conflict and not an ideological conflict. If Ayman al Zawahiri dies or is killed, AQ and its associates - at least some of them - are likely to unite with IS.

As the reach of IS is global, the potential for IS and AQ to remain dormant in one region and re-emerge in another is likely. In addition, the capacity of IS to replicate through re-organization and re-recruitment is high. Unlike AQ and their associates that recruited discretely, IS recruited both openly and covertly. Moreover, unlike AQ, IS has developed expertise of social media and can reach out to millions generating thousands of supporters and sympathisers. The reliable and fledgling support networks enhance the endurance and sustenance of IS. Although IS presents the most dominant threat, the threat by AQ should not be neglected. Presenting a graver long term threat, AQ demonstrated patience and persistence and is likely to avoid open conflict with IS. However, while on the run, making use of their communications platforms IS, AQ and their associates will provide ideological inspiration and practical guidance to supporters to mount attacks.

Overall, the terrorist threat will endure in the year ahead despite progress on the military front, greater cooperation and collaboration among countries, and counter-ideology efforts. Raising and expanding specialist counter-insurgency (COIN), counter-terrorism (CT)

and counter violent extremism (CVE) capabilities are central to defeat IS. The international community should be prepared should IS take on new forms as it did from 2004 (AQI) to 2014 (IS) or turn present wilayats and enclaves into new 'Iraqs', 'Syrias' and 'Libyas'. Lastly, at the heart of winning the fight against IS is enlightened political leadership willing to work in partnership with countries that have majority Muslim populations and global political will to fight this threat.

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FOREIGN AND SECURITY POLICY IN THE PARTY DISCOURSE IN POLAND: MAIN FUTURES

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Abstract:

The article examines the role of foreign and security policies in the Polish political parties discourse since 1989, trying to explain the positions of the most significant political parties on key aspects connected with these topics. In this regard, the article explains the debates and the evolution of the parties after 1989, as well as the consensus reached, connected with Poland's accession to the Western institutions, in particular the debate on the European Union (the accession to and participation in the EU), and Eastern Europe. This set of debates helps to understand the significant divisions that today exist among the political parties in Poland. The final part of the article refers to the impact of the last parliamentary elections on foreign policy.

Keywords: Political parties, Poland's foreign policy, Poland's security policy, party system in Poland

Titulo en Castellano: La Política Exterior y de Seguridad en el discurso de los Partidos Políticos en Polonia: Aspectos principales.

Resumen:

El artículo examina el papel que tiene la política exterior y de seguridad en el discurso de los partidos políticos en Polonia desde 1989, tratando de explicar las posiciones de los partidos políticos más significativos en aspectos claves de estas políticas. De esta forma, el artículo explica los debates y la evolución de los partidos a partir de 1989, los consensos alcanzados, todo ello conexionado con el acceso de Polonia a las instituciones occidentales, de forma especial el debate sobre la Unión Europa (su acceso y participación y Europa del Este. Este conjunto de debates ayuda a entender las divisiones significativas existentes hoy entre los partidos políticos. La última parte del artículo explica el impacto de las últimas elecciones parlamentarias en la política exterior.

Palabras clave: *Partidos políticos, La política exterior de Polonia, la política de seguridad de Polonia, el sistema de partidos en Polonia.*

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1. Introduction

The political parties are the main platforms for debating the political demands in a democracy. Such parties let the institutionalization of social requirements in the form of coherent concepts, establishing a basis for a government's policy construction. This also applies to an area of foreign and security policy. Although, at present time, the role of political parties has diminished, due to the raising influence of other actors at either sub-national (mass-media, NGOs and social movements, different lobbing groups, public opinion etc.), or supra-national levels (various transnational actors, the European Union's institutions, other international organizations, external lobbyists and so on).. The impact of ideology on contemporary politics has also been decreasing. In spite of all this, political groupings still hold a dominant position in the formation and implementation of governments' policy in democratic systems..

Democratic party system has been developed in Poland since 1989. Since then, the Polish political groupings have influenced Poland's foreign and security policies with their ideologies and political actions. On the one hand, it is quite easy to analyze their practical impact on construction and implementation of these areas of the state's activity. On the other hand, linking parties' ideologies and official programmes with foreign policy seems to be quite problematic at least. As it was emphasized by Krzysztof Zuba, the difficulties stem from the instrumentalization of ideology that is one of the most typical features of Polish political parties. According to this author, ideology remains a significant factor in the political discourse in Poland, though less important in terms of political action. In his view, ideological weakness of Polish political groupings cannot be denied, and each party should be treated individually, taking into account factors that limit the impact of ideology, as well as those that enhance that impact[2]. Therefore, foreign reader can be often surprised by the positions expressed by any Polish party towards a specific problem referring to the foreign policy.

I must openly agree that identity-based approaches to international relations and foreign policy analysis, especially the social constructivist one[3], seem to be the most useful for the examination of the Polish political discourse on the foreign policy. The common point of these studies is the argument that any political activity is difficult to explain without considering the role of social factors like the identity of a political actor and social norms that constitute this identity. This perspective has thus strong affinities with the social constructivist argument that actors' interests are not given, but are shaped by their (collective) identities that are constructed through (social) interactions. Other theories and approaches can be also applied to a limited extent, to certain political parties' activity in the field of foreign policy's formulation and implementation[4].

All these reasons explain the necessity to describe, in the most synthetic way, the Polish party evolution after 1989 and the political consensus reached by the most significant groupings, connected with Poland's accession to the Western institutions. The author decided to explain in more detail the Polish political debate on two specific dimensions of Poland's

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[2] Zuba, Krzysztof: "The role of ideology and political parties in the process of formulating Polish foreign policy", in Bieleń, Stanisław (ed.) (2011): *Poland's foreign policy in the 21st century*, Warsaw, Difin, pp. 214-15.

[3] Elsa Tulmets, for instance, successfully applied social constructivism to her general analyze of foreign policies of all East Central European countries. Tulmets, Elsa (2014): *East Central European Foreign Policy Identity in Perspective. Back to Europe and the EU's Neighbourhood*, Basingstoke, New York, Palgrave Macmillan.

[4] Political parties' positions on Poland's foreign policy can be also analyzed applying, to some extent, neorealist, or neoliberal approaches.

foreign policy: European Union (the accession to and participation in the EU), and Eastern Europe. These sets of problems help to understand the important divisions that today exist among the political parties in Poland. The final part of the article was devoted to the last parliamentary elections' impact on the foreign policy.

The article bases on the analysis of official documents and statements presented by Polish political groupings, as well as parties' actions in the area of the foreign policy. These kinds of sources are supplemented by various studies related to the topic, and the author's practical experience of participation in the political activity, including shaping the Polish left's position on international affairs and foreign policy. Wherever it was possible, the author tried to indicate in the references, sources in English[5] to give the reader the opportunity to deepen his knowledge in this particular field.

2. Political scene in Poland after 1989 as a significant set of conditions influencing its foreign policy

Pluralistic parliamentary democracy was reestablished in Poland in 1989 after the, so called, round table talks between representatives of the real socialism's authorities headed by the Polish United Workers' Party (PZPR)[6] and the "Solidarity" – social movement formed on the basis of the independent trade union[7] with participation of the dissident intellectuals and supported by the Polish Roman-Catholic Church. The first partially free elections took place in June 1989 and they gave rise to the first non-communist government in the Eastern bloc with Tadeusz Mazowiecki (represented former opposition movement) as a prime minister. One year later, the leader of the "Solidarity" in the 1980s and the Nobel Peace Prize winner (1983), Lech Wałęsa, became the president of Poland.

Division between "post-communist", or "post-Solidarity" political forces was one of the most important features of the Polish party arena in the 1990s[8]. It played a very significant

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[5] It is worth noticing that the sources in English are usually a reflection of Polish sources (Polish press information, documents and the like).

[6] PZPR – (in Polish) Polska Zjednoczona Partia Robotnicza – the main political party of the People's Republic of Poland, created when the Polish Socialist Party (established in 1892, the main Polish left-wing party before the end of the WWII) was forcibly incorporated into the communist Polish Workers' Party (the successor to the Communist Party of Poland) in 1948-49. Formally, it was a communist party, although, after a short period of Stalinism in Poland, it gradually achieved some freedom of movement in economics and social life (quite a lot in comparison to other parties in the Soviet-bloc countries). Reformist, hard-line, as well as nationalist factions emerged within the party. The Soviet Union (USSR) also created some divisions among the party's leaders and members. During the Mikhail Gorbachev's *perestroika* in the USSR, the PZPR, with general Wojciech Jaruzelski at its head, supported the new Soviet leader's policy and started to liberalize the political and economic regime in Poland; in parallel it tried to reestablish closer relations with the West (partially frozen or reduced after the martial law was declared in Poland in 1981) and institutions like the IMF, and the IBRD.

[7] Independent Self-governing Trade Union "Solidarity" – (in Polish) Niezależny Samorządny Związek Zawodowy „Solidarność" – founded in 1980 as the first trade union in the Soviet bloc that was not controlled by a communist party. The union was banned after the declaration of the martial law in December 1981. In the 1980s, "Solidarity" was a broad anti-bureaucratic social movement (supported by the West, especially the USA, also financially), using the methods of civil resistance to advance the causes of workers' rights, as well as social and political change (Judt, Tony (2005): *Postwar: A History of Europe Since 1945*, New York, The Penguin Press, p. 589; Smolar, Aleksander: "'Self-limiting Revolution´: Poland 1970-89", in Roberts, Adam; Garton Ash, Timothy (eds.) (2009): *Civil Resistance and Power Politics: The Experience of Non-violent Action from Gandhi to the Present*, Oxford, Oxford University Press, pp. 127-43).

[8] The main left-right axis of division was defined primarily in terms of the diverging attitudes towards the communist past and moral issues, particularly the role of the Catholic Church in public life. Otherwise, both part of society (perceived as "post-communist" or "post-Solidarity") were heterogeneous, with broadly similar socioeconomic programmes.

role until the parliamentary elections in 2005[9]. After then, this fragmentation has become much less important. Polish political divisions have begun to resemble the Western European countries' political scenes, although political life was distinctly dominated by right-wing parties and politicians. The main axis of the political struggle in Poland has become a rivalry between the conservative right wing forces and the liberal right. This also meant the decreasing importance of the left, despite numerous attempts to avoid such tendency by various left-wing and center-left politicians and activists. Parliamentary elections in 2015 turned out to be the first since 1918 (regaining of independence by Poland) in which the left failed to win any seats in the Sejm (the lower chamber of the Polish parliament). According to the experts, in the face of the weakness of the left, a number of "traditional" functions and slogans of the left has been taken over by some conservatives (representation of disadvantaged, employees), or liberals (in the context of the building of an open society, minorities' rights, state secularism, European integration etc.).

During this quarter of a century democracy, the largest and most significant political force of the left and center-left parties was, undoubtedly, the Democratic Left Alliance (SLD)[10]. The SLD was built in the run-up to the parliamentary election in 1991 as a coalition of various political and social organizations. All of them had their roots in the previous regime. The Social Democracy of the Republic of Poland (SdRP)[11], the direct organizational successor to the PZPR, occupied a central and hegemonic position among other groupings. The other significant component of the SLD became the All-Poland Agreement of Trade Unions (OPZZ)[12], officially sanctioned trade union federation in the 1980s. The SLD's leader, Aleksander Kwaśniewski, had become the president of Poland in 1995, beating Wałęsa in the elections, and was easily re-elected in 2000. The new party leader, Leszek Miller, proved to be an effective government official as well as an opposition leader, transformed the SLD into an unitary political party in 1999. Under his leadership the party reached the peak of popularity when the SLD definitely won the power after parliamentary elections in 2001, obtaining more than 40% of votes. The party was in power cooperating with its "own" president, as well as having significant influence in regional and local authorities.

The left began to weaken due to political scandals and its style of government, but also because of internal conflicts and secession of group of its activists who created the competitive political left-wing party (the Polish Social Democracy) with the former speaker of the Sejm, Marek Borowski, as its leader. The divided left lost the European parliament elections in 2004 and the national parliament elections the next year. The political scene had been dominated by the right, despite the fact that the "post-communist" left (with the SLD and the Borowski's social democrats) and some of the "post-Solidarity" liberals (the Democratic Party) joined forces for building a coalition called the Left and Democrats under the umbrella of Kwaśniewski. It lasted only three years, from 2006 to 2008.

In addition, the SLD could not resist the process of programmatic convergence in the political parties. As a result, its leftism referred more and more to the ideological roots than to the program, or practical activity[13]. Moreover, due to demographic changes (aging) the SLD

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[9] Groupings of both camps had evolved in power after parliamentary elections in 1993, 1997, and 2001. This division had also an important influence on presidential elections in 1995 and 2000, as well as on the whole political discourse in Poland.

[10] SLD – (in Polish) Sojusz Lewicy Demokratycznej.

[11] SdRP – (in Polish) Socjaldemokracja Rzeczpospolitej Polskiej; established in 1990.

[12] OPZZ – (in Polish) Ogólnopolskie Porozumienie Związków Zawodowych, established in 1984.

[13] See more: Małysa, Krzysztof: "Kwestia europejska w programach polskiej lewicy po 1989 roku. Przegląd stanowisk", *Polityka i Społeczeństwo* , Vol 12, Nº 3 (2014), p. 95.

lost its traditional electorate (with its specific attitude to the past and the real socialism) without winning younger voters. New and competitive (with regard to the SLD) anti-system political parties - the "Palikot's Movement"[14] created by Janusz Palikot (reported as a center-left/social-liberal, although more liberal than the SLD in the context of economy, and with strong emphasis on anti-clericalism; nowadays: the "Your Movement"[15]), and "Razem" ("Together", strongly leftist, dominated by young activists) - worsened the SLD's political position. Despite the creation of the broad coalition of the left and center-left parties (the United Left[16] consisted of the SLD, the "Your Movement", the Green Party, the Polish Socialist Party, the Labour Union and others[17]) elections in 2015 was a crushing defeat for them[18].

Another party connected with the previous political system has been the Polish Peasant Party (PSL)[19]. In 1990 the PSL transformed itself in the United Peasant Party (ZSL), former satellite party of the PZPR, although it has attempted to self-define as the successor of patriotic and anti-communist traditions of the earlier Polish agrarian movement that arose in the nineteenth century. The party has been trying to locate itself within the center of the Polish political scene, combining moderate moral conservatism with the pragmatic (pro-social, and non-dogmatic) attitude to capitalism and foreign policy. Such political position allowed to become a political partner of the left, as well as the liberal right. The PSL was the SLD's coalition partner in the years 1993-97 and from 2001 till 2003. It also became a junior-partner of the stable, long-lasting (two parliamentary terms) governmental coalition formed with the Civic Platform (PO) in 2007-2015. Waldemar Pawlak, the PSL's leader then, served as a prime minister from 1993 to 1995 and during that time Poland submitted its application for the EU membership.

In the 1990's, the situation on the right side and on the center of the Polish political scene was much more complicated and flexible than on the centre-left one. It is worthy to note that the "post-Solidarity" part of the young democratic party system was considerably more patchy than the "post-communist" left, or agrarians. It stemmed from heterogeneous character of the "Solidarity" movement in 1980s consisted of a wide range of social and political groupings with their various outlooks and different visions of a "better future". The most significant discrepancies were clearly visible in the context of economy, relations between the state and the Church, or a settlement with the past (problem of so called decommunization).

The most important force in Poland, in the last decade of the twentieth century, was the Union of Freedom (UW)[20] formed in 1994 by merging the Democratic Union and the Liberal-Democratic Congress, both acting since 1990. It was the most Western values-oriented party, in the middle of political arena, presented itself as the most modern, future-proof, and the "pro-European" one. There were many well-known politicians among the party's leaders (i.e.: Mazowiecki, Bronisław Geremek, Jacek Kuroń, Andrzej Celiński, Leszek Balcerowicz, Janusz Onyszkiewicz, Hanna Suchocka, Donald Tusk *et altera*), and

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[14] "Palikot's Movement" – (in Polish) "Ruch Palikota".

[15] "Twój Ruch" (in Polish) can be translated into English either as "Your Movement", or "Your Turn".

[16] "United Left" – (in Polish) Zjednoczona Lewica.

[17] Without the "Razem" Party, that won 3,62% of votes in 2015' elections. The party established links with trade unions until the present.

[18] The coalition got almost 8% of the votes, but less than the electoral threshold for coalition electoral committees in Poland.

[19] PSL – (in Polish) Polskie Stronnictwo Ludowe.

[20] UW – (in Polish) Unia Wolności; in 2005 transformed itself into the Democratic Party (see: above). Significant group of activist abandoned the party in 2001, co-founding the Civic Platform (see: below).

intellectuals within its proponents. Those political circles had an impact either on the creation of cabinets in 1989-91, 1992-93 (with Mazowiecki, Jan Krzysztof Bielecki, and Suchocka as prime ministers) and 1997-2000 (as a junior partner in the coalition with the Electoral Action "Solidarity"), or on the definition of economic development's vectors in the 1990s (*mutatis mutandis*: foreign economic policy). It was very influential in local authorities, especially in big cities.

The right in Poland had been very shattered[21] until the creation of the Electoral Action "Solidarity" (AWS)[22] in 1996 under the umbrella of the trade union "Solidarity" with its leader Marian Krzaklewski at the head. The movement (the coalition of the trade union with some right and center-right political parties) won the elections in 1997 and ruled Poland for four years until 2001 (with Jerzy Buzek as the prime minister).

In the first decade of the new millennium, the political arena in Poland was dominated by the "big four": the SLD, the PSL, and new groupings: the Civic Platform (PO)[23], and the Law and Justice (PiS)[24]. From time to time some other smaller actors "interrupted" the existing political order but they did not change it to a greater extent[25]. Diminishing influence of the left allowed the transformation of the party system into almost a bi-partisan one with the PO and the PiS as the political tycoons starting from 2005 until the elections in 2015. Discourse between these two groupings determined the main axis of the political dispute in Poland for approximately ten years.

The PO appeared on the political scene in 2001 (in the run-up to the parliamentary elections that year), gathering mostly politicians from the UW, and the AWS. Therefore it was reported as a center-right, presenting a neoliberal economic programme combined with a rather conservative outlook. Entangled in conflict with the more conservative PiS, it has been transformed into a rather liberal party in terms of moral values, and more pragmatic in the context of social-economic solutions. Along with the SLD, the PO became the most pro-EU parliamentary grouping and concentrated on urban and better-off voters, "caught" easily the most pro-EU supporters. The PO reached power in 2007 and formed the governments until 2015 with Tusk and Ewa Kopacz as prime ministers. In 2010 Bronisław Komorowski (one of the PO's leaders) won the presidential elections. The party (sharing the power in the cabinet and many regional authorities with the PSL) had taken the widest range of political power with its influence on all public institutions in Poland since the collapse of the PZPR. It has been changing only after the rather unexpected triumph of the PiS-supported Andrzej Duda over Komorowski in presidential elections in 2015, and the PO's defeat in parliamentary elections the same year.

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[21] Although it was able to won the elections in 1991 and built the conservative coalition government with Jan Olszewski as a prime minister in 1991-92. An acute dispute between the "post-Solidarity" conservatives and far-right followers on the one hand, and the "post-Solidarity" liberals and moderate conservatives on the other appeared in those years. It has last since with an impact on politics even nowadays. The attitude to the international environment of Poland (i.e.: confidence or lack of confidence in Germany and the European institutions, openness in economics and social issues) has been part of the dispute.

[22] AWS – (in Polish) Akcja Wyborcza „Solidarność".

[23] PO – (in Polish) Platforma Obywatelska.

[24] PiS – (in Polish) Prawo i Sprawiedliwość.

[25] For example the impact on Polish politics from. the League of Polish Families (LPR – in Polish: Liga Polskich Rodzin - the "strong-right", national-democratic, catholic party), as well as from the "Samoobrona" ("Self-defence") party. Both parties had been included into the coalition government created by the PiS in 2005-2007. They were marginalized after then.

The PiS had started its political activity in 2001 created by Jarosław Kaczyński, its undisputed leader for the whole life of the party till the present. It was created on the basis of the right-wing activists of the AWS and it was described as a conservative, although pro-social, political grouping.

The party referred to the above mentioned Olszewski's government, calling for "decommunization" and protection of national assets in economy. The PiS became popular, owing to its tough anti-crime and anti-corruption rhetoric. It also proposed the "new" politics of remembrance, targeted especially to the victims of communist regime, but also to younger generations (aimed at their "patriotic education"). Patriotic slogans, as well as the highlighting of "traditional" (conservative, based on values promoted by the Polish catholic clergy) outlook and heritage, have became another party's "trademark".

The PiS began its political successes starting from parliamentary elections in 2001 (the fourth political force in the Sejm then) and local elections in 2002 when Lech Kaczyński (Jarosław Kaczyński's twin brother) won the post of the Polish capital's president. Using his popularity, Lech Kaczyński won the presidency of Poland three years later. Also in 2005 the PiS beat competitors in the parliamentary elections and formed the new government with Kazimierz Marcinkiewicz and J. Kaczyński as successive prime ministers in 2005-07. During that period, Poland developed a more assertive foreign policy, especially towards Russia.

3. The party consensus on Poland's foreign policy in the 1990s.

From the Polish point of view, the Gorbachev's *perestroika* finally created possibilities to break free from the grip of institutional bonds of the Warsaw Pact and the Comecon and loosen ties with the "big brother" in Moscow. Practically, there were no serious political (or even intellectual) opposition that had advocated a different way of thinking. Therefore, either the collapse of the Soviet bloc in the end of 1980s, or the fragmentation of the Union of Soviet Socialist Republic (USSR) in 1991, encouraged a complete reorientation of the Polish foreign and security policies. Provisional weakness of the Russian Federation, the successor to the USSR, and its friendly relations with the West then, allowed Poland to take a sovereign decision in this field. Even Russia's opposition towards Poland's accession to the North Atlantic Treaty Organization (NATO), expressed by the Kremlin in 1992, could not change the choice made by Warsaw and reverse the course of events.

Polish political elites, as well as the society, were joined in the strong belief that Poland must "return to Europe". Such political and mental consensus was underpinned by the idea that Poland had always belonged spiritually and culturally to the West. The vast majority of population shared and avowedly expressed such ideas, despite political divisions, or even its attitude to the former regime and to the alliance with the USSR in the past.

Integration into the Western political, military, legal and social-economic space became Poland's top priority, together with the development of friendly relations with its neighbors. Through the accession in particular to NATO, and the European Communities, Poles intended to fulfill their dreams and ensure a fast, stable and secure development of the state. In particular, the society hoped an instantaneous, significant improvement of material standard of living. All major political forces supported that set of goals.

In the 1990s discrepancies in the political parties' positions on the Polish foreign and security policies were rather connected with "technical" details than general ideas. They were

especially referred to the readiness for the market opening, deregulation of economy, or protection of national industrial and agricultural production. The SLD, the PSL, and numerous center-right or populist political parties vowed for a slower market opening (postulated asymmetric opening in relations with the Western markets), and opted for protectionist policies towards different branches of national economy. The International Monetary Fund's policy toward Poland caused growing criticism among Polish politicians and voters (in the beginning of the decade, in particular). But the mentioned differences were manifested especially in the context of election campaigns, and parties that won the power maintained basic foreign economic policy guidelines. Economic "details" of the Poland's accession to the EU started to divide substantially the political parties, only in the end of negotiation process (see below).

A similar situation could be reported in the context of the relationships with the United States, NATO and Russia. The most important political parties placed great emphasis on NATO as the main guarantor of Poland's security and perceived the Pact as a platform of the West's unity. They expressed hope for close political and military relations with the USA (a "Polish-American strategic partnership"), the NATO's leader. The main center and right parties stressed especially the need of the US presence in Europe (or even in Poland, also in the military context). The SLD went on to hint that it will adopt a more balanced approach to the USA, or that it will improve relations with Russia. It provoked "post-Solidarity" parties to accuse left politicians of being "pro-Russian" according to their positions in the past. It turned out that the SLD maintained the Western-oriented policy in 1993-97, and even strengthen it significantly in 2001-2005. The "post-communist" governments, as they were described by the right opposition due to the links between the SLD and the PZPR, are considered as very pro-Western nowadays. In 2001-2005, the governments, formed by the SLD, had established such closed ties with Washington[26] that started to be criticized either by many party activists, or even its center-right competitors[27].

In the author's opinion, the most significant factor connected with the Polish party system that influenced Poland's foreign and security policy in the 1990s and afterwards was not only the relatively stable consensus of the main political forces presented above but also something else. Following the collapse of the authoritarian regime and the reemergence of pluralist politics in the end of 1980s, Poland evolved into a stable and increasingly consolidated liberal democracy with free market economy and the rising protection of human rights. This does not mean that the last two and a half decade had not seen periods of considerable political instability, social polarization and economic challenges. Nevertheless, overall the political, social and economic transition in Poland maintained its Western-founded, "European" patterns. It showed its important implications in a number of policy areas, not least Poland–EU relations. Main political parties supported those processes and contributed to strengthening Poland's international status, especially building confidence to Polish democracy and economy within its external environment. Polish politicians quickly learnt how to use European institutions. Hence, Poland was given better conditions for its foreign and security policies.

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[26] It was connected particularly with political and military engagement of Poland in the US intervention against Iraq in 2003 and the occupation of that country, the approval of the CIA's detention center in the North-Eastern Poland, and the purchase of the F-16 multirole fighters for the Polish Air Forces.
[27] The PO stated, in the middle of the previous decade, that it will guarantee a "sober approach and attention to an assessment of the real benefits" for Poland in its relations with the USA.

Economic policy formation has remained relatively insulated from any political turbulence. Elections served as a political valve for social discontent but winning parties did not abandon "the track" when they got the power. Even if they "paid the price" and lost their popularity among voters (i.e. liberals in 1992-93, the SLD in 1993-97 and after 2001, the AWS in 1997-2001), Poland was the pioneer of post-communist economic reform, following the introduction of the radical macroeconomic stabilization and economic liberalization package in 1990. The so-called "Balcerowicz's Plan", described as a "shock therapy", led to stabilization of Poland's dire economy, restoration of equilibrium in public finances, proper functioning of the price mechanism and further emergence of the vigorous private sector (the process that had already begun at the end of the communist period). At the same time, significant social consequences of economic reform hit the majority of population. However, the transformation was continued by successive governments formed by other political parties, despite different emphasis according to evolving challenges. It created a proper economic base for Poland's international activity and let Poland to be integrated into the Western community.

An ability to form a prosperous liberal democracy, a relatively fast and stable economic growth, as well as a political consensus among key actors of the Polish party system on main goals in foreign and security policy, let Poland to improve its international status (especially in the regional and sub regional dimensions), and became a quite important part of the West. Noticed consensus began to crumble in the first part of the 2000' when it became clear that Poland reached its primary, fundamental objectives: the membership in NATO, and the EU. Since then, foreign policy or security problems were transferred into a field of regular political game at the party arena, with minor (or even any) limitations coming from principles of *raison d'état*. Challenges connected with the Polish participation in the EU and Warsaw's position on the cooperation within the Union, together with the "Eastern dimension" of Polish international activity (as well as NATO, including the US factor) have turned out to be one of the most critical areas for frequent party disputes on foreign policy. However, the problem of Polish foreign policy had a prominent place in the context of the domestic political campaigns as a part of a pro- or anti-government (pro- or anti-presidential) rhetoric. Polish party elites learned quickly how to take advantage of European institutions' forums, like the European Parliament, or the Council of Europe, to influence politics at home.

4. Polish political class towards the accession to the EU and the key problems of the Union's development at the beginning of the XXI century

Accession to the European Union[28] was to prove a much more protracted process, inevitably so, given the complexity of the *acquis communautaire* and the wide structural disparities between post-communist applicant states and the "old" EU's member states. Poland signed the association agreement with the EU in December 1991 during the change of the

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[28] Detailed analysis of Polish political parties' attitudes to the negotiation and accession process in: Zuba, Krzysztof: "Through the Looking Glass: The Attitudes of Polish Political Parties towards the EU before and after Accession", *Perspectives on European Politics and Society*, Vol. 10, Nº. 3, (September 2009)., pp. 326–349. The author of this article shares Zuba's view on the split into Euroenthusiasts, Europragmatists, Eurosceptics, Eurorejects among political groupings in Poland, and uses noticed division in the description of the problem below. See also: Grzesik-Robak, Anetta (2008): *Polskie partie polityczne wobec integracji Polski ze Wspólnotami Europejskimi/Unią Europejską (1989–2004)*, Toruń, Europejskie Centrum Edukacyjne.

government in Poland from the liberal-right (Bielecki) to the more conservative one (Olszewski)[29].

The coalition government constructed by the SLD and the PSL, led by Pawlak at the time, submitted an application for the full EU membership in 1994. That decision was supported by the vast majority of political class and society. Following the decisions of the EU's summit in Luxembourg in 1997, the AWS-UW government (Buzek as a premier) formally launched the accession negotiations in March 1998. Not only its political base but also the center-left opposition distinctly supported the process. In fact, the left-wing president of Poland, Kwaśniewski, strongly assisted the center-right coalition.

Poland made reasonable progress in the negotiations, although it tended to be in the middle of the group of twelve candidate states in terms of the negotiated "chapters" closed. As the largest by far of the twelve applicant states, Poland was going to be one of the most difficult states to accommodate. In particular, Poland had a sizeable and backward agricultural sector and, as a consequence, it became a very important factor in the struggle of the political parties looking for voters connected with rural areas, as well as with the food industry.

The Christian National Union (ZChN)[30], part of the AWS and governmental coalition then, was a Eurosceptic party that put forward a broad set of conditions and reservations about Poland's membership in the European Communities and the EU's future trajectory. Such position was supported by the Catholic and nationalist radio station "Radio Maryja" that controlled a significant part of the conservative electorate. In order to accommodate misgivings expressed by those social-political clusters, the centre-right government had to present itself as an adherent of an allegedly "tough negotiating strategy" and a "determined defender of Polish national interests". Such rhetoric continued to set the tone for the AWS' position on European issues at the verbal level at least. That provoked tensions between Warsaw and Brussels and interrupted the negotiation process. This was exemplified by the government's uncompromising policy of seeking a very long, eighteen-year transition period during which restrictions could be placed on the sale of Polish land to foreigners. In that way, the AWS attempted to distinguish itself from outright pro-European liberals and leftists. Despite mentioned rhetoric, the AWS-UW's government remained strongly committed to the idea of Poland's integration into the EU.

The SLD took power in 2001 with a pledge to significantly speed up accession negotiations. The SLD-PSL's government adopted more flexible negotiating strategy. This was exemplified by the decision to soften the negotiating stance by accepting a shorter, twelve-year, transition period[31] on the sale of land to foreigners and the EU's proposal to restrict Polish access to the Western labor markets by up to seven years. It did considerably speed up the progress of accession negotiations and by the summer of 2002 Poland had joined the leading group of countries in terms of negotiating "chapters" closed. Strong support for European integration was being a vital element in portraying the SLD's image as a modernized Western-style social democratic party and avoiding (alleviating) the accusation of

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[29] Therefore, Olszewski stated that he "couldn't see the agreement before the act of signing", Olszewski tried to blame liberals for those conditions that were perceived as unfavorable from the conservative electorate's point of view (the far-right criticism towards the agreement, based on the idea of protecting the national identity, with quoted statements of various politicians, see i.e.: Bizoń, Janusz: "Nocna zmiana – czy nocna zdrada?", 7 August 2011, at https://jozefbizon.wordpress.com/2011/08/07/nocna-zmiana-%E2%80%93-czy-nocna-zdrada/.

[30] ZChN – (in Polish) Zjednoczenie Chrześcijańsko Narodowe.

[31] Even more: three years in the case of existing foreign lease holders and zero in the case of purchases for investment purposes.

its communist past[32]. However, the strategy posited by the SLD was criticized by right-wing Eurosceptic politicians. Miller, as the prime minister and the SLD's leader, was willing to make friendly gestures to the Catholic Church to break part of misgivings expressed by the conservative groups of citizens. It sparked criticism within the SLD's members and secular-oriented voters. Moreover, the other part of the coalition government (the PSL) presented a considerably less enthusiastic position on the EU than the SLD, trying to highlight its "Euro-realist" position, claiming to be tough in defending Poland's interests during negotiations, as well as expressing concerns over exploitation by the "rich man's club".

The PiS's attitude towards the Polish accession to the EU was ambivalent. There were even differences, concerning that issue, in the party's programme documents. On the one hand, the need for Poland's historical "anchoring" in the Western-constructed structures was stressed, and on the other, various risks, both in the economic and cultural dimension (national identity), were pointed out. The PiS strongly criticized conditions of the accession to the Union as negotiated by the Miller's government. The party's congress in 2003 supported the idea of Poland's accession to the EU, but the PiS emphasized its readiness to accept the new European (Constitutional) treaty under some specified conditions. The PiS demanded to include references to the Christian roots of Europe in its preamble, maintain the Nice voting system in the Council of the EU, and guarantee national constitutions' superiority over the EU's treaty. In 2005, when the party gained power for two years, the PiS alleviated open criticism of the EU, reducing itself to general statements that "it will stoutly defend Polish interests" during negotiations on the treaty for reforming the Union. The Polish government's refusal to sign the Charter of Fundamental Rights as a whole and the adjournment of the changes in the voting rules in the Council of the EU until 2017, were presented by the party as a great success of its government's "assertive" foreign policy.

The government constructed by the PiS put a great emphasis on the fact that its foreign policy differed greatly from that of its predecessors and that it was more assertive towards the EU, as well as to both, Germany and Russia[33].

Even the tougher position on the EU was stressed by one of the PiS's allies in the governmental coalition, the League of Polish Families that was decidedly against Poland's accession to the EU. The party vowed for the rejection of the accession treaty during the referendum campaign in 2003 because of ideological (from the point of view of Catholic-national, and national-democratic ideologies), political (to distinguish itself from the PiS), as well as economic reasons (to put the stress on domestic business). After the elections of 2005, when its leader (Roman Giertych) became a deputy prime-minister, its criticism towards the Union was significantly limited. Although the negative consequences of Poland's presence in the EU remained further voiced and the LPR pointed out that Poland should not have been a member of the EU, at the same time the party underlined "the necessity of establishing such relations which would be in the Polish economy's interest". The acceptance of the treaty reforming the EU by the J. Kaczyński's coalition government in 2007 was described as a betrayal of national interests by the LPR.

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[32] The SdRP/SLD has placed a great importance on its acceptance into international social democratic organizations (the Party of European Socialists and the Socialist International), as well as on contacts with foreign social democratic leaders. For the long period the SdRP/SLD had been a pronounced leader of international activity among Polish political parties.

[33] Bobiński, Krzysztof (2007): "Poland's post election foreign policy – a turning point?", Instytut Spraw Publicznych, at http://www.archiwum.isp.org.pl/publikacja/wyszukiwarka/829/polands-post-election-foreign-policy--a-turning-point, p. 2.

The Civic Platform's politicians unambiguously spoke in favor of the accession treaty, supporting it emphatically during the referendum campaign of 2003. At the time, the PO called for the fastest possible introduction of the euro currency in Poland, although it dissociated itself from federal tendencies in a European political integration. The PO made its pro-EU attitude one of the main features that distinguished it from the PiS on the centre-right side of the Polish political scene. It was clearly visible and especially significant in the decade 2005-2015. The party strongly criticized the euro-skepticism presented by the Polish government in 2005-2007, and the president L. Kaczyński during his term of office (2005 - 2010). An active involvement in the European politics became even the PO's "trademark" when the party took power in 2007. The same attitude to the EU presented Komorowski as president of Poland. The Tusk's government put stress on a very close political cooperation with Germany, the most significant Polish political and economic partner among the EU's states. It was very complicated because the PO worked closely with the German CDU/CSU headed by Angela Merkel. This alliance resulted in the growing importance of Poland in Europe and – *inter alia* – in Tusk taking the position of the President of the European Council in the end of 2014[34]. However, after the disclosure of the international financial and economic crisis, the Polish liberal politicians stopped talking about the adoption of euro in the near future.

An important place in the PO's programme was given to the question of "how, thanks to the membership in the EU, Poland can catch up with the old EU members" and "not permit itself to be outpaced by the other new member states". The party's vague answer to this question was that economic reforms must be continued and the implementation of the EU's development funds be maximized. At the same time, at the party's programme, the PO hinted that the EU's budget should be expanded and pledged that the party will strive to "maintain and develop the support mechanisms for poorer regions and member states". The PO also promised to be active in creating a common EU energy policy "that will guarantee Polish interests" (it meant to reduce dependence on Russian energy resources, especially natural gas). Tusk introduced the idea of an energy union inside the EU when he was the prime minister of Poland. The PO pledged to "deepen integration in the area of common foreign and security policy" and to see a "strong EU remaining in strategic relations in partnership with the United States".

The accession to the European Union did not change substantially the Polish political parties' attitude to European issues. Euroenthusiasts, the PO, and the SLD[35], have supported the general ideas of the European integration and believed that the Union is or can be an institutional embodiment of these ideas. It has been connected with a general attitude to the milieu and social-political problems presented by the parties' leaders. Their elites have perceived the EU as an important factor in Poland's modernization, and stabilization, as well as a significant instrument for ensuring external security. Both parties have become active members of the European People's Party (the PO), or the Party of European Socialists (the SLD), that play key roles in the European structures. Euroenthusiasts have expressed greater understanding of European solidarity: the slogan "common solutions to common problems" has become close to them. Therefore, both parties have focused on Poland's participation in the EU's "hard core" (also through the "Weimar triangle" together with Germany and France). The SLD has distinguished from the PO with its proposals oriented on "social

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[34] The PiS's leaders, rulling Poland currently, do not wish to support Tusk for the another term, recognizing him as "the weak" – gently speaking – in terms of Polish, as well as European, interests.

[35] As well as the new centre-left party, the "Palikot's Movement'/'Your Movement" after its foundation, and the "United Left" coalition in 2015.

Europe", following the Scandinavian model of a welfare-state, and gradual federalization of Europe.

Europragmatists, the PSL (and, partly, the PiS), have not supported the general ideas of the European integration, nor do they necessarily oppose them, yet they have supported the EU. For instance, in 2007 the PSL outlined a brave and unequivocally pro-European (although not very realistic) proposal of the EU reforms. That document emphasized that "membership in the united Europe gives Poland a chance of civilization, social and economic development". Such attitude has been very typical for many of the PSL's, and the PiS's followers: "we do not share European values (or to some extent, only), but we can see that the EU is the only realistic choice for our country".

Eurosceptics (for instance, a majority of the PiS) have shared the general ideas of European integration, but have been pessimistic about the EU's current or future reflection of these ideas. They have also tended to defend a fairly different identification of the "European values" than the leftists, or liberals, according to their conservative (national-Catholic) beliefs.

Europragmatists, as well as Eurosceptics, have usually presented a "selective" approach to the European integration. They have called for an enhancing integration, or "European solidarity" if this was required for immediate needs. On the one hand, for example, they firmly insisted on strengthening the role of European institutions in the case of the postulated Energy Union, or vowed for the EU's common action after the annexation of Crimea by Russia. But they present little understanding or even deny the same ideas in different aspects of the EU's activity. It has became clearly visible in their attitude to the present migration crisis.

The economic crisis, as well as internal problems of the Union and its member states, has contributed to the growth of the anti-EU sentiments in whole Europe, also in Poland. Far-right activists, ultra-liberal like Janusz Korwin-Mikke and its party "KORWIN"[36] (strongly anti-EU), or radically conservative like followers of the national-Catholic "Maryja" radio station, was able to promote their slogans relatively successfully. Even if the far-right parties could not get into the parliament or local authorities[37], and the results obtained by their leaders in the presidential 2015 campaign were insignificant, they infected some other anti-European groupings rhetoric (anti-liberal at the same time). The PiS adopted some anti-EU slogans during the parliamentary campaign of 2015 to gain the strongly conservative electorate and to maintain the "Maryja" broadcaster's support[38]. Similarly, a sharp criticism towards the EU was presented by the new political grouping "Kukiz-15" Electoral Committee led by Paweł Kukiz[39]. Anti-EU rhetoric touched especially the economic sovereignty (against euro currency-adoption, and "colonization" by the Western economic tycoons, Germany particularly), as well as the current migration crisis.

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[36] Nowadays: "Freedom" (in Polish: "Wolność").

[37] Alhough the "New Right" Electoral Committee led by Korwin-Mikke won four seats in the Europarliamentary elections in 2014.

[38] I.e.: the PiS's leader, J. Kaczyński, said that migrants can transmit microbes what poses threats for national security. Despite the common, loud criticism triggered by the statement, the PiS won the elections winning the parliamentary majority.

[39] Popular Polish rock star, and the founder of the movement for electoral single-member districts. He got the third place in the presidential elections of 2015 (over 20% of votes).

5. Poland's Eastern policy in the political groupings' programs

Policy towards the Eastern European countries holds in general a special place in Poland's foreign policy. The importance of this orientation in the expansion of Polish external influence has been growing since the accession to NATO and the UE. Since then, Belarus, Ukraine, and the Russian Federation, have become the only neighbors of Poland still remaining out of the Western structures. Moreover, all Eastern European countries (including also Moldova) have been, more or less, miles away from the West in terms of their political culture, or social-economic development. It has created either opportunities, or threats for Poland.

In the 1990's Polish political elites were concentrated on the integration in the West but a decreased interest in Eastern partners derived also from the economic weakness and social and political instability of these neighbors. Ideas for boosting (renewal) cooperation with them were usually limited to the quite popular in the Polish political discourse slogan that Poland should become a "bridge between the West and the East" being, of course, a part of the West. According to that, there were proposals of increasing trade volume, or using Polish territory to draw benefits from a transit between both parts of Europe. Moreover, many Polish politicians saw their country as a role-model for the Eastern European neighbors. Simultaneously, a sense of alleged Polish specific "mission" in the East appeared (not for the first time)[40] particularly among liberal and centre-right activists. Although often criticized, such attitude to the Eastern "junior-partners" has influenced Polish foreign policy. However, in the last decade of the twentieth century, Polish governments' activity was primarily aimed at development of a new legal base for neighborly cooperation, as well as protecting the country against existing and potential threats coming from Eastern Europe[41].

The achievement of strategic objectives as a member in NATO, and the EU improved significantly Poland's international position providing its foreign policy towards Eastern Europe with new instruments. Polish political elites have decisively expressed their will of shaping "Eastern dimensions" either in NATO or the Union, thus enhancing the influence of these Western institutions in the post-Soviet area. The Kremlin has usually perceived a sense of initiative demonstrated by Polish politicians towards the new independent states as an action controlled by other powers, the US in particular, and aimed at undermining of Russia's power status. Therefore, ambitions and rhetoric of some Polish politicians, centre-right in particular, have frequently begun hindering cooperation between the West and the Russian Federation, especially when those relations were quite positive. For this reason, and because of the relatively effective Moscow's propaganda in the eyes of many Western European politicians, Polish elites, as well as society, have been portrayed as infected and motivated by Russo phobia[42]. Such perception has been changing to some extent as a result of the current

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[40] See also Szczepanik, Melchior: "Another 'Mission in the East'? The Polish Policy Towards the Eastern Neighbourhood", in Tulmets, Elsa (ed.) (2012): *Identities and Solidarity in Foreign Policy: East Central Europe and the Eastern Neighbourhood*, Prague, Institute of International Relations, pp. 53-77.

[41] It should be recalled the existing appreciable threat of organized crime, or risks related to health security. Political and economic instability of the former Soviet republics in the beginning of the 1990's, especially, could cause even much more serious dangers for Poland as it was estimated. Only the war in Chechnya has caused a influx of ninety thousand refugees in Poland since 1994.

[42] See Taras, Raymond (2015): **"From Russophobia to Russo-Hypopsia: Poland's Foreign Policy towards Russia 2007-15 - the Making and Unmaking of the Eastern Partnership"**, Paper prepared for the IX Congress of the International Council for Central and East European Studies (ICCEES), Makuhari, Japan, 7 August 2015, at https://c-linkage.com/iccees2015/uploads/2969.pdf.

Ukrainian crisis since it has turned out that some concerns reported by Polish politicians and experts had been reasonable.

The subject "Russia" plays specific, important role in the political discourse in Poland. Relations with Russia are one of the most challenging problems connected with either Polish history, or present times. Ages of Russian/Soviet domination over Poland, threats posed by the more powerful neighbor in the past and nowadays, a rivalry between these states for geopolitical influence in the Eastern Europe, together with similarity of cultures, habits, languages, or economic cooperation and interest in Russia showed by many Poles, have influenced Polish political debate.

"Traditionally", the left has been perceived in Poland as a "Russia-friendly" part of Polish political scene. First and foremost, it was connected with the communist roots of the SdRP/SLD. Therefore, in the 1990's the left had been accused of open or hidden "pro-Russian" orientation of its leaders by the centre-right activists[43]. However, when the SLD came to power, it undoubtedly supported pro-European/pro-Western orientation in Poland's foreign and security policy. The governments created by the SLD in 2001-05 were even described as conducting strongly a pro-US policy[44]. Moreover, president Kwaśniewski and the governments backed by the SLD supported the Ukrainian "orange revolution" in 2004. Then, just after accession to the EU, Polish diplomacy was able to advocate inside the Union, a pro-European shift in Ukraine. Kwaśniewski played a significant role in solving the crisis, being a part of the international mediation team, showing his deep understanding of Ukraine's political scene and using a close relationship (that had built personally in previous years) with the outgoing, but still powerful, Ukrainian president, Leonid Kuczma. Poland's effective political involvement in the post-Soviet area has become a thorny issue in Polish-Russian bilateral relations, causing an unfriendly reaction in Moscow.

There was a plenty space devoted to relations with Poland's eastern neighbors in the SLD's electoral programme in 2011[45]. In the programme, the party emphasized that the main task facing the Polish eastern policy is "striving to expand the area of stability and integration eastward" in order "to have the West on West but also on East from our border". The SLD noted that the EU's Eastern Partnership programme should be enriched with new initiatives and instruments to "create a system of incentives that will mobilize partners to undertake

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[43] Józef Oleksy, one of the most prominent leaders of the SLD, had lost the office of the prime minister in 1995 under accusation of cooperation with Russia's intelligence services. It had provoked a huge political scandal and a wave of tensions between the "post-communist" and "post-Solidarity" groupings. Later, the accusation turned out to be baseless and Oleksy came back to the political activity. This situation clearly highlighted how fragile and influential is a "Russian topic" in politics in Poland.

[44] The decision made by the Miller's government (and supported by Kwaśniewski as a president) to militarily engage in the US action against Iraq in 2003 and the occupation of this country, or to buy the US-made multirole fighters F-16 were criticized also by many members of the party and its followers. The presence of the secret CIA-led detention centre in the North-East Poland (where the Taliban's militants were tortured as it was stated by the international court) provoked another political scandal some years later. Tough criticism towards this noticed activity have been usually expressed by the left-oriented politicians, journalists, experts, and voters, as well as human right activists. It also created a line of division between the SLD, and the "non-SLD" left (the case of the human rights' abuses made by the CIA was used by the "Palikot's Movement" in its attempt to destroy the SLD's reputation among centre-left voters a few years ago). Paradoxically, such pro-American decisions of the SLD-constructed governments were much better accepted by the centre-right.

[45] The SLD prepared and published the broad particular programme devoted to the Polish foreign policy then. That step was supported by thematic conferences and other publications. It has been the only time in history of democratic elections in Poland after 1989 that a political grouping expressed its view on international affairs in such quite large scale. See: *Przyjazna Polska otwarta na świat [polska polityka zagraniczna]* (2011), Warszawa, Sojusz Lewicy Demokratycznej.

political and economic choices consistent with European values and regulations". Belarus, Moldova and Ukraine were listed among the most important EU's partners. "Accelerated process of reconciliation" was expected from Kiev in the document. The left called for establishing pragmatic cooperation with Russia, based especially on socio-economic cooperation, breaking the reminiscences and prejudices. The "Palikot's Movement", in turn, put the stress on Polish economic activity in the framework of eastern polices more than other groupings. The capability to build effective alliances within the EU was underlined by the SLD as an indispensable condition of efficient Poland's eastern policy. The party also declared its readiness to consult "priorities of Polish foreign policy" with other political groupings on the regular basis.

The SLD took the restrained position on the "revolution of dignity" in Ukraine in 2013-2014, although the party expressed it support for transformation of that country in the EU-oriented style. Notwithstanding, the SLD paid attention to unresolved Ukraine's internal problems (a weakness of the state, corruption, radical nationalism etc.), called for moderation in Polish engagement into Ukrainian affairs. Moreover, the SLD's politicians tended to perceive the current conflict in Ukraine in terms of a neo-realist approach (similarly to the John's Mearsheimer's position presented in his well-known article[46]). This provoked sharp criticism, including accusations of "serving Moscow's interests", from the majority of liberal and right grouping. However, similar concerns to those presented by the SLD were expressed not only by some left and liberal-left intellectuals and experts, but also by many radical conservatives (see below).

Interestingly, the left (the SLD, as well as the United Left in its programme of 2015) clearly emphasized that there is no possibility to establish an effective European security system in the long term perspective, without the participation of the Russian Federation. Therefore, left politicians called for developing a long-term agreement between the West and Russia in this regard. The left has tried to distinguish itself from the centre-right groupings, giving evidence in its programme documents and rhetoric that they have been far from Russo phobia[47]. The SLD's leaders have usually accused their political opponents of having a tendency to overestimate the actual or potential risks generated by Russia. However, the "militarization of the Russian Federation, visible also in its foreign policy, economic, and even social life" in recent years, was highlighted in the "United Left's" electoral programme launched in 2015.

The PiS, associated with the party of the president L. Kaczyński, and the majority of the Polish centre-right followers have strongly opposed such "familiar" relationships with the Russian Federation, promoting diplomatic offensive against "Russian imperialism" in the post-Soviet area, aimed at building sovereignty of other new independent states from Russia. From that point of view, Polish eastern policy's main goals have been to support the pro-Western orientation of the Eastern European and Transcaucasian partners, as well as involve the West (not the EU only but also the US) in these processes. The US has been perceived as a very significant virtual adherent, able to balance the Russian influence in the region and the most important guarantor of Polish security[48]. In parallel, some European powers, Germany,

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[46] Mearsheimer, John J.: "Why the Ukraine Crisis is the West's Fault. The Liberal Delusions that Provoked Putin", *Foreign Affairs*, Vol. 93, Nº5 (September/October 2014).

[47] During the presidential campaign in 2015, the SLD-backed candidate, Magdalena Ogórek, expressed even her readiness to "make a phone call to president Putin to discuss problems" distancing herself from the anti-Putin rhetoric of the electoral race's leaders supported by the PO and the PiS.

[48] It is noteworthy that many Polish centre-right politicians pay more attention to the military threats posed by Russia, actually or potentially, strongly demanding the US's and NATO's permanent military presence on the

and France in particular, have been regarded with suspicion as "too pro-Russian" and potentially concentrated on doing "business as usual" with Moscow.

It was reported by many (domestic and foreign) observers of the Polish political scene that president L. Kaczyński (2005-2010), as well as the PiS-backed government (2005-2007), spearheaded hostility (or disapproval at least) towards both Russia and the countries deemed soft on Russia, putting stress on a very active Poland's role in transforming the post-Soviet republics into Western-oriented subjects of international relations. Such attitude regarding the eastern policy raised also problems in Polish–EU relations. Accordingly, Poland was considered as the lightning rod in the EU's relations with Russia. It became difficult to deal with Russia, being an issue polarizing the West and the Kremlin. As a consequence, Poland's eastern policy was strongly criticized by the centre-left and liberal right as too hazardous, ineffective and detrimental to the Polish state interest in general[49]. However, the right politicians highlighted that it was the only rational way to deter Russia's expansion in the Commonwealth of Independent States' area and further. To some extent, this division has started to disappear when Russia annexed Crimea in 2014.

The PiS, during the electoral campaign of 2011, strongly recommended Ukraine's accession to the EU and NATO, as well as Georgia's accession to NATO. The party also opted for strengthening ties with Azerbaijan and supporting democratic transformation in Belarus. At that time, the PiS particularly emphasized its criticism towards the Tusk's government that, in the party's opinion, withdrew Poland from an active eastern policy[50]. The PiS also picked holes in Poland's policy towards Russia[51]. In particular, it was connected with the problem of the Katyn massacre (discontinued criminal proceedings by Russian authorities), as well as the case of presidential plane crash in Smolensk (the Kremlin's attitude to the investigation)[52]. In the run-up to the last parliamentary elections, the PiS consistently criticized the Kopacz's government for an erroneous Eastern policy, as well as for being left out of talks concerning the Russian-Ukrainian conflict. The PiS's politician, Witold

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territory of Poland and other states belonging to the NATO's "Eastern flank". The request was expressed firmly after the outbreak of the military conflict in Ukraine in 2014. Either the PO, or the PiS have even started to compete on which political grouping will ensure effectively the presence of the allied forces in Poland. In the same context, the SLD has noticed that "no deploying military units, but highlighting values which the NATO refers to, and - above all – determining common interests of member states in a changing international environment" plays a key role in strengthening NATO's cohesion.

[49] According to the opponents of the PiS, Poles lost confidence in the party in 2007, also because they had enough overcharged nationalist discourse and exploitable fears directed at Russia and Germany.

[50] Such "active Eastern policy", aimed at building close ties with Eastern European countries even at the cost of sharp deteriorating in relations with Russia, has been usually called the "Jagiellonian policy" what referred to the Polish-Lithuanian royal dynasty that built powerful state in the 15th-16th centuries gathering the majority of present territories of Poland, Lithuania, Latvia, Belarus, and Ukraine, as well as the part of current territories of Estonia, Russia, Slovakia, and Moldova. In opposition to the "Jagiellonian policy", more moderate Eastern policy has been described as the "Piast policy" (the Piasts – another Polish dynasty that had ruled the country before the Jagiellonians). In political discourse in the second half of the 2000's and the beginning of the next decade the PiS's politicians were often reported as proponents of the "Jagiellonian policy", and their opponents from the governmental coalition PO-PSL as exponents of the "Piast policy".

[51] See, i.e.: Dempsey, Judy: "Grounded: Poland-Russia Relations", *Carnegie Europe*, 13.04.2015, at http://carnegieeurope.eu/strategiceurope/?fa=59752.

[52] The Smolensk tragedy (death of the president L. Kaczyński, his wife and almost a hundred other personalities) has become one of the most important parts of the PiS's political narrative after 2010. The party has criticized either the Russian authorities, or the Polish government, accused both of omissions and faults in the investigations, and – in case of the PO/PSL-backed government - weakness in face of Moscow's position. The Smolensk case raised a number of conspiracy theories (a plot to assassinate the president and the like) usually propounded and supported by the right-wing followers. It should be noted that Antoni Macierewicz, the deputy chairman of the PiS, was among them. He has become the ministry of defense, recently.

Waszczykowski (the head of Polish MOFA at present), emphasized that Poland should not only be included in the Normandy format, which he described as pro-Russian, but has also called for the creation of a format that would include Warsaw with a broader representation of the EU and the United States[53].

The PO and the PSL have tried to position themselves as moderate political forces in the context of Poland's eastern policy. The PO, for instance, foresaw in 2000's a "long march" and "a patient dialogue" in relations with Russia, declaring that "good neighborly relations" can be re-established. Ukraine was described as a "great and important" partner of Poland. The PO stated it would remain committed to supporting democratic changes in the country and an "ally in Ukraine's drive to come closer to the NATO and the EU". The party cautioned, however, that this process "will take longer than initially thought".

A launching of the Polish-Sweden initiative of the EU's Eastern Partnership, as well as an unquestionable success of the Small Border Traffic, established between the North-East part of Poland and the Kaliningrad Oblast' (the Russian Federation) through the efforts of the Polish diplomacy, were presented as "trade marks" of such reasonable and efficient Eastern policy.

Poland's foreign minister then, Radosław Sikorski (one of the PO's distinguished leaders at the time), was engaged in numerous diplomatic initiatives in 2013–2014 related to the crisis in Ukraine. He was a regular visitor to Kiev where he met with Ukraine's pro-Western politicians and participated in mediations between the parts of the conflict. The mentioned crisis forced the coalition government (PO-PSL) to take a more robust stance towards Russia, especially when the Kremlin decided to occupy Crimea. Many representatives of the PO, together with delegations of the PiS and other political groupings, went on a pilgrimage to Kiev encouraging a pro-European shift in Ukraine. The coalition PO-PSL, supporting sanctions on Russia, tried to reduce the negative impact of Moscow's "counter-sanctions" on Polish agriculture. The PSL, in particular, had to show itself as a "pragmatic" party that mitigates tensions in Polish-Russian relations, alleviating hereby damages suffered by its rural electorate (farmers) and the food industry.

In the last parliamentary campaign of 2015 all main electoral committees focused to a greater extent on problems connected with security in relations with the Eastern European partners. It stemmed obviously from the Ukrainian conflict and Russia's policy in recent years. As it was noticed above, they differed in their positions on the Ukrainian conflict settlement, or tackling threats posed by Russia. All the most significant groupings supported the democratic processes in Eastern Europe and sanctions imposed on the Russian Federation. Although, of course, the "United Left" presented a much more moderate position (underlining a need for dialogue with Russia) than the PiS (calling for a more assertive policy of the West towards Russia). The coalition PO-PSL backed the government's policy, obviously through the PO, and opted for tightening sanctions against the Russian Federation. The new liberal-right party "Nowoczesna"[54] also supported an active Eastern policy and Poland's involvement in the westernization of Ukraine. At the same time, most of parties expressed, more or less,

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[53] Prus, Justyna: "Polish-Russian relations. Can they get any worse?", *New Eastern Policy*, Vol. 20, No 1 (2016)., p. 66. According to Waszczykowski, Poland has reduced its role to being a German vassal, rather than becoming a strong player in the EU (ibid.).

[54] "Modern". It is the most serious competitor for the PO nowadays. Both parties and their leaders (Grzegorz Schetyna, the PO, and Ryszard Petru, "Nowoczesna") are struggling for the leadership of the liberal opposition towards the PiS at present.

their skepticism towards the Eastern European republics' prospects for a membership in the EU and the NATO. The need to expand economic cooperation with Eastern Europe was usually highlighted in programmes, or pre-election rhetoric. The "United Left" considered a "human dimension" (cultural, academic, broader social cooperation) as exceptionally important[55].

In conclusion, it should be underlined that a general vision of Polish eastern policy (transferring democracy and free-market economy eastward, as well as building neighbourly relations with post-Soviet partners), implemented for more than a quarter of a century, has been shared by all political parties, except from some less significant (without an impact on a practical implementation of foreign policy) groupings like "KORWIN", or "Zmiana" ("Change") nowadays. While the radical conservative party "KORWIN" has tried to prove its "pragmatism", "free" from a predominance of democratic values over "real" interests[56], "Zmiana" has clearly expressed its pro-Russian orientation, seeing Moscow as a "natural" ally for both Poland and the EU, as well as strongly criticizing the US ("the first Polish non-American party" as it has found itself), simultaneously[57]. Some conservative circles gathered around several magazines (like "Polityka Polska"[58], or "Opcja na prawo"[59]) should be also noticed. They usually call for an "independent", "sovereign" Polish foreign policy, being critical towards the "liberal", "leftist" West. Therefore they also propose more rational (based on political realism's principles), in their opinion, Polish Eastern policy, positioning itself in the role of an intellectual alternative towards the Polish "mainstream" in that case.

6. Parliamentary elections in 2015 and its influence on Poland's foreign policy

After the stunning victory in parliamentary elections the PiS won an absolute majority in the Sejm, the first time any party has done so since 1989. Since the party also controls the presidency (the candidate, backed by the PiS, Andrzej Duda was elected in August of the same year) and the upper house of the parliament (the Senate), it has an unique opportunity to conduct a legislative revolution in Poland, as well as to implement a relatively free foreign policy[60]. In the same day that the PiS announced its new government, Konrad Szymanski, the newly appointed deputy minister at the MOFA (for European affairs), declared that the new government's foreign policy strategy would not deviate from the foundations set by its predecessor[61].

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[55] Mrozek, Krzysztof (2015): "Wybory 2015: Komitety wyborcze a polityka wschodnia", Warszawa, Fundacja im. Stefana Batorego.

[56] The charismatic leader of "Korwin" ("Wolność"), Korwin-Mikke, can be hardly described as a pro-Kremlin, or pro-Russian politician. He rather emphasizes a kind of admiration for a Putin's style of ruling. At the same time, he criticizes an alleged lack of pragmatism in the West's attitude to the international relations.

[57] Mateusz Piskorski, former the populist "Samoobrona's" activist, has become a leader of "Zmiana" (established in 2015). He denies the fact of Russia's annexation of the Crimea Peninsula (supporting the separatist movement there), or Russian army's military engagement in the Donbas. He also accuses the Polish governments of implementing of "confrontational" and "anti-Russian" politics. "Zmiana", and Piskorski in particular, is affected by a kind of political and social anathema and plays margin role in politics, being accused of backing Moscow's interests. Piskorski was even detained in May 2016 on charges of spying for Russian intelligence.

[58] "Polish policy" (monthly). The magazine's motto in its subtitle is "Free nation in a strong state".

[59] "Option right".

[60] Orenstein, Mitchell A.: "Paranoid in Poland. How Worried Should the West be About the Law and Justice Party's Victory?", *Foreign Affairs*, 1 November 2015, at https://www.foreignaffairs.com/articles/poland/2015-11-01/paranoid-poland.

[61] See more in "Polish Foreign Policy Will Remain Largely Unchanged", Center for European Policy Analysis, 9 November 2015, at http://www.cepa.org/content/polish-foreign-policy-will-remain-largely-unchanged.

However, the PiS's leaders had proclaimed the implementation of a "deep reshuffle" in foreign policy (or an "amendment in foreign policy" as minimum) and made numerous announcements of upcoming "defenses of national interests" against the "abusive power of European mainstream" before winning the power. When coupled with emphatic comments on the role of history and national dignity in the foreign political agenda they are often seen as echoing Victor Orban's idiosyncratic inclinations in Hungary. The "brotherhood" with Hungary has been very often highlighted by the PiS's politicians recently. The party's leaders have announced tight cooperation with Budapest on the international arena, in the context of European issues in particular.

Adam Balcer and Krzysztof Blusz, Polish experts, underline that it is hardly surprising, given the economic and political significance of Poland, that the way in which the PiS conducts its foreign policy will be carefully watched and may test the nerves in many capitals. A new, more assertive foreign policy may bring consequences not only for Poland and the Central Europe but for the entire European Union. In the experts' opinion, the PiS "likes the EU *a la carte*". It means that "Poland needs to be an indispensable part of the EU when money is available from its coffers or when Russia invades Ukraine. However, when the refugee crisis happened, Poland should refrain from getting involved, with a small exception of humanitarian aid". The party "eagerly accepts solidarity while remains reluctant to be a `solidarity giver´"[62].

Securitization, or *bellisation* from its critics' point of view, is one of the core factors constituting the PiS's foreign policy agenda. The party focuses on hard security, announces the tightening of the strategic alliance between Warsaw ad Washington, as well as calls for closer transatlantic partnership. Poland under the PiS-controlled state authorities sees the US as its main defense guarantor, with a strong emphasis on drawing as much the US support to Poland as possible: permanent military bases on the Polish territory and enhanced American military activity in the region, in particular. Just after entering the office in August of 2015, Polish president Duda paid its official visit to Berlin expressing skepticism towards the EU, and a clear preference for close security ties with the US[63]. Such position on national security has been already criticized by the opposition. In the left's opinion for instance, security of Poland and Europe should be provided primarily by political and socio-economic factors.

Simultaneously, the EU is treated as a significant, positive driver of economic prosperity. What the PiS will do, however, is to make a more concerted effort to lock in strong relations with the United States. Under the right wing government, relations with Brussels would deteriorate. The party's Catholic base dislikes what it sees as the EU-imposed secularism, so reforms mandated by the Union on issues such as gay rights or women's equality would not be a priority. Therefore, the PiS-led Poland's foreign policy can be limited to countering the EU social-cultural "difference", seeking to undermine a German leadership

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[62] Balcer, Adam; Blusz, Krzysztof: "Changing course? Foreign policy in Poland after the elections", 23.11.2015, *Commentary*, European Council on Foreign Relations, at http://www.ecfr.eu/article/commentary_changing_course_foreign_policy_in_poland_after_the_elections5025.

[63] "Poland: A Foreign Policy in Flux", *Global Politics*,7 September 2015, at http://global-politics.co.uk/wp/2015/09/07/poland-a-foreign-policy-in-flux/. Such trend are also clearly visible in the context of military spending: the PiS-backed government prefers buying armaments from (or produced in cooperation with) the US arms industry than from the European states or European consortia. The recent cancellation of the purchase of the Airbus Helicopters "Caracals" in favor of the American equipment has been a meaningful sign of the new Polish strategy. It has triggered the deterioration of the Polish-French relations.

of the bloc[64]. Poland is not even afraid of entering into disputes or conflicts with the European institutions. The vivid example has been the dispute over the regulations related to the Constitutional Tribunal in Poland between the present Polish government, on the one hand, and the Polish liberal-right and center-left opposition, whose views are in this case generally supported by the European Commission, the majority of the European Parliament, or the Venice Commission (the Council of Europe's advisory body).

Polish foreign policy is nowadays premised on the idea that the "Central Europe" should be a key reference point. It is reported as an attempt to build Poland's "own stream" within the EU. What follows from this is that Poland ought to do what it can to facilitate regional cooperation and, in the best-case scenario, become the region's *de-facto* leader. Warsaw, hereby, strives for balancing the superior power of European tycoons, especially Germany[65]. However, the PiS overestimate the importance of the region for Poland and takes insufficient account of the huge internal differences among these countries[66]. Since coming to office, president Duda has specifically sought to build a new alliance under the leadership of Poland in the Central-Eastern Europe. He pronounced the "founding of a partnership block, stretching from the Baltic to the Black Sea and the Adriatic"[67]. In other words, the president and the PiS postulate to build the so-called *Intermarium* ("Between the Seas") aimed at both increasing Polish status within the EU, as well as to deter Russia form expanding its influence in the region.

Summarizing, the PiS advocates a closer alliance with the US and greater political independence from Brussels and Berlin. Although the new government, backed by the party, supports Polish membership in the EU, the PiS is described as a broadly anti-federalist political force, underpinned by skeptic inclinations in the context of the EU, strongly committed to opposing further European integration and aiming at strengthening Poland's "sovereignty". This would especially apply to the political and moral-cultural spheres[68], but also to the economy. At the cornerstone of the party's political strategy are concepts such as self-reliance, robustness and assertiveness in advancing national interests within the EU and NATO. It is presented as a rational alternative to simply aligning the country with the German-led politics of the EU[69].

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[64] Kureth, Andrew: "Elections Affirm the Fixed Truths of Poland's Foreign Policy", *The Compass*, 8.April,.2015, at
http://www.realclearworld.com/blog/2015/04/elections_affirm_the_fixed_truths_of_polands_foreign_policy_11 1101.html,
[65]   Concerns expressed in the context of German domination in the region stems not only from history, but are also related to relations between Berlin and Moscow. The Polish centre-right, in particular, tends to define the German-Russian cooperation, both political and economic, as the factor that endangers Poland's national security, or threatens even its sovereignty. J. Kaczyński described Poland under the previous government as the non-sovereign entity, a "German-Russian condominium". Poland is also often reported in the political debate as Germany's or West's "colony", with reference in particular to the economic dependence, and it is quite popular among the Polish society (right-oriented, in particular, but not only). Such phrase was repeatedly expressed, for example, by Paweł Kukiz,, a leader of the right-wing "Kukiz'15" movement.
[66] Balcer, Adam; Blusz, Krzysztof: op. cit.
[67]   Weiss, Clara: "Polish ruling class divided over foreign policy in run-up to general election", *World Socialist Web Site*, 24 October 2015, at https://www.wsws.org/en/articles/2015/10/24/pola-o24.html. It was called "Three Seas Initiative" (I3) – its summit took place in Dubrovnik (Croatia) in August 2016 with the active participation of Duda.
[68] The '"liberal-left hegemony" within the EU, in the view of the conservative politicians, undermines the country's traditional values and national identity.
[69] Contradictions connected with leadership and eastern policy (see: below) are followed by these related to climate policy. The PiS is being limited by its supporters from trade unions of coal miners. See Adekoya, Remi:

Poland's foreign policy has not been hit by a radical shift as a result of the elections. There is a strong support for maintaining an active role in shaping a vigorous international response against Russia's illegitimate intervention in Ukraine and a larger NATO presence close to the eastern border of the alliance. Profound distrust with Moscow is likely to form the backbone of future foreign policy decisions by Warsaw. In line with the PiS's rhetoric, the president and the government actively support the idea of carving out a more assertive and independent foreign policy, using the NATO's summit in Warsaw in July 2016 to ensure the Alliance's greater military presence in Poland. A specific goal is the permanent stationing of the US forces, military bases, and defense weaponry on the NATO's "Eastern flank", which was often opposed by some European allies (Germany, in particular) as too provocative toward Russia. In addition, renewed diplomatic efforts to forge a coalition of some "Eastern flank" NATO's member-states under Poland's leadership to hold Russia off can be expected[70]. This would mark the most significant difference between the PiS's political narrative and that of the PO, that considered the ties with Germany and the EU's as "hard core" priority.

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[70] De Vivo, Diana: "The new politics of Poland's foreign policy", *Aspenia Online*, 27 October.2015, at https://www.aspeninstitute.it/aspenia-online/article/new-politics-poland%E2%80%99s-foreign-policy. The new prime minister, Beata Szydło, speaks in favor of remaining in the EU, but insists on more Polish influence in the Union. She accuses the previous premier, Ewa Kopacz, of capitulating to German chancellor Angela Merkel because the Kopacz-led government agreed to accept almost ten thousand refugees in Poland.

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LATEST NEWS

60 horas
3 créditos de Grado
6 de Libre Configuración

20ª PROMOCIÓN

UNIVERSIDAD COMPLUTENSE DE MADRID

DIPLOMA EN PREVENCION DE CONFLICTOS

CÓDIGO: D0037/11

Curso 2016/2017
Del 3de abril del 2017 al 31 de mayo del 2017
Inscripción:
Septiembre 2016- abril 2017

Director: **David García**, Codirector **Antonio Marquina**
Secretaria: **Gloria Inés Ospina**

PROGRAMA

1. **Los conflictos tras la guerra fría: continuidad y cambio**
2. **Prevención de conflictos. Conceptualización:**
   - Arreglo pacífico de controversias y diplomacia preventiva.
   - Crisis y control de crisis.
   - Alerta temprana.
   - Centro de prevención de conflictos: decisión, efectividad, movilización de recursos y actores.
   - Imposición de la paz.
   - La reconstrucción de la paz tras el conflicto.
   - Desarme, desmovilización y reintegración.
3. **Respuestas de las Organizaciones Internacionales:**
   - Naciones Unidas: Medios y actuaciones.La diversidad de operaciones de Mantenimiento de la Paz.
   - La Organización para la Seguridad y la Cooperación en Europa, OSCE.
   - La OTAN, gestión de crisis y postconflicto.
   - La Unión Europea y la prevención de Conflictos: Aspectos Civiles y Militares
4. **Lecciones de la experiencia de prevención de conflictos: éxitos, fracasos, equivocaciones**
   - El caso de Mali
   - Los casos de Siria y Libia
   - El caso de Afganistán.
   - El caso de Irak.
   - El conflicto árabe-israelí y palestino-israelí.
   - El África Subsahariana.

Prácticas:
   - Sistema de Alerta Temprana para afrontar posibles situaciones de conflicto
   - Gestión de Crisis-OTAN
   - Gestión Post-Conflicto: Misión de Paz ONU en Africa

PROFESORADO

Aránzazu Bañón Subdirectora General para Oriente Medio, Ministerio de Asuntos Exteriores y Cooperación.

David García: Profesor de Relaciones Internacionales. UCM

Javier Ignacio García: Profesor de Relaciones Internacionales IE Universidad, Investigador UNISCI, UCM

Antonio Marquina Barrio: Catedrático de Seguridad y Cooperación Internacional, UCM.

Ignacio Cartagena:: Subdirector General para África Subsahariana, Ministerio de Asuntos Exteriores y Cooperación.

Gracia Abad: Profesora de Relaciones Internacionales, Universidad de Londres- U. Nebrija, Investigadora UNISCI, UCM.

Profesores de Prácticas:
Gracia Abad, Maria Angeles Alaminos, Xira Ruiz

Duración y organización
Del 3 de Abril -20 de Mayo 2017 (lunes a jueves de 16:30 a 20:30 horas). 60 horas (48 teóricas, 12 prácticas. La parte teórica se imparte durante el mes de abril quedando 4 tardes salteadas en mayo para la realización de las simulaciones en grupo). Las clases se impartirán en la Facultad de CC. Políticas y Sociología de la UCM, Campus Universitario de Somosaguas (autobuses A, B, H, I), tren ligero.

Admisión, matrícula
La matriculación se realiza on line en la página de formación continua de la UCM, < http://www.ucm.es/matricula-fc>. El coste de la matrícula es de 300 €.

Información
Universidad Complutense de Madrid. Facultad de Ciencias Políticas y Sociología. Departamento de Estudios Internacionales. Despacho 2413. Tel.: 91 3942924 - Fax: 91 3942655. www.ucm.es/info/unisci, Solicitar información y dípticos informativos a: dmarquis95@gmail.com, djgarcia@pdi.ucm.es, gloriainesospinas@gmail.com, marioant@cps.ucm.es,

UNIVERSIDAD COMPLUTENSE
MADRID

escuela complutense de verano

ASIA EN EL SIGLO XXI:

Aspectos Políticos, Económicos y de Seguridad

Del 3 al 21 de julio de 2017
Cod. C07

Director: Prof. Dr. Antonio Marquina Barrio.

Subdirector: Prof. Dr. David García Cantalapiedra.

Horario: Mañanas de 9:00 a 14:00 horas, de lunes a viernes.

Nº de plazas: 30

Nº de créditos: 3 créditos de Grado

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LA ESTRATEGIA GLOBAL DE LA UNIÓN EUROPEA

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La Unión Europea y el Magreb

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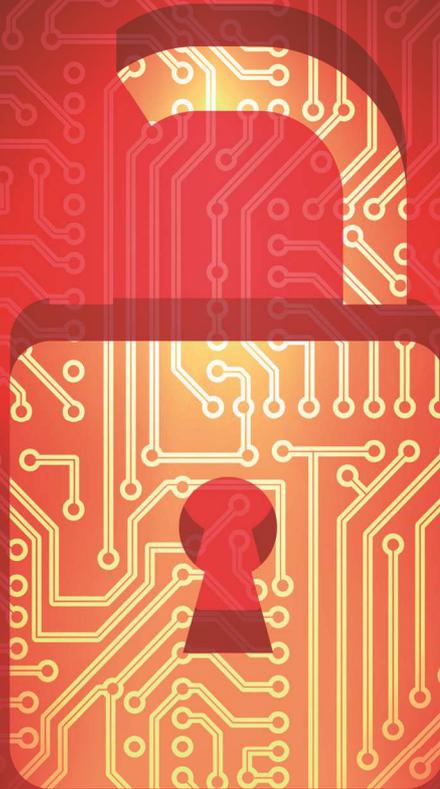
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A) Libros

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Waltz, Kenneth N. (1979): *Theory of International Politics,* Boston, Addison-Wesley.

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Wendt, Alexander: "Three Cultures of Anarchy", en *Social Theory of International Politics,* Cambridge, Cambridge University Press, pp. 246-312.

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Sakwa, Richard: "Parties and Organised Interests", en White, Stephen; Pravda, Alex y Gitelman, Zvi (eds.) (2001): *Developments in Russian Politics,* 5ª ed., Durham, Duke University Press, pp. 84-107.

F) Artículos de revista

Apellido, Nombre: "Título del artículo", *Revista,* vol. xx, nº x (mes año), pp. xxx-xxx.

Schmitz, Hans Peter: "Domestic and Transnational Perspectives on Democratization", *International Studies Review,* vol. 6, nº 3 (septiembre 2004), pp. 403-426.

G) Artículos de prensa

Apellido, Nombre: "Título del artículo", *Periódico,* día de mes de año.

Bradsher, Keith: "China Struggles to Cut Reliance on Mideast Oil", *New York Times,* 3 de septiembre de 2002.

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Examples:

[6] See Keohane and Nye, *op. cit.*, p. 45.

[7] *Ibid.,* pp. 78-79.

[8] An example appears in Snyder *et al.*, *Foreign Policy Decision-Making, op. cit.*, pp. 51-52.

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