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A Qualitative Study of the EU as a Conflict Managing Actor in Ukraine

From the Annexation of Crimea in 2014 to the Full-Scale Invasion by Russia in 2022

Master's thesis in Europan Studies Supervisor: Prof. Tobias Schumacher November 2022

Norwegian University of Science and Technology Faculty of Humanities Department of Historical and Classical Studies

Master's thesis



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Abstract

The increasing tension between the European Union and Russia gradually evolved into the two becoming competing entities for influence in its shared neighbourhood. This competition saw its initial peak with the outbreak of the Ukrainian conflict. Following the Euromaidan protests and the subsequent Revolution of Dignity in 2014, Ukraine had made a clear choice to opt for its European choice, rather than to seek integration with Russia. This was in turn perceived as unacceptable by Russia and the Eastern Power furthermore annex the Crimean Peninsula and incentivise rebellious pro-Russian separatist to create what became the war in Donbas.

The EU in relation, as a direct contributor to the turmoil, took the position of seeking to utilize its external action capabilities to further support Ukraine at the very beginning of the conflict and remained as an actor which sought to exert its influence in de-escalating the conflict.

While the eventual escalation of the conflict into a full-scale war on Ukraine launched by Russia in February of 2022 can be surmised as the EU's failure to resolve the conflict. This thesis perceives that notion as to simplistic. It is therefore the ambition of this thesis to conduct a qualitative and empirical analysis, with the conceptual actorness approach of Charlotte Bretherton and John Vogler, to further assess and explain the extent to which the EU has been functioning as a conflict managing actor in the Ukrainian conflict from the beginning of the conflict to its eventual escalation into a full-scale war in 2022.

Sammendrag

Den økende spenningen mellom EU og Russland utviklet seg gradvis til en konflikt i form av økende en økende konkurranse for å utbre innflytelse i den østlige regionen an Europa.

Denne konflikten så sitt første toppunkt når det brøt ut en omfattende konflikt i Ukraina i det tidlige stadiet av 2014. Etter Euromaidan opprøret og den påfølgende revolusjonen som fant sted i Ukraina i 2014, hadde Ukraina tatt et klart valg i hvilken retning statens utenrikspolitikk skulle foreta seg. Det ble et europeiske valg og integrasjon med EU i stedet for å søke integrasjon med Russland. Dette var i sin tur oppfattet som uakseptabelt av Russland og østmakten annekterer videre Krim halvøya og oppmuntret opprørske pro-russiske separatister til å skape det som ble krigen i Donbas.

EU i forhold, som en direkte bidragsyter til uroen gjennom sin indirekte konflikt med Russland, tok posisjonen av å søke å utnytte dets eksterne handlingsevner for å ytterligere støtte Ukraina helt fra begynnelsen av konflikten, og forble videre ut i konflikten en aktør som forsøkte å utøve sin innflytelse for hindre at konflikten eskalerte videre.

Den eventuelle eskaleringen av konflikten til en fullskala krig mot Ukraina lansert av Russland i februar 2022 kan antas som EUs manglende evne til å løse konflikten. Denne avhandlingen oppfatter derimot denne forestillingen som forenklet. Det er derfor ambisjonen til denne masteroppgaven søker å gjennomføre en kvalitativ og empirisk analyse, med den konseptuelle aktørtilnærmingen til Charlotte Bretherton og John Vogler, for ytterligere å vurdere og forklare i hvilken grad EU har fungert som en konflikthåndteringsaktør i den Ukrainske konflikten fra begynnelsen av konflikten til dens eventuelle eskalering til en fullskala krig i 2022.

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First and foremost, I would like to thank my supervisor Professor Tobias Schumacher. As I have tried to navigate myself through the writing of this thesis, I have stumbled, and I have stagnated. Your guidance helped me get through to finalizing my thesis. For that I am truly grateful.

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List of Abbreviations

- CIS Commonwealth of Independent States
- DCFTA Deep and Comprehensive Free Trade Area
- EU European Union
- EPC European Political Cooperation
- NPE Normative Power Europe
- PCA Partnership and Cooperation Agreement
- SES Single Economic Spaces
- AA Association Agreement
- ESDP European Security and Defence Policy
- CFSP Common Foreign Security Policy
- CSDP Common Security and Defence Policy
- ENP European Neighbourhood Policy
- European Security Strategy ESS
- NATO North Atlantic Treaty Organisation
- EaP Eastern Partnership
- EEAS European External Action Service

1. Introduction

In February this year, Russia launched a full-scale invasion on Ukraine with the ambition of taking back the influence lost after the demise of the Soviet Union. The invasion was the culmination of the 8 year long conflict that had persisted within Ukraine since the early stages of 2014, when Russia annexed the Crimean Peninsula and commenced an undeclared war within the territory of Ukraine in the regions of Donbas. The conflict initially spurred great attention, but as more time passed, and as the conflict evolved to a frozen stalemate between the Ukrainian eastern regions and Kyiv, the publicity of the conflict subsequently faded.

However, the reasons behind the eruption of the conflict in 2014 was in and of itself a product of the rising tensions between the West, predominantly represented by the EU, and the East, i.e., Russia. Representing one of the first conflicts in which the EU was directly involved in the root causes of the conflict's eruption. In return, the following years after the annexation of Crimea the, EU continued to be involved, attempting to seek ways of building stability within the post-annexation government of Ukraine, aiding it in its dealings with the many challenges it faced, as well as seeking ways to influence Russia to de-escalate the conflict and to furthermore initiate processes that would effectively lead to a sustainable resolution.

In parallel to the increasingly complex Ukrainian conflict that arose in 2014, a growing competence of the European Union within the increased focus of becoming a more effective actor in terms of foreign policy and external action prompted strands of research focused on the topic of the EU's ability to be a conflict managing actor. This strand of research is additionally related to the more traditional EU actorness studies.

It is the ambition of this thesis to furthermore contribute to the research of the EU as a conflict managing actor by looking specifically at the conflict in Ukraine and the EU's active involvement in the conflict. The period for the scope of the study is 2014, when the conflict first erupted to the end of the conflict in February 2022, when it escalated from a conflict to a declared war on Ukraine by Russia.

1.2. Previous Research and Literature

This chapter gives an assessment of the three most relevant strands of research connected to this thesis: Actorness and EU Foreign Policy/External Action, EU Conflict Management in its neighbourhood and EU actorness in the Ukrainian Conflict. The first strand of research gives an account of the 'state of the art' in relations to Actorness studies and highlights the primary framework of how the EU is perceived as an actor in the literature. It additionally highlights the close relations between actorness and external action. The second part relates to the specific topic of this thesis and assesses how conflict management has become a gradually relevant topic in relations to EU foreign policy and external action, and what these studies emphasise in both their approach and findings. The literature is not exhaustive, which furthermore points to a gap in the literature on EU conflict management. The third part looks specifically at studies on EU external action in Ukraine since the outbreak of the conflict in 2014. This strand of research is also not exhaustive and particularly not so considering how the conflict is a rather recent one.

1.2.1. Actorness and EU Foreign Policy/External Action

Research on the EU's foreign policy and external action relates to the traditional study of the EU as an international actor. Actorness as a concept, is in turn one of the most traditional conceptual lenses for analysing the performance of EU external action (Drieskens 2021). Since the outset of international cooperation through institutionalization in Europe, the EU has evolved into an increasingly complex construct, earning the habitual description of being more than an organisation and less than a nation state. This description has in turn become foundational in the assessment of the EU as an actor in international relations and has aspired questions relating to what type of actor it seems to be or to what extent it even is an international actor. The latter being 'one of the oldest questions' in the study of the EU's external action' (Ibid 2021). The continuum of the EU's evolvement in terms of competence and exceeding growth throughout the 20th century, has however made it undeniable that the EU does exert influence externally which has furthermore led to the academic conclusion that the Union does indeed possess actorness. The unique quality of the EUs ability to exert such influence through shared platforms of foreign policy and external action¹ with the absentee of traditional hard power (e.g., military power) furthermore saw important concepts of actorness alongside external action emerge (Gstöhl and Schunz 2021). François Duchêne developed the now renowned 'Civilian Power' concept which aspired to argue for the type of role the European

¹ The emergence of the European Political Cooperation (EPC) in the 1970's became the first platform for cooperation on foreign policy within the European Community (See Gstöhl and Schunz 2021).

Community (henceforth referred to as the EU) had in world peace. It clearly separated the potential lines of influences the EU had at its disposal as not being military power oriented but relied on economic, diplomatic, and legal tools to assert influence externally (1972: 43). This description, and later description of a similar kind e.g., Ian Manners Normative Power Europe (2002), is still relevant today as research on EU foreign policy (and therein external action) and actorness is in an agreement that the EU does not fully live up to the traditional term of a 'great power' or 'superpower' (Härtel 2022: 4). The buttressed lack of military resources linked to the EU² and the fact that the Union consists of several member states that limits the EU to that of a multilevel system (Jupille and Caporaso 1998, as cited in Härtel 2022) is often cited as one of the limits for the EU in terms of 'great power' attributes (Gehring et al 2017: 731). Within the topic of EU actorness, the literature has become rich in approaches which deal specifically with identifying what type of actor the EU is or might be. Some of these approaches describe the EU as an ''Economic Power', 'Transformative Power', potential 'Military Power', 'Soft Power Plus', 'Civilian Power with Teeth' and the 'European Superpower' (Overview found in Koops 2011: 148).

These approaches share the similarities of having the EU's potential to exert influence and action outside of its borders as a focal point. In addition, the literature on EU actorness is often anchored in an understanding of the EU's nature, i.e., its values and ambitions. Many approaches are therein linked to the influence of the EU as seen from its enlargement policy through the placement of conditionality in play with its power of attractiveness³. The conditionality – membership approach particularly displayed a great amount of EU influence in the 1990's and 2000s as it prompted central and eastern states to reform and subsequently join the EU. Thus, enlargement was indeed one of the primary focus points of EU external action.

Studies on the EU's external action did however diversify and further flourish particularly after the ratification of the Lisbon Treaty (Gstöhl and Schunz 2021: 18). The relatively new 'state of

 $^{^{2}}$ I write ''linked'' as the Europe does indeed contain great military abilities, these are however less knitted to the supranational level of the EU, as the autonomy lies with each member state and/or is institutionalized through NATO.

³ The use of the concept of conditionality here refers primarily to the developed Copenhagen Criteria of 1993; Stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; a functioning market economy and the ability to cope with competitive pressure and market forces within the EU: the ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards and policies that make up the body of EU law (*EU acquis*), and adherence to the aims of political, economic and monetary union (EUR-Lex, n.d.). The power of attractiveness refers to the high relation between economic prosperity and EU membership, primarily through the lucrative trade arrangements that the internal market offers.

the art' consists particularly of critical studies that concern themselves with the context of the multiple crises the EU struggled to manage, most evident in its neighbourhood (Ibid 2021: 20).

The idea of the EU as a conflict managing actor is prompted by the more general approach of actorness studies. It deals, however, more specifically with the study of EU external impact and effectiveness through the perceived enhancement of EU competence in external policy. This enhancement was a result of consecutive reforms: the Treaty of Lisbon provided the EU with a single legal personality by eliminating the EU's pillar structure and establishing the CSDP as an integral part of the CFSP and created the permanent position of President of the European Council and the High Representative/Vice-President of the European Commission and the European External Action Service (EEAS) (Gstöhl and Schunz 2021: 18).

1.2.2. The Literature on EU Conflict Management in its Neighbourhood

The literature on the EU as a conflict managing actor is relatively new, thereof it is not exhaustive, yet it is diversified. The nature of these studies look directly at *how* the EU has played a role in dealing with the several conflicts that has erupted both within the EU itself and in its neighbourhood. These studies additionally conform to the framework of critical studies which assesses the extent to which the EU has been able to act as a resolving or mitigating actor in conflicts (E.g., Gordon 2010; Härtel 2022; Hughes 2010; Ilievski and Taleski 2010; Sasse 2010; Sebastian 2010; Yakinthou 2010). Therein they deal specifically with studying EU external action.

The most common lens used in studies on EU external action, specifically in the context of conflict management in the EU's eastern neighbourhood is through the European Neighbourhood Policy (ENP) (Schumacher 2018: 3). An onset to the literature is often found with the European Security Strategy of December 2003 which singled out a secure neighbourhood as one of the EU's strategic objectives (European Council, 2003). The ENP in relations – alongside the European Security Strategy - thereof functions as instruments to translate said objective into EU policy (Sasse 2010). The ENP has, according to Gwendolyn Sasse, put in place the 'institutional channels and funds for an enhanced relationship with the countries of its eastern neighbourhood and potential positive effects in a range of political, economic and conflict-related domains'' with its ambition of creating a secure neighbourhood being done through the idea of promoting political stability and prosperity through the export of governance models and norms (2010). The two most functional roles of the ENP, is to give an alternative to membership integration and being the EUs focal point for foreign policy

(Schumacher 2018: 3). In terms of conflict management, it has not been the foundational priority of the ENP as it originally sought stability in relations to organized crime, trafficking, and illegal migration into the EU. The topic of conflict management has rather become a gradual priority area (Sasse 2010) and has increasingly received attention as part of the ENP (See Popescu 2005, 2006; Sasse 2008, as cited in Sasse 2010: 128). Therein, studies have – to some degree – delineated the conditions under which the ENP "can and cannot" contribute to conflict management (See Sasse 2010).

The literature on the EU's external action in relations to conflict shares an overarching conclusion that, while the EU's capability for conflict management has indeed developed immensely, there is a lack of ability to be fully strategic in terms of peace and reconciliation that particularly transpire as a result of differences within the EU (See Hughes 2010, Härtel 2022, Gehring et al. 2017). This relates to the EU's ability to act as a coherent entity (see Furness and Gänzle 2017; Gebhard 2017), and one that speaks with a 'single voice'' (see da Conceição and Meunier 2014). These issues are particularly addressed by looking at the problem of vertical coherence⁴ and the EU's increasingly faded ability to place conditionality as a premise for influence (see Gordon 2010; Sasse 2008: Yakinthou 2010). The latter being a result of a gradual absent in offering membership in return for association (see Schimmelfennig and Scholtz 2008), otherwise referred to as the 'enlargement fatigue' that followed the Central and Eastern enlargement in 2004 and 2007 (see Szolucha 2010).

1.2.3. Research on EU actorness in the Ukrainian Conflict

Studies on EU-Ukraine relations are numerous, however, the specific topic of direct EU involvement in the Ukrainian from 2014 - 2022 are indeed limited in number.

Explanatory studies of the rise of the 'competition' between the EU and Russia in its shared neighbourhood provides accounts of how the EU has been successful in exerting influence similar to that of 'great powers' yet lacking the security power to deal with the eventual peak of tensions that arose between Russa and the EU as seen in Ukraine in 2013 and 2014 (See Gehring et al 2017; Smith 2014).

Studies which have specifically looked at the EU as a conflict managing actor in Ukraine post the annexation of Crimea and the subsequent war in the Donbas region, suggest that it has

⁴ Vertical coherence refers to the level of coherence between the member states and the Union level (Gebhard 2017).

remained as a partial and indirect conflict manager (Härtel 2021), additionally questioning the sustainability of the EU's developed Russia-policy post 2014 (Härtel 2019).

The research conducted suggests that the response of the EU to the eruption of the conflict has largely been defined by its sanction regime against Russia and extensive support for Ukraine. Additionally suggesting that the EU strategy to security has evolved to a new 'state-building-security nexus' which emerged since the 2015 ENP review (Härtel 2021), and thus marks a shift on the EU's previous emphasis from support of democratization and transformation towards the strengthening of state capacities and security.

Yet again the question of coherence is a key component as André Härtel argues that the overall construct of EU foreign policy in the case of Ukraine seems poorly balanced and at times prone to conflict (2021: 16). Additionally pointing to the consensus among the member states regarding Ukraine having been fragile and the observation that the EU's institutions, particularly on foreign policy, do not always 'act in one direction' (Ibid 2021: 16).

2. Research Design

2.2. Main Research Question and Justification of the Study

The underlying motivation for this study is first and foremost an interest in the study of the EU as an actor in international relations, and how its continuously growing competence within foreign policy, external action and otherwise influence on the global scene is affecting the international environment. The continuous growth and evolvement of the EU alongside the rather ambiguous ambitions the 'integration project' embodies, leaves a wide variety of speculation on the EU as an actor in and of itself. Any end goal for the EU in its growth is not predictable, thereof one can only assume that a slow-paced continuous growth of EU competence is - to some extent - a main objective on its own.

To some extent, this study builds on topics explored in my bachelor thesis⁵ in European studies, which analysed the potential influence – and actorness of the EU, particularly in Europe, using the case study of Turkey as a lens for its external action and foreign policy abilities. While that study specifically drew on empirical evidence for the EU's potential to exert influence primarily through enlargement and during accession processes - i.e., the transformative power of integration - this study looks at EU actorness through a more conflict-oriented lens and the EU's

⁵ The European Union's power to Influence and Integrate: A qualitative analysis of EU external policies and the pending accession of Turkey. Submitted May 2020 at the Faculty of Humanities, NTNU.

specific capabilities in external action through direct involvement with a third country. This thesis thereof seeks to provide a better understanding of how the EU has been acting and managing the conflicts in its eastern neighbourhood, with the specific case of Ukraine.

The thesis therefore poses the primary research question of:

To what extent has the EU been an effective and coherent actor in managing the conflict in Ukraine from 2014 – 2022?

Additionally, there are sub-questions that base their form around the overall ambition of the primary research question. These are as listed:

- I. How has EU external action with regards to Conflict Management, in Ukraine evolved from 2014 2022?
- II. How did EU external action in relations to Conflict Management, variegate across the different timelines (2014 -2016, 2017 2020, 2021 2022)?

The relevancy of the topic is anchored in the relevancy of EU actorness studies. In addition, the given timelines of the thesis' analysis are rather modern in that it specifically deals with events from not only within the last decade but not going any further back than 2022. Although there is diversification in the studies of EU conflict management, the topic is rather young in age. Therein, as the topic became increasingly apparent in the literature on EU actorness, so did the culmination of a conflict in Ukraine. The escalation of the Ukrainian conflict to a declared war between Ukraine and Russia furthermore strengthens the relevance of this thesis' questions and therein justifies the research. The additional gap in the literature, which is contributed both to the young age of EU conflict management research and the given timeframe of this thesis, should furthermore provide this thesis with a relevant place among EU conflict studies.

2.3. Thesis Outline

The thesis will first give an account for the conceptual framework and the methodological approach. In the former the analytical components will be explained both in their nature as well as an account for why this approach is selected for this thesis will be given. In the later the method chosen for conducting the analysis will be further expanded on.

Chapter three, "Setting the Scene", gives the necessary context that preceded the eruption of the Ukrainian conflict in 2014. The chapter is highly descriptive as the intention is to draw on important elements and events that will be important to highlight in the analytical chapters

Chapter four is the first analytical chapter. It deals with the time period of 2014 - 2016 and gives an account for the development of the conflict and the EU's ability to attain effective actorness during that period of the conflict. Chapter five and six deals in a similar fashion as that of chapter four, with the time periods of 2017 - 2020 and 2021 - 2022. Each analytical chapter will have its own conclusion where the relevant research questions to the respective time periods will be drawn on to further substantiate the findings of each chapter individually.

The final chapter, chapter 7 is the conclusion which will bring the research questions of the thesis to the forefront and answer them on account of the findings in each of the three analytical chapters.

2.4. Conceptual Approach / Analytical Framework

The conceptual approach to EU external action in this thesis will rely on Bretherton and Vogler's work 'The European Union as a Global Actor' (2006). Because of the close relations between EU conflict management studies and the state of the art of actorness studies, this thesis aims to further merge the two together by adopting the analytical actorness framework of Bretherton and Vogler in the assessment of the EU's handling of the conflict in Ukraine.

Bretherton and Vogler's conceptualization are based on three assessable elements which are concerned with the actorness of the EU; opportunity; presence; and capability. *Opportunity* refers to the external context – i.e., the contemporary environment in which an international actor manoeuvre within. This in turn represents ideas and events which either constrain or enable EU actorness. *Presence* captures the ability of the EU, by virtue of its existence, to exert influence beyond its borders. Furthermore, this element inherently gives an account for the EU's structural power, which often comes from consequences of internal priorities and policies. *Capability* gives an account for the internal context of EU external action, meaning the Unions availability of tools and policy instruments and its ability to utilize these instruments in response to opportunity and/or to capitalize on presence (2006: 24).

The elements specifically deal with the EU's ability to assert influence as an international actor and functions as criteria for actorness. In other words, the elements of Bretherton and Vogler are rather fitting to this thesis as the three of them all incorporate external orientation in addition to intra-Eu dynamics. Together the elements form a complex set of interacting processes which is meant to be seen as variables that shape and explain the EU's external activities. Thus, it is the ambition that the utilization of these elements will further give credibility to the sophistication of the thesis in its attempt to answer the posed research questions. While the elements of Bretherton and Vogler give an exceptional account for EU actorness, this thesis furthermore has the ambition of measuring the extent and effectiveness of EU External Action in relations to Ukraine and attain a structural discipline of keeping the focal point on the EU's external action. Therefore, the framework for analysis will be complemented by the adoption of Simon Schunz's framework of analysing 'the effectiveness of European Union External Action' found in Gstöhl and Schunz's 'The External Action of the European Union: Concepts, Approaches, Theories' (2021).

Effectiveness is to be understood as Schunz himself defines it in relations to his framework; as the purposive attainment of external objectives (2021: 134). Furthermore, Schunz points to the linkage between effectiveness as understood from the short excerpt above, and an actor's power and legitimacy which in turn – particularly where power is concerned⁶ - is mere capacity (2021: 134). Schunz analytical framework consists of four steps. The first being *Identifying EU* objectives. This step involves establishing the EU's goals. In relation to this thesis that being their goals as an actor in the Ukraine conflict. This thesis will attempt at identifying both the EU's desired short-term effects and long-term sustainable impacts and assess how these correlates with one another. The second step is *matching the objectives with outputs/outcomes*. Meaning to determine if the EU's short-term ambitions are in match with its described longterm ambitions, i.e. if the desired outcomes⁷ match the output⁸ of the EU's policies (Schunz 2021: 139). In order to specify the degree of match between objectives and output/outcomes, Schunz heuristic scale will be utilized: Strong EU external effectiveness equals the achievement of all or most of its objectives; Medium effectiveness occurs if the EU has attained some of the desired goals; and for the effectiveness to be weak, the EU has achieved few or none of their objectives. The third step is tracing EU external action. This step allows the analysis to take into consideration that the effectiveness of the EU's external action has to be determined based upon the EU's own achievements. In other words, EU objectives have to be achieved as a result of its own purposive action (Schunz 2010: 25, as cited in Schunz 2021: 139). This step therefore deals with the extent to which "outputs/outcomes were (co-) effectuated by the EU" (Beach and Pedersen 2013: 63). The final and concluding step of the efficiency analysis is *determining*

⁶ Power is to be understood here via Russell's definition; the ability to produce intended effects (1938).

⁷ In this analytical framework, *outcome* relates to the long-term goals of the EU (i.e. effectuating change that moves a country closer to EU interests and values) (Schunz 2021: 139).

⁸ In this analytical framework, *output* relates to the short-term (e.g., signing an Association Agreement with a country) (Schunz: 139).

the degree of EU external effectiveness. This step will bring together the crucial points of the previous steps regarding 'goal achievement' and 'purposive action'.

The framework of Schunz is chosen specifically for its natural complimentary quality to Bretherton and Vogler's element of capability. Because this thesis has the primary focus of assessing the EU's management of the conflict in Ukraine, Schunz's framework will predominantly function as the primary account for the EU capability for actorness.

2.5. Methodological Approach

The thesis offers a qualitative and empirical analysis of the EU's approach to the Ukrainian conflict from the time of Russian aggression materialized in the annexation of Crimea in 2014 to the end of the conflict in 2022 as it after February 2022 evolved into an official and unequivocal war between Russia and Ukraine. The empirical portions of this qualitative study will be based primary sources, predominantly by the Council of the EU, the EU External Action Service's (EEAS) and the European Commission and additional secondary literature.

Process Tracing

The thesis is concerned with EU action and its pursuit of goal achievement in the Ukrainian conflict. Thus, process tracing is selected as a natural method in measuring that very issue. Process tracing is additionally a fundamental tool of qualitative analysis (Collier 2011), and it is often utilized in within-case analysis studies based on qualitative data. The method relies upon the methodological argument for process tracing given by Beach and Pedersen as they describe process-tracing as allowing for a dynamical examination of EU external action in its ''real-life context while narratively reconstructing the paths leading to outputs/outcomes'' (2013: 63). The crucial bit here being to the exploration of the extent to which outputs and outcomes have been (co-) effectuated by the EU (Ibid).

Within-Case comparison study

To further elaborate on the actorness of the EU, its evolvement, strengths and challenges. The thesis will adopt a within-case comparison study approach. Specifically, the single case study that is the conflict in Ukraine and the period this thesis is looking at (2014 - 2022) is split into three individual periods.

The thesis divides the conflict into three periods: 2014 - 2016, 2017 - 2020 and 2021 - 2022. Each period is analysed separately and comparatively with the utilization of process-tracing and the within-case comparison study approach. The chosen division of periods is based primarily on the evolution of the conflict itself and the external perception of the conflict, not necessarily on the EU's different approaches within each of the periods. Each chapter will additionally divide the elements of the analytical framework as they will be treated individually. Each chapter will be concluded where a broader account can be made of the period bringing together the meanings of the findings from each element (opportunity, presence and capability).

3. Setting the Scene

To fully give an account of the EUs role in Ukraine and to fully answer the research question of - To what extent the EU has been an effective and coherent actor in Managing the Conflict in Ukraine from 2014 - 2022, it is important to include the political process and events that led up to the crisis of 2014. Particularly to emphasise the direct involvement and consequence of the EU's involvement as an actor before the onset of the conflict. This chapter will give an account of the preconditions for the EU-Ukrainian and EU-Russian relationship of 2014 and an account of the eruption of the Euromaidan protest and the subsequent Revolution of Dignity in Ukraine as initiated sequences of events that caused the eruption of the conflict in 2014.

3.2. The EU and Ukraine – Establishing close relations

Since the fall of the Berlin Wall and the collapse of the Soviet Union, Ukraine has wavered in its foreign policy and seen its development into a modern state been influenced both by the East and the West. The foreign policy has wavered between the alternatives of political and economic integration with either the Russian dominated East, or the EU. The EU and to a lesser extent NATO, being the representative entities of the 'western choice', have influenced Ukraine primarily through soft power attraction, positive conditionality, financial assistance and capacity building (Shyrokykh 2018). On the other end, Russia has capitalised on existing energy and trade interdependencies and had the ambition of influencing Ukraine and rather shape its foreign policy choices through hard power, negative externalities, and coercion (Ibid 2018). Ukraine's own ambition in terms of following either of the two foreign policy options has – as mentioned – been a wavering one. There has however never been projected a fully-fledged desire to neglect the EU and the West in general for a more uncompromising turn to Russia. The option has rather been, as former president of Ukraine Leonid Kuchma coined it, a ''multivector foreign policy'' option (Shyrokykh 2018). The intention here has been to balance relations to the West and the East without prioritising either one (ibid 2018).

The first period following the end of the cold war under President Leonid Kravchuk⁹ saw Ukraine explicitly seeking a future in the EU and NATO. During the subsequent president Leonid Kuchma's¹⁰ period however, pro-Russian rhetoric and the emergence of the multivector foreign policy vision became prominent. Under Viktor Yushchenko¹¹, the original option of pursuing integration into political, economic and military organisations and alliances once again reiterated. And yet again, with Viktor Yanukovych¹² obtaining power in 2010, Ukraine's foreign policy shifted back to Kuchma's multivectorism, before returning to the policy of EU and NATO integration when Petro Poroshenko rose to power following the Euromaidan protest and the subsequent Revolution of Dignity (Shyrokykh 2018). These swings of foreign policy as a political subject has in Ukraine. So much so that studies on the topic have indicated that the foreign policy preferences of candidates have been the best measurement for predicting electoral support (Kulyk 2011; Frye 2015, as cited in Shyrokykh 2018).

Despite these swinging variations in preference expressed through the Ukrainian office of presidency, continuous integrational steps have been taken with the EU, albeit at a slow pace. The first legal basis of the relationship between the EU and Ukraine is rooted in the 1994 Partnership and Cooperation Agreement (PCA). The agreement was seen as a prerequisite for Ukraine's successful integration into the European economy and an important step in asserting Ukraine's European identity. Ukraine was the first newly independent state to sign such an agreement (European Council 1999) which furthermore is symbolic of the Ukrainian ambitions for future membership. In 1999, a Common Strategy Policy Document promised to be a milestone in EU-Ukrainian relations and was seen as a welcoming response to the Ukrainian 'European choice''. It furthermore outlined important objectives of accelerating the democratic and economic transition process in Ukraine and expressed support for strengthened cooperation between the two within the context of EU enlargement (Ibid 1999).

These formalized structures and the Ukrainian expressed ambitions to further their relations with the EU from the end of the 1990s laid the groundwork for the first decade of the 21st century. The European Commission additionally adopted the 2003 "Wider Strategy" (Commission of the European Communities 2003) which drew on the key mechanisms of differentiated bilateralism, conditionality and socialization to institutionalize the cooperative

⁹ President from December 1991 to July 1994.

¹⁰ Two consecutive terms as President from July 1994 to January 2005.

¹¹ President from January 2005 to February 2010.

¹² President from February 2010 to February 2014.

structure the EU had with its neighbouring countries (Schumacher 2018: 3). 2004 saw the European Neighbourhood Policy being implemented, which in relations to Ukraine, was a double-edged sword. While providing a framework for deeper political and economic relations its explicit aim of being a substitute for enlargement was indirectly a rejection of Ukraine's membership ambitions and a relegation to that of a perennial 'neighbour' status (Molchanov 2004).

Ukraine's bid to join the EU however has been a turbulent one. The country had in the period previous to the launching of the ENP, not successfully initiated policies in support of the Copenhagen criteria and it had issues relating to that of fully reforming itself to a liberal democracy with a functioning market economy (Molchanov 2004). Nevertheless, the policy ambitions and strategic objective of Kyiv was integration with the EU and a pursuit of association and market economy status as well as for a free trade area¹³. Ukraine hoped for association status by 2007 and to establish real pre-conditions for EU-membership by 2011 (Semeniy 2007: 126). To integrate with Europe - i.e., the EU - was indeed advanced as the ''core strategy of economic and social development for the country in the following ten years and the long run'' (Ibid 2007: 126).

The strive for the 'European choice'' was stressed in Ukrainian President Leonid Kuchma's statements following the EU's 2003 ''Wider Europe'' neighbourhood initiative as he stated his frustrations ''We don't ask much from the European Union, we only want to find out whether the European Union wants to see Ukraine among its member-countries or not'' (Woronowtcz 2003). This reflected that the ''European choice'' had become integral to both the foreign policy of Ukraine but also to its identity (Dragneva & Wolczuk 2015: 36). This priority continued to remain as Ukraine's foreign policy objective in the late stages of the 21st centuries first decade. During the presidency of Yanukovych, despite his rather strong relationship with Russia, saw continuation of a 'pro-EU' foreign policy which led to the conclusion on negotiations on a deep and comprehensive free trade area¹⁴ (DCFTA) with the EU in 2011 and the Association Agreement (AA) in 2012. The agreement includes comprehensive efforts to enhance the cooperation between the EU and Ukraine in several policy areas including political cooperation, foreign and security policy, justice and freedom (Åslund 2013). It aimed at accelerating the

¹³ The first aim was clearly defined in the 'Strategy for Ukraine's integration to the EU' as the 'main priority of Ukraine's foreign policy in the mid-term' (preamble) and Ukraine should have reached it when its western neighbours joined the EU (Semeniy, 2007.

¹⁴ One of the most important aspects of the DCFTA is that it abolishes mutual customs tariffs (Åslund, 2013).

deepening of political and economic relations between Ukraine and the EU and gradually integrate Ukraine into the EU's internal market (Ibid 2013).

3.3. EU – Russia tensions: Competing Neighbourhood

Russia had gradually started to object to the influence the EU were projecting in the neighbouring countries. In previous years, it was primarily NATO and its potential enlargements into the Eastern sphere that had been an object of Russian animosity. Prior to the ENP – which became an expression of the EU's ambition to develop its actorness and to establish itself as a power (Schumacher 2018: 3) – the Russian political elite perceived the EU as a passive and benign actor (Maass 2017: 19). In some areas the EU was viewed as the ''acceptable face of the West'' (Ibid 2017: 19). With the launch of the ENP in 2004 and the subsequent establishment Eastern Partnership (EaP) in 2009, the deterioration and disintegration of EU – Russia relations started to arise (Fawn 2022).

Moscow expressed reservations regarding the EU's general outreach through the ENP (Fawn 2022) and when the launch of the EaP was initiated, a more clear-cut turmoil between the EU and Russia commenced. Previous attempts at securing Ukraine into the Russian fold of influence had failed. In 2003, Putin wanted to integrate Ukraine into the new Single Economic Space (SES). The ambition being that this area would first be structured as a free trade area and gradually evolve into a customs union with an eventual common currency (Åslund 2013). As Putin participated in the 2004 presidential campaign of Viktor Yanukovych - his favoured candidate – and as that campaign failed during the Orange Revolution of November – December 2004, seeing Viktor Yushchenko winning in a repeated run-off vote, the SES ambition of Russia additionally lessened. Ukraine became a more evident special case for Putin at this point as he stated after the Orange Revolution in his annual state of the nation address that "the collapse of the Soviet Union was the biggest geopolitical disaster of the century" (CBS 2005), and one of the key elements of restoring the grandeur of Russian imperialism – in Putin's opinion – was by bringing Ukraine into the fold of Russian influence (Åslund 2013). A testament to the Russian frustration over Ukraine's integrational process with the EU was additionally seen in the establishment of the Customs Union, which became the Eurasian Economic Union in 2014¹⁵. Russia had pressured former Soviet states to join with the ostensible purpose being

¹⁵ The Eurasian Economic Union was signed in 2014 by leaders of Belarus, Kazakhstan and Russia, and came into force in 2015.

economic, however its primary objective being interpreted as geopolitical (Adomeit 2012), and the integration of Ukraine has been the primary ambition of Putin's Russia (Åslund 2013).

The Orange Revolutions additionally furthered the process of democratization in Ukraine and in February 2005 a substantial Action Plan was concluded between Ukraine and the EU. It formally established the Ukrainian pursuit of reformation as the plan committed Ukraine to several reforms with substantial assistance from the EU. This put Ukraine on a path which accelerated the countries admission to the World Trade Organisation (WTO) where the EU negotiations on the DCFTA swiftly followed. The launch of the EaP with the declared goal of creating 'the necessary conditions to accelerate political association and further economic integration between the European Union and interested partner countries' (Council of European Union 2009), saw the foundations for the DCFTA and Association Agreement negotiations come about. There was stagnation in the process from 2010 - 2012 as the EU held off on signing the concluded negotiations on the DCFTA because of expressed concerns regarding violations of human rights and rule of law (Åslund, 2013). In the summer of 2013, the EU extended its reach via the EaP when Moldova, Armenia and Georgia also concluded DCFTA's with the EU (Ibid 2013).

More generally, the EU's democracy promotion and particularly the increased attention towards Russian shortcomings of totalitarianism and lack of human rights-norm from member states who most recently had become members of the EU was seen as a threat to Russia's hegemonic role in the shared neighbourhood (Shyrokykh 2018). The export of 'Western Policies' directed especially towards Ukraine – but also towards other former Soviet states – was interpreted through 'the prism of conspiracies'' (Kuzio 2016) and regarded as aims to weaken Russia's position in the region. The once thought of 'shared neighbourhood' between the EU and Russia had – in the eyes of Moscow and the Kremlin – become a region of competing interests (Kuzio 2016).

In the two years leading up to 2013, the EU had stressed the government of Ukraine in terms of amending its standings on the rule of law and human rights in order for Ukraine to sign the Association Agreement at the Eastern Partnership summit in Vilnius in late November 2013 (Åslund 2013). The Ukrainian intention of signing the Association Agreement however, had provoked Russia and the Kremlin which sought to hinder further alignment between Ukraine and the EU via imposing trade sanctions in July and August 2013. These sanctions were in clear violation of the obligations under the WTO (Ibid 2013). The more future oriented goal of the

Kremlin was for the Ukrainian government to reject further association with the EU and rather join its Customs Union with Belarus and Kazakhstan (Ibid 2013).

This put major pressure on the Ukrainian government as both the EU and Russia were equally important economic partners. In 2012, both Russia and the EU purchased one-quarter of Ukraine's exports, and each accounted for approximately 30 percent of Ukraine's imports (Åslund 2013). However, the prospect of the DCFTA – according to studies conducted¹⁶ at that point in time - far outweighed that of a membership to the Customs Union. Measured purely by economic effects that is. Ukraine nevertheless was vulnerable to external pressure. The international reserves had, as of August 2013, declined rapidly and Russia - intent on actively pursuing its interest in Ukraine - seemingly remained happy to exploit such weaknesses. The Russian position was clear as it strongly rejected further Ukrainian integration with the EU and underwent serious attempts which undermined Ukrainian sovereignty when it became apparent – in June of 2013 – that it was the intention of the EU to sign the Association Agreement with Ukraine in November that very same year.

Russia launched a trade war onto Ukraine with the ambition of blocking Ukraine from signing the EU Association Agreement with the desire to force it into the customs union (Åslund 2013). The pressure - which included restrictions on Ukrainian exports and a warning that signing the association agreement would be ''suicidal'' for Ukraine (Gardner 2013) - was rewarded as President Viktor Yanukovych, in 2013, eventually opted out of signing the Association Agreement (Pawlak and Croft: 2013), which included the element of DCFTA in exchange for financial assistance from the Kremlin (Shyrokykh 2018: 843). What followed was the substantial and massive protest Euromaidan.

3.4. Euromaidan and The Revolution of Dignity

As previously mentioned, foreign policy in Ukrainian political debate is a heavily prioritized subject. When the then-Ukrainian President Yanukovych refused to sign the long-awaited Association agreement with the EU in November 2013, mass protests erupted which led to a regime change in February 2014 (Danilov 2022: 156). The protest which lasted approximately 3 months from late November 2013 to late February 2014, was an opposition to the Azarov Government under President Viktor Yanukovych that called for a presidential resignation. The Euromaidan protest became a massive protest which included several clashes with riot police.

¹⁶ Åslund refers to studies conducted by Polish and Ukrainian institutes and the World Bank where a comparison of the financial prospect of both the implementation of the Deep and Comprehensive Free Trade Agreement and membership to the Russian dominated Customs Union were conducted (See Åslund 2013: 5).

This ultimately led the protest movement to be one of the bloodiest events in the history of Ukraine post-independence (Chebotariova 2015). The protest swiftly escalated as strict protest laws were implemented by members of the Ukrainian parliament that favoured the regime of Yanukovych¹⁷. The violence that erupted was exhaustive and after sniper attacks that resulted in more than a hundred deaths, Yanukovych fled Ukraine. Yanukovych were subsequently ousted from power and at the onset, this was viewed as an opportunity for Ukraine to sentiment greater democracy in its government (Nitsova 2021). Pro-Russian demonstrations arose in eastern and southern Ukraine, regions of which Yanukovych and the Azarov Government had their basis for support. After a short period of approximately a week following the pro-Russian demonstration, Russia de facto annexed Crimea (Ibid: 2021). This motivated pro-russian rebellious movements in the regions of Donetsk and Luhansk (generally referred to as Donbas together). This movement saw success in capturing regional state administration buildings, city councils, police stations and security and service buildings in more than 30 towns and cities (Zhukov 2014, as cited in Nitsova: 2021). Referendums on the issue of self-rule followed the rebellious control of these regions which directly challenged the authority of the Ukrainian state.

The response from the EU and Russia was intrinsically two of very different sorts. The EU deemed the protests as a 'Euromaidan Revolution of Dignity' (Delegation of the EU to Ukraine 2016) while Russia saw it as illegitimate and unconstitutional events (Federation Council 2014, as cited in Danilov 2022: 156).

3.5. Conclusion

This descriptive chapter outlines how the EU has been accumulating presence in the Ukraine by the given opportunity of the ideological and political environment in Ukraine towards further association with the EU over a long period of time. Additionally, the capability of the EU to further increase the integrational level between itself and Ukraine, particularly seen with the process of formalizing EU-Ukrainian relations through the Association Agreement and the DCFTA, has evidently increased Russian perception of the EU as that of a competitive entity within its own sphere of influence. Furthermore, this culminating tension between Russia and the EU – playing out in Ukraine – set a foot the long-term conflict that in February of 2022 resulted in a full-scale Russian invasion of Ukraine. The existential European security crisis caused by 2013-2014 events in Ukraine was, as Hiski Haukkala correctly puts it, a 'culmination

¹⁷ A set of anti-protest laws, passed on January 16, criminalized most of the peaceful methods and forms of protest (i.e. by introducing fines and prison terms for wearing facemasks and helmets) (Chebotariova 2015: 163).

of a long-term crisis in EU-Russia relations' (2016). In other words, the EU was involved in the conflict as an actor before it erupted into a conflict early in 2014, thus arguments can be made for its responsibility in relations to the outbreak of the conflict. However, it is not in the ambition of this thesis to further analyse the extent to which the EU *could* or *should* have acted differently with relations to the evident threat of provoking Russia to undertake aggressive measures in their ambition to hinder further Ukrainian alignment with the EU. Neither is it the purpose of this chapter to assume the simplistic position of blaming the EU for provoking Russia, it is simply important to note the EU's role and actorness in the periods leading up to the conflict as it ''sets the scene'' and gives the inherently important context necessary for understanding the sophistication of the extent to which the EU has been an effective and coherent actor in managing the conflict. It additionally brings up the question of the EU's responsibility to further act in support of Ukraine.

4. From Crisis to Frozen Conflict 2014 – 2016

This chapter will first give a brief account for chain of events and development of the Ukrainian conflict from 2014 - 2016, to account for the diversification of the period, and to highlight important aspects of the first two years of the conflict. This will further substantiate the following analyses of the EU's actorness and management of the conflict. The analyses will start by looking at the element opportunity for EU actorness in relations to the conflict, followed by the element of presence and end on the more extensive element of capability, which – to some extent rely on- and consist of – an assessment of the EU's effectiveness in external action in its management of the conflict. The chapter will end on a conclusion brining in the research questions as they relate to the first period of the conflict.

In the period of 2014 to 2016, the violence that had erupted during the Euromaidan protests escalated into an undeclared war between Russia and Ukraine. The Revolution of Dignity, which refers to the success of the Euromaidan protest in effectively ousting Yanukovych from power and changing the regime in Kyiv with a return to a more EU-friendly government, saw the outburst of pro-Russian mass protest in Ukraine's eastern regions. This pro-Russian movement in the Donbas region was backed by a covert Russian operation which took control over the Crimean Peninsula (Kofman et al 2017). A referendum was set to be held following these events by Crimea's Supreme Council on Crimean independence. Despite the referendum being widely condemned internationally as illegal and breaching with Ukraine's constitution

and the legitimacy of the results highly questionable¹⁸, the outcome – which voted for the Crimean Parliament to secede from Ukraine – was a political tool used by Russia to completely annex Crimea by 18 March (Ibid 2017).

By mid-March, Pro-Russian protestors rallied in Donetsk, and also there they were calling for a referendum on the future of Ukraine's eastern region with regards to greater autonomy within Ukraine. In April, following a continual evolvement of the civil unrest in Donetsk Oblast and Luhansk with pro-Russian activists storming government buildings, Pro-Russian activists proclaim the region of Donetsk to be independent from Ukraine and set a date of May 11 for a referendum on joining Russia. What followed where an escalation which became an undeclared war between Ukraine and Russia. Russia sent in troops in August of 2014 under the name of being a ''humanitarian convoy'' which was described by Kiev as a ''direct invasion'' (Luhn and Roberts 2014).

In the beginning of September 2014, the Minsk protocol¹⁹ was signed as an initial peace plan. The protocol was to function as a de facto ceasefire agreement, however by January 2015 the ceasefire was broken as fighting continued. This led to the 2015 Minsk II²⁰ agreement which was agreed upon through the 'Normandy Format' via leaders from France, Germany, Ukraine and Russia. While the agreement saw limited progress and quickly broke down, it led to a stalemate of trench warfare which *de facto* made the conflict frozen²¹. While eruptions of violence and violations of the ceasefire continued to occur, little alteration was seen in territorial change as the frontlines of the conflict stabilized by the end of 2015 (Polishchuk and Franklin Holcomb 2020). Subsequently 2016 became the first full calendar year of the conflict where Ukraine lost no territories to pro-Russian/Russian forces. Making this first period of the conflict one *from crisis to frozen conflict*.

¹⁸ The Crimean referendum (16th March) took place with no access to independent observers. The results showed 97% in favour of Russia with a reported (by Crimean authorities) voter participation of 83 percent, however it is estimated to be at 30-50 percent (Kofman et al 2017: 106).

¹⁹ The first Minsk protocol included prisoner exchanges, deliveries of humanitarian aid and the withdrawal of heavy weapons (Reuters 2022).

²⁰ The Minsk II Agreement specifies 13 points; Immediate and comprehensive ceasefire; withdrawal of all heavy weapons by both sides; Monitoring and verification by the OSCE; Initiating dialogue on the self-government of the regions of Donetsk and Luhansk; a pardon and amnesty for people involved in the fighting; exchange of hostages and prisoners; provision of humanitarian assistance; resumption of socio-economic ties; restoration of full control of the state border by the government of Ukraine; withdrawal of all foreign armed formations, military equipment and mercenaries; constitutional reform in Ukraine (decentralization of Donetsk and Luhansk); elections in Donetsk and Luhansk; and the intensifying of the work of a Trilateral Contact Group compromising representatives of Russia, Ukraine and the OSCE (Reuters 2022).

²¹ The term describes conflicts where fighting took place bad has ceased in its frequency, however no overall pollical solution has been reached (Courtney 2014).

4.2. Opportunity - constrained or enabled EU actorness?

The analysis of the EU's opportunity to be an actor in the conflict, granted by potential constraining or enabling factors, is two-fold in relations to the conflict. On the one hand it must account for the EU's opportunity to exert influence on Ukraine, and on the other its ability to do so on Russia.

The addressed 'wavering' of Ukrainian foreign policy ambition mentioned in chapter three exemplifies how the external environment of ideas and events in Ukraine have both constrained and enabled EU actorness. Ukraine has always been a profoundly complicated case, reasoned much by its crucial geopolitical location and its cultural ties with Russia. Despite Ukraine never being a full member of the Commonwealth of Independent States (CIS), it has been – from Russia's perspective - its most important member (Mankoff 2012: 223). The effects of Russia's foreign policy in the aftermath of the ending of the Cold War and the dissolution of the Soviet Union which strongly contributed to the external environment and ideological climate in which the EU could consolidate further actorness in the eastern region swiftly altered with the rise of Vladimir Putin and the coming of the 'competing neighbourhood' as described in chapter three.

The EU's opportunity in 2014 to influence Russia were low. The EU-Russian relationship had been deteriorating for years and the former capitalization by the EU of both the opportunity and presence that arose with the demise of the Soviet Union was clearly not infinite. The 2004 Orange Revolution, which responded to the initial electoral success of the Russian supported Viktor Yanukovych as fraudulent and toppled his victory - where the more pro-EU candidate Viktor Yushchenko won in a new runoff vote - exacerbated the division between Putin's Russia and the West (Mankoff 2012). The electoral success of Yushchenko and the subsequent formation of the orange coalition was a political loss for Russia. As with the Revolution of Dignity, Russia and the West²² supported different sides in the dispute. The reasoning found in the different foreign policy ambitions of the two evidential competing sides (Ibid 2012). The divisions that arose between the EU and Russia following the 2004 Orange revolution saw - to some extent - rapprochement when Russian backed Viktor Yanukovych won the election for presidency in Ukraine in 2010 (Mankoff 2012). The election was recognized by the International Election Observation as being conducted free and fair, meeting most of the Organization for Security and Co-operation in Europe's (OSCE) and the Council of Europe's commitments (OSCE PA n.d.). President of the Parliamentary Assembly of the OSCE, João

²² I use the term ''West'' here as an umbrella term for the EU and the US.

Soares, additionally stated that the election was an "impressive display of democratic elections (Ibid n.d.). The presidential term of Yanukovych, however, saw serious implementation that threatened the observed constitutional progress Ukraine had made in democratizing. The 1996 constitution of Ukraine provided for a strict separation of powers between the President and the Parliament. Despite having the legal shortcomings of being a presidential-parliament rather than a more parliamentary one, the orange revolution of 2004 saw greater strides being made with a new constitution which provided "a strong impetus for transforming the Ukrainian political system from a presidential-parliamentary system to a more parliamentary one" (Venice Commission 2010). Yanukovych sought to recover presidential powers that would enable him to rule in a similar presidential system like that of Russia (Reuters 2010), and therein nullify the progress made via the 2004 Ukrainian constitution. This eventually led²³ to Ukraine being *de facto* led under the 1996 version of the constitution by 1 October 2010 (Venice Commission 2010).

What the Orange Revolution revealed, however, and the following events that occurred in the aftermath of the Revolution of Dignity in 2014 later confirmed indisputably, was that the external environment and the international circumstances that had come about with the end of the Cold War had changed. Russia proved to be politically motivated to use any means necessary to hinder further expansion of 'Western'' influence in Ukraine.

The initial opportunity for the EU to exert its influence in Ukraine following the Revolution of Dignity was, in contrast to that of Russia, profound. It effectively resulted in a Ukrainian government with the political will to complete the process of signing the Association Agreement and with the return to the 2004 constitution, Ukraine rapidly took steps to further align itself with EU conditionality. The domestic events in Ukraine, leading up to the conflict that erupted, reflected Ukraine as a state willing to cooperate with the EU in resolving the conflict. It additionally proved Ukraine to have grown into a more resilient and self-determining state, capable of retaining strong interests in remaining free from Russian domination.

The additional evolvement of Ukraine's relationship towards NATO greatly impacted the EU's opportunity to be an actor in the conflict. NATO is to be regarded as the fundamental security pillar in Europe. By the time of the conflict in Ukraine, NATO had successfully transformed itself from a western cold war defence alliance into an encompassing pan-European military

²³ By the 30^{th of} September, a judgment of the Constitutional Court ruled in favour of a proposal that led to wider powers being transferred to the presidency in Ukraine.

alliance (McCann 2021). Ukraine has had an evolving relationship with NATO, nevertheless, it is not a member. In 2008 NATO welcomed Ukraine (as well as Georgia's) aspirations for NATO membership and formally agreed at the Bucharest Summit on 3 April 2008 that Ukraine were to become a NATO member (NATO 2008), however, any specific date was never set. This was perceived as a direct security threat by Russia. The subsequent government formed by Yanukovych in 2010, however, saw the Ukrainian government having no intention of completing the deepening cooperation between Ukraine and NATO with a membership and Yanukovych ended Ukraine's efforts to join the alliance (Goncharenko 2014). After the Crimean annexation and the commenced undeclared war between Ukraine and Russia however, rapprochement with NATO was on the Ukrainian government's agenda and in May of 2014, 47 percent of Ukrainians polls swayed for support of Ukrainian NATO membership (Ibid 2014). NATO, taking the position of supporting Ukraine's sovereignty and territorial integrity and condemning Russian aggression (NATO 2022) with a Ukrainian government willing to cooperate heavily with the Alliance offers an important aspect to the EU's opportunity to cooperate and coordinate its efforts alongside the U.S and furthermore NATO in general.

Therefore, the external environment of ideas and events which transpired in 2014 in Ukraine strongly enabled EU to exert actorness in Ukraine and thus its opportunity to exert influence in the country was at the start of the conflict high. On the other hand, the status of the EU – Russian relationship and the rise of Russian opposition towards western influence in its neighbouring countries was a constraining factor to EU actorness as it rather proved for one, that Russia was willing to use traditional hard power approaches to exert its own influence and that it was resolute in its ambition to regain influence within the Ukrainian boarder.

4.3. Presence – EU's structural power and identity

The ideological climate, i.e., *opportunity*, that existed in the first decade after the demise of the Soviet Union and the end of the Cold War more or less diminished the notions of the European project being limited to 'fixed boundaries' and saw several states in the region being able to pursue independent foreign policies. This allowed for the EU to materialistically expand its presence eastward by the mere policy of enlargement. The evolved policies of enlargement seen through established principles of conditionality and criteria (e.g., the Copenhagen Criteria of 1993) and the completion that made the European Union as implemented through the Maastricht Treaty of 1992, gave the EU a definable and exhaustive presence. Its political system, compromised by the Member States and EU institutions was externally regarded as highly prosperous and therein integration towards the EU was perceived as equally attractive.

The EU's presence in its eastern sphere has first and foremost being highly enhanced by the extensive enlargements seen in 1995; Austria, Sweden and Finland, 2004; Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia; 2007 Bulgaria and Romania and the addition of Croatia in 2013.

Paralleled to this evolvement was the discursive idea that the EU was to accumulate and identity of responsibility towards the East (Bretherton and Vogler 2006: 226). The responsibility was argued to be rooted in both historical and moral aspects which was consequent upon the ''West's abandonment of Eastern Europe at the end of the second world war (Sjursen 2002: 505). The same notions of ''reuniting'' the states that had formerly resided behind the iron curtain with the rest of 'Europe', was expressed by the Central and East European countries through what Bretherton and Vogler describes as a ''chorus of demands to return to Europe'' (2006: 226). Schimmelfennig and Sedelmeier argues that a further consequence of this rhetoric and discourse of 'reuniting Europe' was an acceptance of enlargement as ''a permanent and continuous item on the EU's agenda (2002: 500). The enlargements of 2007 and 2013, which occurred post ENP, were clear indicators of that very argument. Furthermore, this rhetoric of responsibility were reiterated on several occasions in relations to the outbreak of the conflict in Ukraine in 2014. The EU had therein built an external perception of being an entity which seeks to uphold peace, stability and security. This is an important note with relations to the Ukrainian conflict as it prescribes the EU with a role and an identity in relations to the conflict

As explained in chapter three, these sentiments have prevailed in Ukraine's foreign policy since its independence. The Euromaidan protest represented various segments of the Ukrainian society. The most encapsulating being opposing the monopolization of power of President Yanukovych, whom effectively backtracked Ukraine's democratic progress, and the urgent need for reforms to the economic and political systems of Ukraine (Chebotariova 2015: 175). This ideological stance aligns to the developed character of the EU: a political system in which institutions are to guarantee democracy, the rule of law, human rights and respect for and protection of minorities and economic security in upholding a functioning market economy. Thus, the presence of the EU by mere consequence of its being, impacted the domestic behaviour.

The pre-conditions for the EUs presence and its ability to exert influence externally in relations to the crisis that erupted in Ukraine in 2014 was set primarily by the major steps the EU had underwent by the Maastricht Treaty which further enabled the revisions and strategies seen in

the 1997 Treaty of Amsterdam, the 2003 Treaty of Nice and especially with the Treaty of Lisbon entering into force on 1 December 2009.

The European Security strategy (ESS) of 2003 – which was produced in response of the external factors of its time - buttressed that ''Europe should be ready to share in the responsibility for global security and in building a better world'' (European Council 2003: 1). A role which was later reiterated by the former President of the European Council, Herman Van Rompuy following the annexation of Crimea as he states that ''all leaders affirmed that as European Union, we have a special responsibility for peace, stability and prosperity on our continent, and we are ready to take that responsibility (European Council the President 2014). The ESS, while being regarded as a landmark in the development of the EU's foreign and security policy by Secretary-General of the Council of the EU / High Representative for the CFSP Javier Solana (Council of the EU 2009), further sentiment the ambition of the EU to be a security provider and therein an active entity in potential conflicts in its regions (Ibid, 2009). It established principles and set clear objectives for advancing the EU's security interests and remained fully relevant from its implementation until its upgrade in 2016 with the Global Strategy for European Union's Foreign and Security Policy.

The most important element of the EU's strategic objectives to its east as outlined in the ESS were to promote good governance and create a ''ring of well-governed countries to the east of the European Union'' (European Security Strategy 2003). The most effective way for the EU to actively pursue this very ambition was by the continuation of its enlargement policy and the establishment of the European Neighbourhood Strategy (ENP).

The outset of the crisis, with the toppling of Yanukovych in substitution for a more pro-EU government alongside the return of the 2004 constitution alongside the aggressive response from Russia with the annexation of Crimea and support for the independence referendums held in the Donbas regions and the subsequent reaction of signing legislation to complete the process of absorbing Crimea into Russia to the signing of the Association Agreement in March 2014 (Croft and Pawlak 2014), Russia had indirectly forced Ukraine into opting solely for its 'European Choice'. The events of early 2014 therein created the realisation that Ukraine was to choose Europe over Russia, which lay the foundational concept of the EUs presence to act in the Ukrainian crisis from 2014 and to 2016 with Ukraine being in a continuum of opting for European integration and more generally Western cooperation by the virtue of the EUs existence.

Thus, the presence of the EU and its structural power where evident in terms of influencing Ukraine and furthermore indicates that the EU had the presence of continuing exerting actorness in Ukraine, however, the strategy towards security was primarily based on integrative approaches. The most fundamental presence of the EU in terms of exerting actorness to further manage the conflict resided in its presence economically through – not only its economic strength – but its internal market and the interdependencies which existed between Russia and the EU, i.e., its presence in Russia.

4.4. The EU's capability and Effectiveness in managing the conflict

4.4.1. The Effectiveness of EU External Action

Identifying EU objectives

The EUs objectives at the start of the conflict was twofold; to stabilise, support and promote integration with Ukraine and to de-escalate the conflict primarily through putting pressure on Russia to halt its aggression and to exert its own influence in de-escalating the conflict.

The EU formulated its response towards Russian aggression rather swiftly. Following the Annexation of Crimea and the announced independence referendums that were to be held in the peninsula, an extraordinary meeting of EU ministers for foreign affairs were held 3 March and one of Heads of State or Government on the situation were held on the 6th of March. There was no ambiguity about Russia being the perpetrator of aggression. The first steps taken were to buttress the condemnation of "the clear violation of Ukraine's sovereignty and territorial integrity by acts of aggression by the Russian armed forces as well as the authorisation given by the Federation Council of Russia on 1 March for the use of the Russian armed forces on the territory of Ukraine" (Council of the EU 2014a) and to call for Russia to withdraw its armed forces. The first premise for any solution to the crisis was also identified as one that "must be based on the territorial integrity, sovereignty and independence of Ukraine (European Council 2014a). The European Council additionally outlined a three-step approach in accordance with the points made by the Council of Ministers of Foreign Affairs on the 3rd of March; suspension of bilateral talks with the Russian Federation on visa matters; suspension of talks with the Russian Federation on the New Agreement; and suspension of the G8 Summit preparations that was to be held in June (European Council the President 2014). Additional measures taken by the EU if results proved absent were also promptly formulated as potential travel bans, asset freezes and the cancellation of the EU- Russia summit. The Commission and the External Action Service was tasked with preparatory work on such measures (European Council 2014a).

The first objective was outlined by the continuation of progress on Ukraine signing the Association Agreement with its Deep and Comprehensive Trade Area (DCFTA). These two agreements can be identified as the short-term inter-mediate effects of EU action, i.e., the output. The long-term ambition in which the AA and the DCFTA was a strategy to further achieve was the EU effectuating change and reforms in Ukraine in order for the country to move closer to EU interests, values and standards.

The second objective of the Union was sought through its imposed sanctions regime towards Russia and Russian individuals. The short-term and long-term objectives here were a bit fused as the stated aim of the sanctions were to pressure Russia into exerting its influence in the conflict regions of Ukraine and to halt any escalation of the conflict. Additionally, it aimed at stopping Russia itself from continuing its 'unofficial war' with Ukraine. The short-term goal was eventually to see the points made by the Minsk II agreement being finalized and to see the implementation of a successful ceasefire. The long-term goal would be for total recognition of Ukraine's sovereignty over its own territory and to establish a finalized 'peace' and end of the conflict. These goals were continuously reiterated in EU policy from 2014 to 2016.

Matching objectives with outputs/outcomes

The short-term ambition of completing the Association Agreement and DCFTA with Ukraine under the framework of working towards fulfilling the criteria necessary to see the completion of those agreements align themselves with the longer out-put goal of stabilising Ukraine through a continuous process of reforms towards democratic and economic standards, thus the output of the EU with regards to the objective and its relations to the long-term outcome had a high degree of match.

The more general and perhaps vague ambition of de-escalating the conflict was pursued through the output of remaining open for negotiations with Russia and establishing a sanctions regime to pressure Russian intervention, aggression and individuals identified as responsible for the destabilisation of Ukraine and the breach of its sovereignty. The lack of any real progress in effectively reaching a fulfilment of the Minsk agreements and the continual stance by Russia to not sue for peace in the region effectively testifies to a generally low degree of EU effectiveness in terms of outcome. The additional extent of the sanction regime implemented as an output, was rather low in relations to the comprehensive aims of the objective, therein the degree of match between the output of the sanctions and the objective of de-escalation was rather low.

Tracing EU External Action in process

In 2014 the stated ambition and focus of the EU was to de-escalate the conflict in Ukraine and work towards a lasting solution (Council of the EU 2015a). Initiatives in support of Ukraine were - among several - a contribution of a seven-year support package worth EUR 11.1 billion. The package aimed at stabilising the economic and financial situation, support for peaceful transition and to encourage political and economic reforms and development.

Energy security was also an important aspect of the conflict as it was a sector in which Ukraine was vulnerable. Russia had previously used increases in energy prices alongside import bans and excessive and discriminatory customs checks to pressure countries in the Eastern neighbourhood who sought integration with the EU (Council of the EU 2014b). To ensure Ukraine's energy security the EU brokered a deal which enabled gas supplies to continue until the end of March 2015 (Council of the EU 2015a).

The EU was indeed able to utilize the regime change in Ukraine to strengthen their relations as 2014 saw the signing of the Association Agreement, including the Deep and Comprehensive Free Trade Area. During 2014, the EU made it a priority to accelerate the implementation of necessary reforms in Ukraine. It was made clear that the EU and the member states was in agreement to enable and support the reform process which included constitutional reform, decentralisation, reform of the judiciary, law enforcement, fight against corruption, ensuring the rights of person belonging to national minorities (Council of the EU 2014e).

This allowed for the EU to continue working closely with Ukraine in terms of creating political and economic stabilization via institutional reforms. The first EU - Ukraine Association Council under the new Association Agreement took place in December of 2014 and set the stage for the years to come in reconfirming the objective of strengthening Ukraine into a more democratic, stable and prosperous country (Council of the EU 2015a).

The EU additionally utilized its presence in Ukraine by establishing a non-executive mission in 2014 called the European Union Advisory Mission (EUAM). EUAM was established to assist Ukrainian authorities via giving strategic advice and ''hands-on'' support in their development of sustainable reforms in relation to the civilian security sector to further align Ukraine with EU standards of good governance and human rights (Council of the EU 2016a).

The period from 2014 to 2016 saw Ukraine's economic situation stabilise (The World Bank 2016). This was much due to international and EU support. However, continual reform in

several areas were still called for, both for the future implementation of – and contemporary provisional application of the Association Agreement but also for the broader priority of the EU in creating a democratic, stable and prosperous Eastern Neighbourhood (Council of the EU 2016a).

The EU was thereof – to a large extent – instrumental in the progress of reform and stabilisation of Ukraine.

As well as initiatives in support of Ukraine were taken, so were restrictive measures towards Russia. Following the referendum in Crimea, which on the bases its conduct was considered by the EU as illegal and in breach with the Ukrainian constitution, the first set of restrictive measures were decided. This included visa bans and asset freezes on 21 Russian and Ukrainian individuals identified as responsible for actions which 'undermined or threatened the territorial integrity, sovereignty and independence of Ukraine" (Council of the EU 2014c). Following up on the continued escalation of the conflict, the EU strengthened its sanctions against Russia by restricting Russian access to EU capital markets, halting EU nationals and companies to provide loans to five of the major Russian state-owned banks and prohibiting trade in bonds, equity or similar financial instruments issued by the same banks and three major Russian defence companies and energy companies. In September 2014, 119 persons and 23 entities were subject to EU sanctions. The former included those involved in the breach of Ukraine's sovereignty which primarily referred to the new leadership in Donbass, the government of Crimea, Russian decision-makers and oligarchs (Council of the EU 2014d). The latter, being entities under asset freeze sanctions, were primarily Russian banks, defence companies, energy companies, nine mixed defence companies and services relating to deep water oil production, artic oil production and shale oil projects (Ibid 2014d). By the end of 2014 these measures had been extended to include 132 persons and 28 entities (Council of the EU, 2015a).

In January 2015, the limited effects of the Minsk Protocol of September 2014 saw a complete collapse. As a response to the failures of upholding ceasefire agreements and the Russian refusal to exert its influence to induce the separatists' movements in the Donetsk and Luhansk regions in accordance with the Minsk agreement, the Council of the EU agreed to extend the restrictive measures (Council of the EU 2015b) which were adopted in March 2014 and subsequently updated as outlined above. The ambition of the extension was, according to High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission Federica Mogherini, to ''help putting pressure, in particular on Russia, to make positive steps, and prevent negative steps that we have seen in recent days'' (2015).

February saw France, Germany, Ukraine and Russia agree to a new ceasefire deal with the implementation of the Minsk II agreement. The European Council and the Council of the EU agreed to align the existing sanctions regime to the implementation of the Minsk agreements, which was foreseen to take place by 31 December 2015 (Council of the EU 2015c).

The instruments of sanctions and restrictive measures were continuously extended and adjusted throughout 2015. By the end of the year, it was clear that the Minsk agreements were not going to be fully realized and the Council therein prolonged the economic sanctions against Russia until 31 July 2016 (Council of the EU 2015c).

2016 saw similar tendencies as 2015. Continuous extensions and adjustments of the implemented sanctions regimes took place. The conclusion of the Council in December 2015 was repeated in December 2016 as the Minsk agreements had not been fully enforced. The sanctions regime was thereof extended until 31 July 2017. As of 2016 the sanction regime of the EU, as outlined by the Council of the EU (2016b), included limited access to EU primary and secondary capital markets for five major Russian majority state-owned financial institutions and their majority-owned subsidiaries established outside of the EU, three major Russian energy and three defence companies, export and import ban on trade in arms, export ban for dual-use goods for military use or military end users in Russia, reduced Russian access to sensitive technologies and services in the area of oil production and exploration. In addition to these economic sanctions the regime also consisted of targeted individual restrictive measures e.g., visa ban, and asset freeze and restrictive measures limited to the territory of Crimea and Sevastopol. By the end of 2016, the targeted restrictive measures consisted of 152 persons and 37 entities (Council of the EU 2016b).

Determining the degree of EU external effectiveness

In the first identified objective of the EU, the Unions goal achievement was generally strong as it was instrumental in aligning Ukraine further towards good-governance principles. It successfully saw the provisional implementation of the Association Agreement and DCFTA with Ukraine and 2014 – 2016 additionally saw progress – while limited in some areas – in reforming Ukraine. As of 2016 the economy of Ukraine stabilized and great strides to reform the defence capabilities of Ukraine had additionally been done. This had primarily been achieved by Ukraine through great financial inter alia support and assistance from the EU. While vertical coherency issues disrupted both the process of mitigating the conflict and limited

the amount of assistance received by Ukraine from the EU the path towards further reforms was evidently more eased by the end of 2016 by the actions taken in the years previously.

With regard to the first objective, Ukraine in 2016 was on its way to become a new state. The EU being in a strong position to aid Ukraine because of its comprehensible experience in reform-processes' in post-Soviet states with the addition of those states being able to share their practices with Ukraine, was a rather good point of entry as the new government of Ukraine was established in the aftermath of Euromaidan. In 2016, the past two years had showed progress in Ukraine's reform process as the country had brought about more change and reform than seen since its independence in the early 1990's (Gressel 2016). Since 2014, Ukraine had passed more laws than any other country in Europe with a particular focus on increased transparency and fighting corruption (Ibid 2016). The short-term outputs of the provisional implementation of the Association Agreement and the DCFTA was initially successful, however, the long-term goal proved more complex as the momentum for reform – that had come from the Euromaidan revolution – started to dampen by the end of 2015. The biggest hurdle in the process was that of Judicial reform as Gressel describes it as a "make-or-break" reform (2016). The implications of judicial reform would give Ukraine more functioning courts that would therein reinforce the already implemented measures of anti-corruption, decentralisation, administrative reforms and deregulation (2016) by holding those who breach with those principles accountable. Without such a reform to the judicial system the implemented reforms and progress made were de facto in a state of limbo (Ibid 2016).

Thus by 2016, given the immense challenge facing Ukraine, the external effectiveness of the EU remained strong as it saw the achievement of most of its objectives in stabilising Ukraine. However, the call for more rapid and extensive reform processes remained.

In terms of de-escalating the conflict the EU's goal achievement was rather low as no progress was seen. The Minsk II agreement, in which the EU aligned its sanctions with its progress, saw no prospects of being fulfilled by the end of 2016. This begs to question the actual effects of the sanction's regime as Russia seemingly remained firm on its position and in its unwillingness to agree to peace-terms and its general unwillingness to compromise for the conflict to end. 2015 and 2016 saw no real response from Russia to the repeated calls by the EU to stop its destabilisation of eastern Ukraine (Council of the EU 2015a). Russia instead increased its pressure through retaliatory measures of the implemented sanctions regime. These measures included a ban on the import of (certain) foods from the EU and other non-EU countries and travel bans on representatives of many member states of the European Parliament (Ibid 2015a).

Russia additionally maintained its position of preferring a trade relationship with Ukraine through the framework of CIS (Ibid 2015a). This testifies to a generally low degree of effectiveness in terms of the outcome as of 2016.

4.4.2. The EU's overarching Capability to act in the Conflict

The capability concept of the EU's actorness in relations to the conflict in Ukraine can be divided in two spheres. The first is the EU capability to capitalize on the presence and opportunity to further influence, integrate and stabilize Ukraine and to strengthen the EU-Ukrainian relationship. The second is its capability to de-escalate the conflict.

The EU proved capabilities in affecting change and reform in Ukraine in accordance with its broader ambition of creating a well-governed eastern neighbourhood. This speaks directly to the EUs integrational and financial capabilities. Furthermore, the Union showed that it was capable of formulating effective policies in response to the conflict in a fast fashion as seen in the identified objectives above. The additional availability of the political instruments of Association Agreement and DCFTA, which were already in place before the eruption of the conflict, furthermore, gave the EU a strong capability in exerting actorness abilities in Ukraine. The EU was swift in capitalizing on the accumulated opportunity and presence in Ukraine and the political instruments of the Association Agreement and DCFTA furthermore brought the tools of conditionality into play, which furthered sentiment the long-term ability of the EU to influence Ukraine by incentivising it to commence a process of comprehensible reforms. The EU additionally proved that it had the economic means to both assist Ukraine in its provisional implementation of the Association Agreement and to aid Ukraine in stabilizing its economy as it faced immense challenges due to the ongoing conflict within its borders.

The rather extreme response seen from Russia to the conclusion of the Euromaidan protest and the Revolution of Dignity did create a more or less coherent political will within the EU to impose restrictive measures against Russia and other persons and entities identified as contributing to the aggressive actions which threatened and damaged Ukraine's sovereignty and territorial integrity. Nevertheless, the sanctions imposed were not implemented without pushback from within the EU. This speaks to the EU's ability to act with vertical coherence. In other words, the level of coherence between the member states and the Union level (Gebhard 2017). Pushback during 2014 – 2016 was most clearly seen from Hungary, Greece, Italy, Bulgaria and Spain (Andrés and de Pedro 2015). Albeit at a moderate level. With Bulgaria the expressed concerns were tied to its geographic location and Russia's ability to exert pressure

on the country (Boyadjiev and Andreev 2015). Spain's reluctance was rooted in the sanctions negative impact on the agricultural sector and in its relative distance from the region (Andrés and de Pedro 2015). Regardless, Andrés and de Pedro argue that one of the key motivations for Spain to agree on the sanctions was the fact that it did not want to appear to be the EU member state that 'makes a habit of blocking consensus decisions'' (2015). Alexis Tsipras, former Prime Minister of Greece, had repeatedly stated that the EU sanctions were a 'vicious circle of militarization, of Cold War rhetoric'' that was not productive (Kroet 2016). The Greek government additionally looked for loopholes to allow for export of Greek agricultural products to Russia that would forgo the trade embargo on EU products, put as an economic response by Russia to EU sanctions (Kathimerini 2016). Despite this friction, Greece continued to comply with the EU sanctions imposed on Moscow, though with expressed reservations.

Italy also expressed deep reservations through Italian Prime Minister Matteo Renzi. While Brussels at the end of 2015 were in the process of approving a new six-month extension to the sanction's regime, Renzi's position turned from previous agreement to expressing that 'Rome wanted more debate on the matter'. The motives of the altercation were rather unclear but speculated to either revolve around putting pressure on EU members in the east to contribute more to the migration crisis; a dislike for European Council President Donald Tusk; or a message to the Italian businesses suffering from the loss of trade with Russia that he was not simply giving in to EU majority (Jozwiak 2015)

Although Hungary, as every other EU member state, has taken part in the EU's condemnation of the annexation of Crimea and support for Ukraine's sovereignty and territorial integrity, Prime Minister Viktor Orban emphasized that Hungary was to remain neutral in the conflict (Sadecki 2014). He opposed the immediate economic sanctions stating in 2014 that the sanctions regime '' […] pursued by the West, that is, ourselves, is a necessary consequence of which has been what the Russians are doing, causes more harm to us than to Russia'' (Szakacs 2014). The statement expressed ambivalence but were related to the close ties between Hungary and Russia due to Hungary's energy reliance of Russia. Nevertheless, as with Greece, Hungary also begrudgingly agreed on all EU sanctions (Verseck 2015).

Nevertheless, the EU remained coherent in its approach despite the above-mentioned pushback. Despite the initial effect of the sanction regime proved to be ineffective in altering the behaviour of Russia and pro-Russian separatists, the EU still showed qualities of consistency and coherence in the continual extension – and adjustments of the regime itself. Thus, the EU was generally able to implement foreign policies and external action with 'a single voice'. It also

showed the extent of the EU's political instruments in exerting pressure on a third-party state, and its ability to identify individuals and entities as obstructive to the overall ambitions of deescalation.

4.5. Conclusion

In line with the question posed by this thesis: To what extent has the EU been an effective and coherent actor in Managing the Conflict in Ukraine from 2014 - 2022. The first two years of the conflict provide for a nuanced conclusion.

The EU was indeed effective in asserting a big role in support of Ukraine through establishing frameworks of integration which would further bring stability and good governance to the country. It was additionally effective in formulating clear foreign policy objectives in relations to seeking a resolution to the conflict, however, the applied policy instrument of sanctions proved ineffective in altering the status of the conflict further. In addition, the EU did not provide for guiding principles of *how* to achieve a resolution, rather it relied on the formulations of the Minsk Agreements. Thus, the EU was rather ineffective and to some extent absent in the process of resolving the conflict.

The first two years of the conflict additionally saw the EU be coherent in its management of the conflict despite observed vocal pushback. The continual extensions of the sanctions regime further emphasise that the EU was able to be coherent throughout the 2014, 2015 and 2016 in its implementation of restrictive measures against Russia, and entities and individuals which were identified as responsible for the continuation of the destabilising Ukraine and for actions which undermined or threatened the territorial integrity, sovereignty and independence of Ukraine.

5. From Eruption of Heavy Fighting to Notions of Peace 2017 – 2020

2017 followed what had been the first full year where Ukraine had lost no territories to Russian and pro-Russian forces. Heavy fighting erupted however, early in 2017 in the Ukrainian controlled city of Avdiivka (Yermolenko and Ogarkova, 2017). Deep concerns regarding the escalation of violence and ceasefire violations were expressed (Parliamentary Assembly 2017). NATO Secretary General Jens Stoltenberg was quick to call on Russia to use its "considerable influence" with rebels in eastern Ukraine to end what he named the "most serious spike in violations" of the wavering truce (CBS 2017). Ukrainian President Petro Poroshenko additionally called on more global pressure to be put against Russia as he stated that ''Moscow is putting Avdiivka on the brink of humanitarian catastrophe" (Euractiv 2017a). The early escalation of violence in 2017 brought back fears of the eastern regions of Ukraine to become one of full-scale warfare after the rather mitigated period of relatively lowered rates of casualties and heavy fighting. The position of Russia remained the same and Putin reiterated his position by stating the events in eastern Ukraine were effectively a result of a "coup d'état" and an "unconstitutional change of power in Kyiv", referring to Euromaidan and the ousting of former Ukrainian President Yanukovych (Euractiv 2017b). The statements were made after a meeting in May (2017) between German Chancellor Angela Merkel and Putin.

As the Russian position remained strong, so did the failure of de-escalating the conflict and seeing progress towards a sustainable solution to it. 2017 continued to see an increase in ceasefire violations and number of casualties. OSCE observers reported that by July, the number of civilian casualties and injured had been significantly higher than that of 2016 (von Salzen et al. 2017) which not only speaks to an escalation but to the distance between the continuation of the conflict and any solution to it.

In the early stages of 2018, the Ukrainian parliament agreed on a vote to formally recognized the war in its eastern regions a "temporary Russian occupation" (Euractiv 2018a). This vote furthered the turmoil as the Russian foreign ministry reacted to the vote as one of "preparation for a new war (Ibid 2018a). This increasing tension between the government of Ukraine and Russia continued as the long-planned construction of the Crimean bridge (also referred to as the Kerch bridge), linking Russia to the Crimean Peninsula official opened in May of 2018. Ukrainian President Petro Poroshenko stated that the "illegal construction of the Kerch bridge is the latest evidence of the Kremlin's disregard for international law" (Stolyarov 2018). The

construction of the bridge received further criticism as France, the U.S. and the EU condemned the construction and described it further as a deprivation of Ukrainian sovereignty and a clear token of Russia's blatant for international law (Ibid 2018).

However, this tension altered slightly towards notions of peace in 2019 when Volodymyr Zelensky saw electoral success and took the office of president in Ukraine, winning the Ukrainian election with a heavy margin. The newly elected president won the election promising peace and prosperity and had an expressed priority of seeing the war come to a sustainable end. A priority which further saw Kyiv genuinely motivated to seek a way to end the war (International Crisis Group 2020). The progress was further substantiated by the planned revisiting of the international summit under the Normandy Format, being the first meeting to be held on negotiations towards a peaceful resolution in three years. Ukraine's Foreign Minister Vadym Prystaiko stated that it could quite possibly be the 'last honest attempt to follow the Minsk path" (Euractiv 2019). The opening up of negotiations further saw some progress being made towards a peace settlement as Ukrainian forces and Russian-backed separatist pulled back from three frontline towns, representing the beginning of a momentum of de-escalation (BBC 2019). The peace talks between Russia, Germany, France, and Ukraine were held and some progress were subsequently made as newly elected President Volodymyr Zelensky accepted a deal that would offer special status to the separatist-held parts of Ukraine's Donbas region. Subsequently, the deal - known as the Steinmeier formula - details free and fair elections in the east under Ukrainian law, verification by the OSCE international security organisation, and then self-governing status in return. This was not without controversy as protest towards president Zelensky argued that the implementation of the deal would result in legitimizing the Russian occupation of Donbas (Ibid 2019).

2020 saw a relative success in the ceasefire agreements in Donbas as there were significant decrease in fighting between Ukrainian and Russian-led separatist forces. The substantial reduction was particularly seen after the 27 July "truce" (Polishchuk and Holcomb 2020) which followed the negotiations under the Normandy format. These successes furthermore spurred on hopes for future peace talks between Russia and Ukraine (Ibid 2020). Ukraine and Russia agreed on the premise for how to end the conflict which included holding elections in Donbas. However, the issue here was with how these elections would be conducted. Russia maintained that elections controlled by the Russian/pro-Russian separatist were necessary before the disarmament of them and refused to move towards ending the war until such a condition was met (Ibid 2020). This naturally posed a challenge to Ukraine as the notion of

holding elections there under such circumstances would result in an emphatically strong Russian influence. Ukraine thus had the ambition of negotiating a disarmament of the region and effectively break the population out of the Russian "information bubble" in order to help safeguard their return to Ukraine's political system and to prosecute the leaders of the declared Donetsk People's Republic and Luhansk People's Republic (Ibid 2020).

Thus, 2020 and the ''window of opportunity'' that might have open through the first Normandy format meeting since 2016 saw a general - albeit slow – progress of decrease in the war intensity both in violence and in the number of military and civilian losses (Yakubin and Holubnychy 2020). And saw notions of peace emerge.

5.2. Opportunity - constrained or enabled EU actorness?

The element of opportunity in 2017 - 2020 builds further on the account given of the element in 2014 - 2016, however, the outlined shifts below seek to further substantiate the ever evolving external environment in which the EU attempts to exert actorness. The mentioned factors that would potentially enable or constrain EU actorness are those most relatable to the context of EU action in the conflict.

As of 2017, the implementation of the Minsk agreements remained the foundational basis for any sustainable political solution to the conflict, and as of 2017 there was still a stalemate in any progress to the implementation of the agreement's points. Russia had not moved on its position and was seemingly firm in its opposition to EU demands linked to the sanction's regime. Not alterations had occurred in the politics of Russia which allowed for further engagement from the EU to influence Russian actions. In fact, the domestic tendencies in Russia showed that Putin gained domestic political dividends as a result of the annexation in 2014 (Hill 2015: 59).

The initial unity of the EU with regards to acting united towards the conflict and stepping up the intensity of its restrictive actions towards Russia, was additionally challenged by the ideological climate that had been brewing from the first decade into the second of the 21st century. National movements inside the EU were clashing with the broader interests of EU unity and solidarity. The British referendum resulting in Brexit became the epitome of such tendencies. The EU was faced with (re-) nationalisation tendencies among its members seen most clearly in the success of populist right-wing parties both in national parliamentary and European Parliamentary elections (Schumacher and Bouris 2017: 2). The migration crisis of 2015 especially revealed motivations for EU Member States to act in accordance with self-

interest rather than solidarity. This effectively challenged an important element of the CSDP introduced under the CFSP framework by the Treaty of Lisbon, namely the Solidarity clause. A clause which specifies that EU member states are obligated to act together when another member state is the is the victim of a terrorist attack or a natural man-made disaster (Treaty of Lisbon 2007, Article 188 R). Thus, 2016 represented a period where the external environment of ideas and events in Europe saw the EU seeking ''forging unity as Europeans'' as one of the most vital and urgent priorities (European Union Global Strategy 2016: 16). This speaks more directly to an altered opportunity environment for the EU. Previous tendencies that have favoured EU actorness have been the strong economic focus of globalization discourses where the emphasis upon the inadequacy of the state to regulate global activities have provided strong opportunities for the EU to act externally (Bretherton and Vogler 2006: 24).

Furthermore, the outbreak of the COVID-19 pandemic in 2019 effectively changed the international environment to a great degree. The particular interest of the pandemic in relations to this thesis is namely the sake of making sure that it is factored in seeing as the concept of opportunity does indeed entail "unfolding events that have been conductive to increased EU involvement in global politics" (Bretherton and Vogler 2006: 24).

Nevertheless, building on the opportunity created in 2013/2014 to engage with Ukraine, the EU assistance and placement of reforms through conditionality. The Russian continual and increasing aggression towards Ukraine additionally made Kyiv continue to look further west, creating a favourable relationship between the EU and Ukraine.

The elections in Ukraine in 2019 also saw President Volodymyr Zelensky rising to the role as the new President of Ukraine. He quickly reiterated Ukraine's ambitions to joining both the EU and NATO (Pangalos 2019). Additionally, the troubling reforms process, particularly in the sector of anti-corruption and judicial reforms were put in a positive light with Zelensky in office as he was swift in expressing that anti-corruption, rule of law and judicial overhaul were going to be at the top of Ukraine's priorities (Peel and Olearchyk 2019).

Therein, as the element of opportunity in 2017 - 2020 express alterations in the external environment which both enables and constrain EU actorness in the Ukraine and the conflict. The continual opportunity of the ideological climate present in Ukraine continued to enable further actorness from the EU to exert influence, however, the political environment in Russia continued to deter any reasonable opportunity for EU actorness. In addition, the events which affected the EU internally suggest a rather constrained opportunity for the EU to increase its

external action outside its borders, i.e., in effectuating further initiatives to see any real resolution to the Ukrainian conflict.

5.3. Presence – EU's structural power and identity

The internal policies and priorities which could potentially alter the EU's presence in its neighbourhood and in its role of the Ukrainian conflict with regard to 2014 - 2016, is predominantly the revision of the ENP in 2015 and the update of the 2003 European Security Strategy of 2016: the Global Strategy for the European Union's Foreign and Security Policy.

Revised ENP

The framework of the EU's presence in its neighbourhood had been revised in 2015, which additionally downgraded the priority ambitions of utilizing enlargement-related tools and the EU's ambition of engaging in the promotion of democracy, good governance, the rule of law and human rights in its neighbourhood (Schumacher 2018: 4). The key elements of the 'New' ENP were differentiation and a recognition of the fact that not all partner countries in the EU's neighbourhood aspired to EU rules and standards (European Commission 2015). The revision came as a response to the unstable developments seen in the neighbourhood; not at all depicting a ''ring of well governed states'', but rather a ''ring of fire'' (The Economist 2014, as cited in Schumacher 2018: 4). The (premature) statements of former Commission President Romano Prodi's in relations to the introduction of the Wider Europe Strategy and the ENP and its ambition of ''sharing everything with the Union but institutions'' (Prodi 2002), is symbolic in the sense of the 2015 revision of the ENP displaying that such an ambition was more than the EU was capable of doing, and more importantly, more than the multilateral system of the EU were willing to actually offer over time.

Ukraine, however, alongside Georgia and the Republic of Moldova had gone down the road of pursuing deeper relations with the EU through political association and economic integration as set by Association Agreement and DCFTA. These agreements and the continuous initiatives taken to support Ukraine from 2014 - 2016 set the fundamental principles of the EU's presence in Ukraine and its ability to exert influence beyond its borders.

Global Strategy of 2016

The Global Strategy came as a response to the ever-rising instability both within and outside the boarders of the EU. The strategy emphasizes that 'principled pragmatism' would be the guide for the EU's external action going forward. At the top of the priority list of the EU's strategy for action was first and foremost the ''security of our union'', which particularly emphasised European autonomy to contribute to a collective security in spheres of different threats such as terrorism, economic volatility, climate change and energy insecurity (EU Global Strategy 2016: 12). The strategy therein expresses a vision of how internal and external peace and security are intertwined, focusing on Europe having the necessary capabilities to defend itself (Ibid 2016: 17) and buttressing resilience building as an overarching ambition. While its cooperation with NATO is indeed expressed as an important factor to this strategy, the promotion of autonomy expresses the need for the EU to take more of a responsibility in equipping itself to be more resilient in its protection of external threats: ''Europeans must be able to protect Europe'' (Ibid 2016: 19).

Moreover, the strategy put prominence on an integrated approach to conflicts and to build resilience in its neighbourhood by utilization of its "power of attraction" to accommodate transformation in countries seeking to build closer relations with the EU.

The Global Strategy and the 2015 revision of the ENP puts a strong focus on the internal dynamics of the EU. While ambitions to promote democracy and good-governance principles are indeed outlined, they are done so more carefully than previously seen. This is described as the external action of the Union being driven not only by idealistic aspirations to "advance a better world" but also by a "realistic assessment of the strategic environment" (EU Global Strategy 2016: 16).

The continuation of the provisional application of the Association Agreement and the DCFTA by Ukraine with great assistance from the EU have increasingly led to a huge rise in the EU's presence in Ukraine. In September 2017, after approximately three years of provisional implementation of the Association Agreement and DCFTA, the agreement entered into force which further enables Ukraine's political association and economic integration with the EU (European Commission, 2017). Additionally, in mid-2017 a visa free regime for short term stays in Europe²⁴ for citizens of Ukraine came into force (Ibid 2017) which further strengthened social and cultural ties between the EU and Ukraine.

Thus, the structural power and identity of the Union remained similar to that of 2014 - 2016, however with a more clear-cut priority of focusing on internal resilience. The new formulated

²⁴ Applied in all EU member states (except Ireland and the UK) and the Schengen-associated countries of Iceland, Lichtenstein, Norway and Switzerland (European Commission 2017: 1).

strategy to conflict as that of an integrative approach furthermore assimilates to the approach seen by the EU since the eruption of the conflict in 2014, as explained in chapter 4.

- 5.4. The EU's Capability and Effectiveness in managing the conflict
- 5.4.1. The Effectiveness of EU External Action

Identifying EU objectives

The goals of the EU remained the same as those formulated in 2014-2016. To support, reform and stabilise Ukraine and to encourage a peaceful solution to the conflict where the EUs policy towards Russia were guided by restrictive measures linked to the implementation of the Minsk agreements as the key condition for any substantial change in the EU's stance towards Russia²⁵ (Council of the EU 2017). These remained the objectives of which the EU sought to contribute to achieve.

Matching objectives with outputs/outcomes

The initial output supposed to match the objective of altering Russia's behaviour was to maintain the implemented sanctions regime. However, as 2014 - 2016 saw no indication that Russia was inclined to succumb to international pressure, the implemented sanctions regime lacked substantial amounts of restrictions to successfully influence Russia. Thereof, the match between the output and the desired outcome as identified in the objectives still remained with a low degree of match as the period of 2014 - 2016 proved how the restrictive measures taken were ineffective in terms of reaching any sustainable solution to the conflict (primarily outlined as the complete implementation of the Minsk Agreements).

The output of seeing the provisional implementation of the Association Agreement and DCFTA saw the success of the outcome of the agreement entering into force in 2017. The continual output of financial aid, assistance in reform and prospects of further integration in 2017 - 2020 remained with a high degree of match between the output and the stated objective.

Tracing EU External Action in process

The outcome of stabilizing Ukraine and furthering integration was continuously seen throughout 2017 - 2020 as being conducted through the substantial reform process initiated in

²⁵ The EU's policy towards Russia was additionally guided by the principles of; strengthened relations with Eastern partners and other neighbours, strengthening EU resilience; the possibility of selective engagement with Russia on issues of interest to the EU, and the need to engage in people-to-people contacts and support Russian civil society (Council of the EU 2017: 4).

2014 in Ukraine. The primary political instrument being the application of the Association Agreement and the DCFTA. This application allowed the EU to monitor and support (by expertise advice and guidance as well as by substantial financial assistance) Ukraine in its reform process (Council of the EU 2017). The Advisory Mission of the EU (EUAM) additionally contributed to furthering the development of effective, sustainable, and accountable civilian security services in order to procure a strengthened rule of law (Ibid 2017). The EU continued to provide financial reform assistance mobilizing over 10 billion EU (Ibid 2017). The progress saw the Association Agreement entering into force on 1 September 2017. Ukraine's economy continued to stay on its recovery trajectory and the provisional application of the DCFTA further attributed as the finalization of the agreement and its entering into force in 2017 saw an increase of 27.1 percent of trade between the EU and Ukraine compared to 2016 (ibid 2017).

According to the European Commission's Association implementation report on Ukraine in late 2017, Ukraine demonstrated "unprecedented levels of resilience and persistence" in achieving societal change and "asserting its European orientation". 2018 saw a continuation of this trend, as the EU continued to offer substantial assistance to the reform process and the applied framework continued to play a significant role in the increase in trade seen between the EU and Ukraine. In 2018 Ukraine's economy, still, continued on its path to recovery and the reform progress continued to advance with a number of political and economic reforms being conducted between 2017 and 2018 (European Commission 2018).

This trend furthermore continued in 2019 as the DCFTA saw an increase of 7.8% in exports from Ukraine to the EU and a 9% increase in imports from the EU. Ukraine's economy continued to grow, and the finances and banking sector had reportedly stabilised as of 2019 and since 2016 a continual growth in the country's GDP was observed (European Commission 2019). Furthermore, 2019 saw the Association Agreement remain as a ''blueprint' for Ukraine's reform process. The additionally democratic transition with the coming of President Volodymyr Zelensky saw a swift advance in the reform process which furthermore continued on the premises set since 2014's revolution of dignity (European Commission 2019).

In 2020, the COVID-19 pandemic had a substantial effect on the economy, however, the EU continued providing financial support and playing a part in aiding Ukraine to handle the pandemics effects on the economy. While it was addressed that the pandemic would be a natural cause of the reform progress slowing its pace, the assistance was conditioned on Ukraine's commitment to safeguarding the existing achievements and advancement of the reform agenda

(European Commission 2020). The EU contributed substantially, mobilising (together with the European Financial Institutions) over EUR 16.5 billion in grants and loans since 2014 (European Commission 2020). This contribution exceeded the EUs pledge in 2014 of 11.175 billion.

In accordance with the objective of pressuring Russia to work towards ending the conflict with respect of Ukraine's sovereignty and territorial integrity several extensions of the already established sanctions regime as of 2014 were continuously made. These consisted primarily of three forms of sanction packages; over actions against Ukraine's territorial integrity; response to the illegal annexation of Crimea and economic sanctions targeted of the Russian economy²⁶. Being tied with the implementation of the Minsk agreement the sanctions saw no real end and they saw a continuum of extensions well into 2018 and 2019.

While adjustments were made to the restrictive measures, particularly in the measures which targeted individuals and entities (standing at a rather unchanged 150 persons and 38 entities in relations to 2016), 2017 saw no increase in pressure, rather continuing extensions of the already established pressure. The restrictive measures of 2018 were conducted in a similar fashion. To the list of persons under restrictive measures, 5 individuals identified as being involved in the organisation of the Russian presidential elections in the annexed Crimea and Sevastopol were added to the list. The reasoning being that these individuals held positions of responsibility in the Crimea and Sevastopol electoral commissions and thereby contributed to the breach of Ukraine's sovereignty and territorial identity. The controversy of the Kerch Bridge construction additionally saw a response from the EU through adjustments in the sanction's regime. The EU, through the EEAS were quick to state the opening of the bridge as "another violation of Ukraine's sovereignty and territorial integrity" (Stolyarov, 2018). Six entities which were contributing to the construction of the bridge and thereby were directly identified as supporters of the consolidation of Russia's control over Crimea were put under the sanctions list. This saw an increase as the total number of entities listed by the EU to 44, the number of individuals at 155.

The period of 2018 - 2020 saw little change in the restrictive measures imposed by the EU. In 2019, when fighting escalated at the Kerch Strait and the Sea of Azov, calls for EU action and new sanctions against Russia were made by Mykola Tochytskyi (Representative of Ukraine to

²⁶ A fourth dimension of the sanction regime were over misappropriation of Ukrainian state funds which targeted individuals identified as responsible for the misappropriation of Ukrainian state funds or for the abuse of office causing a loss to Ukrainian public funds.

the EU 2016 - 2021) (UNIAN 2018). The EU responded by subjecting eight Russian officials to the list of sanctions, condemning the escalation as violations of international law and Russian use of military force without justification (Council of the EU 2019).

Besides that, the sanctions regime remained in force throughout 2020 with a final extension of the year taking place in mid-December 2020 via unanimous decision by EU leaders (Council of the EU 2020).

Determining the degree of EU external effectiveness

The EU's external effectiveness in its objective of continually working to stabilise Ukraine and reform the country towards EU standards of democracy, rule of law, economic responsibility and general good governance remained strong as all indicators showed that the output of the EU was on a gradual trajectory of reaching the desired outcome. The Global Strategy of 2016 which emphasised an integrative approach to conflict solving, further substantiated the EU's approach in Ukraine. The progress Ukraine made in several sectors additionally heightened its resilience which furthered strengthened its own effectiveness in dealing with the challenging circumstances in its easter regions.

Previous governments of Ukraine had indeed wavered in their foreign policy between Europe and Russia. The steps taken in 2017 when the Ukrainian Parliament adopted its first reading of the law 'On State Policy Elements to Ensure Ukraine's Sovereignty of the Temporarily Occupied Territories in Donetsk and Luhansk Regions of Ukraine'' (European Commission 2017), Ukraine embedded the position of regarding Russia as the occupier and aggressor of occupied Ukrainian territory into law and modified its military and civilian command appropriately. The law stands as a sentiment to Ukraine's growing ambition to prove itself resilient from Russian pressure as it was a clear step towards recognizing its own independence.

The Global Strategy of 2016, furthermore, indicated – to some extent – that the priority in the conflict of Ukraine was to make Ukraine resilient, i.e., an integrative approach to conflict.

On the objective of seeing the Minsk Agreements full implementation the EU was less effective. While 2020 saw some initial progress, especially considering the resumed negotiations under the Normandy format, the September 2019 prisoner exchange and the agreement on the ''Steinmeier formula'', Russia had yet to show any real steps towards agreeing on any format that would effectively progress towards any peaceful resolution. Given that the conflict had quite clearly become one which was dependent upon Russian initiatives, and given that the restrictive measures of the sanction's regime were supposed to pressure Russia towards seeking an end to the conflict, the conclusion has to maintain that the output of the sanctions regime – and its limited adjustments from 2014 – were external actions of weak effectiveness in the pursuit of the desired outcome.

5.4.2. The EU's overarching Capability to act in the Conflict

The EU attained its strong Capability of actorness with regards to many aspects of the conflict. The continued principle of building Ukrainian stability through furthering its association with the EU were seemingly working. In comparison to the 2014 – 2016 management, there were no real alterations in the EU's approach in this regard, however, it reinvented its security strategy as a result of the changing element of opportunity which, in some regards speaks further to the EU's capability in formulating policies, and the adoption of a overarching Global Strategy on the EU's Foreign and Security Policy moreover shows that the EU was able to identify clear priorities based on shared commitments in foreign policy and external action.

Nevertheless, the alteration in strategy, particularly seen in the emphasis on resilience and an integrative approach to conflict, stimulated little to no real change in its approach to the conflict in Ukraine as it primarily remained relatively similar to the approach sought in 2014 - 2016.

The sanctions regime – while questionable in its effectiveness for the stated objective – did prove resilient. The regime, as with the EU's approach to attribute stability to Ukraine, remained rather unchanged, thus the approach of the EU in 2014 - 2016 saw – also here – little to no change.

Moreover, in terms of capability, the EU maintained the outlook of being coherent and consistent in its approach to the conflict. The sanctions must be approved by consensus in the EU and can be extended by a maximum of 6 months before a new review has to be made. Within the EU, the strongest opposition towards the sanctions regime has evidently came from the agricultural sectors of the member states (Portela et al 2021). Despite this opposition the regime remained persistent in its renewal. Portela et al, explains this in an analysis which concludes that the persistence was - in part- due to the effects of the Russian countermeasures as these – and not the sanctions imposed by the EU - generated the greatest losses. Thus, Russian countermeasures, which aimed at disrupting consensus, might have facilitated stronger positions to preserve it (2021).

Despite the 2020 being a year in which there might have been notions of a "open window" to finally sue for peace, the matter of tying those notions directly to the pressure exerted by the

EU through the sanction's regime remain challenging, especially considering the fact that Russia seemed to have no intention of buckling in their position, especially by the measures of the EU. Thus, in relations to the EU's capability of resolving the conflict, no real argument for the period accounted for can be made.

5.5. Conclusion

In 2017 – 2020, the EU continued with the same approach it made to the conflict in 2014 - 2016. It additionally, with relations to the question of the extent to which the was EU was effective and coherent in managing the conflict in this period, the answer remains similar to that of the 2014 - 2016 period.

The EU continued to be a reliable partner for Ukraine and aided the country immensely in achieving further resilience – as expressed in the ambition of the 2016 Global Strategy – and stability. The EU was effective in terms of furthering the reform process in Ukraine and in furthering the association of Ukraine to the EU. However, it was not effective in contributing to any sustainable resolution of the conflict as expressed in the analysis of its effectiveness in external action above. Although the continued increase in stability in the government process of reform seen in Ukraine, and the consistency of the sanctions regime extensions and the subsequent adjustments of that regime correlate – to some degree – with the de-escalation and progress towards ending the conflict in 2022, it can not be further linked to the external action of the EU with a satisfactory degree of causation. One can only assume and speculate on how the conflict would develop with a more inconsistent and incoherent approach, both in relations to the support given to Ukraine and to the restrictive measures put on Russia from the EU would look like.

While the effectiveness of EU external action varies between the two objectives, the EU remained however coherent and consistent as the sanctions regime continued to be persistent as it was continuously extended to further pressure for the implementation of the Minsk Agreements.

In relations to the two sub-questions posed by this thesis: How has EU external action evolved from 2014 - 2022?; and How did EU external action variegate across the different timelines?. Both the former and the latter have similar conclusions so far. The EU's external action evolved through its structural framework as expressed in the account of the element of presence in this chapter in the period from 2014 - 2020. However, in its the practical approach, its evolution remained stagnant. The ambition to stabilise Ukraine needed no real evolvement in the EU

external action as the approach of integration was rather successful in achieving its ambitions. The external action also remained stagnant in relations to it contributing to any sustainable resolution to the conflict. That ambition however, while reiterated in the political discourse seems to have been given little priority as exemplified by the shift seen in the EUs structural power and identity by expressing a more inward focus as seen with the revision of the ENP in 2015 and the adoption of the Global Strategy for the EUs Foreign and Security Policy.

Given the lack of evolving external action, the EU did therefore not variegate in its external action across the different timelines of 2014 - 2016 and 2017 - 2020.

6. From Russian Mobilisation to Full-Scale Invasion

2021 saw a rather unfavourable turn with relations to the ambitions of de-escalating the conflict as Russia commenced a build-up of military equipment and personnel both in and around Ukraine. The previous notions – albeit reserved – of 2019 – 2020 that progress in the Minsk Agreements and return of the Normandy format negotiations and the recommitment to the ceasefire in July of 2020 might envisage a solution to the conflict derived throughout 2021, much because of the unwavering position of Russia and the federations continuous challenge to Ukraine's sovereignty and territorial integrity. 2021 additionally saw an immediate increase in ceasefire violations and by March and April, the Russian military began its deployment of additional 15,000 troops regionally, bringing the total estimate to approximately 104,000 troops at the Ukrainian border. This naturally increased tensions, particularly in the regions of Azov and Black Sea regions. In October, this mobilization turned into a deployment of troops into the area of Ukraine's boarders once again (European Commission 2021).

This mobilization intensified the conflict in a major degree. U.S. intelligence started to suggest that Russia were indeed in its preparation of launching a full-scale invasion of Ukraine and tensions were as high as they had ever been in the conflict. Several diplomatic attempts were made to seek a new de-escalation, but these were evidently in vain as the 24th of February 2022 marked the day were the official war between Ukraine and Russia began via a full-scale Russian invasion of Ukrainian territory.

6.2. Opportunity – constrained or enabled EU actorness?

The opportunity of the EU to firmly establish actorness in Ukraine in the period of 2021 - 2022 primarily stems from the continued effects the external context seen in 2017 - 2020 and of the Ukrainian move towards further association with the EU. The gradual progress showed in the

reform process further stress the presence of EU conditionality and its ability to exert influence on Ukraine as the conflict continued to evolve.

This continuum of further integration with Ukraine has been persistent despite the disruption in the international environment that evolved particularly in 2015 and onwards. The political climate in Ukraine was one that indeed looked to the EU as a way forward in its ambition to modernize itself and to further increase its resilience especially – but not exclusively – in relations to the immense challenges faced with the abrupt escalation in Russia's war efforts.

The ideological climate between Russia and the EU however had been on a continual decline ever since 2013 - 2014. And the prospects of the EU being able to utilize its relations with Russia to further push for reconciliation through de-escalation and progress towards a sustainable solution to the conflict remained emphatically low.

6.3. Presence- EU's structural power and identity

The significance of the EU's Global Strategy introduced in 2016, alongside the revised ENP of 2015 put an emphasis on a kind of departure from the more normative democracy promotion strategies of the EU, in relations to its external spheres. The strategy rather professed resilience as a quality that was to be a priority of export in its neighbourhood. Resilience risks being a concept that further lacks clarity, however, the strategy defines it as 'the ability of states and societies to reform, thus withstanding and recovering from internal and external crises'' (Juncos 2021). This strategy aptly prescribes to the strategy of the EU in relations to Ukraine ever since the beginning of the conflict in 2014.

Moreover, the premise for the EU presence in its neighbourhood in 2021 by virtue of internal policies and character had to some extent adapted further in 2019 through the introduced political guidelines for the next European commission 2019 – 2024. These guidelines further buttressed the shifting priorities of the EU towards a more internal perspective. The Commission were to be that of a 'geopolitical commission' (von der Leyen 2019). Promotion, at least rhetorically, were here most underlined by the EU's ability to uphold the rule of law; strong borders and a fresh start on migration; and internal security (Bassot 2020). These guidelines rather cohere to the key attributes that this commission put on the EU's ability to be a responsible global leader, namely that of increasing the EU's internal strengths by especially introducing more qualified majority voting on issues that would particularly try to create a more united foreign and security policy of the EU.

These newly introduced guidelines rather align themselves with the overall conveyed strategies of internal focus seen in the previously addressed ENP revision and the 2016 Global Strategy.

6.4. The EU's capability and Effectiveness in managing the conflict

6.4.1. The Effectiveness of EU External Action

Identifying EU objectives

The objectives of the EU remained the same as those in 2014 - 2016 and to those of 2017 - 2020. However, the second objective of deterring Russia from continuing its aggressive behaviour seems to have become a rather diminished ambition of the EU. Its shift in strategy, seen through the revised ENP of 2015, the EU Global Strategy on Foreign and Security policy of 2016 and the 'Geopolitical Commission' priorities for 2019 - 2024, put an emphasis on the internal structures of the EU and outlines an integrative approach to managing conflicts. This suggests that the first objective of strengthening Ukraine through association had evolved into the primary objective, and deteriorating Russia a rather secondary one. At least in the context of managing the conflict in Ukraine.

Matching objectives with outputs/outcomes

The prolonged objectives of stabilising Ukraine and pressuring Russia towards a transition from conflict to peace continued to be sought in similar fashion as from the beginning of the conflic. The former, showing clear progress through the output of implementing the Association Agreement and DCFTA. The additional output of assisting Ukraine through the COVID-19 pandemic additionally proved important to keep the momentum of reform going. Thus, the general output of the EU towards achieving greater association with Ukraine and stabilising the country by conditionalities which further sought to create Ukrainian resilience in terms of good-governance and economic stability is by and large in a strong match with the sought-after outcome.

The latter of the two objectives, however, lacks certain initiatives as the former years of the conflict evidently made it clear that Russia were not sufficiently incentivized to comply to the pressure put on it. Thus, the initial goal of the sanction regime of 2014, despite its persistence throughout the conflict as an output, continued to prove a low degree of match in relations to the stated objective of finding a sustainable solution to the conflict.

Tracing EU External Action in process

The EU sought to continue their aid of the Ukrainian economy in light of the COVID-19 pandemic alongside the International Monetary Fund. The EU provided a COVID-19 response package of (approximately) EUR 190 million with the additional EU macro-financial assistance package of EUR 1.2 billion intended to mitigate the economic impact of the COVID-19 pandemic (European Commission 2022). The financial sector of Ukraine, as a consequence, remained profitable. Trade between the EU and Ukraine saw an increase in 2021 reaching a value of EUR 52.4 billion which effectively was an increase of 100% since the entry into force of the DCFTA and the continual efforts to enhance the DCFTA throughout 2021. Ukraine's export to the EU increased by 47 percent and imports from the EU increased by 22.5 percent (Ibid 2022). Additionally, a Priority Action Plan was agreed between Ukraine and the EU in the late stages of 2021 (European Commission 2021) which sought to enhance the implementation of the DCFTA and to deepen the bilateral trade relations under the framework of the Association Agreement. The progress thereof continued on the trajectory of associating Ukraine further with the EU.

The restrictive measures which sought to pursue the implementation of the Minsk Agreements continued to be persistent in their extensions throughout 2021. Although adjustments where indeed made, replicating the conduct of the sanction's regime in the years prior, to an increased target of 177 individuals and 48 entities in the sanctions over Ukraine's territorial integrity, no further escalation of the sanctions were initiated. The economic sanctions targeting the economic sector of Russia as of 2021 to February 2022 thus included the same conditions as from 2014: limited access to EU primary and secondary capital markets for certain Russian Banks and companies; prohibition on forms of financial assistance and brokering towards Russian financial institutions; prohibition of direct and indirect import, export or transfer of all defence-related material; ban for dual-use goods for military use or military-end users in Russia (Council of the EU 2022).

Determining the degree of EU effectiveness

The goal achievement of the EU in relations to be a highly contributing actor in stabilising Ukraine through reforms was that of a high degree.

The integrational approach towards the Ukrainian conflict has therein been a success. It is however, a success in association Ukraine towards the EU, not necessarily a success in mitigating the conflict. As much is seen in the EU's inability to reduce the external risks of Russian aggression, which continuous to undermine the resilience of Ukraine (Juncos 2021: 5).

Ukraine nevertheless saw progress in their path to become more resilient. The law passed in 2017 expressing a position of the regions of Donetsk and Luhansk being ''temporary occupied territories'' by Russia were former expressions of the growing resilience of Ukraine. In 2021 this progress saw further growth as President Zelensky signed a law of ''de-oligarchisation'' which was designed to provide restrictions on individuals defined as oligarchs by the Ukrainian Security and Defence Council (European Commission 2021). Sanctions were additionally imposed by Ukraine on media outlets who were associated with Russian interests in line with keeping the freedom of the media. On the economic trajectory, Ukraine continued to display an annual GDP growth (despite a temporary drop due to the COVID-19 pandemic) (World Bank, n.d.).

The goal achievement of the EU to be a contributing actor in ending the conflict remained that of a low degree. The restrictive measures once again proved to be inefficient in the ambition of de-escalating the conflict, particularly on the focus of pressuring Russia to further strive towards meeting Ukraine on agendas to peacefully end the conflict. The full-scale invasion that followed 2021 in February of 2022 is in itself unambiguous evidence of the sanction's regime being inept in its attempt at pressuring Russia to comply to a transition towards peace. Nevertheless, some notions of progress were observed in 2020 as the resumed negotiations under the Normandy format became the perceived 'peak' in envisioning a possible end to the conflict. These notions however, never rose to become more than exactly that, notions. The negotiations never gained any firm footing and the stalemate between the desires of Ukraine along with the West in general and Russia remained.

6.4.2. The EU's overarching Capability to act in the Conflict

The strategy of managing conflict through the scope of integration saw further fruition in terms of building resilience in Ukraine. Throughout 2021, until the full-scale invasion of Russia in February of 2022, Ukraine maintained its pursuit of fulfilling the implementation of the Association Agreement with the EU. This saw a continuous progress in its efforts to reform seen in a variety of sectors. The most important in terms of good governance being the focus on the rule of law and the fight against corruption, which throughout 2021 remained at the centre of reform efforts (European Commission 2021).

The persistence of the EU to both maintain the implemented sanctions regime of 2014 throughout the conflict and in its commitments to aid and guide Ukraine in its continuous association with the EU retains that the EU were capable of acting through shared commitments

as a whole and with a satisfactory level of coherence. The EU's continuous work on assessing the progress of Ukraine's reform process which furthered more progress additionally speaks to the EU's well-grounded ability in identifying integrative priorities and its effectiveness in utilizing economic means, the principle of conditionality, its integrational approach to conflict and its power of attraction as political instruments towards a conflict.

These were additionally granted by the *opportunity* and the EU's achieved and attained *presence* that had been accumulating with relations to Ukraine from the early 2000's.

The EU proved capable of capitalizing on opportunity and presence to further achieve greater relations with Ukraine and proved to be a crucial actor in seeing Ukraine assimilate EU standards of democracy, rule of law and general good-governance principles.

While the opportunity to influence Ukraine remained high from 2014 and onwards, the other aspect of an opportunity to influence Russia remained particularly weak. The capabilities of the EU to assert itself as an effective opposition towards Russia in the conflict of Ukraine remained particularly low throughout the 2014 - 2022, suggesting that the EU's primary capability is that of its strategy formulated in the Global Strategy of 2016: an integrational approach to conflict.

6.5. Conclusion

2021 - 2022 became an increasingly difficult period in the conflict as it became evidently clear that progress on the implementation of the Minsk agreements with the additional negotiations between Ukraine and Russia that began under the Normandy format negotiations in 2020 were not going to be realized. The EU, in relations continued to remain an important actor within Ukraine in the terms of continuing its efforts exert its influence. In that respect and in relations to the research question, 2021 - 2022 saw the EU being effective in its external action towards furthering the objective of stabilising and increasing Ukraine's resilience.

In addition, the sanctions regime also continued to persist which furthermore continued to prescribe the EU as being coherent in its restrictive measures towards Russia.

However, while the EU continued to be successful in advancing its support and relations with Ukraine, the sanctions regime continued to be weak as the ambition of its implementation was absent of any result.

7. Conclusion

This conclusion will summarise the findings of the analytical framework by returning to the research questions initially posed by this thesis.

The primary research question of thesis poses the question:

- To what extent has the EU been an effective and coherent actor in managing the conflict in Ukraine from 2014 – 2022?

The answer to that question as additionally argued in the conclusion of each analytical chapter, is two-fold. In terms of the EU being effective and coherent with relations to the first defined objective of its conflict management approach to Ukraine, namely that of stabilising Ukraine and supporting its independence, the EU has, across the different timelines, achieved a relatively high degree of both effectiveness and coherence. The latter is however, nuanced as this thesis has touched upon the different approaches to the continual integration with Ukraine by each of the EU's member states. Ukraine has, since the eruption of the conflict, strengthened its ties to the EU and has additionally been on a continual trajectory of reforming critical political sectors in order to further become a modern state which encapsulate the principles of good governance. In terms of the EU being effective and coherent with relations to the second defined objective of contributing to resolving the conflict, primarily by exerting influence through the imposed sanctions regime as a restrictive measure on Russia, the EU has had a general low degree of effectiveness. In terms of coherence however, the EU has indeed been in unison in its foreign policy of the sanctions regime as it has been persistently applied since its implementation in 2014.

The secondary questions this thesis poses are firstly,

- How has EU external action evolved from 2014 to 2022?

The analysis suggests that the EU's framework and strategy for external action has indeed evolved as seen in the update of the European Security Strategy of 2003 to the Global Strategy for the EUs Foreign and Security Policy in 2016. However, in practice the external action, specifically with relations to the conflict in Ukraine, has not further developed as the same applied approach of 2014 was conducted across the different timelines.

Secondly,

- How did EU external action variegate across the different timelines?

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The EUs external action saw some variegation as the declared ambitions in 2014 saw no clearcut divide between the EU's ambitions of resolving the conflict and stabilising Ukraine through further integration. Across the different timelines however, it became more evident that the latter was the priority focus of EU external action, as it seems like the priority focus on the matter of resolving the conflict was given the keep the EUs approach of adjusting and extending its sanctions regime persistent.

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