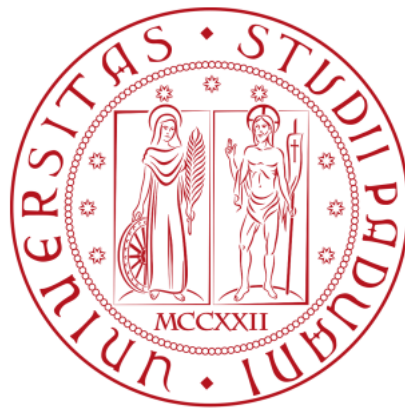# UNIVERSITÀ DEGLI STUDI DI PADOVA

DIPARTIMENTO DI SCIENZE POLITICHE, GIURIDICHE E STUDI INTERNAZIONALI

Master's Degree in EUROPEAN AND GLOBAL STUDIES

IMPACT OF RUSSIA-UKRAINE CONFLICT ON EU'S FOREIGN AND SECURITY POLICY

Supervisor: VALENTINE LOMELLINI

Student: STANISLAVA KLIKACOVA

Student number: 2049174

A.Y.: 2022/2023

Abstract

The end of the Cold War marked the beginning of European Union's ambitions in establishing a common European foreign policy. While the EU undoubtedly emerged as a global actor, with the use of mostly soft power of economic sanctions and military and civilian missions within the framework of Common Security and Defence Policy, its role in security and defence has been marginal. The common foreign and security policy of the European Union historically developed from the experience of conflicts and crises on the continent that provided windows of opportunity for European foreign policy to adapt and evolve. Year 2022 brought about perhaps the most challenging conflict of Russian full-scale invasion of Ukraine that forced the European Union to rethink its security strategy in order to credibly respond to and resolve the Russian threat. This paper analyses the historical development of the EU's Common Foreign and Security Policy and its instruments with focus on the Russia-Ukraine conflict and its contributions to the change in EU's foreign policy framework.

TABLE OF CONTENTS

ABBREVIATIONS

AA	Association Agreement
ASAP	Act in Support of Ammunition Production
CARD	Coordinated Annual Review on Defence
CES	Common Economic Space
CFSP	Common Foreign and Security Policy
CSDP	Common Security and Defence Policy
DCFTA	Deep and Comprehensive Free Trade Area
ECSC	European Coal and Steel Community
EaP	Eastern Partnership
ECU	Eurasian Custom Union
EDA	European Defence Agency
EDC	European Defence Community
EDF	European Defence Fund
EDIPRA	European Defence Industry Reinforcement through common Procurement Act
EEAS	European External Action Service
EEC	Eurasian Economic Community
EEU	Eurasian Economic Union
EES	European Security Strategy
EPF	European Peace Facility
EPoC	European Political Community
ESDP	European Security and Defence Policy
EUGS	European Union Global Strategy on Foreign and Security Policy
HR	High Representative of the Union for Foreign Affairs and SecurityPolicy
IGC	Intergovernmental Conference
NIS	Newly Independent States
OSCE	Organisation for Security and Cooperation in Europe
PCA	Partnership Coordination Agreement
PESCO	Permanent Structured Cooperation
PSC	Political Security Committee
SEA	Single European Act

SES	Single Economic Space
TACIS	Technical Assistance to the Commonwealth of Independent States
TEU	Treaty of European Union
TFEU	Treaty on the Functioning of the European Union
UNSC	United Nations Security Council
WEU	Western European Union
WTO	World Trade Organisation

INTRODUCTION

On the morning of 24 February 2022, Europeans have woken up to a shocking news of war returning on European continent. From the first day on, Russian unprovoked invasion of Ukraine's territory has received strong message of condemnation from the European Union and member states, following with implementation of a wide range of policy responses. This included several rounds of unprecedented and quick rounds of sanction packages against Russia as well as military and humanitarian aid to Ukraine. Many observers called this moment a turning point for European Union as during the ongoing war in Ukraine, the EU had to make historical steps and decisions effectively changing the European security order. The absence of collective action was at this point unthinkable. In this sense, the war provided a revelation for the Union and its member states about how far has the European foreign policy cooperation evolved in recent decades. The present analysis aims to map exactly that, in the most comprehensive way possible.

We begin from the point of the immediate aftermath of the end of World War II and first European aspirations of creating a European defence based on cooperation and collective action. However, the most focus will be given to the changes in regional and international systems of Europe after the end of Cold War rendered stronger need for security cooperation and resulted in substantial changes in the form of institutionalising European foreign and security policy. The United States became the dominant power, Germany was reunifying, and the single threat of the Soviet Union was replaced by numerous smaller ones stemming from crises in unstable European neighbourhood regions. All these developments sparked the formal institutionalisation of Common Foreign and Security Policy (CFSP) starting from the Maastricht Treaty in 1992 in response to Iraqi invasion of Kuwait and the Yugoslav wars, followed by the 2000 Nice Treaty establishing the European Security Defence Policy (ESDP), later renamed into Common Defence and Security Policy (CSDP), as an indirect effect of Kosovo crisis and the EU's inability to deal with the conflict without the reliance on the United States. Lastly, the 2009 Lisbon Treaty has brought about the most significant reforms within CFSP as well as creating the European External Action Service. These developments will be complemented by examining EU's sanctioning policy as one of the influential tools in enabling European

Union to achieve its goals under the framework of CFSP. Furthermore, we will commit several pages to NATO's role in European Union's defence and security and the cooperation of the two organisations. We aim to provide both the legislative framework for the cooperation as well as the historical context of European countries and their reliance on the US and the Alliance in terms of European security.

The second part of the paper will focus on the foreign policy instruments in the Eastern neighbourhood of the Europe, especially introducing the European Neighbourhood Policy (ENP) and its sub-category of Eastern Partnership. Both projects will be analysed from their inception in 2004 and 2009, respectfully, in order to follow up with detailed inspection of the European Union's relations vis-à-vis Ukraine and Russia. These chapters will explain the fundamental aspects of the evolution of economic and political cooperation of European Union with the countries. We will especially focus on the internal political developments of Ukraine vis-à-vis Russia that eventually resulted in the 2014 Russia's annexation of Crimea, as well as map the deterioration of EU-Russian relations and the Russian hostile rhetoric towards the Western influence, in particular NATO enlargement to the east. In this context, we will provide the summary of experts' assessment of the effectiveness of EU's sanctions towards Russia as a response to its seizure of Crimea in 2014.

The third part of our paper deals exclusively with the political developments after the 2022 February full-scale Russian invasion of Ukraine. After introducing the context of the invasion, we will provide a comprehensive overview of the EU's immediate response considered by the global observers to have the most considerable effect. This entails presenting the sanctions packages implemented towards Russia which significantly differ in the form and speed of adoption from those adopted in response to the annexation of Crimea, and the military support provided by the EU through an off-budget financial instrument of European Peace Facility. Here we will highlight the main initiatives introduced by the European Union, such as joint arms procurement which marked a historical moment of the EU for the first time authorising lethal military assistance to third country. The last two chapters will deal with more medium- or long-term responses of the Member States, in particular their decision to increase national defence expenditure

which gives a possibility of paving a way toward European strategic autonomy with less dependence on the US and NATO military capabilities, and prospects of new reform for the enlargement policy after granting Ukraine a status of candidate country. Within this chapter, we will also mention the new French initiative of European Political Community created as a direct response to Russia's invasions and Ukraine's EU candidacy. As at the time of the writing of our analysis, the war in Ukraine entered its second year and is ongoing, we will base our conclusions of the overall impact of the war on the European foreign and security policy on numerous available assessments from global observers and experts' opinions.

1 LITERATURE REVIEW

Since the end of the Cold War era, the international security environment within which the European Union has functioned has been marked by growing number of conflicts. This naturally led to the EU and its member states being increasingly engaged in crisis prevention and resolution activities, which in turn paved a way for development of the Union's foreign policy. The development of EU's Common Foreign and Security policy (CFSP) and the EU's emergence as a global actor have been a subject of extensive scholarly debate, however with mixed results. Scholars undoubtedly agree the EU has become a leading global actor, however, when it comes to its role in security, the EU lacks the ambition to use its full potential[1], its military capacity is marginal with defence mechanism irrelevant to most conflicts in Europe which in the context of defence is reliant on NATO[2] since the Union does not have a standing army but rather has the ability to exert soft power through economic concessions.[3]

Historically, the Union's foreign policy evolved from conflicts and crises on the basis of the European Union learning from its mistakes. Already the events in 1989 in Eastern Europe resulted in a change in European countries' security, creating a new concept of security that did not rely solely on military strength.[4] The common policy towards the Arab-Israeli conflict and the Middle East peace process, furthermore, helped the Member States build international identity.[5] Similarly, during the crisis in Yugoslavia, the EU was unable to resolve crisis "in its own backyard" as it did not have the capacity to respond to the conflict militarily.[6] This reality eventually forged the launching of the European Security and Defence Policy (ESDP). More recently, the hybrid threats facing Europe since Russia's annexation of Crimea in 2014 brought about further evolution of European military ambition redefined in 2016 Global Strategy.[7] Although the Common Foreign and Security Policy has developed exponentially throughout the years, most remarkably after the 2009 Lisbon Treaty, that according to Van Veen (2021: 8) opened a more integrated

---

[1] Van Langenhove, 2010: 22.
[2] Besch, 2022.
[3] Murphy, 2008: 61.
[4] Eliassen, 1998: 2.
[5] Soetendorp, 2014: 282.
[6] Murphy, 2008: 66.
[7] Fiott, 2020: 111.

approach in addressing conflicts which was officially introduced in the 2016 Global Strategy, the CFSP has still a lot of shortcomings in helping EU become a credible international security actor. The literature focused on the problem of institutional matters, especially the rigidity in voting procedures and contested domestic politics of EU Member States.[8] Additionally, the EU's marginal role as a defence actor is because of the inability of the Member State to delegate power, security priorities and resources over defence to the supranational level.[9] Alcaro (2022: 3) reasons that this fragmentation and contestation acted as a catalyst in the Russian-Ukrainian conflict. Except the external fragmentation of interests, the internal diverging stances within the Member States towards Russia has caused scholars to expect the failure of the EU to establish a common stance in response to the Russian seizure of Crimea in 2014.[10] However, the security threat some Member States felt (mostly Russia's close neighbours Poland, Slovakia, and Hungary) became more important than contestation and competition for power and resulted in common action.[11]

As the literature emphasises, lacking the military power, the common action in response to the Russian annexation of Crimea involved the EU exerting series of diplomatic and economic sanctions, being its main foreign policy tool. Since then, there has been a plethora of works and reports assessing the effectiveness of restrictions and majority of them conclude that although not insignificant, they have failed to produce long-term economic or policy change in Russian market and its behaviour towards Ukraine.[12] The recent Russian invasion of Ukraine that begun in February 2022 has brought war to Europe's doorstep and rewritten the European security order. At the time of writing this paper, the war entered its second year, with numerous observers emphasising the need for new short-, medium- and long-term EU foreign strategy towards Russia in a new security reality[13] as well as redefining its enlargement and neighbourhood policies.[14] Already within a year of the full-scale Russian invasion, the changes in Europe and the EU's

---

[8] Lovato, 2021; Blockmans, 2013: 53.
[9] Alcaro et al., 2022: 3; Besch, 2022.
[10] Sjursen & Rosén, 2021: 61.
[11] Ibid, 69.
[12] Ashford, 2016: 114; Connolly, 2015: 38; Crimmino, 2018: 14; Luthra, 2022: 12.
[13] Meister, 2022.
[14] Alesina, 2022; Blockmans, 2022; Blockmans & Emerson, 2022.

response have been dramatic, which undoubtedly marks a beginning of new historical era with new developments that may lead to the European Union becoming a credible global security actor.

2 RESEARCH DESIGN AND METHODS

The aim of this thesis is to qualitatively analyse the impacts of the most recent crisis on European continent of the 2022 Russian full-scale invasion of Ukraine on the European foreign and security policy. Our goal is to provide a comprehensive review of major changes in European security environment prior and post the invasion which had a direct effect on the internal functioning of European Union security and defence instruments and initiatives. In this context we ask how the European Union's foreign and security policy developed, considering the geopolitical development on the international scene that essentially resulted in the developments in the main EU legal frameworks and the creation of Common Foreign and Security Policy and Common Defence and Security Policy. Our analysis, furthermore, focuses on the specific instruments the EU has in place in order to implement its foreign policy. In regard to Russia and Ukraine our aim is to examine the relations of both countries with the EU and how these relations and its interconnectedness led to the current crisis. These sub-questions eventually lead us to the main subject of our analysis in which we ask if the war created a significant change in European foreign and security policy and if so, what the main impact of the Russia-Ukraine conflict on European foreign and security policies was.

In order to provide an effective and comprehensive answer, we adopted various qualitative approaches. To understand the legal framework, under which the European Union's foreign and security policy is formally institutionalised, and the subsequent development of security cooperation according to the constant changing of international environment we adopted a logical historical approach. Within this method we took into account historical context that led to increased security cooperation on European continent. This we then connected with the progress in the legal aspect, inspecting in detail specific expansions and innovations in the EU Treaties that led to the creation of Common Foreign and Security Policy, Common Defence and Security Policy and the institutions working under both frameworks. Secondly, we made use of a comparative method to both assess the progress in developing the formal legal framework for European foreign and security policy as well as to assess the main progress in implementation of the practices in face of the first Russian invasion of Ukraine in 2014, resulting in Russia annexing Crimea, and the second invasion of 2022 with Russia

initiating a full-scale military operation on the Ukrainian territory. To support our analysis, we used primary official documents of European Union institutions. First part of our paper especially involved official legal documents, including main founding Treaties of the EU and Directives, Regulations and Agreements. This was complemented with numerous interviews with high officials accessed from Historical Archives of the European Union. Furthermore, we used EU bodies official communications, joint statements, meeting and summit conclusions, press releases, as well as addresses and speeches of high officials. In assessing the main changes and impact on EU's foreign and security policy in lieu of the Russian invasion of Ukraine in 2022 we based our conclusions on experts' opinions by providing insights from various think tank and policy centres reports.

3 EU FOREIGN AND SECURITY POLICY DEVELOPMENT

The evolution of Europe's integration and cooperation, that fundamentally changed the nature of the European politics and the relationships between the Europe and rest of the world, dates to the end of the Second World War. The fear of a resurgent Germany prompted Britain and France to sign a mutual defence agreement in 1947 called the Dunkirk Treaty, which was a year later, in 1948, extended to the three Benelux countries of Belgium, Netherlands and Luxembourg with signing of the Brussels Treaty. After the immediate end of the Second World War, the following cold war established a new enemy, the Soviet Union, which replaced the fears of Germany's intentions and started political, economic, and social competition between East and the West. These developments resulted in new negotiations with the United States and Canada to extend the Brussels Treaty into a transatlantic defence agreement, which result was the North Atlantic Treaty and birth of NATO in 1949. The establishment of NATO was an important step for further development of European cooperation as the agreement provided security guarantees in terms of external transatlantic threats. This enabled European governments to focus on economic recovery and unresolved internal security issues, such as the adverse relationship between France and Germany. The 1950s seemed to be a turning point in defence cooperation and creating formal defence institutions.

3.1 EUROPEAN DEFENCE COMMUNITY

Economic recovery began with economic integration. France, Germany, Italy, and the Benelux established a European Coal and Steel Community (ECSC) in 1952 by signing the Treaty of Paris a year prior. This treaty gave way for an attempt to create a military pact of European Defence Community (EDC). First talks about creating a European Army were, however, stressed already in 1950 at the meeting of the Consultative Assembly of the Council of Europe by Winston Churchill: " *The Assembly, in order to express devotion to the maintenance of peace and its resolve to sustain the action of the United Nations in defence of peaceful peoples against aggressions, calls for the immediate creation of a unified European Army subject to proper European democratic control and acting in full co-operation with the United States and Canada.*"[15]

---

[15] Text of the Debate on the European Army. Second Session of the Consultative Assembly, 1950; 124.

During this Assembly Germany and the Saar were represented for the first time as associate members. Until then, Germany was left out of any involvement in European integration or European defence plans, which were formulated in the Brussels Treaty.

The push for better security in Europe in 1950 came from the North Korea invading South Korea. It was the first time that there was a Soviet directed aggression over the borders after the end of the war. *"Europe was militarily weak and the feeling that it was necessary to improve security was very great. In the year before there have been first [international] discussions to use German potentials for the common defence of the free world, especially in Europe and by the invasion of Korea this discussion got a new impulse."* [16] The suggestion of the European Army was first put forward by a Frenchman, André Philip, though, the French government was adamant about not reconstituting the German army in the process.[17] The common argument among the representatives of the States, that were involved in the discussions, that carried over two years was the understanding that the security and common defence cannot be achieved without German manpower as emphasised by Dutch representative M. Korthals at the Consultative Assembly saying that "*it is impossible to bring Western European defence to its highest possible level without the military assistance of Western Germany*"[18], however there must be guarantees against the military resurgence of Germany.

Due to the change in European position of a German contribution to defence, in September of 1950, the Foreign Ministers of the United States, Great Britain, and France met in New York to discuss the termination of state of war with Germany and creation of West German army under the auspices of a NATO European Defence Force. Such alliance between West Germany and the US threatened France with isolation and, in the long term, possible American dominance over the European continent or the resurgence of Germany as a great power once again.[19] *"[…] Not yet six years after the capitulation, the North Atlantic council gave the mission to the three High Commissioners in the [German] Federal Republic to make talks, discussions about the technical and*

---

[16] Interview with Ulrich de Maizière, 1990; 3, INT015, Historical Archives of the European Union.
[17] HGL, 1952: 236.
[18] Text of the Debate on the European Army. Second Session of the Consultative Assembly, 1950; 125.
[19] Loth, 2015: 37.

organisational possibilities for German military units within the international framework. And the council decided indeed to improve the occupied powers in Germany, but they gave them the name Protection Powers to show that the character of these forces has been changed ... It's the first time that German forces as a contribution to an international force would be erected with its contingency, drafted people within the democratic constitution."[20]

Soon after, the French Prime Minister, René Pleven, proposed a plan for the creation of a European Army, commonly known as the 'Pleven Plan'. The far-reaching defence integration included the creation of European Assembly and the appointment of a European minister of defence that would be responsible for an armaments and equipment programme. The Army was to be composed of battalions or brigades and the participating countries which already possessed national army would retain its control. Since Germany did not have national army, the Chancellor at the time, Konrad Adenauer, rejected the proposals, claiming that it gives the country inferior and unequal status compared with other participating States.[21] The following two years, therefore, consisted of numerous conferences and discussions on the integration and composition of the defence forces, which were settled in 1952. The six nations had agreed that the EDC would have entailed a common budget, common arms, centralised military procurement, and institutions.

However, the Treaty never came into effect as it failed to be ratified in 1954 by the French National Assembly itself. The main opposition arguments firstly included the general hostility to any form of German rearmament, fearing that even a limited armed force might be used to rebirth German militarism. Second opposition argument was based on the fear that the EDC would threaten the country's sovereignty in the matters of defence, either that the French army would be divided, or the country would acquire an inferior position towards Germany in overseas commitments.[22] The aftermath of the failed treaty involved France consenting to rearmament of West Germany and its accession to NATO after the US and United Kingdom assured France of dread consequences if the West

[20] Interview with Ulrich de Maizière, 1990; 3-4, INT015, Historical Archives of the European Union.
[21] H.G.L, 1952: 238.
[22] Goormaghtigh, 1954; 105.

Germany was to resurge.[23] According to the French leaders, and eventually public opinion at that time, German rearmament was inevitable due to the Soviet threat, but the French preferred for it to happen within NATO rather than within an integrated European army even if it meant that the French army would disappear, but at least it would result in the UK and the US not being involved closely enough in the security of France.[24]

The second attempt to create foreign policy cooperation was a so-called Fouchet Plan that was proposed by French President Charles de Gaulle in 1961 and written by France's ambassador to Denmark, Christian Fouchet. Gaulle's primary idea was that the core of political Europe was autonomy in defence policy, which meant remaining allies with the US but becoming independent in the decision on the use of their weapons.[25] It suggested cooperation in foreign policy and defence, as well as in science, culture, and human rights protection, but the foreign ministers did not reach the agreement and the Fouchet Plan was not implemented. European foreign and security policy was established in 1970 with European Political Cooperation (EPC), which acted as a predecessor to the Common Foreign and Security Policy (CFSP).

3.2 EUROPEAN POLITICAL COOPERATION

Since the failure to ratify the European Defence Community and the Fouchet Plan, the attempts to create European defence cooperation were lulled. From the viewpoint of the Director of the German Foreign Office at the time, Berndt von Staden, the European society expected that *"the political integration would come out of economic integration almost automatically. And this belief was held for quite a number of years, and then led to deceptions and to disappointments…"*[26] Another reason for the hindered process of political integration was the antagonised French after the failure of the Fouchet Plan. *"… the Foreign Ministers of the six countries could not meet for about six years as Foreign Ministers. They could only meet in councils, with the secretary-general, with the*

---

[23] Joffe, 1984; 70.
[24] Soutou, 1993: 489.
[25] Loth, 2015: 101.
[26] Interview with Berndt von Staden, 1987; 28, INT526, Historical Archives of the European Union.

Commission, and limited to the agenda of the Council under the treaty of Rome…" as a matter of deliberate, explicit policy on the French side.[27]

The European integration process was, therefore, concentrated solely on economic integration that resulted in establishment of the European Economic Community (EEC) in 1957 by signing the Treaty of Rome, that lacked any common foreign and security policy. Nevertheless, the Community was involved in external affairs through common trade policy (Article 113), ability to conclude "association agreements" with third countries (Article 238), or the ability to conclude international treaties (Article 228). The Community's external role broadened with the evolution of European Political Cooperation, which gave a political component to the Community's agreements.[28]

The "Davignon report", commonly referred to as Luxembourg Report, presented at the Luxembourg Summit in 1970, acted as a starting point for the European Political Cooperation (EPC). After the approval of the Luxembourg Report, the basic procedures of EPC were established and formally entered into force with the Single European Act (SEA) in 1987. According to the Official Publication of the European Communities (1988; 5), the EPC's main roles were:

- a commitment to consult and cooperate on foreign policy issues and to work towards coordinated positions and joint actions;
- a commitment to consult before adopting national positions on foreign policy issues of general interest;
- decision-making by consensus among governments;
- the confidentiality of consultations;
- direct contacts between Foreign Ministries, allowing speed and flexibility;
- only two working languages (English and French) at meetings below Ministerial level.

EPC therefore allowed the twelve member states of the European Community ("the Twelve") to discuss and coordinate their positions on foreign affairs, as well as work towards harmonisation of views and coordination of positions but act jointly only where

---

[27] Interview with Berndt von Staden, 1987; 28, INT526, Historical Archives of the European Union.
[28] Rhein, 1992; 80.

feasible or desirable.[29] The key aspects of EPC were decision-making by consensus among government and direct contacts between ministries. It differentiated from the work of the Community, which stemmed from legal commitments signed into the Rome Treaty. The EPC was, on the other hand, based on a morally binding non-legal commitment among Foreign Ministers, which ground rules were provided by the three basic reports – Luxembourg 1970, Copenhagen 1973, and London 1981 – that never reached the same formality as an official treaty nor were submitted to parliamentary approval.[30]

The functions of the EPC were to provide framework for regular, ongoing exchanges of views and information. It was responsible for political concentration among the Twelve, that still acted as individual sovereign States, but followed a preconcerted common line. Additionally, EPC served as the basis for joint action as a single group of States, issuing joint declarations or pursuing joint political courses of action.

The scope and actions of EPC included issues regarding human rights, terrorism, non-proliferation, and regional issues in Middle East, South Africa, and Afghanistan. Specifically, the Soviet invasion of Afghanistan in 1979 prompted a demand for coordination of European security policy. The EPC did not develop enough capacity to coordinate a proper response to international crises such as martial law in Poland, the Argentinian invasion of the Falklands or the Israeli invasion of Lebanon.[31] The pressure of these external events was first addressed in the 1981 London Report that required prior consultation by Member States of each other and the European Commission on all foreign policy matters affecting all Member States. Later, the Genscher-Colombo initiative proposed a draft "European Act", and the 1983 Stuttgart Solemn Declarations called to develop common principles and joint actions for all political and economic aspects of security.[32] Before the Single European Act, the Dooge Committee Report from 1985 contained another set of proposals for better concentration of policy on matters concerning security, and for cooperation in the armaments sector, and at the same time, called for the creation of permanent Secretariat. The last stage of codification of the key

---

[29] Luxembourg Report, Part 2:1, 1970.
[30] Lak, 1992; 89.
[31] White, 2001; 73.
[32] David Cross & Karolewski, 2021; 93-94.

elements of the EPC process were laid down in the SEA, which did not go as far as the Dooge Committee Report, but it did establish an institutional basis for EPC, the group of European correspondents and a Secretariat working under the direct authority of the Presidency.[33] Up until then, EPC operated without any legal basis and was guided only by various Reports, Declarations, and procedures.

These Declarations and structured dialogues with third parties, were the most characteristic political form of EPC action. Here White (2001; 81) points out that many scholars argue about the efficacy of such instruments. Some academics point out the ineffectiveness of the activity of EPC, saying the Declarations lacked legal force and did not aid in achieving external objectives. Others argue that EPC Declarations are useful political (not only diplomatic) tools in constituting actions, such as was seen during the 1980 Venice Declaration on the Middle East that acted as a bridge between European Community and Arab countries over the Arab-Israel crisis. The Declaration strengthened autonomy of European Middle East policy as it recognised the right of self-determination of the Palestinians with the Palestinian Liberation Organisation (PLO) characterised as their legitimate representative. *"The famous decision … by the EPC on the Middle East, in Venice, was a very political instrument, and created a lot of unhappiness in Israel and America and was welcomed to the moderate Arabs"[34]*

On the other hand, the structured dialogues with third parties did not raise as many controversies and were said to be more effective. The use of the foreign policy dialogues as an instrument is specifically mentioned in the Article 30 of the SEA. Not only did the London Report of 1981 invited regular communication, but also the third parties themselves increased the initiatives for the dialogues. Additionally, to purely political dialogues the EPC was conducting with third countries, there were also formal or informal political dialogues in parallel with the economic dialogues the Community had with its trading partners. Such combination of political and economic dialogues is also said to have its advantages and disadvantages.[35] A united Community position on both political and economic issues serves as an asset as it is more effective and satisfactory for the

---

[33] Common Foreign and Security Policy, 2022. Publications Office of the European Union.
[34] Interview with Berndt von Staden, 1987; 30, INT526, Historical Archives of the European Union.
[35] Nuttal, 1992; 185.

dialogue partners. On the other hand, having economic and political topics in single dialogue can increase the pressure on making economic compromises according to political considerations or vice versa. The arrangements made for the dialogue with Central America marked a step forward not only in the mix of economic and political negotiations but also institutionalisation, as the organisation of the EPC's political dialogue had been for the first time instituted by a formal Act, while the Community's economic dialogue followed the design of communication through a Joint Cooperation Committee established during the discussions with South-East Asian Nations.[36]

All in all, the structured dialogues promoted regional stability and cooperation. At the same time, the dialogues helped keep the third parties informed about the Community's position on certain issues and vice versa, while being a flexible policy instrument. Meaning, they did not carry with them substantial political obligations and could be established on various level of importance.[37] It can be said that the creation of the Political Cooperation made it to certain extent possible to start a common European external policy, even if the common positions were at all events informal and non-binding agreements among governments and did not have enforceable character. They, therefore, differ from the decisions that were taken in the Community. Furthermore, even though there had been numerous interactions between the 'political' and the 'economic' aspects of the Community's external policies, the EC external relations covered only secondary aspects as they lacked common defence policy.

Additionally, even if the EPC aimed to introduce external political policy to EC's external relations, its trade policy was stronger. This was partly caused by the Member States' reluctance to give the European Commission bigger role in foreign policy. According to David O'Sullivan[38], it was important for Member States to maintain the distinction between what was the European Community's competence and what was Member State's competence in the area of Foreign Policy: *"The Commission was tolerated but not*

---

[36] Nuttal,1992: 188.
[37] White, 2001; 82.
[38] David O'Sullivan has held various high level positions serving as Secretary General of the European Commission (2000-2005), Director-General for Trade (2005-2010), Director-General for External relations (2010-2014), Ambassador of the European Union to the United States (2014-2019), and Director-General of the Institue of International and European Affairs (2022-).

automatically included in the meetings [...] People [Member States] *invested a lot of energy in trying to keep this sort of Chinese Wall between the European Community's responsibilities and the Brussels machinery and the work of the Member States in EPC.* "[39] At the time, the trade agreements were concluded in multilateral context and not used as an extension of foreign policy objectives, therefore, in such context it was easier to keep the distinction between the economic and the political.

3.3 COMMON FOREIGN AND SECURITY POLICY

The international context during which Common Foreign and Security Policy (CFSP) replaced the European Political Cooperation (EPC) under the terms of 1993 Treaty on European Union (TEU) is of particular importance. The discussion in the first section showed the European security and defence cooperation had not completely died since the failure of the EDC in 1954. However, with the end of the Cold War and the subsequent changes in the political environment decreased the adequacy of EPC and further emphasised the need for a new structure of policy-making. Seth Jones' explains the incentive for increase in security cooperation were changes in international system and regional system of Europe after the Cold War.[40] The international system during the Cold War was bipolar. This meant that European states cooperated with the United States in controlling the Soviet power with NATO being the primary security institution. European states imposed sanctions for their foreign policy goals, relying on the US and its economic power while doing so. However, with the collapse of the Soviet Union in 1991, the international system changed from bipolarity to unipolarity, and the US emerged as the predominant global power. This structural shift created an important impetus for European states to develop security cooperation. While Europe and America were previously united by sharing a common Soviet threat, this threat, and therefore the bond, was eliminated with the fall of the Soviet Union. In the new international system, United States' military dominance generated a need for increase in EU's economic and defence power. Therefore, European states began to aggregate their power resources through EU to decrease reliance on the US and to project power abroad.

---

[39] Interview with David O'Sullivan, 2016; 18, INT1095, Historical Archives of the European Union.
[40] Jones, 2007.

Additional to the international system, regional system changes within Europe played a part in increased security cooperation through European Union. Specifically, German reunification sparked concerns among European states about the German power. With the collapse of the Soviet Union, American forces began to withdraw from Europe leaving Germany with enough economic resources and population to create a powerful military force. Therefore, Jones argues that the European security cooperation, and especially that of European Security Defence Policy, is to simultaneously tie Germany into the European order and soft balance the dominant role of the US military. Without the common Soviet threat, the US and Europe's interests diverged. Both entities were forced to turn their attention toward new emerging security threats of regional instabilities and conflicts, in particular, the outbreak of international crisis such as the Gulf and the Balkans which prompted European countries to rethink their traditional approaches to security and defence. The changes in political landscape resulted in transformation process of existing military and security alliances and organisation and at the same time created alternative structures of European and North Atlantic Security.[41]

NATO was given a new role and function; the United States was reluctant in becoming involved in military operations in Europe's periphery if they did not consider it strategically important and rather adopted a peacekeeping role on a "case by case basis".[42] The emphasis of diverging interests was further exacerbated through NATO's operations in the 1990s. The Alliance was directly involved in the Balkans, in Bosnia and Herzegovina and Kosovo. In Bosnia-Herzegovina UN missions of 1995, where European states participated in, did the European weakness became especially clear. Not only were the UN's Blue Helmets taken hostage by Bosnian Serbs but the Dutch troops were unsuccessful in preventing the murder of thousands of Muslims by the Bosnian-Serbian Army during the capture of the Protected Zone of Srebenica. Only after the intervention of NATO airplane forces did the hostilities cessed.[43] This created an increasing tension in the asymmetry of military capabilities between the US and other member states. The Kosovo crisis particularly provoked disagreement from European leaders which were concerned with both the US dominance and NATO becoming an instrument for involving

---

[41] Kernic, 2006: 6.
[42] Sens, 2007: 10.
[43] Loth, 2015: 357.

European countries into America's security issues.[44]. Furthermore, the differing views on various conflicts among the Member States also created a difficulty in achieving common foreign policy.

Albeit, not being the decisive aspect, the 1999 Kosovo crisis was an important event for establishing defence cooperation in form of ESDP as it created a foreground for reformulation in British policy which had had a long-standing position of refraining from EU military cooperation.[45] In response to the ethnic cleansing of Albanians in Kosovo, the European Union imposed military and economic sanctions to Republic of Yugoslavia, however, in the case of Kosovo such economic and political pressure was insufficient and the Serb aggression in the country only increased.[46] On the other hand, albeit controversial, NATO launched a bombing campaign against the Republic of Yugoslavia and was successful in removing the authoritarian government. The renewed experience of powerlessness and the EU's inability to resolve or manage crises aided in beginning the establishment of European Union military forces that would act independently of NATO and the United States.[47]

Another event having a significant impact on the development of European security was the attacks of September 11 in 2001 and the subsequent heightened awareness of terrorism which became the focus of security activity in NATO and the EU. As a response to the attacks, the EU adopted the European Union Framework Decision on Combating Terrorism, enhanced its dialogues with other countries on terrorism and proliferation of weapons of mass destructions and continually accelerated its counter-terrorism efforts. The international security environment resulted in further efforts on defence collaboration and European security. This could be seen through the adoption of European Security Strategy in 2003 or in the increase of operational missions during the same year.[48] It represented a certain change as common foreign and security policy was not central under Prodi Commission according to his own words: "*We go on building Europe step by step.*

---

[44] Sens, 2007: 11.
[45] Latawski & Smith, 2003: 129.
[46] Ibid.
[47] Loth, 2015: 360.
[48] Sens, 2007: 15-19.

It is a necessary process: foreign policy and military policy are of highest importance but will be the last chapters to be written".[49]

In sum, the end of the Cold War and shift of the bipolar international system to unipolar one brought about the realisation that Europe cannot rely on the United States and NATO, but rather needs to take greater responsibility for its own security. At the same time, the failed attempts to resolve new emerging crisis in Europe's periphery such as the Balkan wars, brought about the realisation of the EU's dependence on US military power even during situations when European security interests diverged, and illustrated the absence of an integrated European approach in both security and foreign policy. This brief description of the changes in political environment that advanced the idea of common foreign and security policy acts as an important introduction needed to keep in mind while the following pages explain the legal aspects of the development of CFSP and how it was enshrined in EU's treaties.

Maastricht Treaty

As described in the previous chapter, formalised European cooperation in foreign security began with the Single European Act that gave treaty-like characteristic to European Political Cooperation. These treaty provisions developed into Title V of the Treaty on European Union, commonly known as Maastricht Treaty, which established the CFSP. Maastricht Treaty was concluded in 1992 among the twelve member states of the European Community and was said to mark *"a new stage in the process of creating an ever closer union among the peoples of Europe."*[50] Within this framework, European Union was created as a single body with three pillars that it rested on. First pillar comprised of European Economic Community (the word "Economic" was removed through the Maastricht Treaty and therefore became just European Economy), the European Coal and Steel Community, and the European Atomic Energy Community, that handled economic, social, and environmental policies. Third pillar involved cooperation in the fight against crime, originally named as Justice and Home Affairs. CFSP and

---

[49] Interview with Romano Prodi, 2017; 17, Historical Archives of European Union.
[50] TEU, 1992; 4.

foreign policy was included in the second pillar.[51] The Title V of Maastricht Treaty of Provisions on a Common Foreign and Security Policy (1992; 58) set out specific objectives for member states to comply with. Namely:

- to safeguard the common values, fundamental interests and independence of the Union;
- to strengthen the security of the Union and its Member State in all ways"
- to preserve peace and strengthen international security
- to promote international cooperation;
- to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms

To put these objectives in practice, the TEU formulated an establishment of systematic cooperation between Member States through common positions and implementation of joint action in common areas of interest on which Member States should inform and consult one another *"to ensure that their combined influence is exerted as effectively as possible".*[52] The compliance of these principles was to be ensured by the Council. This outline suggests that the work of CFSP is not so far removed from the practice of its EPC predecessor as many of the basic elements and principles of EPC continue to be applied under new arrangements. Similar to EPC, CFSP works outside of the Treaty of Rome procedures and the decisions are taken by unanimity. CFSP had also inherited some of EPC's bodies and structures, such as the working groups attended by experts and the Political Committee, composed of senior foreign ministry officials. Within this management framework, TEU newly introduced the Committee of Permanent Representatives (COREPER) which was responsible for coordinating the working groups and harmonising the aims of CFSP with the means provided by the first "Community" pillar.

When looking at the role of European Commission and European Parliament, we can also find certain similarities. As with the EPC, the Commission was fully associated with CFSP, having been present and participating in CFSP meetings and discussions. But TEU

---

[51] Fact Sheet on the European Union, 2022, European Parliament.
[52] TEU, 1992; 58.

reinforced its role further by giving it a co-equal right of initiative with member states, allowing the Commission being legitimately involved in all stages of CFSP activity, from initiation to implementation of policy. Furthermore, its representational role was also enhanced since it represented all areas of Pillar 1 and additionally was responsible for consistency in all external actions and was involved in advocacy and coordination of CFSP policy 'on the ground'.[53] However, already at this point, the Commission sought to abolish the three pillar system and propose a version of a treaty which would terminate the distinction between the Community method of dealing strictly with economic matters with intergovernmental approach that was not allowed to be used in foreign policy nor justice and home affairs area. Specifically, *"[…] President Delors, Pascal Lamy, and François Lamoureux[54], they wanted to apply the Community method and the role of the Commission as the initiator across all the pillars to avoid this artificial distinction. But it failed, and so the Maastricht Treaty approach prevailed right up to the constitutional convention."*[55] David O'Sullivan, in his interview, attributed this failure to the fact that Member States feared the Commission would become too powerful. When it comes to the European Parliament, it had the same right to be informed and consulted on the main aspects and choices of CFSP, while not being involved in the decision-making process.

Although, the two organisations shared many common features, they differed significantly. It was understood during the Maastricht negotiations that the CFSP could be improved to be more dynamic and better coordinated regarding activities in other areas and not simply act as a continuation of EPC under another name.[56] A significant distinction in EPC and CFSP is the issue of security. As highlighted in previous chapter, EPC included only the economic aspects of security, while CFSP widened its scope and covered all security aspects of foreign policy. We find it also interesting to note, the difference in the language terminology. Not only did the CFSP for the first time explicitly referred to terms 'foreign' and 'policy', but also to 'security' and 'common' in the same context.

---

[53] White, 2001; 98.
[54] Pascal Lamy acted as a chef de cabinet under Delors Commission, François Lamoureux held a post of deputy director of the Commission President's cabinet.
[55] Interview with David O'Sullivan, 2016; 19, INT1095, Historical Archives of the European Union.
[56] Hurd, 1994; 425.

That being said, the Treaty on European Union distinguished between security issues and defence. The Treaty clarified that any European Union security policy must be compatible with NATO policy, as the Transatlantic Alliance remained an important factor in ensuring Europe's security and stability. When it comes to defence policy, the Article J4 under the Title V refers to inclusion in CFSP of *"the eventual framing of a common defence policy which might in time lead to a common defence"*.[57] Secretary of State for Foreign and Commonwealth Affairs and MP, Douglas Hurd, described this sentence as a result of "much debate and argument", stating that some member states wished to accelerate the process of the development of a defence element in European Union, while many were against it.[58]

When continuing to compare the two Treaties, EPC encouraged the States to cooperate, while CFSP urged States to reach an agreement on common positions and comply by them once agreed. The substantial change was in that once the States agreed on the common positions, the joint actions had the status of international legal obligation rather than just morally binding non-legal commitments as in the case of EPC. This new instrument of joint action further evolved the cooperation under EPC that was focused on just making common policy into implementing agreed policy under CFSP. This could be seen with the introduction of a new Article 228A linked to common positions that for the first time provided a legal basis for the use of sanctions against third parties.

Before the TEU came into its full force in 1993, the so-called 'Lisbon goals' introduced a report on the likely development of the Common Foreign and Security Policy. Except explicitly stating the CFSP being a successor of EPC with the goal of contributing to ensure "*that the Union's external action is less reactive to events in the outside world, and more active in the pursuit of the interests of the Union [...]*"[59] the report identified three criteria for deciding which areas or issues would be subject to joint action. Which were the geographical proximity; the extent to which the Union had an important interest in the political and economic stability of a country or region; and the existence of threats

---

[57] TEU, 1992; 58.
[58] Hurd, 1994; 426.
[59] European Council in Lisbon, 1992; 31.

to the security interests of the Union.[60] During the first three years of the functioning of CFSP, 68 joint actions were adopted on diverse topics such as former Yugoslavia, biological weapons and democratisation in South Africa, and Russian election monitoring. There were also 14 common positions adopted under the Article 228A that concerned various levels of economic sanctions against several third parties.[61]

All in all, joint actions had their success in raising the international visibility of the Union, demonstrating its ability to act and to have an impact upon international events across a broad range of issue areas unlike with EPC. However, the provisions developed under the Maastricht Treaty were not as effective. According to EU's Commission's assessment in the Report on the operation of the TEU, prepared prior to the 1996 Intergovernmental Conference (IGC), *"the aim of a substantial improvement has not been achieved."*[62] The report states numerous reasons for this outcome.

Firstly, the European Commission pointed out the confusion about the role of joint actions and common positions. When the Treaty of European Union was being prepared the entry into force, joint actions were seen as the key instrument, backed up by common positions for day-to-day matters. This distinction, however, was not applied in practice. The confusion gave the impression that the common foreign and security policy lacks coherent form. The ineffective practice was furthermore encouraged by the unanimous voting that EC stated to be as one of the problems of foreign and security policy. Another problem of CFSP was financial. The mixed structure of the Treaty, with decisions under one pillar requiring funding under another, introduced additional conflict. Since the EPC was based on intergovernmental cooperation, the questions of budget had not emerged, as it was assumed the member governments would take care of the expenses. CFSP, on the other hand, was managed under a single institutional framework with the Article J.11 of TEU proposing a cross-pillar, hybrid system of funding. This article imposed the administrative costs of joint actions were to be charged to the EC budget but at the same time the Council could decide whether to charge the EC budget or the member governments for operational expenditures associated with joint actions.

---

[60] European Council in Lisbon, 1992: 35.
[61] European Foreign Affairs Review, 1997; 143-56.
[62] Report on the operation of the Treaty on European Union, 1995; 66, European Commission.

Amsterdam Treaty

The lack of effectiveness of the use of instruments of CFSP under the Maastricht Treaty resulted in the start of negotiations at the 1996 Intergovernmental Conference that aimed to introduce in the new Treaty the institutional reforms needed to make the CFSP effective. The Conference was concluded and signed in 1997 in Amsterdam and following the process of ratification by the Member States, the Treaty of Amsterdam came into force in 1999.

The reformed Treaty strengthened the CFSP's capacity for action through introducing more coherent instruments and more efficient decision-making. The Amsterdam Treaty introduced under Article J.2, which defined policy instruments of joint actions and common positions, a new tool of common strategies. The European Council was set to define common strategies in areas the Member States had important interests in common, while specifying the objectives, duration, and means to be made available by the Union and the Member States. The Article furthermore defined the Council to be responsible for implementing common strategies through joint actions and common positions adopted by a qualified majority.[63]

In the context of decision making, the new Treaty continued to require the decisions to have a unanimous vote, however, Member States could abstain in a vote as long as it did not block the adoption of the decision. Furthermore, the Article J.13 of the amended Title V of the EU Treaty allowed for adoption by a qualified majority in two cases; *"when adopting joint actions, common positions or taking any other decision on the basis of a common strategy, and when adopting any decision implementing a joint action or a common position."*[64] The Treaty also included a safeguard clause, enabling the states to block majority voting if voting for important national policies.

Important development concerned the Article J.16 that was replaced by a new Article 26, which introduced a new post of High Representative assigned to the Secretary-General

---

[63] Treaty of Amsterdam, 1997; 11.
[64] Ibid, 14.

of the Council intended to give the CFSP more coherent form. The position had the responsibility of assisting the Council in matters concerning the common foreign and security policy through contributing to the formulation, preparation, and implementation of policy decisions. During certain situations, High Representative could act on behalf of the Council and conduct political dialogues with third parties.

Under the authority of the High Representative, the Treaty of Amsterdam set up a policy planning and early warning unit in order for the Union to produce effective reactions to international developments. Its task included monitoring of developments in areas relevant to the CFSP, providing assessments of the Union's foreign and security policy interests and areas which the CFSP could focus on in future, and providing early warning of events, potential political crises and situations that might have significant repercussions on the CFSP.

A crucial step to safeguard European security through humanitarian and peace-making missions were the so-called Petersberg tasks that were incorporated into Title V of the EU Treaty. The concept of Petersberg missions was originally designed within the framework of the Western European Union after the Cold War when in 1992 WEU Ministers Council met in Petersberg and established a list of crisis management operations that were to be conducted by the Member States. The Petersberg Declaration stated that *"military units of WEU member states, acting under the authority of WEU, could be employed for: humanitarian and rescue tasks; peace-keeping tasks; tasks of combat forces in crisis management, including peace-making"[65]*. The definition was included word for word in the Amsterdam Treaty under article J7. It was for the first time the notion of peacekeeping and peace-related operations were codified in a constitutive treaty of an international organisation as there was no provision referring to such operations in the UN Charter nor in NATO. The CSCE/OSCE did contain documents on peacekeeping, however, they had no legal status. This provided EU with enhanced legitimacy since the peacekeeping activity was clearly enshrined in its constituent treaty.[66] The Amsterdam Treaty additionally addressed the problem of financing that was

---

[65] Petersberg Declaration, 1992; 6.
[66] Oproiu, 2012; 46.

heavily criticised under the Maastricht Treaty of being overly complex and inefficient. Specifically, it provided that the expenditure on CFSP operations was to be financed from the Community budget except when the expenditure arose *"from operations having military or defence implications and cases where the Council acting unanimously decides otherwise."*[67]

Although the Treaty did reinforce each of the three main pillars, it was generally thought that the Treaty of Amsterdam was not a success concerning institutional reforms.[68] In the first part of the document, dealing with substantial amendments of Maastricht Treaty, it was specified that the Council and the Commission are obliged to cooperate in order to *"ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies."*[69] According to the European Parliament's report and initial evaluation of the results of the Treaty, the chances of ensuring consistency and effectiveness of the Union's external actions were, however, low, calling the wording of the amendment as *"cosmetic changes made to the old text."*[70]

During the IGC, the Parliament requested the possible incorporation of the CFSP in the Community pillar and all the provisions concerning the various aspects of external policy, such as commercial policy, development policy, human rights policy, and the future common defence policy, to be brought together in a single chapter of the Treaty. Additionally, the EP requested to create diplomatic representation for the Union in third countries, in which the representation of the Member States is fewer than four. None of these requests were seriously considered, according to the EP. Furthermore, the EP criticised the failure of establishing an international legal personality for the Union, even though the idea had the support with almost total consensus.[71]

In their evaluation, the European Parliament also condemned the unchanged role of the Commission. The new article J.17 only reiterated the old Article J.9 which stated *"the*

---

[67] Treaty of Amsterdam, 1997; 16.
[68] Political Affairs Committee Report, 1998.
[69]Treaty of Amsterdam, 1997; 8.
[70] Note on the European Parliament's Priorities for the IGC and the New Amsterdam Treaty: Report and Initial Evaluation of the Results, 1997, European Parliament.
[71] Ibid.

Commission shall be fully associated with the work carried out in the common foreign and security policy field"[72] and therefore did not grant the Commission the right of initiative in the CFSP field, nor executive power as the EP had requested. In theory the Commission could present specific proposals regarding the common strategies, however, in his interview, Romano Prodi, who was the President of the European Commission at the time, pointed out that in this field the possibility of action of the Commission was very limited: *"From the legal point of view, Amsterdam was open to cooperation, but it is intergovernmental. So, it was a step in the opposite direction concerning the power of the Commission, in spite of the opening of some possibility or proposal."* Furthermore, Prodi noted that Amsterdam treaty was one of the first steps of nationalisation of European policy.[73]

Further enhancement of cooperation within the second pillar of the common foreign and security policy was established in the Treaty of Nice. The Amsterdam negotiations previously created the formal possibility of enhanced cooperation between the Member States, and although the provisions had never been used, the European Council recognised the importance in revising them and making them less restrictive in the context of the enlargement of the European Union.

Treaty of Nice

The Treaty of Nice was concluded at the Nice European Council in December 2000 with the Intergovernmental Conference aimed to deal with the number of institutional issues, which became known as the 'Amsterdam left-overs'. These issues had been addressed by the Maastricht and Amsterdam IGCs but failed to bring efficient institutional reforms needed before the EU enlargement that was planned for 2004 and 2007. A new IGC was, therefore, held in 2000 focusing on the unresolved topics. Majority of the text of the Treaty dealt with reforming the decision-making of the European Union. The general provisions included – perhaps the most important reform in the perspective of enlargement – extending Qualified Majority Voting (QMV) in the European Council,

---

[72] Treaty of Amsterdam, 1997; 15.
[73] Interview with Romano Prodi, 2017; 17, Historical Archives of the European Union.

removing national vetoes from thirty-nine areas, re-weighing of votes in the context of the enlargement, and institutional reforms to the European Commission and European Parliament.

The most progress was said to be made in the provisions of closer cooperation and flexibility, which enabled deeper integration in certain areas without the participation of all countries. The main developments concerned relaxing the so-called enabling clauses that were introduced at Amsterdam. The first change in the general clause was the removal of simple right of veto giving the Council the possibility to authorise closer cooperation by qualified majority. Secondly, the minimum threshold for establishing enhanced cooperation was changed from majority of Member States to an absolute number of eight Member States, regardless of the total number of Member States after the enlargement.[74]

The Treaty of Nice enabled the establishment of enhanced cooperation within the second pillar of common and foreign security policy. In this case, not all the simplifications apply as the veto right was not abandoned in this sector when the Article 24 of the Treaty states: *"The Council shall act unanimously when the agreement covers an issue for which unanimity is required for the adoption of internal decision."* [75] Furthermore, enhanced cooperation in the area of the CFSP was to be aimed at safeguarding the values and serving the interests of the Union while respecting its principles, objectives, and general guidelines. Such cooperation, however, related only to the implementation of a joint action or a common position and excluded matters having military or defence implications.[76]

Although, not entirely an integrant part of the Treaty, the European Council made certain conclusions concerning the common European security and defence policy, such as establishing a timetable for the introduction of a European military force. Moreover, the subparagraphs referring to the Western European Union (WEU), which acted as a military alliance since the end of the Cold War and was given an integral role in providing the EU

---

[74] Treaty of Nice, 2001; 6.
[75] Ibid, 7.
[76] Ibid, 8.

an independent defence capability by the Amsterdam Treaty, was at this point deleted.[77] The year 2000 then marked the WEU's functions and capabilities being steadily transferred to CFSP and Common Security and Defence Policy (CSDP).

Additionally, the Nice European Council agreed on establishing a permanent Political and Security Committee (PSC). The creation of PSC was a result of the Amsterdam Treaty, created at the Helsinki European Council and was initially established as an interim body. Only the Treaty of Nice made it officially permanent, replacing the previous Political Committee. Article 25 of the Treaty of Nice defines that the *"[...] Committee shall exercise, under the responsibility of the Council, political control and strategic direction of crisis management operations."*[78] The tasks of the PSC are specified in the Council Decision 2001/78/CFSP from January 2001 which includes monitoring the international situation in the areas covered by the CFSP and defining the EU's response in the event of crisis by proposing to the Council set of options for resolving the crisis. The PSC also plays an essential role in enhancing consultations, especially with NATO and the third States involved.[79]

Lisbon Treaty

The Common Foreign and Security Policy of European Union, as it is known today, was created by the Lisbon Treaty which was signed in 2007 and came into force in 2009. The Lisbon Treaty, renamed the Treaty on the Functioning of the European Union (TFEU), started as a constitutional project under the Laeken European Council of 2001 that decided to organise a Convention concerning the debate on the future of the European Union. One of the objectives of the next IGC was the drafting of a constitution for Europe's citizens, which was written in the first half of 2003 with a name Treaty establishing a Constitution for Europe. However, after the negative results of two referendums, the ratification procedure was not completed.[80]

---

[77] Yataganas, 2001.
[78] Treaty of Nice, 201; 8.
[79] Council Decision (2001/78/CFSP) setting up the Political and Security Committee, OJ L 027, 2001; 3.
[80] Fact Sheet on the European Union, 2022, European Parliament.

Most of the provisions in the Constitutional Treaty that concerned the CFSP were reinserted into the Lisbon Treaty that replaced it. One of the main developments and innovations can be considered the abolition of the pillar structure by subsuming all three legal frameworks of European Community, CFSP, and Police and Judicial Cooperation in Criminal Matters into single and unitary structure. The old pillar structure created issues for coherence among external relations of the Community and the CFSP as previously, only the Community had legal personality. In this sense, the Treaty of Lisbon inserted Article 46 A which conferred legal personality on the Union as a whole, enabling it to conclude international agreements and join international organisation.[81] CFSP, however, was to remain intergovernmental even with the abolition of the pillars. However, in his publication, Koutrakos (2007; 18), points out that various European lawyers agree that the Union already practiced implied legal personality in the areas of CFSP and Police and Judicial Cooperation in Criminal Matters prior to its official entry into force with the Lisbon Treaty, and that the provision of Article 47 of TEU acts as a clarification of the Union's legal status.

The Lisbon Treaty introduced innovations in an attempt to offer greater coherence in the EU's institutional architecture and legal framework. In the context of the latter in CFSP, the Treaty re-organised relevant provisions and articulated set of values, principles, and objectives in the area of external relations. For the first time since the establishment of the European Economic Community, the TEU sets out a common set of principles and objectives that cover the entire range of the Union's external trade, economic, and political relations which are specified in the Article 21(2) of the TEU under Title V with new name of 'General Provisions on the Union's External Action and Specific Provisions on the Common Foreign and Security Policy'.[82] The same article provides a provision that would assure these diverse principles and objectives are coherent and integrated as the Article 21(3) makes compliance with the duty for consistency. According to the Member of the Parliament, Klaus Hänsch,[83] representing the Social Democratic Party of

---

[81] Lisbon Treaty, 2007; 38.
[82] Consolidated version of the TEU, 2012; 28.
[83] K. Hänsch was a MEP representing SPD from 1979 until 2009 and acted as President of the European Parliament in period from 1994 to 1997.

Germany, such division of tasks was undermining the impact of external actions of the Commission, which was already limited enough.[84]

Here, it is also worthy to note that the Lisbon Treaty does not reference to 'common values' anymore, changing the wording in the provision which specifies the Union shall work for cooperation in all fields of international relations in order to *"[…] safeguard its values, fundamental interests, security, independence and integrity […]"*.[85] Furthermore, the same provision for the first time introduced conflict prevention to the preservation of peace and the strengthening of international security.

When it comes to the CFSP instruments, the Lisbon Treaty introduced the term 'decision' replacing the CFSP-specific instruments that were adopted in the post-Maastricht era. Along with the abolition of the pillar structure, the abolition of the CFSP instruments was to only offer simplification of the terminology.[86] The set of formal instruments currently available remains identical with the predecessor to the Lisbon Treaty. Article 25 TEU (ex Article 12) defines the Union's general guidelines, the adoption of said decisions, and the strengthening of systematic cooperation between Member States in conducting the policy. Furthermore, the article distinguished between three types of decisions; an action and position to be taken by the Union, and decision defining arrangements for the implementations of actions and/or positions.[87]

The Lisbon Treaty substantially modified the institutional framework of the CFSP in many ways. Firstly, the role of the European Council has become more prominent, and the Lisbon Reform Treaty has further underlined its significance generally in the EU's external action and particularly in the CFSP/CSDP. The provision under the Article 22(1) TEU grants the European Council decision-making power when it reads:

> On the basis of the principles and objectives set out in Article 21, the European Council shall identify the strategic interests and objectives of the Union.

---

[84] Interview with Klaus Hänsch, 2016: 18, Historical Archives of the European Union.
[85] Lisbon Treaty, 2007; 23.
[86] Koutrakos, 2007; 29.
[87] Consolidated version of the TEU, 2012; 31.

Decisions of the European Council on the strategic interests and objectives of the Union shall relate to the common foreign and security policy and to other areas of the external action of the Union. Such decisions may concern the relations of the Union with a specific country or region may be thematic in approach. They shall define their duration, and the means to be made available by the Union and the Member States.

The European Council shall act unanimously on a recommendation from the Council, adopted by the latter under the arrangements laid down for each area. Decisions of the European Council shall be implemented in accordance with the procedures provided for in the Treaties.

This provision furthermore confirms the unanimity remaining the normal decision rule; however, the Lisbon Treaty additionally states possibilities of some decision being made by a qualified majority voting (QMV). Another important feature illustrating the role of the European Council is the introduction of the post of the President of the European Council. Previously, the EU was represented in foreign affairs by a current Member State holding a Presidency that rotates every six months. The introduction of this position – with its general duties set out by the Article 15(6) TEU – was meant to address the increasing need for the EU to be represented by a permanent recognizable figure, ensuring *"the external representation of the Union on issues concerning its common foreign and security policy […]"*[88]

One of yet another main innovation introduced by the Lisbon Treaty is the post of the High Representative of the Union for Foreign Affairs and Security Policy whose condition are described under the Article 9E of Treaty of Lisbon. The Amsterdam Treaty had already established the post of HR for the common foreign and security policy who was also the Secretary General of the Council (Article J.8 of the Treaty of Amsterdam), however, the Lisbon Treaty defines the role more clearly. The High Representative is appointed by the European Council with the agreement of the President of the

---

[88] Consolidated version of the TEU, 2012; 23.

Commission with the same mechanism being used to end their term.[89] Except conducting the Union's CFSP, the High Representative presides over the Foreign Affairs Council and is set out to be one of the Vice-Presidents of the Commission ensuring the consistency and coordination of the Union's external action.[90]

Furthermore, under the Article 13 of Treaty of Lisbon, the High Representative shall participate in the elaboration of CFSP, having a right to submit proposals on their[91] own initiative or conjointly with the Commission, submit questions to the Council, and convene extraordinary meetings on emergency matters.[92] The High Representative additionally conducts political dialogues with third parties, representing the Union's position in International Organisations and at intergovernmental conferences, and has responsibility for harmonising the views of Member states.[93] In carrying out these activities, the High Representative is assisted by the European External Action Service (EEAS) which cooperates with the diplomatic services of the Member states.

The creation of the EEAS was viewed as one of the most significant changes introduced by the Treaty as it was aimed to create a better coherence in the EU's external actions and increase its global political and economic influence.[94] The idea of the High Representative having a so-called double hatting and the idea of the European External Action Service came from the constitutional convention, which later found its way in the Lisbon Treaty.

David O'Sullivan, who was at the time Director General for External Relations, was in 2010 responsible for setting up the EEAS after the proposal of the first HR, Catherine Ashton, to the Council of the European Union. David O'Sullivan explained the starting point was the post of Javier Solana in 1999 who took the position of the first and only High Representative under the Amsterdam Treaty. Christian Leffler[95] the creation of the

---

[89] Lisbon Treaty, 2007; 21.
[90] Ibid.
[91] The Treaty uses the word "he" when relating to the post holders.
[92] Lisbon Treaty, 2007; 27.
[93] Ibid.
[94] Press Release General Affairs 8967/10. Council of the European Union, 2010; 8.
[95] Christian Leffler was the Deputy Secretary-General at the EEAS until 2020. Before he held positions of a senior adviser to EU High Representative for CESP and European Commission Vice-President Catherine Ashton.

post and especially Javier Solana occupying it, the EU established its footprint in foreign policy.[96] The breakthrough was the suggestion of merging the post of High Representative with Commissioner for External Relations, who was at the time Chris Patten. *"He used to say that he ran the back office and Javier ran the front office [...] because the Commission basically did much of the work, had much of the money, but Javier was out there, selling a policy."*[97] In parallel to Javier Solana having a political role, the Council's Secretariat started to develop an executive capacity, which was, according to O'Sullivan dysfunctional, as nobody initially planned for the Council Secretariat to hold managing competence. *"They were managing missions, military operations; they inherited the military staff from the Western European Union which had been dismantled."*[98] After the merging of the two posts, the idea continued to create a new service which would include the staff from the Council's Secretariat-General and the Commission. *"In terms of the diplomatic network we were able to transform the Commission delegations into EU embassies. This was well accepted by the Member States, the role of the rotating presidency locally in third countries disappeared and the role is taken now by the external action service and by the EU delegations. And that works remarkably well."*[99]

The establishment of EEAS was uncontroversial, however, was also viewed as likely to reduce the relevance of national embassies and would result in their closure.[100] As a result, the UK secured two declarations during the IGC 2007 that emphasise the intergovernmental nature of CFSP. Specifically, Declaration 13 of Treaty of Lisbon says the creation of the HR and the External Action Service *"do not affect the responsibilities of the Member State as they currently exist, for the formulation and conduct of their foreign policy nor of their national representation in third countries and international organisations"*.[101]

---

[96] Interview with Christian Leffler, 2017; 8, Historical Archives of the European Union.
[97] Interview with David O'Sullivan, 2016; 21, Historical Archives of the European Union.
[98] Lisbon Treaty, 2007; 21.
[99] Ibid, 22.
[100] Koutrakos, 2017; 43.
[101] Laursen, 2011; 57.

Lastly, the Lisbon Treaty presented new innovations specific to the defence field. Common Security and Defence Policy (CSDP), which used to be called European Security and Defence Policy (ESDP) with its provision under the Article 17 of Amsterdam Treaty, became to have more prominent place in the new treaty with its own section emphasising the CSDP's operational capacity and redefining the Petersberg tasks.

3.4 COMMON SECURITY AND DEFENCE POLICY

As depicted through the historical development in previous chapters, security has been especially prominent on the European political agenda since the end of the Second World War. On the contrary, the defence aspect has not been developed further within the EU after the failure of the European Defence Community in the early 1950s. For over fifty years, European countries relied on NATO for defence cooperation, despite the efforts to establish EU's external activities with political identity and defence responsibilities. It wasn't until the end of the 1990s that the development of common EU security and defence took a rapid turn, specifically between the years 1998 and 2000.

From the historical perspective, the revolutionary changes are ascribed to a change in the United Kingdom's attitude towards EU's role in defence. As briefly described at the beginning of the chapter, the UK for a long time objected to the EU having an autonomous military capacity. The change in position coincided with the Kosovo crisis in 1999, however it was not considered as a decisive moment. The British government decided to not participate in the new single currency project, giving the country only observer status in the institutional structures overseeing the new currency. As to not lose influence in the EU, the UK was seeking to compensate and assert its leadership in EU military affairs by shifting the position in common defence.[102] The new British orientation towards EU defence was firstly announced by Prime Minister Tony Blair at an informal EU meeting of Heads of State and Government in Pörtschah, Austria, in 1998. *"A common and foreign security policy for the European Union is necessary, it is overdue, it is needed, and it is high time we got on with trying to engage with formulating it […]"*.[103] Blair advocated

---

[102] Latawski & Smith, 2003: 129.
[103] Press Conference given by Tony Blair, Informal European summit Pörtschach, 1998: p. 2 in RUTTEN, M. (2001) „From St-Malo to Nice European Defence: core documents". Chaillot Paper no. 47.

for "fresh thinking" in security policy as to not repeat the traumatic experience of Bosnia-Herzegovina.[104] This was then followed by a bilateral meeting of United Kingdom and France in Saint-Malo that was concluded by a Joint Declaration widely considered as a catalyst for the European Security and Defence Policy.[105]

Shortly after the Amsterdam Treaty – which set out a light framework for the European Security and Defence Policy (ESDP) with the Petersberg tasks that included humanitarian aid and peace-making – came into force, the European Council met in Cologne in 1999 and adopted a decision that can be considered as the launch of the ESDP process:

> In pursuit of our Common Foreign and Security Policy objectives and the progressive framing of a common defence policy, we are convinced that the Council should have the ability to take decision on the full range of conflict prevention and crisis management tasks defined in the Treaty on European Union, the 'Petersberg tasks'.
>
> To this end, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises without prejudice to actions by NATO. The EU will thereby increase its ability to contribute to international peace and security in accordance with the principles of the UN Charter.[106]

This new ambition for developing common defence policy, required the Union to have a capacity for autonomous action with credible military capabilities and appropriate decision-making bodies, as it was stated in the Guiding Principles of the Presidency Report on strengthening of the common European policy on security and defence also signed in Cologne.[107] During the Finnish Presidency, it was therefore decided in Helsinki in 1999 that within the Council structures, permanent political and military bodies shall

---

[104] Loth, 2015: 357.
[105] Handbook on CSDP, 2021; 17.
[106] Declaration of the European Council on Strengthening the Common European Security and Defence, 1999; p. 41 in RUTTEN, M. (2001) „From St-Malo to Nice European Defence: core documents". Chaillot Paper no. 47.
[107] Ibid, p. 42

be established. They were namely: a standing Political and Security Committee (PSC) with the task to exercise political control and strategic direction of a specific operation; Military Committee (MC) that would give military advice and recommendation to the PSC; and Military Staff (MS) that would provide military expertise and would perform early warning, situation assessment and strategic planning for Petersberg tasks. [108]

At the Helsinki European Council, it was furthermore decided that in order to conduct effective EU-led operations, European military capabilities for Peterserg tasks will be developed. The so-called Helsinki Headline Goal constituted a decision that the EU member states would be able to, in 2003 at the latest, put together on a voluntary basis an EU-led military force that would be self-sustaining, deployable within 60 days and capable of functioning at least one year. [109] In order to provide for shortfalls in the military capability and further improve and strengthen them, the EU member states agreed on a European Capability Action Plan in 2001 at the Capability Improvement Conference in Brussels. [110]

Along the process of ESDP, numerous other conclusions from European Council have constituted the guiding principles without the policy having a single substantial guiding document. In 2003 the European Security Strategy (EES) was adopted where, for the first time, the EU agreed on a joint threat assessment and conceptualised its objectives for advancing its security interests. [111] The catalyst to hold a formal strategic debate and produce a strategic document was the US invasion of Iraq that divided Europe in two camps: those who believed the American invasion of Iraq was unlawful, and those that believed the invasion was necessary for regime change in the country – an only way to deal with threat posed by Saddam Hussein. The strategic doctrine of the EES was therefore, back then Hight Representative, Javier Solana's effort to strengthen member states' determination around a common approach to international affairs. [112] The EES

---

[108] European Council Helsinki, Presidency Progress Report on Strengthening the Common European Policy on Security and Defence, 1999: p. 87 in RUTTEN, M. (2001) „From St-Malo to Nice European Defence: core documents". Challiot Paper no. 47.
[109] Ibid, p. 46.
[110] Conference on EU Capability Improvement, 2001; p. 98 in RUTTEN, M (2002) „From Nice to Laeken European Defence: core documents Vol II". Chaillot Paper no. 51.
[111] European Security Strategy, Council of the European Union, 2009.
[112] Michalski, 2019: 22.

specified that the European Union sought to use preventive, comprehensive, and multilateral methods in dealing with conflicts, however it lacked any details about resources and financing. The strategy remained in place until a new Global Strategy was presented in 2016.[113]

Additionally, in 2003, the ESDP became operational through the first missions and operations with the first deployments being civilian European Union Police Mission (EUPM) in Bosnia and Herzegovina and military operation in North Macedonia. The former, continuing to be in effect to this day, is said to be the largest military operation launched by the European Union.[114] The operation called ALTHEA was taken over by EU from NATO in 2004 after the Alliance assisted in signing the Dayton Accords in Paris in 1995 which ended period of war that Bosnia-Herzegovina (BiH) entered in 1992. The EU afterwards deployed a military force (EUFOR) to ensure compliance with the Dayton/Paris Agreement with its mandate being effective to this day. Overall, the EUPM is considered a successful operation as it played an important role in the development of the Bosnian local police forces which during civil war acted as repressive instrument of ethnic violence.[115] In this context, the Althea began to focus more on capacity-building and training tasks rather than following its initial robust military presence in Bosnia and Herzegovina.[116]

The beginning of the EU's first military crisis management under the CSDP was marked by the 2003 Operation Concordia in Macedonia. Similar to operation Althea, EUFOR Concordia was a take-over mission from NATO which maintained its military presence in the country since 2001 to secure a stable environment for political reforms. The main operational tasks of the mission were monitoring operations in former crisis areas and deterring the resurgence of ethnically motivated violence. The mission's success not only proved the EU to be an adequate crisis manager and grew its profile as a military security actor but also fulfilled its tasks in contributing to a stable and secure environment.[117] Despite these accomplishments, the mission carried internal and external coordination

---

[113] Handbook on CSDP, 2021; 31.
[114] Bremberg, 2022: 132.
[115] Merlingen, 2019: 169.
[116] Knauer, 2011: 23.
[117] Rodt&Wolff: 2012: 427.

challenges which translated into EU's inability to implement a stronger and more comprehensive approach that links military, political and economic instruments.[118]

Important here is the relationship with the United Nations regarding strong cooperation in crisis management that represents one of the strongest external pillars of CSDP. Its deployments and executive operations follow-up on UN missions and are based on a UN Security Council mandate. The Steering Committee chaired by EU and UN officials have managed to progressively develop the relationship on security and defence, additionally deepening cooperation on conflict prevention and counter-terrorism.[119] Since the launch of first missions in 2003, the EU has undertaken 37 overseas civilian and military operations. Although, the effectiveness of some of the operations can be questionable, Pedro Serrano, Head of Cabinet of EU HRVP Josep Borrell, notes that many achieved their goals and contributed towards stability in their countries and regions of deployment while strengthening the EU's external role: *"Accustomed in the past to see EU diplomacy as fundamentally based on common statements and diplomatic manoeuvres, whose impact was often difficult to measure, my first visit in 2003 to the first civilian EU operation in Bosnia and Herzegovina produced a lasting impression. The streets of Sarajevo were full of dark blue Volkswagens carrying the EU flag – this conveyed a very visible signal of presence, engagement, and transformative action."*[120]

A year later, in 2004, the European Council adopted a Joint Action on the establishment of the European Defence Agency (EDA) that was tasked to deal with defence capabilities development, research, acquisition, and armaments.[121] This role is enshrined in the EU Treaties with Article 45 of the TEU specifically recognising the EDA's role of contributing to the identification of capability objectives, harmonisation of operational needs and procurement, proposing multilateral projects, supporting defence technology research, and strengthening the industrial technological base of the defence sector.[122]

---

[118] Gross, 2009: 180.
[119] Serrano, 2020; 25.
[120] Ibid, 26.
[121] European Defence Agency, European Commission, 2022.
[122] TEU, 2012: 40.

With the entry of the Lisbon Treaty in 2009, the ESDP was renamed the Common Security and Defence Policy. As briefly outlined before, the Lisbon Treaty encompassed changes in the EU and security defence, specifically in the context of extending the range of the Petersberg missions which represent the core of the CSDP and EU's catalogue of its crisis management operations. The original Petersberg tasks included three main types of missions which were humanitarian and rescue tasks, peace-keeping and tasks of combat forces in crisis management, including peacemaking.

Article 42 of TEU places CSDP as an integral part of the common foreign and security policy, providing the Union with operational capacity of civilian and military assets to be used on missions outside of EU to maintain peace, prevent conflicts and strengthen international security. The novelty was in the Lisbon Treaty adding four new tasks to the Petersberg catalogue which now comprised of "*joint actions for disarmament, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation*"[123] that can be used to fight against terrorism including by supporting third countries that combat terrorism within their territory. Additionally, the Treaty gives the Council the possibility to entrust the execution of a task to a willing group of Member States that have the capabilities to implement the mission in question.

Another innovation of the Lisbon Treaty was the fact that it was the first treaty to explicitly acknowledge NATO's role for the defence of the European states as described in Article 42(2) which states the progressive framing of a common defence policy *"shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States, which see their common defence realised in the North Atlantic Treaty Organisation (NATO)"*[124]. Under the same article 42(7), the Treaty also introduced a mutual assistance clause, stating an "obligation of aid and assistance" of Member States towards other Member State which is a victim

---

[123] TEU, 2012: 39.
[124] Ibid, 38.

of armed aggression.[125] This wording, however, does not mention any potential military engagement.

After the Lisbon Treaty entered into force, numerous Member States called for a revision of the European Security Strategy (ESS). Similar attempts were already put forward in previous years, however agreement was reached only after Federica Mogherini assumed the post of High Representative in 2014 and was given a mandate to produce a new strategy. The EU Global Strategy on Foreign and Security Policy (EUGS) was launched in 2016 shortly after the Brexit referendum with five priorities, namely the security of the EU itself, the neighbourhood, how to deal with war and crisis, stable regional orders across the globe, and effective global governance. The new strategy was needed in face of changing geopolitical environment that the previous ESS, or the so-called 'Solana Strategy', could not respond to anymore. Firstly, there has been an increase in the instability and conflicts in the Middle East and Africa area, impacting security inside of Europe through issues as migration, transnational crime, and terrorism. Secondly, the EU faced new security challenges in terms of hybrid threats with Russian annexation of Crimea which called for hybrid responses.[126] Additionally, the world transformed into multipolar system with new powers of China and India rising. The growing concerns of Chinese ambitions furthermore caught focus of the strategic priorities of the United States which forced the EU to step up its role as a global actor in international security.[127] The global security scene was also impacted by Donald Trump's unreliable administration, which had weakened the EU-US relations. During his presidency, Trump had pulled out of the Paris climate agreement, recognised Jerusalem as Israel's capital, and threatened to impose tariffs on aluminium and steel. However, real strain on the transatlantic relation had been the president's decision to withdraw from the Iran nuclear deal.[128]

Within the context of the new security situation the EU was facing, the EUGS document underscored the priority of Europeans to take more responsibility for their security and defence. The scope of EU defence policy was expanded through numerous defence

---

[125] TEU, 2012: 39.
[126] Zandee, 2016: 26.
[127] Nunes, 2016.
[128] „Europeans want to break up with America. They'd do so at their peril". Kirchik, 2018.

initiatives from which the most important are Permanent Structured Cooperation (PESCO) and European Defence Fund (EDF) introduced in 2017.[129] In the official document it is stated that *"new process of strategic reflection will be launched whenever the EU and its Member States deem it necessary"*[130] meaning the EUGS does not have a systematic review. In 2019, the new High Representative, Josep Borrell, decided to keep the existing strategy in place. The EU strategic approach was furthermore confirmed and upgraded when current President of European Commission, Ursula von der Leyen, took office in the same year, proclaiming the beginning of a "geopolitical Commission".[131]

Additional politico-military guidance for EU security and defence was introduced through an initiative of an EU Strategic Compass which involved a common threat analysis combining EU member states' views on threats and challenges and set out precise objectives along four main pillars of crisis management, resilience, capability development, and partnership.[132] The Compass was implemented in March 2022 and although its work was launched before Russia's invasion of Ukraine, it reflects the latest threats and gives the EU a plan of action in the context of security and defence policy by 2030. It is structured around four pillars: act, invest, partner, and secure. Within these pillars the EU established Rapid Deployment Capacity of up to 5000 troops for different types of crises, developed Hybrid Toolbox and Response Teams to effectively detect and act on hybrid threats, and strengthened its cooperation with partners such as NATO and the UN. Furthermore, Member States committed to enhance and improve their defence expenditures.[133] This would allow for coordinated use of EU tools, especially the defence initiative of PESCO and the EDF.

3.5 COOPERATION WITH NATO

The development of security and defence in Europe comes hand in hand with the evolution of Euro-Atlantic relationship. The establishment of NATO in 1949 and the

---

[129] Handbook on CSDP, 2021: 29-33.
[130] A Global Strategy For the European Union's Foreign and Security Policy. EEAS, 2016: 51.
[131] Speech by President-elect von der Leyen in the European Parliament Plenary on the occasion of the presentation of her College of Commissioners and their programme, Strasbourg, 27 November 2019. SPEECH/19/6408.
[132] Handbook on CSDP, 2021: 19.
[133] A Strategic Compass for Security and Defence, 2022: 3-4.

eventual security and defence cooperation with the EU was preceded by the foundation of Western (European) Union a year prior in 1948 by the Treaty of Brussels. WEU acted as an agreement between Belgium, France, Luxembourg, the Netherlands, and the United Kingdom to provide for collective defence and cooperation in economic, social, and cultural matters. The organisation, however, had certain weaknesses, and tensions between Britain and France over command and geostrategy led to an increased requests for military assistance within Europe which eventually opened a way for establishment of the Atlantic Alliance.[134] As briefly mentioned in previous chapters, NATO became a preferred security provider on the continent, which meant the WEU remained largely inactive. The predominance of NATO was furthermore recognised under Article IV in the modified Brussels Treaty of 1954, when it highlighted the *"undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate military authorities of NATO for information and advice on military matters."*[135]

With the end of Cold War era, Europe was undergoing several security changes while dealing with the integration process. Acknowledging these shifts in the security environment, the UK and France took a step towards developing autonomy in security and defence dimension with the 1998 Saint-Malo Declaration, which gradually lead to transferring of WEU's responsibilities to the EU. Initially, the US was sceptical of this decision, seeing it as a threat of duplication with the NATO assets which could result in potential competition. However, the Declaration explicitly pointed out that *"the collective defence commitments to which member states subscribe must be maintained"*[136] meaning the relation to NATO must be respected. Before the complete dissolution of the WEU, two key events paved the way for a strategic partnership between the EU and NATO – the joint declaration of 2002 and the 2003 Berlin Plus Arrangements.

Firstly, in 2002 the EU and NATO announced the establishment of strategic partnership in crisis management through EU-NATO Declaration on European Security and Defence

---

[134] Dumoulin, 2009: 2.
[135] Text of Modified Brussels Treaty, 1954: 6.
[136] British-French summit St-Malo, 3-4 December 1998: p. 8 in RUTTEN, M. (2001) „From St-Malo to Nice European Defence: core documents". Chaillot Paper no. 47.

Policy (ESDP). The partnership was founded on shared values and the indivisibility of security in the 21st century. The declaration reaffirmed the role of NATO as the foundation of the collective defence of its members but recognised the ESDP whose purpose was to *"add to the range of instruments already at the European Union's disposal for crisis management and conflict prevention".*[137] Not even a year later, in March 2003, the two organisations concluded the Berlin Plus Arrangements which essentially acted as practical pillars for cooperation, specifically facilitating NATO support for EU crisis management operations by means of sharing assets, operational planning and command without the Alliance being directly involved itself.[138] The foundations for such cooperation have already been laid down in the 1999 Washington Summit communiqué[139] where the task of the NATO's Council in Permanent Session shall address:

- assured EU access to NATO planning capabilities able to contribute to military planning for EU-led operations;
- the presumption of availability to the EU of pre-identified NATO capabilities and common assets for use in EU-led operations;
- identification of a range of European command options for EU-led operations;
- the further adaptation of NATO's defence planning system to incorporate more comprehensively the availability of forces for EU-led operations.

Since its inception, two operations have been undertaken within the framework of the Berlin Plus Agreement, which were military operation "Concordia" in the former Yugoslav Republic of Macedonia in 2003 and the "Althea" in Bosnia-Herzegovina in 2004, which remains to be the only EU operation governed by the Berlin Plus Agreement.[140]

Closer EU-NATO cooperation further evolved later in 2016 with a Join Declaration. This was after a series of shock events unfolded, specifically the illegal annexation of Crimea in 2014, the British referendum to exit the European Union and the election of Donald Trump as President of the United States in 2016. Therefore, the EU Heads of States called

---

[137] EU-NATO Declaration on ESDP, 2002. Press Release (2002)142, NATO.
[138] Cooperation with NATO. Publications Office of the European Union, 2007.
[139] Washington Summit Communiqué, 1999. NATO Press Release NAC-S(99)64.
[140] Rittimann, 2021: 1.

for "further enhancement of the relationship" and "accelerated practical cooperation" with NATO during the European Council in June 2016.[141] Consolidation of this cooperation was represented with the already mentioned EU-NATO Joint Declaration that included a list of common proposals in order to make the commitments in the declaration operational. The declaration defined seven main areas of cooperation: countering hybrid threats, operational cooperation in the maritime domain, cyber security and defence, defence capabilities, defence industry and research, exercises, resilience of partners.[142] The following year, in 2018, a second Joint Declaration was signed with the focus on implementing the previous declaration and additionally swifter progressing in areas of military mobility, counter-terrorism, strengthening resilience to chemical, biological, radiological and nuclear-related risks, and promoting the women peace and security agenda.[143] All in all, 74 action points were identified as sub-topics for cooperation while regular progress reports are being issued to assess the achievements and shortcomings of the cooperation. To date, there have been seven progress reports, with the most recent one being issued in June 2022.

To put theory in practice, EU-NATO cooperation establishes a single set of forces, meaning that common members do not have one armed force for NATO and another for EU. This is one of the key principles of the relationship between the two institutions. Therefore, in order to avoid duplication and ensure efficiency, the EU and NATO work together to organise their priorities and converge defence planning processes. Furthermore, coordination is sought in the context of civil and military operations and within the highest levels of EU and NATO leadership regarding political and diplomatic issues.

To provide operational cooperation examples, we have already mentioned the two military operations under the Berlin Plus Arrangements umbrella, Concordia and Althea.

---

[141] European Council meeting EUCO 26/16., 2016: 7.
[142] Council Conclusions on the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization, 2016.
[143] Joint Declaration On Eu-Nato Cooperation By The President Of The European Council, The President Of The European Commission, And The Secretary General Of The North Atlantic Treaty Organization, 2018.

The latter can be a good example for understanding the single set of forces aspects as the mission in Bosnia and Herzegovina was first launched in 1992 by the UN, later taken over by NATO, and eventually by the EU. Similar handover occurred with the operation Concordia, when the EU took over the NATO's several missions in the country between 2001 and 2003. As a result of the increased operational cooperation, a permanent military liaisons have been established for future collaborations, meaning that NATO has a team operating at the EU Military Staff headquarters while the EU has a team at the Supreme Headquarters Allied Powers Europe (SHAPE).[144] Additionally, EU and NATO have also cooperated in the area of maritime security to combat illegal trafficking and piracy in the Mediterranean, specifically since 2016 with the EU's operation Sophia working together with NATO's Sea Guardian operation up until 2020 when the operation Sophia ended. Both EU and NATO are also active in the Middle East.

Another area of cooperation is joint exercises and training adopted in 2016 as part of EU-NATO's cooperation framework with the main aim being the enhancement of staff-to-staff interaction, increasing resilience and mutual trust. An example is the European Response Coordination Centre that engaged in field exercises with NATO's Euro-Atlantic Disaster Response Coordination Centre in 2018, which later proved to be worthwhile especially during the 2020 coronavirus pandemic.[145] The most significant steps in increased NATO-EU relationship coincided with the 2016 EU Global Strategy which launched key defence initiatives such as the European Defence Fund (EDF), coordinated annual review on defence (CARD), Permanent structured cooperation and additional proposals of European Peace Facility and the Civilian CSDP Compact. Once again, these steps in EU's military ambition were initially met with reluctance from the transatlantic community, voicing their fear of potential duplication. However, eventually they became a welcomed addition to collective security as highlighted in the 2018 joint declaration, pointing out that the *"EU efforts will also strengthen NATO, and thus will improve our common security [...] such efforts foster an equitable sharing of burden,*

---

[144] NATO, Relations with the European Union, 2023.
[145] Latici, 2020: 7.

benefits and responsibilities", especially PESCO and EDF that were said to contribute to *"peace and stability in the neighbourhood and beyond"*.[146]

The newest development and continuous steps towards expanded cooperation came after the increased geopolitical tension of a full-scale Russian invasion into Ukraine in February 2022. Just as the Russia's seizure of Crimea in 2014 led to the first joint declaration at the NATO Warsaw summit in 2016, the EU and NATO institutions concluded third Joint Declaration in the beginning of 2023. The fourteen-point declaration outlines key areas for deepened NATO-EU cooperation with a strong alignment on the common threats facing European security. Those are mostly originating from the Russia's decision to invade Ukraine and the consequences of the war for the future, and the *"China's growing assertiveness and policies [that] present challenges that we need to address"*.[147] With the latter, it was for the first time the joint declaration mentioned China specifically. The agreement proceeds to highlight the notable progress since 2018, specifically in the areas of countering hybrid and cyber threats, operational cooperation including maritime issues, military mobility, defence capabilities, defence industry and research, exercises, counter terrorism, and capacity-building of partners. It furthermore notes strengthening of cooperation to address *"geostrategic competitions, resilience issues, protection of critical infrastructures, emerging and disruptive technologies, space, the security implications of climate change, as well as foreign information manipulation and interference"*.[148]

The document's main message is primarily to emphasise transatlantic unity on support of Ukraine and growing geopolitical competition with China. It does not contain any announcements or deliverables; therefore, its significance is mostly symbolic and reflects the priorities that were agreed in NATO's 2022 Strategic Concept and the EU'S Strategic Compass. Nevertheless, there are notable changes that reflect the contextual change since

---

[146] Joint Declaration On Eu-Nato Cooperation By The President Of The European Council, The President Of The European Commission, And The Secretary General Of The North Atlantic Treaty Organization, 2018.

[147] Joint Declaration On Eu-Nato Cooperation By The President Of The European Council, The President Of The European Commission, And The Secretary General Of The North Atlantic Treaty Organization, 2023.

[148] Ibid.

2018. The main difference involved the Russia's invasions of Ukraine when the declaration explicitly condemns Russia's aggression and expresses solidarity and support for Ukraine's *"independence, sovereignty and territorial integrity with its internationally recognised borders"*.[149] Furthermore, the document confirms the NATO's primacy in collective defence and the EU's and NATO's *"complementary, coherent and mutually reinforcing roles in supporting international peace and security"*.[150] The main consequence of Russian's invasions, therefore, was the revival of NATO's importance for European security whose defence role became to be doubted in the recent years, a great example being when French president, Emanuel Macron, declared NATO to be "brain-dead" in his 2019 interview for The Economist.[151]

Due to the document's mostly symbolic nature, it may seem the implementation won't differ much from the existing direction of EU-NATO cooperation. Only four out of the fourteen clauses contained in the declaration involve substantive calls to action, mainly carrying general and vague promises for strengthening and deepening the collaboration on agreed issues. Clause on China, albeit not explicitly committing the organisations to joint action, could be considered as a foundation for formal EU-NATO collaboration on a new issue.

3.6 SANCTIONS POLICY

Sanctions, or in official language called 'restrictive measures', are one of the important tools European Union uses in the context of achieving its goals in Common Foreign and Security Policy. Over the past twenty years, the EU has increased its activity in the field of sanctions, enhancing the Union's visibility as a foreign policy actor on the international stage, now being comparable to the biggest sanctioning power of United States.[152] The implementation of restrictive measures and overall institutional capacity of

---

[149] Joint Declaration On Eu-Nato Cooperation By The President Of The European Council, The President Of The European Commission, And The Secretary General Of The North Atlantic Treaty Organization, 2023.
[150] Ibid.
[151] "Emmanuel Macron warns Europe: NATO is becoming brain-dead." The Economist, 2019.
[152] Bazoobandi et al., 2015: 7.

the EU have gradually developed into a complex mechanism which regulates the binding decisions of Member States in the security domain.

In the context of international law, the collective imposition of economic sanctions starts at the UN as an option for preventing the use of armed force. The foundations for these restrictive measures are derived from Chapter VII of the UN Charter, more specifically with the article 41 that specifies that "*The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures*."[153] The Charter also allows for imposing sanctions by regional organisations to manage security crises in their respective regions (Article 52 of the UN Charter). Imposition of such sanctions were especially seen in Africa. In 2015 half of EU sanction were levied against African targets.[154] International law, furthermore, allows unilateral restrictive measures which were subject to numerous debates regarding their lawfulness, particularly if imposed extra-territorially.[155] These are sanctions applied by a country acting autonomously and are criticised as violating the state sovereignty principle and overstepping jurisdictional boundaries. The United States is known for implementing such economic restrictions with wide extraterritorial reach. The most recent example is the decision to reimpose financial restrictions on Iran after Donal Trump's administration withdrew from the nuclear deal of the 2015 Joint Comprehensive Plan of Action.[156] This action caused a rift in EU-US relations and resulted in the Union confronting the United States within the framework of international law-making use of a so-called blocking statute to offset economic and commercial effect of reinstated US sanctions against Iran.[157] Already then, the EU affirmed the unlawful nature of unilateral sanctions with such characteristics being enshrined in Sanctions Guideline where the EU explicitly denounces the extra-territorial application of third country imposing restrictive measures

---

[153] Charter of the United Nations. Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression, Article 41.
[154] Charron&Portela, 2015: 1369.
[155] Bogdanova, 2022.
[156] Sossai, 2020.
[157] Ibid.

as violating the international law and emphasises the restrictive measures apply solely in situations where there is link with the EU.[158]

Within the EU, the possible use of economic sanctions in coordinating trade policies was already mentioned in the Treaty of Rome (1957), however it was in the 1992 with the Maastricht Treaty and the subsequent establishment of the Common Foreign and Security Policy that the Union began to impose political sanctions. Before that in the 1970s, the role of adopting sanctions fell under the European Political Cooperation which was limited to mainly advocating of general principles with little instances of adopting concrete actions. Increased coordination came only in 1980 when the European Community adopted sanctions independent of the UN against the Soviet Union over its invasion of Afghanistan. Although the EPC facilitated cooperation between European states in foreign policy, the Maastricht Treaty and the introduction of the CFSP brought about better coordination and the ability of the EU to assert its role on the international scene with restrictive measures becoming a key tool in the Union's foreign policy.

The legal basis for setting up the sanction regimes is the Article 29 of consolidated version of the Treaty on European Union which allows the adoption of sanctions against governments of non-EU countries, non-state entities and individuals to coerce change in their policy or activity. However, the first legal document imposing restrictive measure was adopted four years later in 1996 regarding sanctions on Burma/Myanmar.[159] The EU most frequently justifies the use of sanctions through democracy promotion, such as in cases of Belarus and Uzbekistan where national authorities were deemed responsible for violating democratic practices, especially violating human rights of their own people. Unlawful overthrow of governments and unfair and/or unfree elections in certain countries, such as the Central African Republic and Zimbabwe have also been reasons to trigger sanctions against entities. Additionally, the EU sanctions have also been used to manage ongoing conflicts (cases of Transnistria, Libya, the Russian Federation, and Syria) or to consolidate the establishment of new institutions after the end of conflicts (case of Liberia and Ivory Coast). In cases such as Egypt, Ukraine, and Tunisia, the

---

[158] Sanction Guidelines – update, 2018: 19.
[159] Giumelli, 2020: 119.

sanctions were targeted against persons exploiting State funds and were imposed after the change of government to facilitate asset recovery.[160]

There are three key internal documents dealing with the EU restrictive measures policy. The first document of the Basic Principles on the Use of Restrictive Measures (Sanctions) was approved in 2004 by the Political and Security Committee (PSC) after the Council had requested to develop a policy framework for more effective use of sanctions. The document states the EU shall use sanctions in accordance with the principles of the UN Charter and continuously work to support the UN. However, if deemed necessary, the Union may impose autonomous restrictive measures to fight terrorism and the proliferation of weapons of mass destruction while upholding the respect for human rights, democracy, and rule of law.[161] The document explicitly calls for the use of targeted sanctions.

The second document is the Guidelines on Implementation and Evaluation of Restrictive Measures (Sanctions) in the framework of the EU Common Foreign and Security Policy which was adopted in 2003 and most recently updated in 2018. The Guidelines contain decisions and directives on methods and instruments for implementation of the restrictive measures. Additionally, the document includes the types of restrictions available for use and the means of measuring their effectiveness. Importantly, the Guidelines are stating that the restrictive measures do not have an economic motivation, are temporary and reversible measure, and are preventive in nature.[162] Finally, The EU Best Practices for the Effective Implementation of Restrictive Measures approved in 2008 and updated in 2018 contains information about correctly identifying designated individuals or entities subjected to targeted sanctions and legislative and administrative framework for financial restrictive measures.[163]

The imposition of sanctions is regulated by the articles 30 and 31 of the TEU with the Council being a pivotal actor and key decision-maker. Proposals for restrictive measures,

---

[160] Giumelli, 2020: 119.
[161] Basic Principles on the Use of Restrictive Measures (Sanctions), 2004.
[162] Sanction Guidelines – update, 2018.
[163] Restrictive measures (Sanctions) – Update of the EU Best Practices for the effective implementation of restrictive measures, 2018.

which include also de-listing of entities or individuals, can be submitted by the Member States or by the External European Action Service. The EEAS plays an essential role in the process of imposing sanctions, mainly with its key task in *"the preparation and review of sanctions regimes as well as in the communication and outreach activities accompanying the sanctions [...]".*[164] The sanction proposals are then scrutinised and discussed by various experts from the European Commission, the Council Legal Service and the Heads of Missions located in the specific country concerned. Eventually, all the legal and technical aspects of the sanction regime are negotiated and defined at the Foreign Relations Counsellors Working Group, known under the abbreviation RELEX.[165]

The European Union has currently three types of sanction regimes in place. Firstly, there is EU's role as an implementer of United Nations' sanctions. There are sanctions imposed by the United Nations which EU embed into its law where all members of the UN are obliged to implement sanction measures adopted by the UN. With this type of sanction regime, the European Union does not have an independent role or initiative. Secondly, the European Union may reinforce the UN sanctions by applying stricter additional measures, or thirdly, the EU has the possibility to impose fully autonomous sanction regimes in the absence of UN sanctions as articulated in the Basic Principles on the use of Restrictive Measures.[166] As previously mentioned, the same document specifically calls for the use of targeted measures which should *"target those identified as responsible for the policies or actions that have prompted the EU decision to impose restrictive measures and those benefiting from and supporting such policies and actions".*[167]

These types of sanctions are reasoned to be more effective and should minimise adverse consequences for those not responsible, being directed at individuals and at non-state entities. The Sanction Guidelines highlights that measures used in a specific situation will vary depending on the goals and objectives of the sanctions, however, targeted sanctions generally include measures that can be divided into four categories; (1) arm embargoes, which refer to the prohibition to sell weapons and services to strengthen military

---

[164] Sanction Guidelines – update, 2018: p. 47.
[165] Ibid.
[166] European Union sanctions. EEAS Website, 2021.
[167] Sanction Guidelines – update, 2018: p. 8.

capacities of various entities, (2) restriction on admissions or travel bans that consist in denying the issuance of visas to certain individuals, (3) economic measures referring to restrictions in imports and exports of specific technologies or goods and services, and finally (4) financial measures which generally include freezing of funds of certain individuals or restrictions and prohibitions on financial transactions, export credits or investments.[168] Most commonly used restrictive measures by the EU are respectively travel bans, arm embargoes and financial restrictions. Travel bans are meant to create personal inconvenience by denying the individual the transit through EU territory as often travelling may be essential either in maintaining prestige and international recognition, or in achieving certain political goal. Second most used EU sanction is arms embargoes due to it being easily justified in the public debate, however, Giumelli in his research report points out, that arm embargoes are not totally neutral and may have adverse effects as such the ban on weapons may work in favour of the strongest actor in the conflict or the measure by itself may not render effective enough results in short and medium term.[169] Financial restrictions, such as seizing of bank accounts, prohibition of financial transactions and refusing loans to central bank accounts of a targeted country, are the third most common sets of sanctions. According to Giumelli, these sanction regimes can be expected to be effective if the list of individuals and entities the measures are targeting is designed well and includes many high-profile individuals.[170]

4 EU'S FOREIGN POLICY TOOLS IN THE EAST

Ever since its inception and throughout the years, the European Union has been using its enlargement policy to increase the EU's role as an international actor and to expand its area of geopolitical influence. According to Christopher Hill the extension of the EU's borders is "*the most important of all the foreign policy implications of enlargement.*"[171] Except raising its international profile, the main aim of the enlargement policy has importantly included the objective of bringing stability and security in both new member states and their non-member neighbours. In parallel with the enlargements,

---

[168] Sanction Guidelines – update, 2018: p. 8.
[169] Giumelli, 2013: 23.
[170] Ibid.
[171] Hill, 2002: 5.

European foreign policy and subsequently CFSP has continually developed. The 2004 enlargement, the biggest so far, to ten Eastern and Southern countries brought the EU closer to several countries of the former Soviet Union, which until then were not a major priority for the EU policy, and therefore created a need to extend the area of security beyond its borders to avoid the risk of the instability spilling over into the larger EU. Such reality was already implied by the European Commissioner for Enlargement, Günter Verheugen, in 2003 at the Diplomatic Academy in Moscow where he outlined the effects the fifth and the largest enlargement of the EU would have on the EU's role in the world: "[…] *We will have new neighbours* […] *we will be getting nearer to zones of present or recent instability*".[172] This suggests that EU integration process has been and continues to be an important tool of security policy. However, since the late 2000s, the enlargement policy has slowed down both in the context of geography and in the transformation of the applicant countries. Until 2022 the policy included only the region of the Western Balkans. The reason for the stalemate is widely explained due to the EU being tired of enlargement, applicant countries being tired of waiting, and additionally due to influence of other external actors, such as China or Russia.[173] With the extension of borders that created a new dividing line between outsiders and insiders and the 'enlargement fatigue' that followed and suspended further process of enlargement, the EU sought other means to follow through with its EU integration. This gave way to the creation of European Neighbourhood Policy (ENP) and the subsequent Eastern Partnership (EaP) which presented a framework for developing new types of integration arrangements with neighbouring countries without offering the EU membership.

4.1 EUROPEAN NEIGHBOURHOOD POLICY

The creation of European Neighbourhood Policy can be traced back to 2002 with the proposition of a 'Wider Europe' initiative under Commission President Romano Prodi, who at the end of the year proposed a Policy of Proximity arguing the need of the EU to have "a ring of friends" surrounding the Union.[174] Additionally emphasising the

---

[172] Address given by Günter Veheugen on the enlargement of the EU and the European Neighbourhood Policy (Moscow, 27 October 2003). CVCE, 2013: 3.
[173] Kaveshnikov, 2022: 652.
[174] Romano Prodi, ‚A Wider Europe – A Proximity Policy as the key to stability', speech to the Sixth ECSA-World Conference, Brussels, 5-6 Dec, 2002, SPEECH/02/619.

EU will offer "all but institutions" to the neighbours, meaning extended partnership without the actual enlargement. Considering it as an important chapter during his term as a President, Romano Prodi, however, saw the neighbourhood policy as unsuccessful, mostly due to the Member States refusing to open a debate on the borders of Europe. "*I think that this debate could have been – even if controversial – very important and positive for the future of Europe. But it has been impossible. And so, in that moment my idea was: 'Let us try to have a policy for all the neighbour countries. Innovative, as innovative has been Europe.'*"[175] The project of so-called 'Everything but institution's initially proposed all the countries from Byelorussia to Morocco, Israel, Syria the ability to negotiate bilaterally with the EU. This project has, however, never received the backing of the member countries. "*It was a real pity. And then, I downscaled my proposal*".[176]

The development of friendly neighbourhood "*with whom the EU enjoys close, peaceful and co-operative relations*" can be considered as primary aim of the initiative, as stated in the Wider Europe Communication of the Commission from 2003.[177] A secondary aspect of the ENP is to prevent the creation of new dividing lines through deepened cross-border cooperation. Furthermore, through Wider Europe, the European Union offers the prospect of a stake in the EU's internal market to those countries that show concrete progress in demonstrating shared values and effective implementation of political, economic, and institutional reforms.[178] Therefore, within the Wider Europe Communication, the Union proposed eleven incentives raging from extending the internal market and trading relations, establishing lawful migration, intensifying the cooperation to prevent common security threats with greater EU political involvement in crisis management, greater efforts to promote human rights to proposing new instruments for investment promotion, enhanced assistance tailored to specific needs and new sources of finance.

---

[175] Interview with Romano Prodi, 2017: 12, Historical Archives of European Union.
[176] Ibid.
[177] Communication from the Commission to the Council and the European Parliament. Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM(2003) 104 final, European Commission, 2003: 4.
[178] Ibid.

This increased economic integration and closer political cooperation is conditional, and the obligations and clear benchmarks the countries need to meet to enjoy the benefits are established in Action Plans. In these documents, the EU sets out the values and standards the neighbour countries are expected to adopt with detailed objectives and concrete short-term or long-term priorities for action of three to five years. However, they are not new legal agreements and the already existing frameworks of Partnership Cooperation Agreements (in force with Russia, Ukraine, and Moldova) and Free Trade Agreements (in place with countries of Southern Mediterranean) will remain as key documents for bilateral relations. The Action Plans are set to be differentiated according to the various neighbours' specific circumstances and are formulated after a discussion with each neighbour.[179] The Council explicitly states that the "*action plans should be comprehensive but at the same time identify clearly a limited number of key priorities and offer real incentives for reform*".[180] At the same time, the Council emphasises "joint ownership" of the plans that should help to ensure the objectives set out in the documents are met by the respective neighbours.[181] The EU promises to support the implementation and at the same time monitors the progress in meeting the objectives through partnership or association councils already established by the existing agreements.

Except the already mentioned elements of the Wider Europe Communication, the document mentions a possibility of creating a new Neighbourhood Instrument "*which builds on the positive experiences of promoting cross-border cooperation within the Phare, Tacis, and INTERREG programmes.*"[182] The Communication establishing the Neighbourhood Instrument in 2003 can be considered as a second founding document of the ENP.[183] The European Neighbourhood Partnership Instrument (ENPI) is meant to accommodate for better coordination between the existing financial assistance

---

[179] Communication from the Commission to the Council and the European Parliament. Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM(2003) 104 final, European Commission, 2003: 16.

[180] General Affairs and External Relations, 2590th Council Meeting, 10189/04 (Presse 195). Council of the European Union, 2004: 12.

[181] Ibid: 11.

[182] Communication from the Commission to the Council and the European Parliament. Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM(2003) 104 final, European Commission, 2003: 14.

[183] Communication from the Commission. Paving the way for a New Neighbourhood Instrument, COM(2003) 393 final, European Commission, 2003.

programmes that promote cross-border and sub-regional/transnational cooperation of INTERREG, PHARE, Tacis, CARDS and MEDA.[184] The documents operated on the basis of diverse procedures and implementation methods which had limited the efficiency of the cooperation along the EU's external borders. This created the issue of different level of funding. ENPI on the other hand offered to develop a single approach to the collaboration that would resolve the problems of the financial management of Community funds allocated towards the cross-border cooperation projects. Designed to support reforms of democracy and human rights in the target country, the instrument began functioning in 2007 and replaced the TACIS (for Eastern Europe) and MEDA (for the Mediterranean) assistance programmes up until 2013, after which it was replaced by the European Neighbourhood Instrument (ENI). ENI covered the financial implementation of the ENP over the period of 2014-2020. Most recently, the Council adopted Neighbourhood, Development and International Cooperation Instrument – Global Europe (NDCI – Global Europe) for the programming period of 2021-27 based on the same legal basis as the previous instruments.[185]

As briefly mentioned in the short introduction to this chapter, the enlargement policy acted as a powerful factor in the Union's promotion of security beyond its borders. The enlargement fatigue, however, resulted in the security policy being less effective. In this way, the ENP contributed to the EU continuing its role as a security provider while suspending the enlargement process. In the end, the original goal of the ENP was to "*reinforce stability and security and contribute to efforts at conflict resolution*".[186] Rieker (2012) sees the ENP as a natural extension of the security process in Europe, making it potentially one of the most important instruments for regional security.[187] As the enlargement policy was becoming less of a credible instrument of the EU's security policy, it was natural the Union sought to develop a new policy strategy that would combine fundamental concepts of the CFSP. Already the 2003 European Security Strategy Paper presented by Javier Solana illustrates the link between the ENP and CFSP

---

[184] For a definition of the instruments see: Communication from the Commission. Paving the way for a New Neighbourhood Instrument, COM(2003) 393 final, European Commission, 2003 pages 6-7.
[185] European Neighbourhood Policy – Eastern Partnership. European Commission, 2023.
[186] Communication from the Commission. European Neighbourhood Policy: Strategy Paper, COM (2004) 373 final, European Commission, 2004: 4.
[187] Rieker, 2012: 69.

when clearly stating that "*the integration of acceding states increases our security but also brings the EU closer to troubled areas. Our task is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations.*"[188] Additionally, the document emphasised the security being a precondition to development, underlying the importance of the economic dimension of security, therefore the EU "*need*[s] *to extend the benefits of economic and political cooperation to our neighbours* […]".[189]

Since its foundation, the ENP was reviewed two times; in 2011, as a response to the Arab Spring uprisings, and in 2015. The 2011 review consisted of promoting the efforts of partner countries towards internal reforms and faster progress in their commitment to universal values. This became to be known as the "more for more" principle, where the EU would provide additional financial support in various forms for the countries the more and the quicker they progress in their reforms.[190] However, since 2011 there have been significant developments in the EU neighbourhood that prompted another review in 2015. One of the changes that paved way for the revision of the policy was the Russian violation of Ukrainian sovereignty and territorial integrity by its annexation of Crimea. The most important aspect of the revised ENP was stabilisation of the region in all political, economic, and security related terms. At the same time, the new ENP emphasised a differentiated approach in order to respond to the different aspirations of partner countries and an increased mutual ownership.[191] In the context of security aspect, the revised ENP offered a tailor-made approach to cooperating in security matters while working on conflict prevention through mechanisms of early warning and preventive measures.[192]

The development of the ENP has been widely scrutinised by the global observers who especially criticised the "more-for-more" principle.[193] Despite European Union

---

[188] European Security Strategy, 15895/03, Council of the European Union, 2003: 10.
[189] Ibid.
[190] Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A new Response to a Changing Neighbourhood, COM(2011) 303 final. European Commission, 2011: 3.
[191] Joint Communication to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions. Review of the European Neighbourhood Policy, JOIN(2015) 50 final. European Commission, 2015: 2.
[192] Ibid, 4.
[193] Balfour, 2012; Bicchi, 2014; Bremberg, 2016.

reiterating its renewed and differentiated approach in both reviews, the support for the Union remained to be conditional and since the conditionality has been traditional EU instrument; it cannot be considered as a shift from the initial strategy of the EU. Instead, the Union followed a 'listening mode' both in their Southern and Eastern neighbourhood, meaning that the EU strengthened its relations with those countries which asked for greater engagement, rather than choosing a proactive policy of redefining the Eastern Neighbourhood and the Mediterranean area.[194] The EU did introduce differentiated approach of so-called 'policy first' in their 2021 renewed Agenda for the Mediterranean, which put more importance on geographic rather than thematic programming of the financial aid, still the conditionality principle continued to be upheld as the main communication reiterated that the level of EU financial support would be proportionate to the partner countries' ambitions and commitment to shared values.[195]

With the political development in 2022, the EU's eastern partner country Ukraine has turned into a contested neighbourhood which Russia perceives as its sphere of influence. Ukraine is part of the Eastern Partnership initiative which is one of the important instruments of the European Neighbourhood Policy specifically for the enhancement of the EU's relationship with its Eastern partner countries.

4.2 EASTERN PARTNERSHIP

The Eastern Partnership (EaP), launched in 2009, falls under the framework of the European Neighbourhood Policy. Already in 2006, the Commission issued a Communication calling for enhanced ENP in which it proposed to build a thematic dimension that would introduce a greater degree of regional differentiation between the South and the East.[196] Two years later, in 2008, after the European Council emphasised the need to "*further promote regional cooperation among the EU's eastern neighbours and between the EU and the region*"[197], European Commission published a

---

[194] Balfour, 2012.

[195] "Renewed partnership with the Southern Neighbourhood: A New Agenda for the Mediterranean", JOIN(2021) 2 final. European Commission, 2021.

[196] Communication from the Commission to the Council and the European Parliament, On Strengthening the European Neighbourhood Policy, COM(2006) 726 final. Commission of the European Communities, 2006: 8.

[197] Brussels European Council 19/20 June 2008 – Presidency Conclusions 11018/08. Council of the European Union, 2008: 19.

Communication of proposal for the establishment of Eastern Partnership. The process of engaging the Eastern region was further accelerated by the crisis in Georgia[198] happening the same year.[199] The Eastern partner countries the program is directed at are three countries of the Southern Caucasus; Armenia Azerbaijan, and Georgia, and three of the Eastern Europe; Ukraine, Belarus, and the Republic of Moldova. The official launch of the EaP was signed in 2009 in Prague during the Czech Presidency, therefore the Joint Declaration of the Prague Eastern Partnership Summit[200] can be considered as the key document outlining the objectives and strategies of the EaP. As per the document "*the main goal is to create the necessary conditions to accelerate political association and further economic integration between the European Union and interested partner countries*".[201] This is to be achieved through the EaP's support for socio-economic and political transformation of the six partner states. Furthermore, the EU aims to enhance its cooperation with the partners through both bilateral and multilateral cooperation.

On the bilateral level, the Commission in its Communication on Eastern Partnership argued that despite the partner countries wishing to deepen its relations with the Union, they do not have the same goals. Therefore, the EaP would tailor its interaction with the six countries according to each partner's specific situation and ambition.[202] This was to be done through establishing new contractual relations in the form of Association Agreements (AAs) that address the specific needs of the partner country. These agreements replaced the Partnership and Cooperation Agreements (PCAs) which served as a framework for enhanced cooperation between the EU and third countries and usually included similar provisions for every partner country. The final structure and content of the AA eventually depends on the particular state; however, they relate to issues of political dialogue in the sphere of foreign and security affairs, justice and domestic affairs, economic cooperation, and possible Deep and Comprehensive Free Trade Agreement

---

[198] Russia invaded Georgia on August 8, 2008. This is widely considered as Europe's first 21st century war. For more background about the conflict see: King, C. (2008). The Five-Day War: Managing Moscow After the Georgia Crisis. *Foreign Affairs*, *87*(6), 2–11. http://www.jstor.org/stable/20699368.

[199] Communication from the Commission to the European Parliament and the Council, Eastern Partnership, COM(2008) 823 final. Commission of the European Communities, 2008: 2.

[200] Joint Declaration of the Prague Eastern Partnership Summit, 8435/09 (Presse 78). Council of the European Union, 2008.

[201] Ibid, 6.

[202] Communication from the Commission to the European Parliament and the Council, Eastern Partnership, COM(2008) 823 final. Commission of the European Communities, 2008: 4.

(DCFTA). The DCFTA is considered to be the biggest innovation of the AAs.[203] The Deep and Comprehensive FTA involves more obligations for the partner states than the PCA and is intended to create more beneficial cooperation with the EU than an ordinary free trade area. Importantly, the long-term goal of the DCFTA commitments in is to form a network of bilateral agreements among the partner states by harmonising their legislations to eliminate non-tariff obstacles. According to the Commission Communication, this would further help with the countries' efforts to better integrate with the EU economy.[204] Additional bilateral agreements involve long-term energy cooperation and citizens mobility support by liberalisation of visa regime.

Second dimension of the EaP is multilateral cooperation which is aimed at establishing links and interactions among partner countries themselves. It is based on four thematic platforms of (1) Democracy, good governance and stability, (2) Economic integration and convergence with EU sectoral policies, (3) Energy security, (4) and Contacts between people. These platforms are meant to organise "target-oriented sessions and serve for open and free discussion" with each platform adopting "realistic, core objectives" to be discussed at least twice a year during platform meetings.[205]

Over the years, the EaP aided in enhanced cooperation between the EU and its eastern partner countries. The Eastern Partnership Summit in 2017 introduced new framework of '20 Deliverables for 2020' aimed at improving the lives of citizens across the Eastern partners in the four priority areas of stronger economy, governance, connectivity, and society.[206] Following 2019 Joint Communication of "Eastern Partnership beyond 2020: Reinforcing Resilience – and Eastern Partnership that delivers for all" set out a new vision for the partnership identifying a policy framework of strengthening resilience.[207] Most recently during the European Council meeting in June 2022, the Council discussed further

---

[203] Peters, Rood & Gromadzki, 2009: 8.
[204] Communication from the Commission to the European Parliament and the Council, Eastern Partnership, COM(2008) 823 final. Commission of the European Communities, 2008: 11.
[205] Joint Declaration of the Prague Eastern Partnership Summit, 8435/09 (Presse 78). Council of the European Union, 2008: 9.
[206] Joint Declaration of the Eastern Partnership Summit (Brussels, 24 November 2017), 14821/17. Council of the European Union, 2017: 11.
[207] Eastern Partnership policy beyond 2020: Reinforcing Resilience – an Eastern Partnership that delivers for all, JOIN(2020) 7 final. European Commission, 2020.

deepening relations of EU with the partner countries in the context of 'Wider Europe' initiative when it proposed to launch a European political community. It came in the wake of the Russian invasion of Ukraine in February of the same year. The aim of such community was to offer "a platform for political coordination" through political dialogue on common issues and interests to "strengthen the security, stability, and prosperity of the European continent".[208] During the same meeting, the European Council officially granted the status of candidate country to Ukraine and to the Republic of Moldova.[209]

5 RUSSIA, UKRAINE, AND THE EU: FROM PARTNERSHIP TO CONFLICT

The Russia-Ukraine conflict can be traced back to the end of Cold War era and dissolution of the Soviet Union when Ukraine, and other former USSR states gained their independence. For the entire duration of the post-Soviet era, there had been deep imbalance between Ukraine's relations with Russia and those with the European Union. Therefore, before focusing on specific role of the European Union and its foreign policy in both Ukraine and Russia, it is important to explain the political context that led to the crisis which involves understanding Russia's motivation and interests vis à vis Ukraine and the West's interreference. Having Ukraine in its strategic control was Russia's long-term goal ever since the dissolution of USSR and Ukraine's independence. This strategy mainly included Ukraine joining the Customs Union and abandoning its association with the EU, resulting in political conflict after which Russia decided to intervene militarily, firstly with the occupation of Crimea and subsequent war in Donbas, and more recently with its full-scale invasion in the territory of Ukraine.

Since the break-up of the Soviet Union, Russia's leadership sought to maintain some form of influence over post-Soviet countries which resulted in various political initiatives. Firstly, it was the creation of the Commonwealth of Independent States (CIS) in 1991, later, in 2000 the Eurasian integration project of the Eurasian Economic Community (EEC) which Ukraine refused to join, as well as the Single Economic Space (SES) of

---

[208] European Council meeting (23 and 24 June 2022) – Conlusions, EUCO 24/22. European Council, 2022: 1.
[209] Ibid: 4.

Russia, Ukraine, Belarus, and Kazakhstan established in 2003. The project of SES, however, resulted in failure after the 2004 Orange Revolution in Ukraine when the country clearly gave priority to the EU integration.[210] The Orange revolution was especially damaging to Russia's relations with the EU as the protests led to further EU-Ukraine cooperation resulting in drafting of Association Agreement. Nevertheless, Moscow continued its efforts and in 2010 created Customs Union, followed by the Common Economic Space (CES) and Eurasian Economic Union (EEU) in which Ukraine's participation was a priority for Russia. In this context, Ukraine's integration with the European Union by signing the Association Agreement would undermine Moscow's goal to keep Ukraine under its strategic control. Therefore, Russia began to force Ukraine into joining the Customs Union by highlighting its economic and financial benefits and at the same time by threatening with economic retaliation.[211] The Russia's pressure culminated in 2013 when the Ukrainian president Viktor Yanukovych decided to abandon the Association Agreement with the EU which eventually led to Maidan Revolution in early 2014.

The sudden overthrow of Yanukovych meant that Russia could no longer rely on using his government to join the Customs Union and control Ukraine.[212] Therefore, the Russian government turned to military strategy and began its operation in Crimea, taking into its advantage the governmental chaos in Ukraine from the ongoing Maidan protests.[213] The military operation of Crimea started on February 27 in 2014 with the seizure of the Crimean parliament and Council of Ministers. From the global perspective, the operation became more visible the following day when soldiers in unmarked uniforms, the so-called "little green men", seized the airports in Simferopol and Sevastopol. At first, Vladimir Putin denied the Russian origin of the soldiers.[214] Followed by the referendum on March 16 that lacked international observers to prove eligibility of the results, the Crimeans voted for the reunification of Crimea with Russia.[215] On March 21 Crimea was officially annexed. According to the speed and efficiency of the operation, observers believe it was

---

[210] Menkiszak, 2016: 2
[211] Ibid, 3-4.
[212] Allison, 2014: 1257.
[213] D'Anieri, 2019:. 658.
[214] Ibid, 655-656.
[215] Bebler, 2015: 197.

planned in advance.[216] Parallelly with the Euromaidan protests, there was an anti-Maidan movement with anti-government and pro-Russian ideas active in the south-east of Ukraine. These anti-Maidan proponents were supported by Russian troops and were successful in taking control over Donbas region. Russian aggression and its apparent goal of keeping influence over post-Soviet countries weren't the sole reasons for the conflict to arise. The Western expansionary policies in the East had their role to play. NATO's continuous enlargement, EU expansion and promotion of democracy in Ukraine only added on to the building pressure which escalated by Yanukovych's rejection of the European Union deal.[217] Following chapters will look at the EU's relations with both countries to better understand its development before and after the annexation of Crimea that would act as a foundation for comparison of the EU's foreign policy and its response to Russian invasion of Ukraine in 2022.

5.1 EU FOREIGN POLICY TOWARD UKRAINE

The evolution of relations between the European Union and the former Soviet states, in this context specifically Ukraine, have been taking place from 1990s in parallel with the development of Common Foreign and Security Policy after the dissolution of the USSR. Since declaring its independence after the dissolution of Soviet Union in 1991, Ukraine pursued an active collaboration with the European Union and expressed its intention of joining the EU. Up until 2022 when Ukraine was officially granted the status of candidate country after the invasion of Russian forces into the Ukrainian territory, the mere prospect of EU membership has been less than unlikely. Since the beginning of EU-Ukraine cooperation, European Union has been consistent with its closed-door policy toward Ukraine and has never offered it membership. According to President of the European Commission from 2014 to 2019, Jean-Claude Juncker's speech from 2016 "*Ukraine will definitely not be able to become a member of the EU in the next 20 to 25 years, and not of NATO either*".[218] This reluctance of the European Union to see Ukraine as belonging to the European club can be explained in two ways. Firstly, it was the Ukrainian inability to transform itself into stable and prosperous country through reforms

---

[216] D'Anieri, 2019: 662.
[217] Mearsheimer, 2014: p. 80.
[218] "Juncker Says Ukraine Not Likealy to Koin EU, NATO for 20-25 Years". RFERL, 2016.

and successfully limit corruption[219] and secondly, because of a certain assumption of the EU policy towards the Newly Independent States (NIS) in the early 1990s.[220] The Union expected that the former Soviet states would be part of the Commonwealth of Independent States (CIS), a framework created by Russia with a group of its neighbouring countries. Therefore, in the early cooperation years, the EU encouraged the NIS to maintain economic relations with Russia and hasn't considered to offer any kind of association nor membership.[221] The Member States, and therefore the EU itself, only gradually began to differentiate its policies towards NIS.

First initiative was a Technical Assistance to the Commonwealth of Independent States (TACIS) aid programme established in 1991 with the objective "*to help the authorities of the former Soviet Union to bring about economic reform and recovery, as well as a speedy integration into the world economy*".[222] This technical assistance supported the goals of the following Partnership and Cooperation Agreements (PCA) which replaced the 1989 agreement regulating trade with the Soviet Union. PCA's objectives highlighted in Article 1 of the document were to:

- provide a framework for political dialogue
- promote trade, investment and harmonious economic relations
- provide basis for mutually advantageous economic, social, financial, civil scientific technological and cultural cooperation
- support Ukrainian efforts to consolidate its democracy, develop its economy and complete the transition into a market economy.[223]

Ukraine was the first NIS country to sign the PCA in 1994, however the agreement became effective only four years later in 1998. Although PCA did include the facilitation of political dialogue, its main goal was to develop trade partnership and it never offered prospects of a membership nor any kind of association with the EU.

---

[219] Wolczuk, 2004: 2.
[220] Zagorski, 2004: 3.
[221] Ibid.
[222] EC Technical Assitance to the Commonwealth of Independent States and Georgia: The TACIS Programme, MEMO/92/54. European Commission, 1992.
[223] Partnership and Cooperation Agreement between the European Communities and their Member States, and Ukraine, OJ L 49/3, 1992.

Further expansion of the EU-Ukraine relations came with the adoption of Common Strategy on Ukraine in 1999 to strengthen the strategic partnership.[224] The principal objectives were to support democratic and economic transition process in Ukraine, ensure stability and security in Europe, and support strengthened cooperation between the EU and Ukraine in the context of EU enlargement. In the view of the planned enlargement, European Union considered Ukraine as an important regional partner that would share common borders.[225] Although, the agenda on collaboration was proceeding further, albeit slowly, the EU remained cautious with Ukraine. This was due to the political instability of the country and lack of reforms.[226] Ukraine's domestic development is a significant aspect in understanding the development of its relations with the EU. Pro-Russian politician, Leonid Kuchma, was in 1994 elected as a President and re-elected later in 1999 holding his position until 2004. Kuchma was determined to rebuild trade with Russia; however, he understood that the over-dependence on Russia would leave Ukraine vulnerable to coercion. Therefore, Kuchma adopted a so-called "multi-vector" foreign policy, balancing the West and Russia both economically and geopolitically and not integrating fully with neither.[227] Despite coming to power through pro-Russian platform, Kuchma's first term as a president followed pro-European multi-vector foreign policy with already mentioned EU membership (and NATO) aspirations and the signing of PCA. During his second term since 1999, Kuchma became less progressive and his policy reoriented eastwards, especially after the election of Vladimir Putin as a president in 2000 who, unlike his predecessor Boris Yeltsin, never denied Ukraine's independence.[228] Ukraine's double political game, lack of fundamental reforms implementation and economic development stagnation all led to "Ukraine fatigue" which was the reason for the EU continuing its cooperation with Ukraine in strictly technical way.[229]

While preparing for its biggest enlargement in 2004, the European Union returned its attention toward Ukraine given the country would share its borders with new EU member states. As already mentioned in previous chapters, in 2003, European Commission

---

[224] 1999/877/CFSP: European Council Common Strategy of 11 December 1999 on Ukraine, O.J. L 331/2.
[225] Ibid.
[226] Wolczuk, 2014: 6.
[227] D'Anieri, 2019: 223.
[228] Kuzio, 2003: 9.
[229] Ibid, p. 10.

initiated "Wider Europe" cooperation to enhance "*relations with Ukraine, Moldova, Belarus and the Southern Mediterranean countries to be based on a long-term approach promoting reform, sustainable development and trade*"[230] while reiterating the EU's determination "*to avoid drawing new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union*."[231] The communication only emphasised Ukraine as being a crucial regional actor in terms of security without ensuring any perspective of the country's desired EU membership. This might have been due to the country's relations with Russia. Already in the EU enlargement's preparation period at the end of the 1990s, the Union recognised the organisation of the area between the EU and the Russian Federation as problematic saying that "*offering EU accession to these* [former Soviet States] *countries may potentially 'overstretch' the capacity of the EU*" since the EU enlargement may result in Russia's effort to reintegrate the former Soviet states in its sphere of influence.[232]

Shift in the EU's perception of Ukraine came with the Orange Revolution that marked the end of the Kuchma's presidency and acted as a watershed event for both EU-Ukraine relations and EU-Russia relations. The revolution was a result of 2004 presidential elections with two main opponents: Viktor Yanukoych and Viktor Yushchenko. Yanukovych was announced as a winner; however, it was revealed that the results were fraudulent. To show the disagreement and general dissatisfaction, Ukrainian citizens gathered at Maidan Nezalezhnosti (Independence Square) to protest the results. This resulted in re-run of the second round of elections in which Yushchenko won and became president of Ukraine.[233] The political decision of re-election was welcomed by the European Union as much as the new democratic programme of Yuschenko's party that "*opens new prospects for Ukraine and for EU-Ukraine relations*".[234] Orange Revolution in addition with the 2004 EU enlargement acted as a stimulus in further cooperation that resulted in the launch of the European Neighbourhood Policy (ENP) within which the EU

---

[230] Communication from the Commission to the Council and the European Parliament. Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM(2003) 104 final, European Commission, 2003: p. 4.
[231] Ibid.
[232] Krenzler, 1997: 11.
[233] D'Anieri, 2019: 372.
[234] Draft Council Conclusions on Ukraine 6337/05. Council of the European Union, 2005: p.2.

provided Ukrainian authorities with an Action Plan (AP) acting as guidelines for further EU integration.

Ukraine–EU Action Plan was signed in 2005 and defined the main tasks spanning to three-year period. The AP offered strategic framework needed to increase EU-Ukraine relations aimed at development of bilateral relations based on common European values and at the same time set the list of priorities within and outside the framework of the PCA.[235] Except including elements to strengthen democracy, the AP was directed at helping Ukraine to prepare for membership of the World Trade Organisation (WTO) in order to allow for possible free trade area. The document furthermore included possible visa facilitation discussions, steps towards deepening the dialogue on energy, transport and the environment. Additionally, the document encompassed further proposals for close cooperation that would strengthen the Action plan, one of which was a measure for close collaboration in the area of foreign and security policy, including CSDP (back then European Security and Defence Policy). Within this proposal, Ukraine was to be invited to align itself with the EU's positions on certain regional and international issues, however, it made no mention of membership.[236] In 2008, the Joint Evaluation Report on the implementation of the AP covered 23 additional priority measures of cooperation.[237]

A year later, in 2009, instead of signing another Ukraine-EU Action Plan, the Association Agenda was approved which was aimed to prepare the entry into force of the Association Agreement (AA) between Ukraine and the EU.[238] This came as a result of launching the Eastern Partnership in the same year, which sped up the process of Ukraine's integration. The Agreement acts as a comprehensive treaty covering Ukraine's political and economic relationship with the EU and includes Comprehensive Free Trade Area (DCFTA) which – as the name suggests – deals with trade-related content.[239] The political objective is for Ukraine's democratic institutions to respect core European values, namely democracy, the rule of law and respect for human rights and norms of the European security order.

---

[235] EU-Ukraine – Strengthening the Strategic Partnership, MEMO05/57. European Commission, 2005.
[236] Ibid.
[237] Joint Evaluation Report EU-Ukraine Action Plan. European External Action Service, 2008.
[238] EU-Ukraine Association Agenda to prepare and facilitate the implementation of the Association Agreement. Ukraine Government Portal, 2009.
[239] Emerson et al., 2016: 1.

Furthermore, the Agreement aims to promote "*increasing Ukraine's association with EU policies and participation in programmes and agencies*" and to provide a "*framework for enhanced political dialogue in all areas of mutual interest*".[240] The economic purpose is to aid in modernisation of Ukrainian economy through the classic basis for a free trade area with elimination of tariffs.[241]

The process of negotiations of the AA started already in 2007 and lasted over four years up until 2011, when the completion of negotiations was announced during the EU Summit held in Kyiv. Officially, the Association Agreement was initialled in 2012 and was due to be signed in November of 2013.[242] However, President Yanukovych decided not to sign and instead chose to take Vladimir Putin's offer of reduced gas price and governmental loan due to economical constraints of Ukraine at that time and fear of Russian retaliation if the AA was signed.[243] This decision triggered Maidan uprising known also as The Revolution of Dignity that eventually led to Russia's annexation of Crimea. The story of the seizure of the Crimean Peninsula is well-known by now and was extensively written about by many scholars.[244] The European leadership firmly reassured that it "*condemns the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces*" and called for peaceful dialogue to resolve the conflict with the aid of the UN and the OSCE.[245] Meanwhile, the conclusions about the Association Agreement continued. The signing of the document had two stages. The political part was signed on March 21, 2014, and the economic part three months later on June 27. The Association Agreement came fully into force after a long period of ratification in 2017.[246] During this time, Ukraine was dealing with continuous internal conflict as Russia proceeded with their plans of destabilisation of its neighbour. The anti-Maidan movement opposing the ideas of the revolution succeeded in taking control over Donetsk and Luhansk regions. The developments within Ukraine changed the country's

---

[240] Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, OJ L 161. Official Journal of the European Union, 2014: 6.
[241] Ibid, 14.
[242] Emerson et al., 2016; 1.
[243] D'Anieri, 2019; 575-589.
[244] See for example: Bebler, A. (2015). Crimea and the Ukrainian-Russian conflict. In *"Frozen conflicts" in Europe* (1st ed., pp. 189–208). Verlag Barbara Budrich. http://www.jstor.org/stable/j.ctvdf0bmg.22.
[245] Council conclusions on Ukraine, 2014.
[246] Ukraine Government Portal. Association Agreement between the European Union and Ukraine.

image due to security concerns since Ukraine was close to the countries on the periphery of the European Union. Additionally, the conflict made it significantly harder for Ukrainian government to move along with anti-corruption measures which was a precondition for granting Ukraine a visa-free regime.[247] It was not long, however, that the European Union acknowledged Ukraine's achievements necessary for the country to be exempted from the visa requirement when travelling to the territory of Member States and in 2017 adopted a regulation on visa liberalisation for Ukrainian citizens.[248] Granting a visa-free regime for Ukraine had a positive impact on transportation sector and further demonstrated the EU's engagement with Ukrainian society. Complimented with the creation of the Deep and Comprehensive Free Trade Area, which helped to offset the Russia's multiple trade embargoes, Ukraine became EU's key trade partner.

Following years, up until 2022, not as much progress was achieved in mutual cooperation as in previous years. The conflict in Ukraine entered frozen phase which also mirrored the general understanding of Ukraine and how to deal with the country within the Eastern Partnership. Some experts blame the lack of results in conflict resolution on the incomprehensible and divided stance towards Russia.[249] The watershed moment was the Russian full-scale invasion of Ukraine on February 24 in 2022 that changed the EU's security and foreign policy game and its relations with Ukraine as well as Russia. From the first day of the invasion, the EU showed solidarity with Ukrainian people and within a week the Commission provided temporary protection status under 2001 Directive for the displaced people fleeing from the conflict.[250] This proposal aimed to avoid overwhelming asylum systems of the Member States' and give temporary protection to those that need it, including having access to education and labour market.[251] On 28 February, five day after the invasion, Ukrainian President Volodymyr Zelenskyy

---

[247] REPORT on the proposal for a decision of the European Parliament and of the Council providing macro-financial assistance to Ukraine, A8-0056/2015, 2015; 6.
[248] Visas: Council adopts regulation on visa liberalisation for Ukrainian citizens, Press Release 244/17. Council of the European Union, 2017.
[249] Nič & Gherasimov, 2019; 2.
[250] Ukraine: Commission proposes temporary protection for people fleeing war in Ukraine and guidelines for border checks, Press Release, 2022. European Commission.
[251] Ibid.

submitted Ukraine's membership application[252] to the EU which marked an important step in EU-Ukraine relations. On June 23, Ukraine, along with Georgia, was officially granted a candidate status.[253] Although the President of Ukraine requested a fast-track procedure in the light of the Russian war, the Commission President Ursula von der Leyen emphasised the need to proceed with reforms and conditions necessary for accession.[254]

Almost a year into the invasion, a 24th annual EU-Ukraine summit was held in Kyiv on 3 February 2023 which had an important symbolics, having been the first EU-Ukraine summit since the beginning of Russia's invasion and Ukraine hosting the event as a candidate country for EU membership. A joint statement following the summit states the issues discussed were Ukraine's integration into the EU, military support, and the strengthening of sanctions against Russia.[255] In this context, the EU planned to assess the fulfilment of the conditions, specified in the opinion on Ukraine's membership, in spring 2023. Furthermore, the EU emphasised the importance of the existing Association Agreement including DCFTA and its intention to fully use its potential to establish enhanced economic and trade relations. "*The Revised Priority Action Plan for enhanced implementation of the DCFTA for 2023-2024 constitutes the roadmap outlining the next steps to ease Ukraine's access to EU's Internal Market*".[256] Furthermore, the Union reaffirmed its commitment to support Ukraine through financial, economic, political and humanitarian assistance as well as further reconstruction of the country, and further strengthen regional cooperation, in particular Eastern Partnership. After the EU-Ukraine summit, a special meeting of the European Council was held in Brussels on 9 February 2023.[257] The meeting marks a significant event as it was personally attended by the Ukrainian President Volodymyr Zelenskyy. Except the question of Ukraine, the one-day summit of the Council adopted conclusions on economy, migration, Belgrade-Pristina

---

[252] Communication From the Commission to the European Parliament, the European Council and the Council Commission Opinion on Ukraine's Application For Membership of the European Union, COM/2022/407final.
[253] European Council conclusions on Ukraine, the membership applications of Ukraine, the Republic of Moldova and Georgia, Western Balkans and external relations, 23 June 2022. European Council Conclusions 611/22.
[254] Statement by President von der Leyen with Ukrainian President Zelenskyy on the occasion of the President's visit to Kyiv. European Commission, 2022.
[255] Joint statement following the 24th EU-Ukraine Summit, Press Release 64/23. European Council, 2023.
[256] Ibid.
[257] Special meeting of the European Council (9 February 2023) – Conclusions, EUCO 1/23. European Council, 2023.

Dialogue, earthquake in Turkey and Syria. The special meeting reiterated and reaffirmed the EU's position towards the Russian invasion from the previous EU-Ukraine summit. Additionally, the European Council highlighted its support for establishing an "*appropriate mechanism for the prosecution of the crime of aggression*" against Ukraine.[258]

As of this time it remains unknown, whether the candidate status of Ukraine will remain only symbolic in following years. The eventual rapprochement with the EU will depend on Ukraine's ability to implement reforms and follow-up with the conditions stated in the Commission Opinion on Ukraine's application for membership, which might prove more difficult with the ongoing war. Nevertheless, the decision showcased and further anchored the Ukraine's European choice and at the same time demonstrated EU's solidarity and its openness for deepened cooperation.

5.2 EU-RUSSIA RELATIONS

When Russia emerged as a successor state to the former Soviet Union in the 1990s, the first decade of the EU-Russia relations, albeit asymmetrical, can be characterised as positive with both sides willing to cooperate. The leadership of the new independent Russia under Boris Yeltsin represented liberal ideas with pro-Western foreign policy, considering the West as an "ally in the common struggle against the Soviet system".[259] With Russian Federation willing to follow the European Union track, the EU advanced the development of cooperation. In 1994, EU and Russia signed the first legal document describing the relationship, the Partnership and Cooperation Agreement which remains to be the main document characterising the EU-Russia relations. Similarly, as with the PCA signed with Ukraine, the framework established provisions for development in political, humanitarian, legal and economic spheres. Based on the respect for democratic principle and human rights according to the definition in the Helsinki Final Act, the PCA includes the objective "*to support Russian efforts to consolidate its*

---

[258] Special meeting of the European Council (9 February 2023) – Conclusions, EUCO 1/23. European Council, 2023.
[259] McFaul, 1999: 398.

democracy".[260] The major diplomatic agreement of the Helsinki Accords from August 1975, which effectively marked the formal end of the Second World War, included the United States and its western European allies' recognitions of the Soviet Union's post-war hegemony in eastern Europe. In return for guaranteeing the inviolability of frontiers and non-interference in the internal affairs of the eastern European states, the West pressed the Soviet Union to commit on issues such as expansion of relations between eastern and western Europe or respect for human rights. The latter has especially been a continuous source of East-West contention during the late 1970s and 80s when the West criticised the manner in which the Soviet government dealt with internal dissent during those years. Democratic principles and human rights constitute an essential element in the current EU-Russia partnership and cooperation agreement.[261]

The PCA entered into force three years later in 1997. The delayed implementation was due to the first Chechen war that was largely criticised by the European Union.[262] In 1999, the EU came forward with second legal document of Common Strategy on Russia, which was the first strategy of such kind the EU adopted. The document begins with the EU's vision of its partnership with Russia as "*a stable, democratic and prosperous Russia, firmly anchored in a united Europe free of new dividing lines* […]".[263] The document also set out four main objectives of consolidation of democracy, the rule of law and public institutions; integration of Russia into common European economic and social space; cooperation to strengthen stability and security in Europe; and common challenges on the European continent. As opposed to Ukrainian case, the potential membership of Russia in the EU was not on the agenda. In its Medium-Term Strategy for Development of Relations between the Russian Federation and the European Union (2000-2010)[264], written by Vladimir Putin, Russia clearly states that it should "*retain its freedom to determine and implement its domestic and foreign policies*".[265] Instead, Russia and the EU sought to develop strategic partnership which was based on the concept of shared

---

[260] Agreement on Partnership and Cooperation between European Communities and their Member States and the Russian Federation, OJ L 327, 1997.
[261] Edwards, 1985: 632:
[262] Haukkala, 2001: 6.
[263] 1999/414/CFSP: Common Strategy of the European Union of 4 June 1999 on Russia, OJ L 167/1.
[264] During the writing of the paper, the original document was not available on any of the EU institutions's official website.
[265] Canay, 2008: 26.

responsibilities "*in the maintenance of stability and security in Europe, and in other parts of the world. The Union considers Russia an essential partner in achieving that objective and is determined to cooperate with her*".[266] Certain features of the Strategy already back then paved a way for complicated relations with Russia. The document sought a full transformation of Russia with a long list of actions required by Moscow, all based on Union's shared democratic values. The tone of the Strategy was seen by some as condescending and the EU's approach as heavily conditional for the fact that the document did not recognise possible membership.[267]

In 2007, the PCA reached the end of its initial ten-year period. Before its deadline, however, Russia called for establishing a new kind of agreement which would recognise its prominent role in European affairs and steer away from putting the Federation in subordinate role to the EU.[268] Therefore, instead of offering cooperation through the ENP as with other Eastern European countries, the EU established a framework of four Common Spaces with Russia, recognising the different status of their relationship. This strategic partnership was defined at the St Petersburg summit in 2003. Two years later at the EU-Russia summit in 2005, the EU and Russia signed four roadmap documents that would create Common Economic Space, the Common Space of Freedom, Security and Justice, the Common Space of External Security, and the Common Space on research, Education and Culture.[269] Although the Common Spaces Agreement involved numerous benefits in facilitating cooperation, it did not satisfy Russian need to be treated differently in accordance with its increase in power as compared to the initial years of cooperation in 1990s.[270]

With the EU enlargement to the east in 2004 the EU-Russia's relations had become increasingly tense. The tension further accumulated with the Orange Revolution in Ukraine and the 2009 launch of Eastern Partnership offered to six countries of post-Soviet space with the goal of bringing them closer to the EU through deepened integration on the basis of EU values. Admittedly, Russia's dissatisfaction was primarily directed at the

---

[266] 1999/414/CFSP: Common Strategy of the European Union of 4 June 1999 on Russia, OJ L 167/2.
[267] Lynch, 2003: 57.
[268] Marocchi, 2017: 3.
[269] EU/Russia: The Four „Common Spaces", MEMO/05/103. European Commission, 2005.
[270] Casier, 2018: 22.

United States and NATO, rather than EU. According to Vladimir Putin's own words: "*The issues of EU enlargement to include Ukraine does not concern us.*"[271]. In addition, during initial years of cooperation, Russia fully supported establishing ESDP and European security through strengthening the military-political component of the Organisation for Security and Cooperation in Europe (OSCE) as to fill the vacuum in European security and to offset the dominant power of the US. However, according to the Russian Foreign Minister, Sergei Lavrov, "*Western partners chose a different path to follow by expanding NATO eastward and moving the geopolitical space under their control closer to Russia's border*" which he considered as the core cause of deteriorating Russia's relations with the US and Europe.[272] Similar views came from the European Commission President at the time, Romano Prodi, who opposed George Bush's proposal to enlarge NATO to Ukraine and Georgia: „*The American policy decided to push NATO till the Russian borders and this was the beginning of a damaging tension between EU and Russia.*"[273]

The animosity towards NATO expansion was also rooted in Russia's Foreign Policy Concept published in 2008. The document clearly stated that "*Russia maintains its negative attitude towards the expansion of NATO notably to the plans of admitting Ukraine and Georgia to the membership in the alliance, as well as to bringing NATO military infrastructure closer to the Russian borders* […]" while at the same time highlighting Russia's continuous efforts in developing its relations both with the European Union and the United States.[274]

The NATO enlargement to the Baltic States and possibility of further enlargement into post-Soviet states along with the EaP covering Russia's "sphere of influence", Moscow began to feel encircled by the West and losing control. As a response to the launch of the EaP, in 2011 Russia established its own integration project of the Eurasian Custom Union (ECU) signalling it was in Russia's security interests to maintain economic relations in the post-Soviet space. Just as the EaP was perceived by Russia negatively, so did the

[271] „Putin: Russia Would Not Object to Ukraine Joining EU". VOA News, 2009.
[272] Sergei Lavrov, Russia's Foreign Policy in a Historical Perspective, Russia in Global Affairs, 2016.
[273] Interview with Romano Prodi, 2017; 14, Historical Archives of European Union.
[274] The Foreign Policy Concept of the Russian Federation. President of Russia, 2008.

European Union found the ECU as a form of geopolitical competition.[275] The competition evolved into direct confrontation in 2014 when Ukraine had to make choice between the two initiatives. When the Euromaidan protests erupted, after Ukrainian President refused to sign the Association Agreement with the EU, it had become a game of pointing fingers between the EU and Russia. The latter blamed the Union into forcing Ukraine to sign as well as staging the protests, while the EU accused Russia of coercing Ukraine through restrictive economic measures.[276] In surprising turn of events, Moscow adopted a radical strategy seizing Crimea and intervening in eastern Ukraine which acted as a watershed moment in worsening EU-Russia relations.

The EU member states responded with set of sanctions against Russia and first steps of conflict resolution, however the approach was slow-moving and contested as for a long time the Union considered further cooperation with Russia. For example, albeit the 2015 review of the ENP highlighted the relations with Moscow had deteriorated, the document still stated a possible "constructive cooperation […] when conditions allow".[277] Similarly, in the 2016 Global Strategy for the EU's Foreign and Security Policy, the EU reiterated its engagement with Russia "to discuss disagreements and cooperate if and when our interests overlap".[278] Both of these documents were vague in their approach to dealing with Russia. More specific were the 2016 five guiding principles of the EU' Russia policy in which the EU member states agreed on becoming more resilient to Russian threats and pursuing closer relations with former Soviet republics as well as supporting Russian civil society.[279] Here Brussels insisted on full implementation of the Minks agreements, first signed in 2014 and subsequently in 2015, which were aimed at terminating the violence in Donbas. Furthermore, the foreign ministers agreed on seeking a selective engagement with Russia, meaning a cooperation on issues of common interest. Since then, the EU-Russia relations entered a dead-lock period without any further progress. The European Union kept its restrictive measures imposed after the annexation of Crimea and

---

[275] Marocchi, 2017: 5.
[276] Casier, 2018: 25.
[277] Joint Communication to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions. Review of the European Neighbourhood Policy, JOIN(2015) 50 final. European Commission, 2015: 19.
[278] A Global Strategy for the European Union's Foreign and Security Policy: "Shared Vision, Common Action: A Stronger Europe". EEAS, 2016: 33.
[279] The EU's Russia policy: Five guiding principles. EPRS, 2016: 2.

subsequent intervention in eastern Ukraine but avoided actions that would undermine economic cooperation and trade relations that remained to be important for both sides.

The year 2021 saw further worsening of the relations in terms of both political tensions and human rights issues. The latter involved the detention and later imprisonment of Russian opposition leader, Alexei Navalny, by Russian government which spurred series of events after the EU condemned this action.[280] Russian Foreign Minister Lavrov expelled number of German, Polish and Swedish diplomats from Russia due to their support of Navalny.[281] Within this context, during the Foreign Affairs Council in February 2021, the EU imposed stronger sanctions against the individuals responsible for Navalny's arrest, using for the first time the EU Global Human Rights Regime. As a response, Russia forbade the entry to the country of eight European officials.[282] Political tensions regarding Russia's military build-up in the annexed Crimea and on the Ukrainian border were already discusses at the meeting of EU defence ministers in May of 2021 where the EU reaffirmed its position on Russia having to fully implement the Minsk agreements.[283] Without any change in the situation, the EU reiterated its support for Ukraine again in December and further warned that any aggression against Ukraine would mean political and economic sanctions against Russia which could include banning EU transactions with private Russian banks, cutting Russian bank from the SWIFT network and targeting Russian oligarchs.[284] Before further elaborating on the subsequent developments of Russia's full-scale invasion in February 2022, the following chapter will look more in detail in the practice of imposing sanctions against Russia as an immediate response to its annexation of Crimea and their effectiveness.

5.2.1 EU'S SANCTIONS AGAINST RUSSIA: RESPONSE TO CRIMEA

The European Union's response to Russia's aggression against Ukraine in 2014 was threefold according to the development of the crisis. First and foremost reason for

---

[280] Russia: Declaration by the High Representative on behalf of the EU on the arrest of Alexei Navalny upon his return. Press Release 21/21. Council of the Eropean Union, 2021.
[281] EU-Russia relations: MEPs condemns the decision by the Russian authorities to expel three EU diplomats. Press Release, European Parliament, 2021.
[282] Foreign Affairs Council – 22 February 2021, 6296/21. Council of the European Union, 2021.
[283] Foreign Affairs Council (Defence) – 6 May 2021, 8527/21. Council of the European Union, 2021.
[284] Foreign Affairs Council, 13 December 2021. Council of the European Union, 2021.

the West to impose sanctions was the referendum in Crimea and its subsequent annexation. In March 2014, after Russian soldiers' presence in Crimea and Sevastopol was already globally known, a referendum was organised where Crimeans voted for the reunification of Crimea with Russia. The referendum, lacking global independent observers, was not recognised by the States that supported Ukraine, however, according to Russia's view it was held "in full compliance with democratic procedures and international norms".[285] The UN Security Council (UNSC) published a draft resolution declaring the invalidity of the referendum; however it was not adopted due to a veto by Russia as being one of the five permanent members of the UNSC.[286] On March 18 2014, the day of Russian annexation of Crimea, the EU imposed first sanctions regime of travel restriction and asset freeze targeting individuals and legal entities that have been involved in actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.[287] These targeted sanctions contained 21 names which included both Crimean leadership and Russian individuals and entities. Over the years, the targeted sanctions have been regularly reviewed and updated by the Council. Before the Russian invasion of Ukraine in February 2022 the regulation was updated at the end of December 2021 including 203 persons and 51 entities.[288] Later in June, the EU adopted a regulation against the import of goods from Crimea and Sevastopol and against technical and financial assistance and insurance in connections with such imports.[289] In July, these sanctions were extended to include sectorial investment and export bans, meaning that the equipment and technology for transport, telecommunications and energy were not to be exported to Crimea and Sevastopol.[290] The latest update before the Russian invasion of Ukraine was in December 2014 which created a general investment ban while adding restrictions on tourism services.[291]

Alongside the annexation of Crimea, there were also uprisings by pro-Russian separatists in the Eastern Ukrainian region. Specifically, Luhansk and Donetsk declared themselves

---

[285] Address by President of the Russian Federation, March 18, 2014.
[286] UN Document, S/2014/189, March 15 2014.
[287] Council Regulation 269/2014 of 17 March 2014, OJ L 78.
[288] Council Implementing Regulation 2021/2193 of 13 December 2021 implementing Regulation 269/2014, OJ L 4451.
[289] Council Regulation 692/2014 of 23 June 2014, OJ L 183.
[290] Council Regulation 825/2014 of 30 July 2014 amending Regulation 692/2014, OJ L 226.
[291] Council Reulation 1351/2014 of 18 December 2014 amending Regulation 692/2014, OJ L 365.

independent and were fighting Ukrainian forces with the support from Russian army. The conflict escalated on July 17 when a Malaysian Airlines flight flying over the area was shot down by a Russian missile. The incident resulted in a ceasefire agreement known as Minks I in early September 2014.[292] In the context of such escalation, the EU initiated a series of economic sanctions which restricted the opportunity of Russian state-owned banks to seek financing on European capital markets and trade with certain sectors.[293] The regulation imposed ban on trade in arms and on export of dual-use products for military use, and a measure to limit Russia's access to certain technologies and services that the country could use for oil production. Minks I agreement did not produce the desired ceasefire; therefore, another package of agreement was reached in February 2015, known as Minsk II.[294] However, the implementation of the package was once again unsuccessful with the ceasefire being "violated almost every day for the last two years" as remarked by the Deputy Secretary General of NATO in 2017.[295] With the failure of implementing the Minsk II agreements, the EU unanimously decided to maintain the economic sanctions for another six months until the end of July 2016. Since then, the restrictive measures in place have been reviewed approximately every six months and continuously extended after each review.

The sanctions currently in place against Russia significantly differ in certain features from other sanction regimes imposed by the EU, such as restrictions on North Korea, Iran, and Syria which, in majority, are formulated by the United Nations Security Council. In contrast, the restrictions against Russia contain autonomous sanctions by multiple States and the European Union, which are unilaterally carried out outside of the UN framework. As previously mentioned in chapter 3.6 on sanctions policy, the application of economic sanctions by third party states sparked numerous dialogues saying they violate public international law. This, therefore, begs the question of lawfulness of such sanctions against Russia as there is no Security Council resolution that would evaluate its the

---

[292] Protocol on the results of consultations of the Trilateral Contact Group (Minsk Agreement), S/2015/135, September 5 2015, United Nations Peacemaker.
[293] Council Regulation 833/2014 of 31 July 2014, OJ L 229.
[294] UN Documents, S/RES/2202 "Package of measures for the Implementation of the Minsk Agreements", 17 February 2015.
[295] Joint press point with NATO Deputy Secretary General Rose Gottemoeller and the Prime Minister of Ukraine, Volodymyr Groysman, 9 February 2017.

design, legality, or effectiveness nor there is any Sanctions Committee that would monitor the implementation.[296] Within this context, the restrictions on Russian Federation are considered by some as illegal as they go against the UN Charter, the sovereign principle of equality of States and are meant to interfere in the internal affairs of the country.[297] Others, however, point out that the third party countermeasures were imposed due to the Russia's violation of the absolute norm of the international law, which is prohibition of the use of force. This breached obligation is considered as an obligation of a State towards the international community as a whole, meaning it does not involve Ukraine alone. Therefore, in the specific case of Russia's annexation of Crimea, the unilateral sanctions imposed by those who are not directly attacked by the wrongful act are weighed as legitimate.[298]

Second question about economic sanctions that has been a focus of scholarly debate for years is their effectiveness. We have already mentioned the limitations in terms of monitoring for compliance of the autonomous sanctions against Russia, which is undertaken by journalists, NGOs, and Ukraine rather than carried out under the UN framework. In general, the wave of sanctions, restricting Russian bank and companies to do business in the west, after the immediate act of Crimea annexation was widely seen by the Western leaders as a tool that stopped Russia from escalating the conflict into a large-scale military operation.[299] This conventional perception has radically changed after 2022 and is no longer applicable. Similarly, it has been thought that the economic sanctions would force Russia to reconsider its aggressive approach to Crimea, however, the developments of the conflict showcased the Moscow's foreign policy not only did not change course, but it also even escalated into occupying more of Ukrainian territory. Economic impact of the sanctions on the Russian economy had been a difficult task for analysts to assess due to additional factors affecting the performance of Russian economy.[300] Previous to its annexation of Crimea, the Russian economy had been decelerated and the trend continued in 2014 and early 2015 when the crude oil prices

---

[296] Hayashi, 2020: 223.
[297] Burke, 2015.
[298] Hayashi, 2020: 232.
[299] Aleksashenko, 2016: 7.
[300] Connolly, 2015: 29.

declined.[301] According to International Monetary Fund, the sanctions during the 2014-2018 period had negatively impacted Russian GDP by 0.2 per cent per year, while the drop in oil prices had a negative impact of 0.7 per cent per year. Because of restrictions, the Russian foreign debt declined, and the foreign direct investment dropped, reducing the access to foreign capital.[302] This forced Moscow to raise taxes and cut public spending, through which the Russian government justified its policy to move towards a more centralised political economy.[303]

Although, the initial analyses suggested the sanctions had its intended impact, in 2017 Russia experienced an economic growth as oil prices recovered and exports rose. Albeit maintaining the pressure from sanctions by the West, this recovery led economists to suggest that the Russian 2015 economic decline was more connected with the rapidly decreasing oil prices rather than the impact of sanctions.[304] Additional to Russian economy stabilising, Vladimir Putin has avoided much of blame for the fluctuating economy and maintained high levels of support. EU's sanctions (alongside the sanctions from the US) certainly did not reverse the annexation of Crimea, though, they did constrain Russia's ability to pursue its strategic objectives in Ukraine and limited its use of military instruments, helping Ukraine's political regime to survive at least in short- and mid-term.[305] However, with the overall assessment, the political impact of sanctions was negligible and the economic effect, although adverse, was not severe enough, only delaying the full-scale war, but not deterring it.

6 RUSSIAN INVASION OF UKRAINE IN 2022: A TURNING POINT FOR EU'S SECURITY

February 24 of 2022, the day when the Russian regime led by President Vladimir Putin launched a military invasion of Ukraine and thus marking a return of war in Europe for the first time in decades, will remain a watershed moment in European history.

---

[301] Korhonnen, 2021.
[302] Russian Federation: 2019 Article IV Consultation-Press Release; Staff Report. Country Report No. 2019/260. International Monetary Fund, 2019.
[303] Olsson&Oxenstierna, 2015.
[304] Crimmino, 2018: 17.
[305] Secrieru, 2015: 43.

Already in July of 2021, Vladimir Putin published a controversial article about his views of shared history between Russia and Ukraine, where he described the two populations as "one people" believing that "true sovereignty of Ukraine is possible only in partnership with Russia".[306] Throughout the year, the Moscow government amassed troops along the Ukrainian border and two days before the invasion it recognised the self-proclaimed Donetsk People's Republic and Luhansk People's Republic in eastern Ukraine. On February 24, 2022, Vladimir Putin authorised special military operations in Ukraine after which Russian forces began missile and artillery attacks, targeting major Ukrainian cities, including Kiev, to seize and depose the government. In a televised address, Putin gave a detailed reasoning behind the action, highlighting the ongoing and unacceptable eastward NATO expansion, hostile anti-Russia perceptions in territories adjacent to Russia, which he noted to be "our historical land", and external support of far-right nationalists and neo-Nazis in Ukraine.[307] The purpose of the operation was to "*protect people who, for eight years now, have been facing humiliation and genocide perpetrated by the Kiev regime. To this end, we will seek to demilitarise and denazify Ukraine* […]".

The subsequent development since the start of the war has come as a surprise as we will see more in detail in following chapters. Prior to 24 February, the West did not view war as impossible, but rather improbable from the perspective of cost-benefit analysis. Already back in 2014, soon after the annexation of Crimea, Russia was considered to lack the capability to neither conquer and annex eastern Ukraine nor pacify all of Ukraine with its weak army, Moscow's poor position, and weak economy which would only suffer more with the resulting sanctions.[308] Such prediction proved to be correct as in the early weeks of invasion, Ukrainian forces not only succeeded in resisting the Russian military, but also managed to launch major counteroffensive and retake territory in the Kharkiv and Kherson regions. With such setback for Russian forces, Putin threatened to use nuclear weapons and adopted a new tactic of targeting civilian infrastructure in several Ukrainian cities with missile and drone strikes.[309] After one year of fighting, the war resulted in humanitarian crisis with over 8.4 thousand verified deaths of civilians and over

---

[306] Article by Vladimir Putin „On the Historical Unity of Russians and Ukrainians". President of Russia, 2021.
[307] Address by the President of the Russian Federation, February 24, 2022. President of Russia.
[308] Mearsheimer, 2014: 85.
[309] Masters, 2023.

19 million refugees as of March 2023.[310] Analysts see little chance in compromise and possible end of the war in the near future as both sides have continuous motives to fight.[311]

In the context of possible actions from NATO or the European Union, neither of the organisations are in a position to directly defend Ukraine as both aim to avoid possible confrontation with Russia. The only available options, therefore, are economic sanctions, international isolations, and support of Ukraine. Following chapters will bring together official documents, analyses, commentaries, articles and opinions of experts and think tanks about the EU's actions in response to the invasion and will essentially shed light on the changes European Union's foreign policy and defence went through within a year of the war in order to adapt to new geopolitical environment and security threats posed by Russia.

6.1 EU'S IMMEDIATE RESPONSE AND EMERGENCE OF STRONGER EUROPEAN DEFENCE

In planning its invasion of Ukraine, the Russian leadership not only miscalculated the strength of its own army and Ukrainian army, but also Kremlin's conventional knowledge supported the idea that the EU was a weak regional and global actor, and the transatlantic alliance was divided.[312] Admittedly, this could already be seen with Donald Trump's 'America First' approach and his dismissive attitude toward the EU and NATO that had weakened European faith in the US which was furthermore exacerbated with the withdrawal of American forces from Afghanistan. Additionally, the notion of European 'community' was perceived as a myth due to internal divisions within the European Union.[313] The Union's defence policy was also underperforming, lacking proper leadership and "doing too little and too late" in response to security threats, following the politics of "deep concerns and half-hearted sanctions" which essentially led to failed deterrence of Russia in 2008 with Russia invading Georgia and later in 2014 with the well-known annexation of Crimea.[314] All this led Russian President Vladimir Putin to

---

[310] Russia-Ukraine war 2022-2023 – statistics & facts. Statista, 2023.
[311] Haass, 2023.
[312] Graham, 2023.
[313] Wunderlich, 2022.
[314] Tyushka, 2022.

dismiss the possibility of a resistance and Western unity when faced with Russian aggression. However, the speed and coherence in which the European Union responded to the invasion had surprised many of global observers.[315]

Already since the adoption of the EU Global Strategy in 2016, European Union has undoubtedly made a substantial progress on defence with the establishment on initiatives such as Permanent Structured Cooperation (PESCO), European Defence Fund (EDF), or the Coordinated Annual Review on Defence (CARD) which importance was especially highlighted in the documents.[316] Additional introduction of a 'geopolitical Commission' by the President Ursula von den Leyen[317] exacerbated by European Council President Charles Michel labelling 2022 the 'year of European defence'[318] may be considered as willingness for further development of European defence. The introduction of new defence initiatives was all influenced by changing geopolitical environment. Similar to 2016 EU Global Strategy and subsequent launch of Strategic Compass being affected by unreliable US administration under the Trump Presidency or Russia's annexation of Crimea, the 2022 Russia's invasion of Ukraine has even more deepened the need for stronger European defence.[319] Some analysts consider the progress on European defence made in the immediate aftermath of the invasion has advanced quicker and further than in previous three decades.[320] The actions and changes can be therefore described as dramatic. The EU has imposed an extensive range of trade, financial and individually targeted sanctions; implemented financial support measures; and provided military equipment to Ukraine. Additionally, at an informal meeting in Versailles in March 2022, EU leaders agreed on decreasing their dependency on Russian gas and to strengthen their defence capabilities.[321]

[315] Bergmann, Toygür, Svendsen, 2023; Pornschelegl & Toygür, 2022; Tyushka, 2022.
[316] Handbook on CSDP, 2021: 29-33.
[317] Speech by President-elect von der Leyen in the European Parliament Plenary on the occasion of the presentation of her College of Commissioners and their programme, Strasbourg, 27 November 2019. SPEECH/19/6408.
[318] Address by President Charles Michel to the European Defence Agency annual conference. SPEECH 949/21. Council of the EU, 2021.
[319] Biscop, 2022.
[320] Arnold, 2022.
[321] Informal meeting of the Heads of State or Government – Versailles Declaration. European Council, 2022.

The invasion furthermore resulted in a substantial reconsideration of the future size of the European Union, with both Ukraine and Moldova being granted a membership candidate status. Additionally, Finland and Sweden have both shifted their position toward defence and applied to join NATO with Finland becoming a member of the Alliance on 4 April 2023. The extent of the response seems to be a historical moment for the EU collectively as well as for member states individually, with experts describing it as a turning point for European security.[322] Similarly, Germany's Chancellor, Olaf Scholz, declared it to be a *Zeitenwende* – a turning-point or watershed moment, as he announced a radical shift in several core pillars of German foreign and security policy during his speech to the Bundestag in March 2022.[323] However, even though the EU managed to remain united in the face of Russian actions, some point out that the change of policy toward Russia may not result in a major shifts in strategy toward other countries, making Ukraine more of an exception rather than a rule.[324]

6.1.1 SANCTIONS

Restrictive measures have undoubtedly become the most used tool in EU's foreign policy as a response to international challenges, which resulted in their normalisation. The sanctions imposed after the 2022 Russian invasion of Ukraine come as continuation of restrictions imposed in 2014 in response to the annexation of Crimea and the destabilisation of the Donbas, however they differ significantly. As previously explained, the 2014 sanctions were divided into three parallel but separate regimes; the first one addressing the annexation of Crimea involving a full export ban on the peninsula; the second regime responding to the Russian backing of separatist forces and supporting the territorial integrity of Ukraine; and third regime concerning the misuse of state assets by the Ukrainian leadership under the President Yanukovych. These sanctions were portrayed as unsuccessful as they did not translate into any policy change from Russia, nor had significant effect on Russian economy. In contrast to the limited response in 2014, the restrictive measures imposed on Russia after its unprovoked invasion of Ukraine in 2022 is widely considered to be swift, coordinated and to even exceed the United States'

---

[322] Balfour, 2022.
[323] Blumenau, 2022.
[324] Youngs, 2022.

expectations.[325] Prior to the invasion on 21 February, the EU, along with the UK and the US, imposed sanctions in response to the Russian government recognising the independence and sovereignty of the Luhansk and Donetsk regions.[326] What succeeded after the invasion was EU Member States adopting ten sanctions packages in swift sequence within a year of the war with each package amending and broadening the scope of sanction regimes adopted from 2014 onwards. Additionally, the Union introduced a new regime of banning imports of goods originating in the illegally annexed territories of Donetsk, Luhansk, Kherson and Zaporizhzhia to the European Union unless granted a Ukrainian certificate of origin.[327] Except individual and economic sanctions, various diplomatic sanctions have been imposed, including the suspension of visa facilitation between the EU and Russia.[328] Beyond Russia, the EU has furthermore imposed sanctions against Belarus for its involvement in the invasion of Ukraine[329], and Iran in relation to the use of Iranian drones in the Russian aggression.[330] So far, the sanctions imposed by the EU include:[331]

- targeted sanctions of asset freezes and travel bans, targeting primarily Russian officials and elites, including Russian President Vladimir Putin and Minister of Foreign Affairs, Sergey Lavrov;

- blocking access to Russia's Central bank reserve holdings and banning transactions with certain Russia state-owned military-industrial enterprises;

- disconnecting ten leading Russian financial institutions, including Russia's largest bank, Sberbank, from the SWIFT international financial messaging system;

- prohibiting export of military and luxury goods to Russia, banning certain exports in the aviation, maritime, technology and oil-refining sectors;

---

[325] Bergmann, Toygür, Svendsen, 2023.
[326] EU adopts package of sanctions in response to Russian recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and sending of troops into the region. Council of the EU, 2022.
[327] Council Regulation 2022/263 of 23 February 2022, OJ L 042I.
[328] Council Decision 12039/22.
[329] Council Regulation 2022/398 of 9 March 2022, OJ L 82.
[330] Council Implementing Regulation 2022/1985 of 20 October 2022 implementing Regulation No 269/2014, OJ L 272I.
[331] For detailed information about sacntions see European Council's Timeline – EU restrictive measures against Russia over Ukraine: https://www.consilium.europa.eu/en/policies/sanctions/restrictive-measures-against-russia-over-ukraine/history-restrictive-measures-against-russia-over-ukraine/ or EU Sanctions Map: https://www.sanctionsmap.eu/#/main.

- closing EU airspace, seaports, and roads to Russian transport operators;
- suspending the broadcasting activities of various Russian state-owned media outlets;
- banning imports of coal and of crude oil and petroleum products from Russia, while imposing price cap on such products;
- applying restrictions on Russian nationals holding positions within the governing bodies of EU critical infrastructures and entities.

As previously mentioned (Chapter 3.6 on Sanctions Policy), and as showcased from the brief outline of the sanctions above, the EU makes use of especially targeted sanctions. However, in the aftermath of the Russian invasion of Ukraine, there has been a significant change in the EU's sanctioning practice. The listing criteria of the targeted restrictive measures are being progressively broadened and more often used in entire sectors of the country's economy. In order to increase the pressure on Russia, and not repeat the same mistakes of the unsuccessful sanctions in response to the annexation of Crimea, EU resorted to broaden the listing criteria. For example, while the regime on Crimea enforces an economic embargo on the area, the newly imposed regime on Donetsk and Luhansk broadens the embargo on these territories. Similarly, the EU extended the possibility to impose individual restrictions against persons, entities, and bodies that "supported Russia's immediate recognition of the two self-proclaimed republics Donetsk and Luhansk […]".[332] From the Russian invasion of Ukraine onwards, we can also observe the EU's tendency to use economic measures against specific sectors in the sanctioned countries. They were firstly imposed as targeted restrictive measures of asset freezes and visa bans against high-level Russian officials in response to the annexation of Crimea.[333] With the deteriorating situation in Ukraine, the EU has extended the economic sanctions considerably, with the latest example being the partial embargo on Russian crude oil and petroleum products[334] or other examples of export bans in aviation, maritime, and technology sectors. The shift seems to be practical since the sanctions targeted at

---

[332] Council Implementing Regulation 2022/332 of 25 February 2022 implementing Regulation No 269/2014, OJ L 53.
[333] Council Decision 2014/145CFSP of 17 March 2014, OJ L 78.
[334] Council Regulation 2022/879 of 3 June 2022 amending Regulation No 833/2014, OJ L 153.

individuals are smaller in scope and are less effective than measures restricting groups or entities which could affect whole industries or financial and governmental institutions.[335]

The example of EU sanctions against Russia additionally showcases another difference when it comes to theory and practice. According to the Union's document of Sanction Guidelines, the restrictive measures are preventive in the sense that they do not have the character of punishment. However, the EU's practical approach contradicts such nature of restrictive measures as most of the sanction regimes against Russia have been adopted in response to a specific behaviour, and not to prevent such behaviour. A clear example is the period prior to the Russian invasion of Ukraine when the EU faced a threat of the massing of Russian troops near the Ukrainian border. Instead of using the preventive potential of the sanctions against Moscow, the EU had prepared draft sanctions that were to be proposed "if there is an aggression" and imposed "when the level of intensity of the aggression requires [it]"[336] – meaning, in this context, after the escalation of the conflict.

What additionally makes the EU sanctions adopted in 2022 more punitive than preventive, according to some, is their incompliance with international law. Voynikov (2022: 639) emphasises that these measures are meant to cause maximum economic and political damage to the Russian Federation which contradicts European Union law as well as principles of international law such as rules of the World Trade Organisation. In this regard, he considers the 2022 restrictive measures more likely punitive than economic. However, the EU justified the economic measures against Russia under the security exemptions of the WTO agreement, specifically the article XXI(b) GATT which states that country may adopt actions which it considers necessary for the protection of its essential security interests, in particular of armed conflict or in the event of serious international crises.[337] Similarly as with the sanctions imposed in 2014 after the annexation of Crimea, the EU reiterated that the restrictive measures in this regard are considered as countermeasures in reaction to a breach of obligations of the international community, which includes the prohibition of aggression.[338]

---

[335] Kopraleva & Vink, 2015: 323.
[336] Russia/Ukraine & 6th EU – AU Summit: Remarks by High Representative Josep Borrell upon arrival. EEAS, 2022.
[337] "Legal questions surrounding EU sanctions of Russia". Moran, 2022.
[338] Sossai, 2022: 164.

The main goal of the EU's newly imposed sanctions is to weaken Russia's economy and its ability to wage war. Along with the sanctions imposed by the multilateral coalition of G7 countries including the United States, the United Kingdom, Canada, Australia, and Japan, Russia became the most sanctioned country in the world, being a target of over 14 thousand sanctions.[339] Although, the conflict is ongoing with continuous formulating of new sanction packages, there have already been published preliminary assessments of their effectiveness. Soon after the imposition of the restrictive measures, the Western belief was that the new sanctions would devastate the Russian economy. The European Bank for Reconstruction and Development (EBRD) estimated that the growth in Russia would fall by around 10-12% in 2022.[340] Although the immediate economic impact was significant, it was less adverse in the short term than expected.[341] According to the World Bank, Russia mitigated the shock through being able to find alternative markets for its energy and commodities, especially by offering attractive prices to countries including China and India.[342]

Nevertheless, compared to the minimal impact of sanctions imposed during the 2014-21 period, the sanctions commencing February 2022 show a potential of having a long-lasting consequences on Russian economy, even if in the initial months, the country was able to achieve a certain degree of economic stability. Some compare the depth of the Russian recession to the global financial crisis of 2008-2009 without the prospects of swift recovery, emphasising that in the long-run, the sanctions will permanently impair Russia's economic and technological potential.[343] Moreover, EU's sanctions are not solely about coercing a policy change or plummeting Russia's economy. The joint imposition of restrictive measures under the CFSP strengthened the Union's presence as a global actor and demonstrated its unity in commitment to international norms such as sovereignty.[344] Brussels considers this objective of sanctions more significant than achieving their compliance. This was especially reflected in Josep Borrell's working paper when he wrote that "[…] *even if sanctions will not change the Russian trajectory,*

[339] Russia Sanctions Dashboard. Data retrieved from Castellum.AI on 28. April, 2023.
[340] „EBRD sees war on Ukraine causing major growth slowdown". Porter, 2022.
[341] Alcidi et al., 2023.
[342] Social Protection for Recovery. World Bank ECA Economic Update, Fall 2022.
[343] Portela & Kluge, 2022.
[344] Bergmann, Toygür, Svendsen, 2023.

this does not invalidate their usefulness. Without sanctions, Russia would have its cake and eat it. With sanctions, it will be forced to choose between butter and guns until butter is scarce".[345]

Nonetheless, in order to achieve the highest possible level of effectiveness of restrictive measures imposed on Russia, the EU took certain steps in their enforcement. Particularly, in March 2022, the European Commission set up 'Freeze and Seize' Task Force to ensure efficient EU-level coordination of implementation of sanctions against listed Russian and Belarussian oligarchs. The initiative works alongside the internationally established 'Russian Elites, Proxies, and Oligarchs (REPO)' Task Force under which the EU operates together with G7 countries and Australia. The role of Freeze and Seize Task Force is to coordinate actions between Member States, Eurojust, Europol and other agencies regarding seizing and confiscating assets of Russian and Belarussian oligarchs.[346] The Task's activities can be categorised in four groups of (1) asset freezes and reporting; (2) exchange of best practices on criminal investigations and confiscation; (3) possible establishment of a Common Fund for the benefit of Ukraine; and (4) tax enforcement.[347]

The implementation and enforcement of EU sanctions is primarily the responsibility of individual Member States; however, they have different definitions of what involves a violation of restrictive measures and what penalties should be applied in case of violation. As to further avoid different degrees of enforcement of sanctions and ensure better coordination, in November 2022, the Council adopted a decision to add the violation of restrictive measures to the list of EU crimes under the Article 83(1) of the TFEU.[348] The decision was furthermore complemented by a proposal for a Directive on the definition of criminal offences and penalties for the violation of Union restrictive measures put forward by the European Commission in December 2022 which established harmonised minimum rules on crime definitions and sanctions across the EU.[349] The main aim of the

---

[345] Borrell, 2022: 7.
[346] Enforcing sanctions against listed Russian and Belarussian oligarchs: Commission's "Freeze and Seize" Task Force steps up work with international partners. Press release. European Commission, 2022.
[347] „EU's ,Freeze and Seize' Task Force Tackles Oligarchs' Money". Pingen, 2022.
[348] Council Decision 10287/1/22.
[349] Proposal for a Directive of the European Parliament and of the Council on the definition of criminal offences and penalties for the violation of Union restrictive measures. COM/2022/684 final. European Commission, 2022.

Directive is to make it easier to investigate, prosecute and punish violations of restrictive measures in all Member States.[350] The proposal is seen in the context of the Union's effort to fight impunity in relation to the Russian war of aggression against Ukraine.[351] Although still in its adoption phase with the process most likely to be completed in the course of 2023, some experts already define the proposal as "a major milestone in the harmonisation of EU sanctions enforcement, as well as in the development of European criminal law more generally".[352]

All in all, EU sanctions against Russia are some of the most comprehensive sanctions that the EU has imposed against another state and those linked to its government. Although some do not consider them to represent a new EU approach,[353] their broadened scope, swift implementation and unity among the actors have global observers believe to be more efficient than sanctions packages enacted in 2014, even labelling the period from February 2022 onward as sanctions 'revolution'.[354]

6.1.2 MILITARY AND FINANCIAL SUPPORT TO UKRAINE

The main EU instrument which finances activities with military implications is the European Peace Facility (EPF) established in March 2021 as an off-budget tool made up of yearly contributions from Member States according to their gross national income.[355] The Facility acts as a funding mechanism for equipment and training for EU partner countries' armies, as well as for the common cost of the Union's military missions and operations under CSDP. With its global geographic scope, the EPF is tasked to provide support towards Africa, EU's neighbourhood, and other regions in areas "that display the most urgent and critical security threats for the Union".[356] The goal of the Facility is not only to improve EU's ability to prevent and swiftly response to crises but

---

[350] Ukraine: Commission proposes to criminalise the violation of EU sanctions. Press Release. European Commission, 2022.
[351] Proposal for a Directive of the European Parliament and of the Council on the definition of criminal offences and penalties for the violation of Union restrictive measures – Progress Report. 2022/0398(COD). Council of the European Union, 2023.
[352] "European Commission proposes common definitions and penalties for EU sanctions violations". Vander Schueren et al., 2022.
[353] "Legal questions surrounding EU sanctions of Russia". Moran, 2022.
[354] Portela&Kluge, 2022.
[355] Council Decision (CFSP) 2021/509.
[356] Ibid.

also strengthen the ability of partner countries to do so, and essentially contribute to their resilience. The EPF should be used to rapidly provide assistance to partners, and the Strategic Compass specifically refers to the situation in Ukraine. In a historical moment the European Union Member States for the first time agreed to jointly finance the provision of lethal weapons to a country at war, with Ursula von der Leyen calling this step a "watershed moment"[357] and HR/VP Borrell noting the decision represented a breaking of a taboo.[358]

Since the beginning of the invasion on 24 February 2022 the Council has provided seven tranches of assistance measures for Ukrainian armed forces under the EPF with each tranche amounting to €500 million. Altogether, by the time of writing, the seven tranches of the military equipment delivered by Member States are said to amount to €4.6 billion with the latest Council adoption in April 2023 of assistance measure worth €1 billion that would allow the EU to reimburse member states for ammunition donated to Ukraine.[359] This came as the implementation of the Council agreement of 20 March 2023 on a three-track approach aimed to speed up delivery and joint procurement of artillery ammunition.[360] Following this joint transfer of arms to Ukraine by Member States, the EU established a short-term European Defence Industry Reinforcement through common Procurement Act, or EDIPRA, in July 2022, complementing the EPF.[361] The European Commission committed €500 million of EU budget from 2022 to 2024 for the instrument meant to support joint acquisition of weapons in addition to replenishing the stocks of the most urgent and critical defence products. According to Executive Vice-President, Margarethe Vestager, the EDIPRA Regulation "is a historical milestone in establishing the EU Defence Union".[362] At the time of writing the ammunition represented the most urgent demand from Ukraine. To ramp-up the production, in May 2023 the Commission introduced the most recent proposal of Act in Support of Ammunition Production (ASAP)

---

[357] Statement by President von der Leyen on further measures to respond to the Russian invasion of Ukraine, STATEMENT/22/1441. European Commission, 2022.
[358] „Putin's War Has Given Birth to Geopolitcal Europe". Borrell, 2022.
[359] Ammunition for Ukraine: Council agrees €1 billion support under the European Peace Facility, PRESS RELEASE 260/23. Council of the EU, 2023.
[360] Council Note 7632/23, Delivery and joint procurement of ammunition for Ukraine – outcome of proceedings. Council of the European Union, 2023.
[361] Defence industry: EU to reinfroce the European defence industry through common procurement with a €500 million instrument. European Commission, 2022.
[362] Ibid.

which represented "Track 3" of the EU's three-pronged approach to meet Ukraine's longer-term defence needs.[363] The Commission said to commit another €500 million of EU budget into European shell factories. According to the Single Market Commissioner Thierry Breton, this initiative represents a new era as European Union starts "to bring [its] defence industry into areas of priority and resilience, for our autonomy, for our protection".[364]

In November 2022, the Council launched an EU Military Assistance Mission (EUMAM) for Ukraine which aimed to increase the military capability of the Ukrainian armed forces and to effectively conduct operations. The EPF provided additional €16 million in assistance measure to support the mission[365] while Norway made a voluntary financial contribution of €14.5 million the EPF in support of EUMAM which marked the first such contribution from a third country.[366] Over 60% of the initial EPF financial ceiling of €5 billion has been used for military assistance to Ukraine in the first year since the invasion. The Council, therefore agreed to increase the overall financial ceiling to €7.9 billion until 2027 following the political agreement from December 2022 when the EPF's financial ceiling was increased by €2 billion in 2023 with the possibility of an additional increase at a later stage.[367] This came after not only various Council discussion in preceding months, but also certain concerns from experts pointing out the EPF budget spending rate is unsustainable for long-term, especially as the Facility is meant to provide aid for other regions, going as far as proposing a EU Wartime Investment plan as a medium term strategy.[368] The worries were, however, short-lived as in December 2022 the Council adopted new assistance measures under the EPF in support of Bosnia and Herzegovina, Georgia, Lebanon, Mauritania and in support to the deployment of the Rwanda Defence

[363] Press statement by President von der Leyen with Czech President Pavel, STATEMENT/23/2568. European Commission, 2023.
[364] "Brussels Playbook: Breton's 1M shells – Orbán's EU cash – VDL's cuckoo clocks". Vela, 2023.
[365] Ukraine: EU launches Military Assistance Mission, PRESS RELEASE 953/22. Council of the EU, 2023.
[366] EU and Norway sign an agreement in support of EUMAM Ukraine, PRESS RELEASE 1054/22. Council of the EU, 2023.
[367] European Peace Facility: Council increases the financial ceiling to nearly €7.98 billion until 2027, PRESS RELEASE 181/23. Council of the EU, 2023.
[368] „Why the EU needs a wartime investment plan". Haroche, 2022.

Force in Mozambique.[369] Following in 2023, the EU provided support to the Jordanian Armed Forces,[370] Somalia,[371] Niger,[372] and North Macedonia.[373]

Aside from finances, the EU provided vital support for Ukraine's defence against the Russian aggression, including air defence missiles, anti-tank weapons and artillery ammunition.[374] Perhaps the most eye-catching shift decision came from Germany that provided military aid almost immediately after invasion, changing its long-standing policy of not sending weapons to conflict zones.[375] However, Germany's actions in sending military equipment other allies have been providing for months, began to hamper as the war continued. Similarly, France has lacked in their military assistance as well as in training of Ukrainian troops, resulting in the failure of the EU's two largest Member States to act according to their own rhetoric.[376] On the other hand, Poland became the biggest Member State providing lethal aid, spending almost 50% more than Germany and almost eight time more than France,[377] and even broke Germany's resistance to providing Leopard II tanks by creating a coalition with other central, eastern, and Baltic European states.[378] Central and Eastern Europe have especially acquired increased political influence within the EU, with Poland and Czech Republic being the biggest arms suppliers in terms of GDP per capita. Along with Slovakia and Baltic countries they were considered to create an avant-garde within the EU that came up with active initiatives and created pressure on the waiting state of Western Europe.[379]

---

[369] European Peace Facility: Council adopts assistance measures in support of the armed forces of five countries, PRESS RELEASE 1022/22. Council of the EU, 2022.
[370] European Peace Facility: Council adopts assistance measures in support of the Jordanian Armed Forces, PRESS RELEASE 113/23. Council of the EU, 2023.
[371] EU support to Somalia: Council approves further support under the European Peace Facility to the Somali National Army and to the African Union Transition Mission in Somalia (ATMIS), PRESS RELEASE 136/23. Council of the EU, 2023.
[372] European Peace Facility: Council adopts assistance measure to support the Nigerian Armed Forces in conjunction with the EU military partnership mission in Niger, PRESS RELEASE 144/23. Council of the EU, 2023.
[373] European Peace Facility: Council adopts assistance measure in support of the army of North Macedonia, PRESS RELEASE 190/23. Council of the EU, 2023.
[374] For detailed information about Western military assistance see Osmolovksa, I. (2023). Hard Work for 2023: Supporting Ukraine to Win the War against Russia. GLOBSEC.
[375] "Germany to send Ukraine weapons in historic shift on military aid". Herszenhorn et al., 2022.
[376] Blockmans & De Agostini, 2022.
[377] Ibid.
[378] "Poland pressed Germany to send Leopard tanks to Ukraine". Lepiarz, 2023.
[379] Šitera & Eberle, 2023: 59.

What makes the mentioned assistance a watershed moment in the EU history, is that for the first time European Union authorised lethal military assistance to a third country. The decision, however, came with objections. In policy circles, the concerns ranged from fears of Russia perceiving EU's military support to Ukraine as an act of aggression that would call for retaliation, to legality of such decision.[380] Although, Article 51 of the UN Charter provides for individual and collective self-defence rights allowing Member States to assist another State[381], the EU founding treaties prohibit the purchase of arms using the Union's money. Specifically, Article 41(2) of the Treaty on European Union states that "operating expenditure […] shall also be charged to the Union budget, except for such expenditure arising from operations having military or defence implications […]"[382] essentially meaning that the Council is prohibited from using normal budget funds to provide lethal military assistance that Ukraine have been receiving since the Russian invasion. Therefore, the EU turned to the off-budget financing instrument of European Peace Facility as the legal basis to provide lethal assistance to a third state engaged in armed conflict, effectively dismissing any concerns about the decision to finance weapons nonconforming to the Treaties.[383]

Since then EU has not previously played a role in providing lethal military assistance, the use of EPF is especially notable, and according to some experts, may present a dramatic change in the Union's powers to intervene in overseas military conflicts.[384] Additionally, the financial incentives motivated member-state behaviour in supporting the war efforts as well as surprised critics of the EU's 'safety-first' approach along with reputation of delayed action and internal disputes.[385] This is also said to represent a major policy shift in defence involvement as in the past, the EU mostly focused on regulatory means to prevent defence market fragmentation, such as allowing to launch infringement proceedings against countries prioritising their national defence firms through 2009 directive on defence procurement.[386]

---

[380] "Arming Ukraine: how war forced the EU to rewrite defence policy". Foy, 2023.
[381] Charter of the United Nations. Chapter VII – Action with respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression, Article 51.
[382] TEU, 2008: 37-38.
[383] Bortoloni, 2022: 381.
[384] Hamilton, 2022: 643.
[385] "Arming Ukraine: how war forced the EU to rewrite defence policy". Foy, 2023.
[386] Besch, 2022.

Undoubtedly, in its reaction to war in Ukraine, the EU showed its capability to mobilise its resources to achieve more effective and timely foreign policy action by producing policy proposals on the maximum utilisation of the EU's defence industrial tools. EPF has especially proven to be invaluable for providing rapid financing for equipment and training. Although, representing an important policy shift and improving weapons supply to Ukraine, the general consensus is that the EU should be doing more to strengthen its own defence and security by aiding Ukraine, especially by speeding up the military aid, and not lose its momentum towards more Common Foreign and Security Policy.[387]

Others, while endorsing the EU response of sending lethal aid in the context of war or aggression, warn that military assistance in regards to intra-state conflict poses risk of its misuse and abuse of funds.[388] Further concerns relate to transparency and oversight, as the categories of weapons are not divulged in Council decisions but are made public by the EU Member States, leading experts to underline the need for increased political accountability through European Parliament scrutiny.[389] All in all, even if the lethal aid was mostly coordinated by NATO on national level, the EU had played an important role, and the need for military assistance for Ukraine to continue was strongly emphasised and agreed upon by the majority of global observers.

6.2 DEFENCE SPENDING AND INVESTMENT

Following economic, and military aid responses, number of European countries announced plans to increase and improve their defence budget spending by reducing fragmentation through already existing EU tools such as the European Defence Fund (EDF) and Permanent Structured Cooperation (PESCO). This does not necessarily represent a change in long-term trend as EU Member States that are also NATO Members have been guided by the NATO 2% of gross domestic product defence spending norm established at the Wales Summit in 2014 in response to Russian seizure of Crimea.[390] Although, Allies agreed on moving towards the 2% threshold within a decade, only seven of the 21 Member States have actually done so. Russia's aggression against Ukraine has

---

[387] Blockmans & De Agostiny, 2023; Lefler, 2023; Crosson, 2023,
[388] Isbister & Slijper, 2021; Zack, 2022.
[389] EPLO, 2021; Maletta & Héau, 2022.
[390] Wales Summit Declaration, Press Release (2014) 120. NATO, September 2014.

rendered a wake-up call for several Member States regarding defence budgets and the necessity of investing in defence capabilities which have been underfunded and underperforming for decades. Perhaps the most noticeable was the Germany's dramatic shift in foreign and defence policy, proposing an additional spending of €100 billion on defence days after the Russian invasion. In another historical step, Denmark has decided to join the EU's CSDP after 30 years on non-alignment while promising to increase military expenditure towards the 2% of GDP NATO threshold.[391]

Member States then followed by adopting Versailles Declaration in March 2022, where the leaders "decided to take more responsibility for [our] security and take further steps towards building [our] European sovereignty […]"[392] and formally adopted the Strategic Compass. The emphasis was especially given on investing more in defence capabilities and increasing the EU's capacity to act autonomously while reiterating the importance of the EU-NATO cooperation being central to European security. According to the European Commission's data from May 2022, Member States have announced increases of their defence budgets by €200 billion since the Russian invasion.[393] Additionally, the 2022 Coordinated Annual Review on Defence Report (CARD) estimated the defence spending would continue to increase by up to €70 billion by 2025.[394] The increases across Europe were said to aid in making up for the prolonged period of under-investment of around €160 billion in defence as a result of the economic and financial crisis in 2007-08.[395] Here is, however, where most of the caveats and shortcomings of European security and defence lie.

Firstly, despite the significant increases in spending, most Member States faced difficulty or have been reluctant in achieving the declared objectives. The delivery of results was hindered especially with pressure to increase national funding for essential public services

---

[391] „Denmark votes overwhelmingly to join EU's common defence policy". Henley, 2022.

[392] Versailles Declaration. European Council, 2022.

[393] Joint Communication to the European Parliament, the European Council, the Council, The european Economic and Social Committee and the Committee of the Regions on the Defence Investment Gaps Analysis and Way Forward, JOIN(2022) 24 final. European Commission, 2022.

[394] 2022 Coordinated Annual Review on Defence Report. European Defence Agency, 2022.

[395] Joint Communication to the European Parliament, the European Council, the Council, The european Economic and Social Committee and the Committee of the Regions on the Defence Investment Gaps Analysis and Way Forward, JOIN(2022) 24 final. European Commission, 2022.

in face of the inflation and to protect consumers from higher energy prices.[396] Clear example is the Germany's *Zeitenwende* with its additional €100 billion for defence. Although, being able to reduce its dependence on Russian energy, a year after, the committed budget was said to be "partially eaten up by inflation, rising interest rates and VAT" and considered to be insufficient in funding a comprehensive reform on Germany's Bundeswehr.[397] Additionally, the funds required for eventual reconstruction efforts of Ukraine would further make it harder to prioritise defence spending.

Secondly, there are significant gaps in collaborative defence spending, meaning the Member States' increasing defence budget is not spent co-operatively and efficiently. According to CARD, EU Member States are more willing to cooperate only when the cooperation coincides with national plans or benefits national industry. This essentially limits the EU's ability to act, as the fragmentation in European defence negatively affects the Member States' ability to conduct joint operations and at the same time means that European military capabilities are considerably lower than that of America's.[398] It may be caused by another point for criticism, which is lack of leadership regarding EU defence initiatives. Biggest EU states, France and Germany haven't been able to agree on Europe's rearmament, losing their credibility over the course of the war in Ukraine, leaving Europe's northern and eastern countries at the forefront of European response to war. These countries are however sceptical about the EU's defence initiatives which they believe to be more advantageous for the largest industries and member states, and therefore are unlikely to take on the EU defence role.[399] All in all, the CARD report showcased that Europe began to spend more on defence but was cooperating less, virtually failing to improve European defence cooperation after several dimmed efforts since the end of the Cold War.

This brings us to our third point. Similar to 90s crises of Bosnia and Kosovo, 2011 operations in Libya, and the 2014 annexation of Crimea, even after the Russian invasion of Ukraine in 2022, the EU remained to be greatly dependant on the US for security and

---

[396] Blockmans & De Agostiny, 2023.
[397] Giegerich, 2023.
[398] 2022 Coordinated Annual Review on Defence Report. European Defence Agency, 2022.
[399] Besch, 2022.

was unprepared to cope alone. Even if European defence expenditure increased substantially, most of the budget was used on the off-the-shelf US equipment.[400] With the lack of leadership within the EU in coordinating the delivery of military aid to Ukraine, the US took the lead in the war effort, providing total commitments of over €71 billion as of April 2023.[401] The conflict, therefore, further provided strong evidence of the centrality of the transatlantic partnership and at the same time challenged the ambition of establishing sovereign or autonomous Europe when it comes to its defence capabilities. European autonomy or sovereignty has been a long-lasting political discourse that affected the development of European security and defence.[402] Member States have especially disagreed on the urgency for Europe to have the ability to defend itself and become more independent of the US. The opponents come mostly from Central and Eastern European countries which rely on the NATO security guarantees. Advocates of the strategic autonomy, with France on the front, on the other hand emphasise that the concept would contribute to and complement NATO security efforts.[403] However, the possibility of autonomy requires adequate military capabilities and coherence in using them. The war in Ukraine revived the political discussions, showcasing the existing defence gaps in European military capabilities resulting from long-term underinvestment and fragmentation in national defence interests, therefore only strengthening position of NATO which has remained the key pillar of European security and defence.

In sum, decades of decreasing defence budgets and endless debates on the need for, or the danger of, European strategic autonomy have slowed down EU's ambitions in developing its defence. Albeit the EU Member States showed strong political willingness to put more effort in their collective defence, the war in Ukraine highlighted the gaps in defence capabilities and budget. Similarly, as with the common joint procurement of arms, the experts emphasised the need for EU to sustain the momentum of the ambitious investment energy, budget increases, and aim to ensure the coherence in collective defence planning processes, especially since the US attention has been increasingly focusing on Asia and prioritising its relations with China, meaning it will inevitably

---

[400] Bergmann et al., 2022.
[401] Ukraine Support Tracker. Kiel Institute for the World Economy, 2023.
[402] European Sovereignty Index. European Council on Foreign Relations, 2022.
[403] Dempsey, 2023.

reduce and relocate its resources away from Europe.[404] As the subject of our analysis is ongoing and EU's response evolves according to the development of the war in Ukraine, the progress in defence initiatives is difficult to evaluate. At the time of writing, the state of play seemed to demonstrate that even with the war at the European continent, the EU member states could not fulfil the full potential of European defence. The EDA's figures support such conclusion, ultimately stating that the cooperation within the European Union has significantly declined over the last decade. Undoubtedly, Russia's aggression toward Ukraine has impacted the EU defence landscape, however, without the sustainable increase in funds for the EU's most promising defence initiatives, the Union's role in European security may continue to remain marginal with prevailing interdependence on the United States.

6.3 NEW AGENDA FOR EU ENLARGEMENT

Defence spending is not the sole possibility in ensuring security. Economic diplomacy and membership in various organisations and alliances also have the capacity to play an important role in warranting the national security. Russia's decision to launch a large-scale military operation on the territory of Ukraine has triggered the need to strengthen the geopolitical component in the EU's foreign policy. Years of enlargement fatigue and stalemate has been broken when the EU fast-tracked the integration process for the so-called Associated Trio (Georgia, Moldova, Ukraine) from the EaP region. After submitting their membership applications in March 2023, the European Council gave Ukraine and Moldova a candidate status, and a perspective to become a member to Georgia, during the Council meeting on 23 June 2023. This has been immediately deemed as a historical moment in European politics.[405] It was for the first time European Union has formally admitted that its enlargement to the East, and therefore closer to Russia and its self-proclaimed sphere of influence, is a realistic possibility. This represented a crucial geopolitical move as emphasised by the Council President, Charles Michel, saying the decisions is a "message of unity and a message of geopolitical determination".[406] Especially noteworthy was the speed with which the Commission prepared a conclusion

---

[404] Bergmann et al., 2022.
[405] Outcome of the meetings of EU leaders on 23-24 June 2022. EPRS, 2022.
[406] Remarks by President Charlers Michel following the first working session of the European Council, 23 June 2022, STATEMENTS AND REMARKS 623/22. Council of the EU, 2022.

on the possibility of granting Ukraine the candidate status. Kiev received EU's two questionnaires on compliance with political and economic criteria and on the ability to effectively implement the obligations of membership (also known as Copenhagen Criteria), on April 8 and April 13, 2022, respectfully. After Ukraine submitted its answers on April 17 and May 9, the European Commission issued a positive conclusion already on June 17, 2022.[407]

In contrast, some Western Balkan countries have waited in a prolonged stagnation to be granted that status, virtually since the 2003 European Council summit in Thessaloniki which set the integration process. Despite the countries' leaders' frustrations, the bold EU decision towards its eastern neighbours provided a window of opportunity for the aspiring countries in completing the integration process with accession negotiations having been opened with Albania and North Macedonia in July 2022, and following the Russian invasion of Ukraine, Bosnia and Herzegovina was expected to be granted the status of a candidate country.[408] Although, Ukraine candidate status was concluded exceptionally quick, the prospects of the actual membership may not look the same. Except the accession process being long and demanding, the EU enlargement policy on membership requires unanimity. Observers point out that there is little to zero chance of all member states agreeing to admit Ukraine while still at war with Russia, fearing it could trigger conflict with Russia.[409] Others warn that unnecessarily stalling Ukraine's accession process may lead to EU losing its credibility and even call for a fast-track negotiations for the country.[410] Nevertheless, the change of geopolitical context with Russia's full-scale invasion has led the EU to take historical decisions which represented policy shifts in two ways. Firstly, the step to extend enlargement further east essentially overcame the initial separation between enlargement and the Eastern Partnership and intertwined the two. Secondly, it created an impetus for redesigning the policies of the accession process

---

[407] Communication from the Commission to the European Parliament, the European Council and the Council, Commission Opinion on Ukraine's application for membership of the European Union, COM/2022/407 final. European Commission, 2022.
[408] Fact Sheets on the European Union, The Western Balkans. European Parliament, 2022.
[409] "The EU's geopolitical awakening?" Scazzieri, 2022.
[410] „The EU should fast-track negotiations for Ukraine's membership". Malmström, 2023; „Ukraine's accession talks need bold action in Kyiv and Brussels". Paul & Taran, 2023.

in order to address the grey zone between receiving the candidate status and actual membership in which the aspiring country can remain indefinitely without any progress.

The willingness to reconsider the logic of "outsider" vs. "insider" was declared by the European Commission already in 2020 by adopting a revised enlargement methodology to enhance the accession process for Western Balkans. Within this new approach, the Commission introduced an incentive of closer integration of "phasing-in to individual EU policies, the EU market and EU programmes" of candidate countries based on their reform progress.[411] Another positive innovation is coherently grouping 35 negotiation chapters by sector, enabling all of them to be worked on simultaneously. All in all, the new methodology entailed a form of sectoral integration, allowing the extension of specific benefits on inclusion in certain parts of internal market to candidate countries as soon as they meet the required conditions, which might happen before their accession to the EU. Even though, such sectoral integration became a part of the EU's approach enlargement, it has not been implemented in practice. However, some believe the granting of candidate status to Ukraine and Moldova can act as a momentum to reinforce the practical application.[412]

Advancing the Commission's proposal, CEPS and European Policy Centre (Belgrade) expert community introduced in 2021 the concept of staged, or differentiated integration, in a Template for Staged Accession to the EU.[413] The central idea of the proposal was to structure enlargement process along four Stages, allowing for progressive integration with the EU based on the reform progress achieved by candidate countries. The framework essentially offers an alternative accession model based on gradual and conditional access of applicant states to benefits of EU membership, including access to the EU structural funds and involvement in EU institutions, while pending full membership. The progressive stages are divided into (1) initial, (2) intermediate, (3) new Member State, and (4) conventional membership with each stage broadening the country's participation in EU policies and institutions. This idea was reinvigorated with

---

[411] Communication from the Commission to the European Parliament, the Council. The European Economic and Social Committee and the Committee of the Regions, Enhancing the accession process – A credible EU perspective for the Western Balkans, COM(2020) 57 final. European Commission, 2020.
[412] Kaveshnikov, 2022.
[413] Emerson et al., 2021.

the Russian invasion of Ukraine after which the Council President, Charles Michel, in May 2022 called for a serious reform of enlargement process to make it more effective and dynamic through "gradual, phased integration, even while the accession process in ongoing" and further emphasised the 'more for more' approach.[414] European Council's conclusions from the June 23-24 meeting further reiterated the proposal, calling to "further advance the gradual integration between the European Union and the region already during the enlargement process itself in a reversible and merit-based manner".[415]

The most recent step in redefining the enlargement policy was European Parliament's adoption of new EU strategy for enlargement in November 2022.[416] The report on strategy proposed a significant reform on decision-making, which would introduce a qualified majority vote in areas dealing with the accession process. It especially emphasised the need to remove the requirement of unanimous vote when deciding on the start of the negotiation process, as well as when opening and closing individual chapters. The rule of unanimity was previously criticised as under current legal framework any progress on enlargement strategy for individual countries needs to be unanimously agreed on by member states which previously often resulted in arbitrary decision making when it came to enlargement with member states derailing the process in pursuit of their own national interests.[417] The most recent example was the successive vetoes of Greece, France and Bulgaria to the opening of accession negotiations with North Macedonia, or visa liberalisation for Kosovo, despite the countries fulfilling the required benchmarks. The report on strategy also pointed out the need for EU countries to fully align their common foreign and security policy with the European Union, specifically demanding from Serbia to systematically align with the EU's restrictive measures and general policy towards Russia in order to advance accession negotiations.

---

[414] Speech by President Charles Michel at the plenary session of the European Economic and Social Committee, SPEECH 465/22. Council of the EU, 2022.
[415] European Council meeting (23 and 24 June 2022) – Conclusions, EUCO 24/22. European Council, 2022.
[416] European Parliament recommendation of 23 November 2022 to the Council, the Commission and the Vice-President of the Commission/Hight Representative of the Union for Foreign Affairs and Security Policy concerning the new EU strategy for enlargement (2022/2064(INI)). European Parliament, 2022.
[417] Delcour & Wolczuk, 2023: 6.

Among other options for facilitating closer integration of aspiring countries was French President Emmanuel Macron's proposal of a new European Political Community (EPoC) on 9 May 2022 as a direct response to the Russian war in Ukraine and Ukraine's application to become an EU member.[418] The Community was conceived as an EU-centric organisation based around the notion of shared values and as a space for cooperation in various sectors, such as security and energy. In the face of Russian invasion, the EPoC was to give EU candidate countries improved perspective of cooperation quicker than it would under the accession process. It was framed as a political space, beyond European Union, which would constitute a first sept towards membership. The proposal was endorsed both by the Council President Charles Michel at the June Council summit[419], and later by European Commission President Ursula von der Leyen at her State of the Union address[420], but with a different conception of the Community. The idea focused less on enlargement and shifted towards strategic cooperation with an image of EPoC offering an inclusive forum for dialogue among like-minded EU and non-EU countries on common issues of energy and security.

The first and inaugural meeting of the EPoC took place on 6 October 2022 in Prague under the Czech Presidency of the Council of the EU and brought together 44 countries along with Presidents of the European Council and of the European Commission. The main topics of the discussions involved peace and security, and energy, climate and the economic situation.[421] The agenda of the summit also included opportunities of bilateral talks outside of the multilateral discussions. Notable meeting was between the President of Azerbaijan and the Prime Minister of Armenia together with the French President and President of the European Council, during which the two countries made progress towards peace deal an agreed on setting up a civilian EU mission alongside the border.[422]

---

[418] Address by the President of the Republic at the Conference on the Future of Europe. Élysée, 2022.
[419] Speech by President Charles Michel at the plenary session of the European Economic and Social Committee, SPEECH 465/22. Council of the EU, 2022.
[420] 2022 State of the Union Address by President von der Leyen, SPEECH/22/5493. European Commission, 2022.
[421] Meeting of the European Political Community, 6 October 2022. European Council, 2022.
[422] Statement following quadrilateral meeting between President Aliyev, Prime Minister Pashinyan, President Macron and President Michel, 6 October 2022, STATEMENT AND REMARKS 821/22. European Council, 2022.

This led for the inaugural summit to be considered as a success, however there have been varying opinions and lack of clarity on what was the Community's primary goal.[423]

Although, it was clearly stated that the platform does not aim to replace any existing organisation, structure of process – in particular expansion, especially Eastern European countries perceived the idea of EPoC as a French attempt to avoid further enlargement.[424] Similarly, Emerson and Blockmans in their report piece cite Macron's remarks essentially saying the European Political Community would stop the logic of infinite expansion of the EU, considering such comment as contradictory to the French President's official declaration that the new forum would not act as an alternative to the enlargement.[425] There have been many opinion pieces published about the Community's future prospects with the majority of them highlighting that in order for the EPoC to not become a disappointment it needs to clearly define its priorities and how to fund them. At the same time, so as not to become an excuse for the EU to not deliver on their enlargement promise to candidate countries, some observers suggest the enlargement-related issues should be kept separated altogether when it comes to the future dealings of the EPoC.[426]

The EU undoubtedly experienced a geopolitical awakening as a result of the Russia's invasion of Ukraine which subsequently led to granting Ukraine and Moldova a candidate status. Compared to the Russia-Ukraine conflict after the 2014, the EU made historical steps in tackling the crisis rather than staying away from it. Granting Ukraine the candidate status has not only shown support and solidarity, but also revitalised the discussions about the enlargement reform, which remains to be the flagship of EU foreign policy, and introduction of new initiatives to facilitate closer integration of aspirant countries with the EU. However, despite the impetus resulting from the Russian war in Ukraine, the European Union is not ready to accept new members neither from Western Balkans nor from the new eastern candidates.[427] The issues vary from the budget to legal

---

[423] „Friends with benefits: How the European Political Community can further European integration". Delevic, 2022.
[424] Delcour & Wolczuk, 2023: 9.
[425] Emerson & Blockmans, 2022: 9.
[426] Stratulat, 2022; Nguyen, 2022; "The European (geo)political community and enlargement reform: Two Important but separate discussions". Mucznik, 2022.
[427] Dempsey, 2023a.

framework constraints. Not only are the EU resources limited and would pose difficulty in supporting the new member states, but also the enlargement process is highly complicated, with decision-making depending too heavily on the unanimity vote and Member States interfering in the negotiations according to their national interests. This makes the accession process unnecessarily long, leaving the applicant countries in a prolonged political vacuum with no progress. The EU not meeting its commitments to candidate countries can pose a high risk on its credibility as well as leave those countries susceptible to the influence of third powers. The possible pragmatic step forward, according to the experts, is a differentiated process in the form of staged integration entailing greater exposure to the EU's institutions and decision-making. This would, however, require further internal reforms in decision-making and the member states to become serious about the process and their responsibility to lead rather than obstruct, following the credo from 1992 of MEP Karl Hänsch: "*if you become larger, then you must be stronger to get all the things together and to keep them together*".[428]

---

[428] Interview with Klaus Hänsch, 2016: 30, Historical Archives of the European Union.

CONCLUSION

Jean Monnet, one of the founding fathers of the European Union, once famously declared that European Union will be forged in crisis. The numerous crises Europe had to deal with over the decades which accompanied the institutionalisation of European framework of cooperation in security and defence, in particular, are clear evidence of this statement. The eruption of hostilities in the Balkans in the early 1990s and the EU's limited tools to respond to the conflicts showcased the EU leaders the need for collective action in foreign policy, resulting in the 1993 Maastricht Treaty establishing a security pillar of Common Foreign and Security Policy. Since 1999 the EU has focused on its ability to respond to security crises and enhance its military capabilities through the European Security and Defence Policy. Year 2009 and the EU's Lisbon Treaty sought to increase the EU's role as a foreign policy actor and established a High Representative of the Union for Foreign Affairs and Security Policy and created Union's diplomatic arms of European External Action Service. Since then, the CFSP remains a work in progress and throughout the years the EU's global actorness has been mostly limited to stabilisation processes in its neighbouring regions largely focusing on tasks such as peacekeeping, crisis management, and humanitarian assistance under the framework of CSDP operations. The Russian invasion of Ukraine in 2022 has, however, brought yet another conflict of an unprecedented scale. Not only did the war erupted on European continent, but it also posed direct security, economic and migration crisis to EU Member States.

This paper mapped the long and complicated road of deteriorating relations of Ukraine with Russia and Russia with the EU, and generally the West which brought a war to European continent for the first time after the end of Second World War. Russia had a long-term goal in keeping Ukraine in its sphere of influence putting various economic and political pressures on Kiev's government virtually since the dissolution of Soviet Union. This pressure eventually culminated in 2014 by a radical decision of Russia annexing Crimea. The EU along with its Allies denounced these actions and immediately adopted restrictive measures against Russia. These, however, did not bring the desired results of neither plummeting Russia's economy nor created a change in Russian policy toward Ukraine. Albeit there continued to be attempts to resolve the conflict based on various peaceful agreements, such as Minsk I and Minsk II, however, none of these

resulted in cessation of violence and hostilities in Ukrainian eastern Donbas and Luhansk regions, and the conflict entered its frozen phase. Since then, the EU-Russian relations continued to deteriorate until it reached an escalation point on February 2022 with Russia launching a full-scale military operation in Ukraine under the veil of de-nazifying and demilitarising it from Kiev's government all the while continuing its rhetoric of the Western hostile anti-Russian perceptions and ongoing eastward NATO expansion. Neither the European Union nor NATO were in a position to defend Ukraine directly, therefore they adopted measures of implementing sanctions, isolating Russia and providing military support.

We have provided instances of substantial progress in European defence prior to the 2022 invasion, particularly since the adoption of the EU Global Strategy in 2016. The changes became more dramatic after the 24 February 2022. The adjectives commonly used by the expert community in regard to European defence and security after Russian invasion of Ukraine raged from 'shocking', 'a watershed moment' to a 'turning point' or a 'revolution'. Indeed, our thesis showcased a turning point especially in EU's sanctioning practice and its military support to Ukraine. The sanctions from February 2022 onward represented the most comprehensive restrictive measures the EU has imposed against another state with broadened scope, surprisingly swift implementation, and unity among the actors. In contrast to those adopted in 2014, the restrictive measures in 2022 could have a long-lasting effect on Russian economy and technological advancement. Historical policy shift was in EU's military assistance to Ukraine. It was for the first time in European history, the Union authorised lethal military assistance to a third country engaged in armed conflict.

Historical moment was also highlighted withing the EU's enlargement policy. Russia's decision to launch its invasion in Ukraine resulted in EU fast-tracking the integration process of Ukraine (and Moldova and Georgia) by giving it a candidate status with a noteworthy speedy decision, representing an important geopolitical move by admitting the realistic possibility of EU's enlargement to the east. This broke the long-lasting enlargement fatigue and stalemate the Western Balkans have been in for decades. Such decision created an impetus for redesigning the policies in accession process to make it more effective and acted as a starting point for the creation of a new dialogue forum for

strategic cooperation, European Political Community. Yet, at this point in time, the EU is not ready to accept new members. The arduous and protracted accession process along with EU's budgetary constraints give little optimism to Ukraine (and possibly other waiting candidate countries, such as Western Balkans) receiving an actual membership in following years.

Further changes our paper analysed entailed increased national defence spending which proved to be more problematic and target of various criticism. The Russia-Ukraine conflict rendered European countries to spend more on defence, but they cooperated less. It revealed significant gaps in European defence budget and its defence capabilities. Newly generated urgency about EU's autonomy in the field of defence and security was challenged by reinforced NATO's importance. Once again, European Union was not prepared to face its security issues alone due to long-term under-investment in defence, and in the face of Russian threat remained greatly dependant on the US for security and failed to improve its defence cooperation. This leads us to conclude the member states, even with the war on the continent, were unable to make use of the full potential of European defence.

As the Russian war in Ukraine is ongoing and the prospect of its possible end is unforeseen in the near future the real impact on European defence and security is difficult to measure. What our thesis has essentially proved is that there was undoubtedly a stark contrast between the EU's reaction to Russia's February 2022 offensive against Ukraine with its response to the previous invasion and annexation of Crimea. With European defence having been for years described as negligible with unfulfilled potential, major war returning to the continent proved EU's value in defence by the Union making use of its budgetary and regulatory tools to create an industrial base for European defence which can provide military capabilities and help Europe stabilise its own neighbourhood. We therefore come back to Jean Monnet's statement of EU's ability to grow through crisis. Just as the previous financial, migration crises or coronavirus pandemic led to changes in budgets, institutional structures, and legal frameworks, the first year of Russia-Ukrainian crisis seems to follow the same pattern in regard of the EU's foreign and security policy. However, for progress to continue and expand even in the following period of the ongoing

war, the EU cannot lose its momentum and must focus on overcoming member states national interests.

BIBLIOGRAPHY

ALCARO, R. et al. (2022). A Joined-Up Union, a Stronger Europe. A Conceptual Framework to Investigate EU Foreign and Security Policy in a Complex and Contested World. JOINT Research Papers No.8, March 2022 (updated August 2022). Available online: https://www.jointproject.eu/wp-content/uploads/2022/09/joint_rp_8.pdf.

ALCIDI, C. et al. (2023). How successful have Western sanctions against Russia been? Centre for European Policy Studies (CEPS). https://www.ceps.eu/wp-content/uploads/2023/02/CEPS-Explainer-2023-03_-Impact-of-the-sanctions-on-Russia.pdf.

ALEKSASHENKO, S. (2016). Have Sanctions Influenced Russia's Foreign Policy? In Evaluating Western Sanctions on Russia (pp. 7–8). Atlantic Council. http://www.jstor.org/stable/resrep03689.7.

ALESINA, M. (2022) Staged Integration for Future EU Enlargement: Geopolitical Imperatives and Liberal Leadership. European Liberal Forum, Policy Paper no. 20, 2022. https://liberalforum.eu/wp-content/uploads/2022/11/Policy-Paper-20-Staged-Integration-for-Future-EU-Enlargement.pdf.

ALLISON, R. (2014). Russian "deniable" intervention in Ukraine: how and why Russia broke the rules. In International Affairs (Royal Institute of International Affairs 1944-), 90(6), 1255–1297. http://www.jstor.org/stable/24538666.

AMORIN, L., BISCOP, S. et al., (2021). Handbook on CSDP: The Common Security and Defense Policy of the European Union, 4th edition, Directorate for Security Policy of the Federal Ministry of Defense of Austria , published by Jochen Rehrl (Vienna). ISBN: 978-3-902275-51-6 . https://www.coe-civ.eu/kh/handbook-on-csdp-the-common-security-and-defense-policy-of-the-european-union.

ARNOLD, E. (2022). An Unprecedented Week for European Security. The Royal United Services Institute for Defence and Security Studies (RUSI). https://rusi.org/explore-our-research/publications/commentary/unprecedented-week-european-security.

ASHFORD, E. (2016). Not-So-Smart Sanctions: The Failure of Western Restrictions Against Russia. Foreign Affairs, 95(1), 114–123. http://www.jstor.org/stable/43946631.

BALFOUR, R. (2012). Changes and Continuities in EU-Mediterranean Relations After The Arab Spring. In An Arab Springboard for EU Foreign Policy? Egmont Paper 54, 27-35. http://aei.pitt.edu/47691/1/Arab_Springboard_for_EU_Foreign_Policy.pdf.

BALFOUR, R. (2022). What Russia's War in Ukraine Means for Europe. Carnegie Europe, 2022. Available online: https://carnegieeurope.eu/strategiceurope/86587.

BAZOOBANDI, S. et al. (2015). INTRODUCTION. In On target?: EU sanctions as security policy tools(pp. 7–16). European Union Institute for Security Studies (EUISS). http://www.jstor.org/stable/resrep07074.5.

BEBLER, A. (2015). Crimea and the Ukrainian-Russian conflict. In "Frozen conflicts" in Europe (1st ed., pp. 189–208). Verlag Barbara Budrich. http://www.jstor.org/stable/j.ctvdf0bmg.22

BERGMANN, M. et al. (2022) Transforming European Defence. Center for Strategic and International Studies (CSIS), August 2022. Available online: https://www.csis.org/analysis/transforming-european-defense.

BERGMANN, M., TOYGÜR, I., SVENDSEN, O. (2023). A Continent Forged in Crisis: Assessing Europe One Year into the War. Center For Strategic & International Studies, February 2023. Available online: https://www.csis.org/analysis/continent-forged-crisis-assessing-europe-one-year-war.

BESCH, S. (2022). EU Defence and the War in Ukraine. Carnegie Endowment for International Peace, December 2022. Available online: https://carnegieendowment.org/publications/88680.

BICCHI, F. (2014). The Politics of Foreign Aid and the European Neighbourhood Policy Post-Arab Spring: 'More for More' or Less of the Same? In Mediterranean Politics 19(3), 318-332. DOI: https://doi.org/10.1080/13629395.2014.959758.

BISCOP, S. (2022). A European Defence Summit in May 2022: From Compass to Capabilities. Egmont Royal Institute for International Relations, Policy Brief 275. Available online: https://www.egmontinstitute.be/app/uploads/2022/04/Sven-Biscop_PolicyBrief275_v2.pdf?type=pdf.

BLOCKMANS, S. (2013). Differentiation in CFSP. Studia Diplomatica, 66(3), 53–68. https://www.jstor.org/stable/26531585.

BLOCKMANS, S. (2022) In Security and Defence Policy, the Emergence of a Geopolitical EU. In A Transformational Moment? The EU's response to Russia's War in Ukraine. (pp. 7–11). CEPS, Special Report. https://www.ceps.eu/wp-content/uploads/2022/05/A-transformational-moment_The-EUs-response-to-Russias-war-in-Ukraine.pdf.

BLOCKMANS, S., De AGOSTINI, L. (2022). Assessing the EU's Military Assistance to Ukraine: Too little but not too late to do better. CEPS Policy Brief, October, 2022-08. https://www.ceps.eu/wp-content/uploads/2022/10/CEPS-PB2022-08_EU-military-assistance-to-Ukraine.pdf.

BLOCKMANS, S., De AGOSTINI, L. (2023). After a year of arms deliveries to Ukraine, the EU needs to step up and speed up. CEPS. Available online: https://www.ceps.eu/after-a-year-of-arms-deliveries-to-ukraine-the-eu-needs-to-step-up-and-speed-up/.

BLOCKMANS, S., EMERSON, M. (2022) The New Agenda for the EU's Enlargement and Neighbourhood Policies. CEPS Policy Insight, No. 2022-20. https://www.ceps.eu/wp-content/uploads/2022/06/CEPS-PI2022-20_New-Agenda-for-EU-Enlargement.pdf.

BLUMENAU, B. (2022). Breaking with convention? Zeitenwende and the traditional pillars of German foreign policy. In International Affairs 98(6), 1895-1913. DOI: https://doi.org/10.1093/ia/iiac166.

BOGDANOVA, I. (2022). The Legality of Unilateral Economic Sanctions under Public International Law. In Unilateral Sanctions in International Law and the Enforcement of

Human Rights. Leiden, The Netherlands: Brill | Nijhoff. DOI: https://doi.org/10.1163/9789004507890_004.

BORRELL, J. (2022). "Putin's War Has Given Birth to Geopolitical Europe". Project Syndicate, March 2022. Available online: https://www.project-syndicate.org/commentary/geopolitical-europe-responds-to-russias-war-by-josep-borrell-2022-03.

BORRELL, J. (2022). Beyond sanctions: what future for Russia? ICEI Working Papers 06/22. Available online: https://eprints.ucm.es/id/eprint/76362/1/WP06-22.pdf.

BORTOLONI, E. M. (2022). First-Ever EU Funding of Lethal Weapons: 'Another Taboo Has (Lawfully) Fallen'. European Papers, 7(1), 379-383. doi: 10.15166/2499-8249/569.

BREMBERG, N. (2016) Making sense of the EU's response to the Arab uprisings: foreign policy practice at times of crisis. European Security 25(4), 423-441, DOI: 10.1080/09662839.2016.1236019.

BREMBERG, N., HEDLING, E. (2022). EU mission and operations: practices of learning lessons in the CSDP. In The Everyday Making of EU Foreign and Security Policy (pp. 131-148). Doi: https://doi.org/10.4337/9781789907551.00018.

BURKE, J. (2015). Economic Sanctions Against the Russian Federation Are Illegal under Public International Law. Russian Law Journal 3(3):126. DOI: 10.17589/2309-8678-2015-3-3-126-141.

CANAY, Y. (2008). EU's Common Foreign Policies towards Russia: Past, Present and Future. In Claremont-UC Undergraduate Research Conference on the European Union 2008(5), 23-36. https://scholarship.claremont.edu/cgi/viewcontent.cgi?article=1016&context=urceu.

CASIER, T. (2018). EU-Russia Relations in Crisis: The Dynamics of a Breakup. In EU-Russia Relations in Crisis: Understanding Diverging Perceptions (pp. 13-30). Routledge Studies in European Foreign Policy. ISBN 978-1-315-44456-7.

CHARRON, A., PORTELA, C. (2015). The UN, regional sanctions and Africa. International Affairs (Royal Institute of International Affairs 1944-), 91(6), 1369–1385. http://www.jstor.org/stable/24539066.

CONNOLLY, R., et al. (2015). The Impact Of Eu Economic Sanctions On Russia. In On Target?: EU Sanctions as Security Policy Tools (pp. 29–38). European Union Institute for Security Studies (EUISS). http://www.jstor.org/stable/resrep07074.7.

CRIMMINO, R. (2018). Putin In Crimea: Have Sanctions Run Their Course? Harvard International Review, 39(2), 16–18. https://www.jstor.org/stable/26617332.

CROSSON, M. D. (2023) The European Peace Facility: Supporting Ukraine and bolstering the EU's strategic responsibility. CEPS. Available online: https://www.ceps.eu/the-european-peace-facility/.

D'ANIERI, P. (2019) Ukraine and Russia: From Civilized Divorce to Uncivil War. Cambridge: Cambridge University Press. https://doi.org/10.1017/9781108657044.

DAVIS CROSS, M., KAROLEWKI, P. (2021). European-Russian Power Relations in Turbulent Times. Ann Arbor: University of Michigan Press.

DELCOUR, L., WOLCZUK, K. (2023). Ukraine and the EU at the Time of War: A New Paradigm. LibMod Policy Paper, January 2023. Available online: https://libmod.de/wp-content/uploads/LibMod_Ukraine_CandidateStatus.pdf.

DELEVIC, M. (2022). "Friends with benefits: How the European Political Community can further European integration". ECFR, December 2022. Available online: https://ecfr.eu/article/friends-with-benefits-how-the-european-political-community-can-further-european-integration/.

DEMPSEY, J. (2023). Judy Asks: Is European Strategic Autonomy Over?. Carnegie Europe, January 2023. Available online: https://carnegieeurope.eu/strategiceurope/88838.

DEMPSEY, J. (2023a). Judy Asks: Is the EU Ready for Further Enlargement?. Carnegie Europe, May 2023. Available online: https://carnegieeurope.eu/strategiceurope/89678.

DUMOULIN, A. (2009). The origins of WEU: Western Union. Cvce.eu, 2016. https://www.cvce.eu/en/recherche/unit-content/-/unit/72d9869d-ff72-493e-a0e3-bedb3e671faa/051bd03c-4887-4f53-82eb-0f12e59f8dbd/Resources#9a4a1097-4d03-4269-9989-ed781a2d8fb8_en&overlay.

EDWARDS, G. (1985). Human Rights and Basket III Issues: Areas of Change and Continuity. *International Affairs (Royal Institute of International Affairs 1944-)*, *61*(4), 631–642. https://doi.org/10.2307/2617708.

ELIASSEN, K. (1998). Introduction: The New European Foreign and Security Policy Agenda. In Foreign and Security Policy in the European Union (pp. 1–9). SAGE Publications, London. ISBN 0761956328.

EMERSON, M. et al. (2016). Deepening EU-Ukrainian Relations: What, why and how? CEPS, 2016. http://aei.pitt.edu/79178/1/Ukraine_e-version_with_covers.pdf.

EMERSON, M. et al. (2021). A Template for Staged Accession to the EU. CEPS & European Policy Centre (Belgrade), October 2021. Available online: https://www.ceps.eu/wp-content/uploads/2021/10/A-Template-for-Staged-Accession-to-the-EU.pdf.

EMERSON, M., BLOCKMANS, S. (2022). Next Steps for EU Enlargement – Forwards or Backwards? SCEEUS Guest Platform for Eastern European Policy No.12, Guest Report No. 2 2022. Available online: https://www.ceps.eu/wp-content/uploads/2022/11/next-steps-for-eu-enlargement-forwards-or-backwards.pdf.

FIOTT, D., et al. (2020). As you were?: The EU as an evolving military actor. In THE CSDP IN 2020: The EU's legacy and ambition in security and defence (pp. 110–123). European Union Institute for Security Studies (EUISS). http://www.jstor.org/stable/resrep36290.12

FOY, H. (2023). "Arming Ukraine: how war forced the EU to rewrite defence policy". Financial Times, February, 2023. Available online: https://www.ft.com/content/1b762ff1-2c7f-40a1-aee9-d218c6ef6e37.

GIEGERICH, B. (2023). Zeitenwende one year on. International Institute for Strategic Studies (IISS), February 2022. https://www.iiss.org/online-analysis/online-analysis//2023/02/zeitenwende-one-year-on.

GIUMELLI, F. (2013). How do sanctions work? In How EU sanctions work: A new narrative (pp. 15–26). European Union Institute for Security Studies (EUISS). http://www.jstor.org/stable/resrep06969.6.

GIUMELLI. F. (2020). Implementation of sanctions: European Union. In Economic Sanctions in International Law and Practice (pp. 116-136). Routledge Advances in International Relations and Global Politics. ISBN 978-0-429-05298-9.

GOORMAGHTIGH, J. (1954). France and the European Defence Community. International Journal, 9(2), 96–106. https://doi.org/10.2307/40197989.

GRAHAM, T. (2023). Ukraine Has Held Off Russia's Invasion – So Far. Here's How. Council on Foreign Relations, 2023. Available online: https://www.cfr.org/in-brief/ukraine-has-held-russias-invasion-so-far-heres-how.

GROSS, E., et al. (2009). Operation CONCORDIA (fYROM). In European Security and Defence Policy: the first ten years (1999-2009) (pp. 173–180). European Union Institute for Security Studies (EUISS). http://www.jstor.org/stable/resrep36293.9.

H. G. L. (1952). The European Defence Community. The World Today, 8(6), 236–248. http://www.jstor.org/stable/40392529.

HAASS, R. (2023). Why the War Will Continue. In Project Syndicate, 2023. Available online: https://www.project-syndicate.org/commentary/russia-ukraine-war-no-appetite-for-compromise-by-richard-haass-2023-02.

HAMILTON, T. (2022). Defending Ukraine with EU weapons: Arms control law in times of crisis. European Law Open, 1(3), 635-659. doi:10.1017/elo.2022.35.

HAROCHE, P. (2022). "Why the EU needs a wartime investment plan". The London School of Economics and Political Science (LSE), September 2022. https://blogs.lse.ac.uk/europpblog/2022/09/08/why-the-eu-needs-a-wartime-investment-plan/.

HAUKKALA, H. (2001). Two Reluctant Regionalizers? The European Union and Russia in Europe's North. Upi Working Papers 32(2001). The Finnish Institute of International Affairs. https://www.bits.de/CESD-PA/WP32.pdf.

HAYASHI, M. (2020). Russia: The Crimea questions and Autonomous Sanctions. In Economic Sanctions in International Law and Practice. New York, NY: Routledge. ISBN: 978-0-429-05298-9.

HENLEY, J. (2022). "Denmark votes overwhelmingly to join EU's common defence policy". The Guardian, June 2022. Available online: https://www.theguardian.com/world/2022/jun/01/denmark-votes-on-joining-eus-common-defence-policy.

HERSZENHORN, M. D. et al. (2022) "Germany to send Ukraine weapons in historic shift on military aid". POLITICO, February 2022. Available online: https://www.politico.eu/article/ukraine-war-russia-germany-still-blocking-arms-supplies/.

HILL, C. (2002). The Geo-political Implications of Enlargement. EUI Working Paper RSC No. 2000/30. European University Institute, Florence.

https://www.bits.de/CESD-PA/chai47.pdf.

HURD, D. (1994). Developing the Common Foreign and Security Policy. International Affairs (Royal Institute of International Affairs 1944-), 70(3), 421–428. https://doi.org/10.2307/2623703.

ISBISTER, R. & SLIJPER, F. (2021). "Weapons for peace? What to expect in 2021 from the EU's new 'peace facility'". SaferWorld.org, January 2021. Available online: https://www.saferworld.org.uk/resources/news-and-analysis/post/936--weapons-for-peace-what-to-expect-in-2021-from-the-euas-new-apeace-facilitya.

JOFFE, J. (1984). Europe's American Pacifier. Foreign Policy, 54, 64–82. https://doi.org/10.2307/1148355.

JONES, S. (2007). The Rise of European Security Cooperation. New York: Cambridge University Press. ISBN-13 978-0-511-27776-4.

KAVESHNIKOV, N. Y. (2022). Ukraine's Membership Application as a Trigger to Reform the EU Enlargement Policy. Herald of the Russian Academy of Sciences 92(7), 651-659. Doi: https://doi.org/10.1134/S1019331622130032.

KERNIC, F. (2006). European Security in Transition: the European Security Architecture since the End of the Second World War – An Overview. In European Security in Transition (pp. 5-22). Cornwall, Great Britain: MPG Books Ltd. ISBN-13: 978-0-7546-4961-8.

KIRCHIK, J. (2018). "Europeans want to break up with America. They'd do so at their peril". Brookings, 25 May 2018. Available online: https://www.brookings.edu/blog/order-from-chaos/2018/05/25/europeans-want-to-break-up-with-america-theyd-do-so-at-their-peril/.

KNAUER, J. (2011). EUFORAlthea: Appraisal and Future Perspectives of the EU's Former Flagship Operation in Bosnia and Herzegovina. EU Diplomacy Papers, 07/2011. College of Europe. http://aei.pitt.edu/33452/2/EDP_7_2011_Knauer.pdf.

KOPRALEVA, I., VINK, M. (2015). EU Sanctions in Response to Intra-state Conflicts: A Comparative Approach. In European Foreign Affairs Review 20(03), 315-338. DOI: http://dx.doi.org/10.54648/EERR2015030.

KORHONNEN, I. (2019). Economic Sanctions on Russia and their Effects. In CESifo Forum 20(4), 19-23. https://www.cesifo.org/DocDL/CESifo-forum-2019-4-december.pdf.

KOUTRAKOS, P. (2017). The European Union's Common Foreign and Security Policy after the Treaty of Lisbon. Swedish Institute for European Policy Studies, 2017:3. ISBN 978-91-86107-73-4. https://www.sieps.se/en/publications/2017/the-european-unions-common-foreign-and-security-policy-after-the-treaty-of-lisbon-20173/sieps_2017_3.

KRENZLER, H. G. (1997). The Geostrategic and International Political Implication of EU Enlargement. Policy Paper 98/2. European University Institute, Florence. https://cadmus.eui.eu/bitstream/handle/1814/23660/1998_EUI%20WP_Policy_papers_002.pdf?sequence=1&isAllowed=y.

KUZIO, T. (2003) EU and Ukraine: A Turning Point in 2004? Occasional Papers, no. 47. European Union Institute for Security Studies. https://www.iss.europa.eu/sites/default/files/EUISSFiles/occ47.pdf.

LAK, M.W.J. (1992) The Constitutional Foundation. In Toward Political Union: Planning a Common Foreign and Security Policy in the European Community (pp. 104-140). New York, NY: Routledge, 1992. ISBN 13: 978-0-367-21186-8.

LATAWSKI, P. & SMITH, M. (2003). The Kosovo Crisis and the Evolution of post-Cold War European Security. Manchester University Press. ISBN 0 7190 5979 8.

LATICI, T. (2020). Understanding EU-NATO cooperation: Theory and Practice. Brussels: European Parliamentary Research Service. https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/659269/EPRS_BRI(2020)659269_EN.pdf.

LAURSEN, F. (2011). The Lisbon Treaty: A First Assessment. In Centre international de formation européenne, 2011/4 no. 362, 45-57. ISBN 9782855051833. https://www.cairn.info/revue-l-europe-en-formation-2011-4-page-45.htm.

LAVROV, S. (2016). Russia's Foreign Policy in a Historical Perspective. Russia in Global Affairs, No.2 2016 April/June. https://eng.globalaffairs.ru/articles/russias-foreign-policy-in-a-historical-perspective/.

LEFLER, C. (2023). One Year of War in Ukraine: Understanding what has happened and what needs to happen next. CEPS Explainer, 05-2023. https://www.ceps.eu/wp-content/uploads/2023/03/CEPS-Explainer-2023-05-Ukraine-One-Year-On.pdf.

LEPIARZ, J. (2023). "Poland pressed Germany to send Leopard tanks to Ukraine". Deutsche Welle, January 2023. Available online: https://www.dw.com/en/poland-pressed-germany-to-send-leopard-tanks-to-ukraine/a-64503764.

LOTH, W. (2015). Building Europe: A History of European Unification. De Gruyter Oldenbourg. ISBN 978-3-11-042481-2.

LOVATO, M. (2021). The Internal Contestation of EU Foreign and Security Policy. JOINT Research Papers No.1, September 2021. Available online: https://www.jointproject.eu/wp-content/uploads/2021/10/joint_rp_1.pdf.

LUTHRA, G. (2022). The Russia-Ukraine Conflict and Sanctions: Assessment of the Economic and Political Impacts. Occasional Paper, Issue no. 374. Observer Research Foundation, 2022. https://www.orfonline.org/wp-content/uploads/2022/10/ORF_OP-374_Russia-Ukraine-Conflict-and-Economic-Sanctions.pdf.

LYNCH, D. (2003). Russia faces Europe. Chaillot Papers no. 60. Institute for Security Studies, May 2003. Available online: https://www.iss.europa.eu/sites/default/files/EUISSFiles/cp060e.pdf.

MALETTA, G. & HÉAU, L. (2022). Funding arms transfers through the European peace Facility: Preventing Risks of Diversion and Misuse. Stockholm International Peace Research Institute (SIPRI). https://www.sipri.org/sites/default/files/2022-06/2206_supplying_weapons_through_the_epf_1.pdf.

MALMSTRÖM, C. (2023). "The EU should fast-track negotiations for Ukraine's membership". Peterson Institute for International Economics (PIIE), February 2023.

Available online: https://www.piie.com/blogs/realtime-economics/eu-should-fast-track-negotiations-ukraines-membership.

MAROCCHI, T. (2017). EU-Russia Relations: Towards an Increasingly Geopolitical Paradigm. Heinrich Böll Stiftung, Brussels. https://eu.boell.org/sites/default/files/uploads/2017/07/eu-russia-relations_towards-an-increasingly-geopolitical-paradigm.pdf.

MASTERS, J. (2023). Ukraine: Conflict at the Crossroads of Europe and Russia. Council on Foreign Relations, 2023. Available online: https://www.cfr.org/backgrounder/ukraine-conflict-crossroads-europe-and-russia#chapter-title-0-8.

McFAUL, M. (1999). Russia's Many Foreign Policies. In Demokratisatsiya, 7(3), 393-412. https://demokratizatsiya.pub/archives/07-3_mcfaul.pdf.

MEARSHEIMER, J. J. (2014). Why the Ukraine Crisis Is the West's Fault: The Liberal Delusions That Provoked Putin. In Foreign Affairs, 93(5), 77–89. http://www.jstor.org/stable/24483306.

MEISTER, S (2022). A Paradigm Shift: EU-Russia Relations After the War in Ukraine. Carnegie Europe, November 2022. https://carnegieeurope.eu/2022/11/29/paradigm-shift-eu-russia-relations-after-war-in-ukraine-pub-88476.

MENKISZAK, M. (2016). Why War Came to Ukraine. In Russia's Long War on Ukraine (pp. 2–8). German Marshall Fund of the United States. http://www.jstor.org/stable/resrep19013.4.

MERLINGEN, M., et al. (2009). EUPM (Bosnia and Herzegovina). In European Security and Defence Policy: the first ten years (1999-2009) (pp. 161–172). European Union Institute for Security Studies (EUISS). http://www.jstor.org/stable/resrep36293.8.

MICHALSKI, A. (2019). European foreign and security policy in the making: a historical overview. In The Everyday Making of EU Foreign and Security Policy: Practices,

Socialisation and the Management of Dissent (pp. 12-24). Edward Elgar Publishing. ISBN 978 1 78990 755 1.

MISSIROLI, A. (2003). From Copenhagen to Brussels European Defence: core documents. Challiot Paper no. 67. Institute for Security Studies: Paris, 2003. ISSN 1017-7566. https://www.iss.europa.eu/sites/default/files/EUISSFiles/cp067e.pdf.

MORAN, N. (2022). "Legal questions surrounding EU sanctions of Russia". Brexit Institute News, March 31, 2022. Available online: https://dcubrexitinstitute.eu/2022/03/legal-questions-eu-sanctions-russia/.

MUCZNIK, M. (2022). "The European (geo)political community and enlargement reform: Two important but separate discussions". European Policy Centre, July 2022. Available online: https://www.epc.eu/en/Publications/The-European-geopolitical-community-and-enlargement-reform~49e404.

MURPHY, R. (2008). The European Union and Developments in Crisis Management Operations and Peacekeeping. Connections, 8(1), 58–91. http://www.jstor.org/stable/26326159.

NGUYEN, T. (2022). European Political Community: From family photo to 'strategic intimacy'. Hertie School Jacques Delors Centre, Policy Brief, November 2022. Available online:
https://www.delorscentre.eu/fileadmin/2_Research/1_About_our_research/2_Research_centres/6_Jacques_Delors_Centre/Publications/20221108_Nguyen_EuropeanPoliticalCommunity.pdf.

NIČ, M., GHERASIMOV, C. (2019). Eastern Challenges for Josep Borrell – and the EU. DGAP-Standpuk, No. 26. Berlin: Forschungsinstitut der Deutschen Gesellschaft für Auswärtige Politik e.V.. https://www.ssoar.info/ssoar/bitstream/handle/document/66198/ssoar-2019-nic_et_al-Eastern_Challenges_for_Josep_Borrell.pdf?sequence=1&isAllowed=y&lnkname=ssoar-2019-nic_et_al-Eastern_Challenges_for_Josep_Borrell.pdf.

NUNES, I. F. (2016). The European Union Global Strategy. National Defense Institute of Portugal. http://www.jstor.org/stable/resrep19224.

NUTTAL, S. (1992). The Institutional Network and the Instruments of Action. In Toward Political Union: Planning a Common Foreign and Security Policy in the European Community (pp. 141-199). New York, NY: Routledge, 1992. ISBN 13: 978-0-367-21186-8.

OLSSON, P., OXENSTIERNA, S. (2015). The Economic Sanctions Against Russia: Impact and Prospects of Success. FOI Research-Report Series No. 4097, September 2015. https://www.researchgate.net/publication/281619387_The_economic_sanctions_against _Russia.

OPROIU, M. (2012). The European Union as a Conflict Manager: Perspectives after the Lisbon Treaty. Studia Diplomatica, 65(4), 39–54. https://www.jstor.org/stable/26531553.

PAUL, A. & TARAN, S. (2023). "Ukraine's accession talks need bold action in Kyiv and Brussels". European Policy Centre (EPC), March 2023. Available online: https://www.epc.eu/en/Publications/Ukraines-accession-talks-need-bold-action-in-Kyiv-and-Brussels~4f3f1c.

PETERS, K., ROOD, J., GROMADZKI, G. (2009). The Eastern Partnership: Towards a New Era of Cooperation between the EU and its Eastern Neighbours? Clingendael Institute. http://www.jstor.org/stable/resrep05376.

PINGEN, A. (2022). "EU's 'Freeze and Seize' Task Force Tackles Oligarchs' Money". EUCRIM.eu, 21 June 2022. Available online: https://eucrim.eu/news/eus-freeze-and-seize-task-force-tackles-oligarchs-money/.

PORNSCHLEGEL, S., TOYGÜR, I. (2022). After Russia's invasion of Ukraine: Unity is good, but ambition is better. European Policy Centre, Discussion Paper, 1 June 2022. Available online: https://www.epc.eu/content/PDF/2022/Differentiated_integration_DP.pdf.

PORTELA, C., KLUGE, J. (2022). Slow-Acting Tools: Evaluating EU sanctions against Russia after the invasion of Ukraine. European Institute of Security Studies (EUISS). http://www.jstor.org/stable/resrep44887.

PORTER, R. (2022). "EBRD sees war on Ukraine causing major growth slowdown". European Bank for Reconstruction and Development, March 31, 2022. Available online: https://www.ebrd.com/news/2022/ebrd-sees-war-on-ukraine-causing-major-growth-slowdown.html.

RFERL (2016). "Juncker Says Ukraine Not Likely to Join EU, NATO for 20-25 Years". 2016. Available online: https://www.rferl.org/a/juncker-says-ukraine-not-likely-join-eu-nato-for-20-25-years/27588682.html.

RHEIN, E. (1992). The Community's External Reach. In Toward Political Union: Planning a Common Foreign and Security Policy in the European Community (pp. 77-103). New York, NY: Routledge, 1992. ISBN 13: 978-0-367-21186-8.

RIEKER, P. (2012). Integration, Security and the European Neighbourhood: The Imporance of the ENP as a Security Policy Instrument. In *Studia Diplomatica, 65*(1), 69–78. https://www.jstor.org/stable/26531520.

RITTIMANN, O. (2021) Operation Althea and the virtues of the Berlin Plus Agreement. NDC Policy Brief, no.02, January 2021. NATO Defence College: Research Division. https://www.ndc.nato.int/news/news.php?icode=1521.

RODT, A. P., WOLFF, S. (2012). European Union Conflict Management in the Western Balkans. In Civil Wars, 14(3), 414-430. DOI: https://doi.org/10.1080/13698249.2012.707415.

RUTTEN, M (2001). From St-Malo to Nice European Defence: core documents. Chaillot Paper no. 47. Institute for Security Studies: Paris, 2001. ISSN 1017-7566.

RUTTEN, M. (2002) From Nice to Laeken European Defence: core documents Vol II. Chaillot Paper no. 51. Institute for Security Studies: Paris, 2002. ISSN 1017-7566. https://www.iss.europa.eu/sites/default/files/EUISSFiles/cp051e.pdf.

SCAZZIERI, L. (2022). "The EU's geopolitical awakening?". UK in a Changing Europe, March 2022. Available online: https://ukandeu.ac.uk/the-eus-geopolitical-awakening/.

SECRIERU, S. (2015). Have EU Sanctions Changed Russia's Behaviour in Ukraine? In On target?: EU sanctions as security policy tools (pp. 39–48). European Union Institute for Security Studies (EUISS). http://www.jstor.org/stable/resrep07074.8.

SENS, A. (2007). The Changing Politics of European Security. In The Changing Politics of European Security: Europe Alone? (pp. 1-31). Palgrave Studies. ISBN-13: 978-0-230-01994-2.

SERRANO, P., et al. (2020). Truth and dare: A personal reflection on 20 years of CSDP. In: THE CSDP IN 2020: The EU's legacy and ambition in security and defence (pp. 16–37). European Union Institute for Security Studies (EUISS). http://www.jstor.org/stable/resrep36290.5

ŠITERA, D. & EBERLE, J. (2023). Riziko Triumfalismu: Ruská Agrese a Znovuvzkříšení Střední Evropy. In Svět v Proměnách 2023: Analýzy ÚMV, p. 58-64. https://www.iir.cz/riziko-triumfalismu-ruska-agrese-a-znovuvzkriseni-stredni-evropy.

SJURSEN, H., ROSÉN, G. (2021). Arguing Sanctions: On the EU's Response to the Crisis in Ukraine. In European-Russian Power Relations in Turbulent Times (pp. 59–83). University of Michigan Press. http://www.jstor.org/stable/10.3998/mpub.10202357.5.

SOETENDORP, B. (2014). Foreign policy in the European Union: Theory, history and practice. New York, NY: Routledge, 2014. ISBN 13: 978-0-582-32893-8.

SOSSAI, M. (2020). Legality of extraterritorial sanctions. In Economic Sanctions in International Law and Practice (pp. 62-81). Routledge Advances in International Relations and Global Politics. ISBN 978-0-429-05298-9.

SOSSAI, M. (2022). Sanctioning Russia: Questions on the legality and the legitimacy of the measures imposed against the invasion of Ukraine. In Roma Tre Law Review 01/2022, 157-166. DOI: 10.13134/2704-9043/1-2022/8.

SOUTOU, G.H. (1993). France and the German Rearmament Problem 1945-1955. In The Quest for Stability: problems of West European Security 1918-1957 (pp. 487-512). Oxford: Oxford University Press, 1993. ISBN 978 0 19 920503 5.

STRATULAT, C. (2022). The beginning of the European Political Community. European Policy Centre, Discussion Paper, October 2022. Available online: https://www.epc.eu/content/PDF/2022/DP_The_beginning_of_the_EPoC.pdf.

TYUSHKA, A. (2022). Made in Ukraine: the EU's Emerging Real(ist) Power. Carneige Europe, 2023. Available online: https://carnegieeurope.eu/strategiceurope/87053.

VAN LANGENHOVE, L. (2010). The Way forward for the EU. In The EU as a Global Actor in a Multipolar World and Multilateral 2.0 Environment (pp. 21–26). Egmont Institute. http://www.jstor.org/stable/resrep06702.7.

VAN VEEN, E., et al. (2021). Assessing the broad evolution of EU foreign policy related to conflict. In Band-aids, not bullets: EU policies and interventions in the Syrian and Iraqi civil wars (pp. 7–14). Clingendael Institute. http://www.jstor.org/stable/resrep28665.6

VANDER SCHUEREN, P. et al. (2022). "European Commission proposes common definitions and penalties for EU sanctions violations". MayerBrown.com, 5 December 2022. Available online: https://www.mayerbrown.com/en/perspectives-events/publications/2022/12/european-commission-proposes-common-definitions-and-penalties-for-eu-sanctions-violations.

VELA, H. J. (2023). "Brussels Playbook: Breton's 1M shells – Orbán's EU cash – VDL's cuckoo clocks". POLITICO, 3 May 2023. Available online: https://www.politico.eu/newsletter/brussels-playbook/bretons-1m-shells-orbans-eu-cash-vdls-cuckoo-clocks/.

VOYNIKOV, V.V. (2022). EU Anti-Russian Sanctions (Restrictive Measures): Compliance with International Law. In Herald of the Russian Academy of Sciences 92(7), 636-642. DOI: https://doi.org/10.1134/S1019331622130111.

WHITE, B. (2001). Understanding European Foreign Policy. New York, NY: Palgrave.

WOLCZUK, K. (2004) Integration without Europeanisation: Ukraine and its Policy towards the European Union. EUI Working Papers RSCAS No. 2004/15. European University Institute. https://cadmus.eui.eu/bitstream/handle/1814/2757/04_15.pdf;sequence=1.

WUNDERLICH, U. (2022). Russia's invasion of Ukraine: a turning point for European integration? In LSE European Politics and Policy (EUROPP), Blog entry, 5 April 2022. Available online: http://eprints.lse.ac.uk/id/eprint/116771.

YATAGANAS, A. X. (2001). The Treaty of Nice, The Sharing of Power and the Institutional Balance in the European Union – A Continental Perspective. Jean Monnet Program. New York: New York University School of Law. https://jeanmonnetprogram.org/archive/papers/01/010101.html.

YOUNGS, R. (2022). The Awakening of Geopolitical Europe? Carnegie Europe, 2022. Available online: https://carnegieeurope.eu/2022/07/28/awakening-of-geopolitical-europe-pub-87580.

ZACK, J. (2022). Ukraine: The EU's Unprecedented Provision of Lethal Aid is a Good First Step. United States Institute of Peace (USIP). https://www.usip.org/publications/2022/10/ukraine-eus-unprecedented-provision-lethal-aid-good-first-step.

ZAGORSKI, A. (2004) EU Policies Towards Russia, Ukraine, Moldova and Belarus. Occasional Paper Series, No. 35. Geneva Centre for Security Policy. https://www.files.ethz.ch/isn/10671/doc_10702_290_en.pdf.

ZANDEE, D. (2016). EU Global Strategy: from design to implementation. *Atlantisch Perspectief, 40*(3), 25–29. https://www.jstor.org/stable/48581294.

WEBSITES

Agreement on Partnership and Cooperation between the European Communities and their Member States, and the Russian Federation, OJ L 327, 1997. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A21997A1128%2801%29.

Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, OJ L 161, 2014. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0529(01)&from=EN.

Association Agreement between the European Union and Ukraine. Ukraine Government Portal. Available online: https://www.kmu.gov.ua/en/yevropejska-integraciya/ugoda-pro-asociacyu.

Bulletin of the European Communities. November 1970, n° 11. Luxembourg: Office for Official Publications of the European Communities. "Davignon Report (Luxembourg, 27 October 1970)", p. 9-14.

Charter of the United Nations. Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression, Article 41. Available online: https://www.icj-cij.org/charter-of-the-united-nations.

Charter of the United Nations. Chapter VII: VII – Action with respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression, Article 51. Available online: https://legal.un.org/repertory/art51.shtml.

Commission of the European Communities (2006). Communication from the Commission to the Council and the European Parliament, On Strengthening the European Neighbourhood Policy, COM(2006) 726 final. Available online: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0726:FIN:EN:PDF.

Commission of the European Communities (2008). Communication from the Commission to the European Parliament and the Council, Eastern Partnership, COM(2008) 823 final. Available online: https://www.europarl.europa.eu/cmsdata/219089/EaP_COM(2008)823.pdf.

Common Foreign and Security Policy (2022). Publications Office of the European Union. Available online: https://eur-lex.europa.eu/EN/legal-content/summary/common-foreign-and-security-policy.html.

Communication From the Commission to the European Parliament, the European Council and the Council Commission Opinion on Ukraine's Application For Membership of the European Union, COM/2022/407final. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022DC0407&qid=1655752361844.

Consolidated versions of the Treaty on European Union (2012). Official Journal of the European Union, 2012/C/326. Available online: https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF.

Cooperation with NATO (2007). Publications Office of the European Union. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l33243.

Council Decision (2001/78/CFSP) setting up the Political and Security Committee (OJ L 027, 30.01.2001, pp. 1-3).

Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility, OJ L 102, 24 March 2021, p. 14-62. Available online: http://data.europa.eu/eli/dec/2021/509/oj.

Council Decision 10287/1/22 on identifying the violation of Union restrictive measures as an area of crime that meets the criteria specified in Article 83(01) of the Treaty on the Functioning of the European Union, 30 June 2022. Available online: https://data.consilium.europa.eu/doc/document/ST-10287-2022-REV-1/en/pdf.

Council Decision 12039/22 on the suspension in whole of the application of the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation, September 6, 2022. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CONSIL:ST_12039_2022_INIT.

Council Decision 2014/145/CFSP of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, OJ L 78, March 17, 2014, p. 16-21. Available online: http://data.europa.eu/eli/dec/2014/145(1)/oj.

Council fo the EU (2022). EU and Norway sign an agreement in support of EUMAM Ukraine, PRESS RELEASE 1054/22. Available online: https://www.consilium.europa.eu/en/press/press-releases/2022/12/06/eu-and-norway-sign-an-agreement-in-support-of-eumam-ukraine/.

Council Implementing Regulation (EU) 2021/2193 of 13 December 2021 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, OJ L 4451, December 13, 2021, p. 4-6. Available online: http://data.europa.eu/eli/reg_impl/2021/2193/oj.

Council Implementing Regulation (EU) 2022/1985 of 20 October 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening territorial integrity, sovereignty and independence of Ukraine, OJ L 272I, October 20, 2022, p. 1-4. Available online: http://data.europa.eu/eli/reg_impl/2022/1985/oj.

Council Implementing Regulation (EU) 2022/332 of 25 February 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, OJ L 53, February 25, 2022, p. 1-44. Available online: http://data.europa.eu/eli/reg/2022/332/oj.

Council of European Communities, Commission of the European Communities (1992). Treaty on European Union. Luxembourg: Office for Official Publications of the European Communities. p. 2. ISBN 92-824-0959-7.

Council of the EU (2021). Address by President Charles Michel to the European Defence Agency conference. SPEECH 949/21. Available online:

https://www.consilium.europa.eu/en/press/press-releases/2021/12/07/address-by-president-charles-michel-to-the-european-defence-agency-annual-conference/pdf.

Council of the EU (2022). EU adopt package of sanctions in response to Russian recognition of the non-government controlled areas of the Donetsk and Luhansk oblast s of Ukraine and sending of troops into the region. Press Release, 23 February 2022. Available online: https://www.consilium.europa.eu/en/press/press-releases/2022/02/23/russian-recognition-of-the-non-government-controlled-areas-of-the-donetsk-and-luhansk-oblasts-of-ukraine-as-independent-entities-eu-adopts-package-of-sanctions/.

Council of the EU (2022). European Peace Facility: Council adopts assistance measures in support of the armed forces of five countries, PRESS RELEASE 1022/22. Available online: https://www.consilium.europa.eu/en/press/press-releases/2022/12/01/european-peace-facility-council-adopts-assistance-measures-in-support-of-the-armed-forces-of-five-countries/.

Council of the EU (2022). Remarks by President Charles Michel following the first working session of the European Council, 23 June 2022, STATEMENTS AND REMARKS 623/22. Available online: https://www.consilium.europa.eu/en/press/press-releases/2022/06/23/intervention-du-president-michel-a-l-issue-de-la-premiere-seance-de-travail-du-conseil-europeen-23-juin-2022/.

Council of the EU (2022). Speech by President Charles Michel at the plenary session of the European Economic and Social Committee, SPEECH 465/22. Available online: https://www.consilium.europa.eu/en/press/press-releases/2022/05/18/discours-du-president-charles-michel-lors-de-la-session-pleniere-du-comite-economique-et-social-europeen/.

Council of the EU (2022). Ukraine: EU launches Military Assistance Mission, PRESS RELEASE 953/22. Available online: https://www.consilium.europa.eu/en/press/press-releases/2022/11/15/ukraine-eu-launches-military-assistance-mission/.

Council of the EU (2023). Ammunition for Ukraine: Council agrees €1 billion support under the European Peace Facility, PRESS RELEASE 260/23. Available online: https://www.consilium.europa.eu/en/press/press-releases/2023/04/13/ammunition-for-ukraine-council-agrees-1-billion-support-under-the-european-peace-facility/?utm_source=dsms-auto&utm_medium=email&utm_campaign=Ammunition+for+Ukraine%3a+Council+agrees+%u20ac1+billion+support+under+the+European+Peace+Facility.

Council of the EU (2023). EU support to Somalia: Council approves further support under the European Peace Facility to the Somali National Army and to the African Union Transition Mission in Somalia (ATMIS), PRESS RELEASE 136/23. Available online: https://www.consilium.europa.eu/en/press/press-releases/2023/03/02/eu-support-to-somalia-council-approves-further-support-under-the-european-peace-facility-to-the-somali-national-army-and-to-the-african-union-transition-mission-in-somalia-atmis/.

Council of the EU (2023). European Peace Facility: Council adopts assistance measure in support of the army of North Macedonia, PRESS RELEASE 190/23. Available online: https://www.consilium.europa.eu/en/press/press-releases/2023/03/16/european-peace-facility-council-adopts-assistance-measure-in-support-of-the-army-of-north-macedonia/.

Council of the EU (2023). European Peace Facility: Council adopts assistance measure to support the Nigerian Armed Forces in conjunction with the EU military partnership mission in Niger, PRESS RELEASE 144/23. Available online: https://www.consilium.europa.eu/en/press/press-releases/2023/03/07/european-peace-facility-council-adopts-an-assistance-measure-to-support-the-nigerien-armed-forces-in-conjunction-with-the-eu-military-partnership-mission-in-niger/.

Council of the EU (2023). European Peace Facility: Council adopts assistance measures in support of the Jordanian Armed Forces, PRESS RELEASE 113/23. Available online: https://www.consilium.europa.eu/en/press/press-releases/2023/02/20/european-peace-facility-council-adopts-assistance-measure-in-support-of-the-jordanian-armed-forces/.

Council of the EU (2023). European Peace Facility: Council increases the financial ceiling to nearly €7.98 billion until 2027, PRESS RELEASE 181/23. Available online:

https://www.consilium.europa.eu/en/press/press-releases/2023/03/14/european-peace-facility-council-increases-the-financial-ceiling-to-nearly-7-98-billion-until-2027/.

Council of the EU (2023). Proposal for a Directive of the European Parliament and the Council on the definition of criminal offences and penalties for the violation of Union restrictive measures – Progress Report, 2022/0398(COD). Available online: https://www.europa-nu.nl/id/vm0z9hsf8lzu/proposal_for_a_directive_of_the_european.

Council of the European Union (2003). European Security Strategy, 15895/03. Available online: https://data.consilium.europa.eu/doc/document/ST-15895-2003-INIT/en/pdf.

Council of the European Union (2004). Basic Principles on the Use of Restrictive Measures (Sanctions) 10198/1/04. Available online: https://data.consilium.europa.eu/doc/document/ST-10198-2004-REV-1/en/pdf.

Council of the European Union (2004). General Affairs and External Relations, 2590th Council Meeting, 10189/04 (Presse 195). Available online: https://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/80951.pdf.

Council of the European Union (2005). Draft Council Conclusions on Ukraine, 6337/05. Available online: https://data.consilium.europa.eu/doc/document/ST-6337-2005-INIT/en/pdf.

Council of the European Union (2008). Brussels European Council 19/20 June 2008 – Presidency Conclusions 11018/08. Available online: https://data.consilium.europa.eu/doc/document/ST-11018-2008-INIT/en/pdf.

Council of the European Union (2008). Joint Declaration of the Prague Eastern Partnership Summit, 8435/09 (Presse 78). Available online: https://www.consilium.europa.eu/media/31797/2009_eap_declaration.pdf.

Council of the European Union (2009). European Security Strategy: A Secure Europe in A Better World. European Communities, 2009. ISBN 978-92-824-2421-6. https://www.consilium.europa.eu/media/30823/qc7809568enc.pdf.

Council of the European Union (2014). Council conclusions on Ukraine, Foreign Affairs Council Meeting, Brussels, 3 March 2014. Available Online: https://www.consilium.europa.eu/media/28853/141291.pdf.

Council of the European Union (2016). Council Conclusions on the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization 15283/16. Available online: https://data.consilium.europa.eu/doc/document/ST-15283-2016-INIT/en/pdf.

Council of the European Union (2016). European Council meeting, EUCO 26/16. Available online: https://www.consilium.europa.eu/media/21645/28-euco-conclusions.pdf.

Council of the European Union (2017). Joint Declaration of the Eastern Partnership Summit, 14821/17. Available online: https://data.consilium.europa.eu/doc/document/ST-14821-2017-INIT/en/pdf.

Council of the European Union (2017). Visas: Council adopts regulation on visa liberalisation for Ukrainian citizens, Press Release 244/17. Available online: https://www.consilium.europa.eu/en/press/press-releases/2017/05/11/visa-liberalisation-ukraine/.

Council of the European Union (2018). Joint Declaration On Eu-Nato Cooperation By The President Of The European Council, The President Of The European Commission, And The Secretary General Of The North Atlantic Treaty Organization. Available online: https://www.consilium.europa.eu/media/36096/nato_eu_final_eng.pdf.

Council of the European Union (2018). Restrictive measures (Sanctions) – Update of the EU Best Practices for the effective implementation of restrictive measures 8519/18. Available Online: https://data.consilium.europa.eu/doc/document/ST-8519-2018-INIT/en/pdf.

Council of the European Union (2018). Sanction Guidelines – update 5664/18. Available online: https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf.

Council of the European Union (2021). Foreign Affairs Council – 22 February 2021, 6296/21. Available online: https://www.consilium.europa.eu/media/48771/st06295-en21.pdf.

Council of the European Union (2021). Foreign Affairs Council (Defence) – 6 May 2021, 8527/21. Available online: https://data.consilium.europa.eu/doc/document/ST-8527-2021-INIT/en/pdf.

Council of the European Union (2021). Foreign Affairs Council, 13 December 2021. Available online: https://www.consilium.europa.eu/en/meetings/fac/2021/12/13/.

Council of the European Union (2021). Russia: Declaration by the Highest Representative on behalf of the EU on the arrest of Alexei Navalny upon his return. Press Release 21/21. Available online: https://www.consilium.europa.eu/en/press/press-releases/2021/01/18/russia-declaration-by-the-high-representative-on-behalf-of-the-eu-on-the-arrest-of-alexei-navalny-upon-his-return/.

Council of the European Union (2022). A Strategic Compass for Security and Defence. Available online: https://data.consilium.europa.eu/doc/document/ST-7371-2022-INIT/en/pdf.

Council of the European Union (2022). European Council conclusions on Ukraine, the membership applications of Ukraine, the Republic of Moldova and Georgia, Western Balkans and external relations, 23 June 2022. European Council, Conclusions 611/22. Available online: https://www.consilium.europa.eu/en/press/press-releases/2022/06/23/european-council-conclusions-on-ukraine-the-membership-applications-of-ukraine-the-republic-of-moldova-and-georgia-western-balkans-and-external-relations-23-june-2022/pdf.

Council of the European Union (2023). Council Note 7362/23 Delivery and joint procurement of ammunition for Ukraine – outcome of proceedings. Available online: https://data.consilium.europa.eu/doc/document/ST-7632-2023-INIT/en/pdf.

Council of the European Union. (2010). Press Release General Affairs 8967/10. Luxembourg, 2010. Available online:

https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/genaff/114045.pdf.

Council Regulation (EU) 2022/263 of 23 February 2022 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas, OJ L 042I, February 23, 2022, p. 77-94. Available online: http://data.europa.eu/eli/reg/2022/263/oj.

Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, OJ L 153, June 3, 2022, p. 53-74. Available online: http://data.europa.eu/eli/reg/2022/879/oj.

Council Regulation (EU) No 1351/2014 of 18 December 2014 amending Regulation (EU) No 692/2014 concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol, OJ L 365, 19 December, 2014, p. 46–59. Available online: http://data.europa.eu/eli/reg/2014/1351/oj.

Council Regulation (EU) No 825/2014 of 30 July 2014 amending Regulation (EU) No 692/2014 concerning restrictions on the import into the Union of goods originating in Crimea or Sevastopol, in response to the illegal annexation of Crimea and Sevastopol, OJ L 226, 30 July, 2014, p. 2–15. Available online: http://data.europa.eu/eli/reg/2014/825/oj.

Council Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, OJ L 229, 31 July, 2014, p.1-11. Available online: http://data.europa.eu/eli/reg/2014/833/oj.

Council Regulation 2022/398 of 9 March 2022 amending Regulation (EC) No 765/2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine, OJ L 82, March 9, 2022, p. 1-8. Available online: http://data.europa.eu/eli/reg/2022/398/oj.

CVCE.eu (2013). Address given by Günter Verheugen on the enlargement of the EU and the European Neighbourhood Policy, Moscow, 27 October 2003. Available online:

https://www.cvce.eu/content/publication/2005/2/4/be19f178-524b-4b69-902c-eb902079f45c/publishable_en.pdf.

EEAS (2022). Russia/Ukraine & 6th EU – AU Summit: Remarks by High Representative Josep Borrell upon arrival. Brussels, 2022. Available online: https://www.eeas.europa.eu/eeas/russiaukraine-6th-eu-au-summit-remarks-high-representative-josep-borrell-upon-arrival_en.

EEAS Website (2021). European Union sanctions. Available online: https://www.eeas.europa.eu/eeas/european-union-sanctions_en.

ÉLYSÉE (2022). Address by the President of the Republic at the Conference on the Future of Europe. 9 May 2022. Available online: https://www.elysee.fr/front/pdf/elysee-module-19590-en.pdf.

EPLO (2021). The European Peace Facility: Minimising Significant Risks in Implementation. European Peacebuilding Liaison Office (EPLO). http://eplo.org/wp-content/uploads/2021/10/EPLO_Statement-on-the-European-Peace-Facility.pdf.

EPRS (2016). The EU's Russia Policy: Five guiding principles. Briefing, October 2016. Available online: https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/589857/EPRS_BRI(2016)589857_EN.pdf.

EPRS (2022) Outcome of the meetings of EU leaders on 2š-24 June 2022. Available online: https://epthinktank.eu/2022/06/28/outcome-of-the-meetings-of-eu-leaders-on-23-24-june-2022/.

EU-Ukraine Association Agenda to prepare and facilitate the implementation of the Association Agreement. Ukraine Government Portal, 2009. Available online: https://www.kmu.gov.ua/storage/app/imported_content/news/doc_248012532/en15.pdf.

European Commission (1992). EC Technical Assistance to the Commonwealth of Independent States and Georgia: The TACIS Programme, MEMO/92/54. Available online: https://ec.europa.eu/commission/presscorner/detail/en/MEMO_92_54.

European Commission (1995). Report on the operation of the Treaty on European Union. Presented by the Commission. SEC (95) 731 final, 1995. Available online: http://aei.pitt.edu/5845/.

European Commission (2002). Romano Prodi, A Wider Europe – A Proximity Policy as the Key to Stability. SPEECH/02/619. "Peace, Security and Stability International Dialogue and the Role of the EU". Sixth ECSA-World Conference. Available Online: https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_02_619.

European Commission (2003). Communication from the Commission to the Council and the European Parliament. Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM(2003) 104 final. Available online: https://www.eeas.europa.eu/sites/default/files/com03_104_en.pdf.

European Commission (2003). Communication from the Commission. Paving the way for a New Neighbourhood Instrument, COM(2003) 393 final. Available online: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2003:0393:FIN:EN:PDF.

European Commission (2004). European neighbourhood Policy: Strategy Paper, COM(2004) 373 final. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52004DC0373&from=DE.

European Commission (2005). EU-Ukraine – Strengthening the Strategic Partnership, MEMO/05/57. Available online: https://ec.europa.eu/commission/presscorner/detail/en/MEMO_05_57.

European Commission (2005). EU/Russia: The Four "Common Spaces", MEMO/05/103. Available online: https://ec.europa.eu/commission/presscorner/detail/en/memo_05_103.

European Commission (2011). Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A new Response to a Changing Neighbourhood, COM(2011) 303 final. Available Online: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0303:FIN:en:PDF.

European Commission (2015). Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Review of the European Neighbourhood Policy, JOIN(2015) 50 final. Available online: https://neighbourhood-enlargement.ec.europa.eu/system/files/2018-12/joint-communication_review-of-the-enp.pdf.

European Commission (2019). Speech by President-elect von der Leyen in the European Parliament Plenary on the occasion of the presentation of her College of Commissioners and their programme. SPEECH/19/6408. Available Online: https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_19_6408.

European Commission (2020). Communication from the Commission to the European Parliament, the Council. The European Economic and Social Committee and the Committee of the Regions, Enhancing the accession process – A credible EU perspective for the Western Balkans, COM(2020) 57 final, 5 February 2020. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0057.

European Commission (2020). Joint Communication of Eastern Partnership policy beyond 2020: Reinforcing Resilience – an Eastern Partnership that delivers for all, JOIN(2020) 7 final. Available online: https://neighbourhood-enlargement.ec.europa.eu/system/files/2020-03/joint_communication_on_the_eap_policy_beyond_2020.pdf.

European Commission (2021). Joint Communication to the European Council, the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "Renewed partnership with the Southern Neighbourhood: A New Agenda for the Mediterranean", JOIN(2021) 2 final, 9 February 2021, Brussels. Available online:

European Commission (2022). 2022 State of the Union Address by President von der Leyen, SPEECH/22/5493. Available online: https://ec.europa.eu/commission/presscorner/detail/ov/speech_22_5493.

European Commission (2022). Communication from the Commission to the European Parliament, the European Council and the Council, Commission Opinion on Ukraine's application for membership of the European Union, COM/2022/407 final, 17 June 2022. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022DC0407&qid=1655752361844.

European Commission (2022). Defence industry: EU to reinforce the European defence industry through common procurement with a €500 million instrument. Press Release, 19 July 2022. Available online: https://ec.europa.eu/commission/presscorner/detail/en/IP_22_4491.

European Commission (2022). Enforcing sanctions against listed Russian and Belarussian oligarchs: Commission's "Freeze and Seize" Task Force steps up work with international partners. Press Release, 17 March 2022. Available online: https://ec.europa.eu/commission/presscorner/detail/en/IP_22_1828.

European Commission (2022). European Defence Agency. Available online: https://european-union.europa.eu/institutions-law-budget/institutions-and-bodies/institutions-and-bodies-profiles/eda_en.

European Commission (2022). Joint Communication to the European Parliament, the European Council, the Council, The European Economic and Social Committee and the Committee of the Regions on the Defence Investment Gaps Analysis and Way Forward, JOIN(2022) 24 final, 18 May 2022, Brussels. Available online: https://commission.europa.eu/system/files/2022-05/join_2022_24_2_en_act_part1_v3_1.pdf.

European Commission (2022). Proposal for a Directive of the European Parliament and the Council on the definition of criminal offences and penalties for the violation of Union restrictive measures, COM (2022) 684 final. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022PC0684.

European Commission (2022). Statement by President von der Leyen on further measures to respond to the Russian invasion of Ukraine, STATEMENT/22/1441. Available online: https://ec.europa.eu/commission/presscorner/detail/en/statement_22_1441.

European Commission (2022). Statement by President von der Leyen with Ukrainian President Zelenskyy on the occasion of the President's visit to Kyiv. Available online: https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_22_3622.

European Commission (2022). Ukraine: Commission proposes temporary protection for people fleeing war in Ukraine and guidelines for border checks. Press Release, 2 March 2022. Available Online: https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1469.

European Commission (2022). Ukraine: Commission proposes to criminalise the violation of EU sanctions. Press Release, 2 December 2022. Available online: https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7371.

European Commission (2023). European Neighbourhood Policy – Eastern Partnership. Available online: https://neighbourhood-enlargement.ec.europa.eu/european-neighbourhood-policy/eastern-partnership_en.

European Commission (2023). Press statement by President von der Leyen with Czech President Pavel. STATEMENT/23/2568, 2 May 2023. Available online: https://ec.europa.eu/commission/presscorner/detail/en/statement_23_2568.

European Council (2022). European Council meeting – Conclusions, EUCO 24/22. Available online: https://www.consilium.europa.eu/media/57442/2022-06-2324-euco-conclusions-en.pdf.

European Council (2022). European Council meeting (23 and 24 June 2022) – Conclusions, EUCO 24/22. Available online: https://www.consilium.europa.eu/media/57442/2022-06-2324-euco-conclusions-en.pdf.

European Council (2022). Meeting of the European political Community, 6 October 2022. Available online: https://www.consilium.europa.eu/en/meetings/international-summit/2022/10/06/.

European Council (2022). Statement following quadrilateral meeting between President Aliyev, Prime Minister Pashinyan, President Macron and President Michel, 6 October 2022, STATEMENT AND REMARKS 821/21. Available online: https://www.consilium.europa.eu/en/press/press-releases/2022/10/07/statement-following-quadrilateral-meeting-between-president-aliyev-prime-minister-pashinyan-president-macron-and-president-michel-6-october-2022/.

European Council (2022). The Versailles declaration, 10 and11 March 2022. Available online: https://www.consilium.europa.eu/media/54773/20220311-versailles-declaration-en.pdf.

European Council (2023). Joint statement following the 24th EU-Ukraine Summit, Press Release 64/23. Available online: https://www.consilium.europa.eu/en/press/press-releases/2023/02/03/joint-statement-following-the-24th-eu-ukraine-summit/.

European Council (2023). Special meeting of the European Council (9 February 2023) – Conclusions. EUCO 1/23. Available online: https://data.consilium.europa.eu/doc/document/ST-1-2023-INIT/en/pdf.

European Council Common Strategy of 11 December 1999 on Ukraine. (1999). Official Journal. 1999/877/CFSP, O.J. L 331, 1-10. CELEX: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31999E0877.

European Council Common Strategy of 4 June 1999 on Russia. (1999). Official Journal. 1999/414/CFSP, O.J. L 167, 1-9. https://ciaotest.cc.columbia.edu/casestudy/media/pej01_strategy.pdf.

European Council in Lisbon. (1992). Conclusion of the Presidency, 1992. SN 3321/2/92. https://www.consilium.europa.eu/media/20510/1992_june_-_lisbon__eng_.pdf.

European Council on Foreign Relations (2023). European Sovereignty Index. ECFR/451, June 2022. Available online: https://ecfr.eu/wp-content/uploads/2022/06/European-Sovereignty-Index.pdf.

European Defence Agency (2022). 2022 Coordinated Annual Review on Defence Report. Available online: https://eda.europa.eu/docs/default-source/eda-publications/2022-card-report.pdf.

European External Action Service (2008). Joint Evaluation Report EU-Ukraine Action Plan. Available online: https://eeas.europa.eu/archives/docs/ukraine/docs/ukraine_eu_joint_evaluation_2008_en.pdf.

European External Action Service (2016). A Global Strategy for the European Union's Foreign and Security Policy: "Shared Vision, Common Action: A Stronger Europe". Available online: https://www.eeas.europa.eu/sites/default/files/eugs_review_web_0.pdf.

European Foreign Affairs Review (1997). Common Actions and Positions Adopted by the Council of the European Union in the framework of the Common Foreign and Security Policy (as at 25 November 1996) since the entry into force of the Maastricht Treaty, vol. 2, no.1 (1997), p.143-56. https://doi.org/10.54648/eerr1997009.

European parliament (2015). REPORT on the proposal for a decision of the European Parliament and of the Council providing macro-financial assistance to Ukraine, A8-0056/2015. Available online: https://www.europarl.europa.eu/doceo/document/A-8-2015-0056_EN.pdf.

European Parliament (2021). EU-Russia relations: MEPs condemn the decision by the Russian authorities to expel three EU diplomats. Press Release, 2021. Available online: https://www.europarl.europa.eu/news/en/press-room/20210208IPR97332/meps-condemn-the-decision-by-the-russian-authorities-to-expel-three-eu-diplomats.

European Parliament (2022). European Parliament recommendation of 23 November 2022 to the Council, the Commission and the Vice-President of the Commission/Hight

Representative of the Union for Foreign Affairs and Security Policy concerning the new EU strategy for enlargement (2022/2064(INI)). Available online: https://www.europarl.europa.eu/doceo/document/TA-9-2022-0406_EN.pdf.

European Parliament (2022). Fact Sheet on the European Union, The Maastricht and Amsterdam Treaties. Available online: https://www.europarl.europa.eu/factsheets/en/sheet/3/the-maastricht-and-amsterdam-treaties

European Parliament (2022). Fact Sheet on the European Union, The Western Balkans. Available online: https://www.europarl.europa.eu/factsheets/en/sheet/168/the-western-balkans.

European Parliament. (1997). Note On the European Parliament's Priorities For The IGC And The New Amsterdam Treaty: Report And Initial Evaluation Of The Results. https://www.europarl.europa.eu/topics/treaty/report/part3_en.htm.

File concerning Russia's military intervention in the Ukraine, GW-92, 2014

Historical Archives of the European Union (1987). Interview with Berndt von Staden, 1987.

Historical Archives of the European Union (1990). Interview with Ulrich de Maizière, 1990.

Historical Archives of the European Union (2016). Interview with David O'Sullivan, 2016.

Historical Archives of the European Union (2016). Interview with Klaus Hänsch by A. Harryvan and J. Van der Harst, 2016.

Historical Archives of the European Union (2016). Interview with Klaus Hänsch, 2016.

Historical Archives of the European Union (2017). Interview with Christian Leffler by L. Fasanaro, 2017.

Historical Archives of the European Union (2017). Interview with Romano prodi by L. Fasanaro, L. Nuti and A. Varsori, 2017.

International Monetary Fund (2019). Russian Federation: 2019 Article IV Consultation-Press Release; Staff Report. Country Report No. 2019/260, August 2, 2019. Available online: https://www.imf.org/en/Publications/CR/Issues/2019/08/01/Russian-Federation-2019-Article-IV-Consultation-Press-Release-Staff-Report-48549.

NATO (2002). EU-NATO Declaration on ESDP, Press Release (2002)142, Available online: https://www.nato.int/cps/en/natolive/official_texts_19544.htm.

NATO (2014). Wales Summit Declaration, Press Release (2014) 120, 5 September 2014. Available online: https://www.nato.int/cps/en/natohq/official_texts_112964.htm.

NATO (2017). Joint press point with NATO Deputy Secretary General Rose Gottemoeller and the Prime Minister of Ukraine, Volodymyr Groysman, 9 February 2017. Available online: https://www.nato.int/cps/en/natohq/opinions_140847.htm.

NATO (2023). Joint Declaration On Eu-Nato Cooperation By The President Of The European Council, The President Of The European Commission, And The Secretary General Of The North Atlantic Treaty Organization. Available online: https://www.nato.int/nato_static_fl2014/assets/pdf/2023/1/pdf/230110-eu-nato-joint-declaration.pdf.

North Atlantic Treaty Organization (2023). Relations with the European Union. Available online: https://www.nato.int/cps/en/natolive/topics_49217.htm.

Partnership and Cooperation Agreement between the European Communities and their Member States, and Ukraine, OJ L 49/3, 1992. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A21998A0219%2802%29.

Petersberg Declaration (1992) Western European Union Council of Ministers. Bruxelles: Press and Information Service, 1992. https://www.cvce.eu/obj/petersberg_declaration_made_by_the_weu_council_of_minist ers_bonn_19_june_1992-en-16938094-bb79-41ff-951c-f6c7aae8a97a.html.

President of Russia (2008). The Foreign Policy Concept of the Russian Federation. Available online: http://en.kremlin.ru/supplement/4116.

President of Russia (2014). Address by President of the Russian Federation, March 18, 2014. Available online: http://en.kremlin.ru/events/president/news/20603.

President of Russia (2021). Article by Vladimir Putin: "On the Historical Unity of Russians and Ukrainians". Available online: http://en.kremlin.ru/events/president/news/66181.

President of Russia (2022). Address by the President of Russian Federation, February 24, 2022. Available online: http://en.kremlin.ru/events/president/news/67843.

Protocol on the results of consultations of the Trilateral Contact Group (Minsk Agreement), S/2015/135. United Nations Peacemaker, September 5 2015. Available online:
https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_140905_MinskCeasfire_en.pdf.

Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, OJ L 78, March 17, 2014, p. 6-15. Available online: http://data.europa.eu/eli/reg/2014/269/oj.

Regulation (EU) No 692/2014 concerning restrictions on the import into the EU of goods originating in Crimea or Sevastopol, in response to the illegal annexation of Crimea and Sevastopol, OJ L 183, June 24, 2014, p. 9-14. Available online: http://data.europa.eu/eli/reg/2014/692/oj.

Statista (2023). Russia-Ukraine war 2022-2023 – statistics & facts. Available online: https://www.statista.com/topics/9087/russia-ukraine-war-2022/#topicOverview.

Text of Modified Brussels Treaty (1954). Brussels Treaty as amended by the Protocol modifying and completing the Brussels Treaty, signed at Paris on October 23, 1954, Texts

of the Treaty and the Protocols. Brussels: Western European Union, 2000, [s.d.]. 40 p. http://www.weu.int/index.html.

Text of the Debate on the European Army (1950). Documents, Records and Archives of Council of Europe. Available online: https://www.coe.int/en/web/documents-records-archives-information/timeline-1950.

The Economist (2019). "Emmanuel Macron warns Europe: NATO is becoming brain-dead." In The Economist, 2019. Available online: https://www.economist.com/europe/2019/11/07/emmanuel-macron-warns-europe-nato-is-becoming-brain-dead.

Treaty of Amsterdam (1997). Luxembourg: Office for Official Publication of the European Communities, 1997. ISBN 92-828-1652-4. Available online: https://www.europarl.europa.eu/topics/treaty/pdf/amst-en.pdf.

Treaty of Lisbon (2007). Official Journal of the European Communities, OJ C 306, 17 December 2007, p. 1-271. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12007L%2FTXT.

Treaty of Nice (2001). Official Journal of the European Communities, OJ C 80, 10 March 2001, p. 1-87. Available online: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12001C%2FTXT.

Ukraine Support Tracker (2023). Kiel Institute for the World Economy. Available online: https://www.ifw-kiel.de/topics/war-against-ukraine/ukraine-support-tracker/?cookieLevel=not-set.

UN Documents S/2014/189. Security Council Report, March 15, 2014. Available online: https://www.securitycouncilreport.org/un-documents/document/s2014189.php.

UN Documents S/RES/2202 "Package of measures for the Implementation of the Minsk Agreements". Security Council Report, February 17, 2015. Available online: https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2202.pdf.

VOA News (2009). "Putin: Russia Would Not Object to Ukraine Joining EU." In VOA News, 2009. Available online: https://www.voanews.com/a/a-13-2004-12-10-voa48/308427.html.

Washington Summit Communiqué (1999). NATO Press Release NAC-S(99)64, 1999. Available online: https://www.nato.int/docu/pr/1999/p99-064e.htm.

World Bank Group (2022). "Social protection for Recovery". Europe and Central Asia Economic Update (Fall), Washington, DC: World Bank. DOI: 10.1596/978-1-4648-1928-5.