

The Sanction Policy of the Enlarged European Union.

The Case of Russia

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INTRODUCTION

Huge expectations were linked to the fall of the iron curtain. Amongst them was the hope to overcome the long-lasting East-West confrontation seemed more realistic and modest than, for example the famous hailing of the end of history. The 10+2 enlargement of the European Union (EU) in 2004 and 2007 respectively nourished the expectation that both the political and economic conditionality of the EU alongside the dynamics of socialisation would work to overcome the hostile legacy of the East-West divide in Europe. At the same time, the EU engaged in interacting more closely with the countries at its new borders. The expectation was that the conflict-mitigating experience of the EU's enlargement could be replicated by an engagement of the new eastern neighbours even without signals of their membership in the EU being imminent.

As it turned out, however, the EU's intensified engagement with its new neighbours significantly undermined the hope for a solution to the conflict between the East and the West. The more the EU's interacted with countries at its new borders that had formerly been incorporated into the Soviet Union, the more hostile the Russian stance towards the West became. Amongst other developments, which cannot be addressed here, the EU's direct engagement with countries at the frontier with Russia was one factor in reheating the confrontational politics between the East and the West that culminated in the Russian invasion of Crimea and the military conflicts in eastern Ukraine.

In the present article, we want to address this new conflictive situation by paying special attention to the internal dynamics within the enlarged EU. In particular, we focus on the dynamics within the EU with respect to its

sanction policies against Russia. Our analysis ties into the increasing attention in the academic literature to sanctions in general and in the EU as issuer of sanctions in particular. However, we do not follow the broader interest in the effectiveness of sanctions, but rather elaborate on the dynamics amongst the member states of the enlarged EU.

In order to study the overarching question of the characteristics of enlarged EU's sanction policy towards Russia, we first briefly outline the major sequence of events and the way in which the EU reacted to the Russian actions by rendering sanctions. We then move to our main interest and address in particular patterns in the dynamics of the enlarged EU's sanction policy. In particular, we address the question of how differences in member states' interests contribute to specific cleavages and coalitions between pushing or hesitating attitudes, the question of leadership and the relationship between value and interest-based behaviour.

A RUBBER STAMP FORMALITY? THE IMPLEMENTATION AND PROLONGATION OF THE SANCTION REGIME

On 15 March 2014, in the aftermath of the Euromaidan events and the failed Association Agreement between Ukraine and the EU, secessionist forces initiated a referendum on the dissolution of the Crimea from Ukraine. Overshadowed by international protests with respect to its legality and by the boycott by many Crimean people, including the Crimean Tatars, a majority voted in favour of supporting Crimea's unification with Russia. While the Russian government laid claim to Crimea as a part of the Russian territory, the USA and EU officials called the referendum as illegal, illegitimate and not credible. According to international law standards, Crimea was

de facto annexed by Russia. However, the UN Security Council failed to adopt a draft resolution on the non-recognition of the Crimean referendum because it was vetoed by Russia. As a result of failed diplomatic efforts and stalemate in the UN Security Council, Crimea remains a “frozen conflict”.

As a consequence, the Ukraine crisis has triggered the launch of international diplomatic sanctions against Russian and Ukrainian politicians and officials. In the wake of the Crimea’s annexation, the US introduced travel bans and asset freezes for those responsible for the crisis. The US banned the entry of seven top Russian government officials and four pro-Russian separatists. The US list included high profile officials such as Dmitry Rogozin, a Russian deputy prime minister, Valentina Matviyenko, the head of the upper house of the Russian parliament and Viktor Yanukovich, the former Ukrainian president.

STEP ONE

Pulled by the US and pushed by some EU member states, EU sanctions followed. However, the different stances of its member states made it difficult to find a consensus. As a compromise, the EU set out a three-step process, with sanctions pressure steadily increasing if Russia did not respond and aggravate the situation. It began with a series of rather symbolic actions banning Russia’s application for the membership in the OECD and the International Energy Agency, excluding it from the G8 meeting and suspending visa liberalisation talks with the EU. The EU then followed the US example when it published its own list of 21 targeted individuals “responsible for actions which undermine or threaten the territorial integrity,

sovereignty and independence of Ukraine”.¹ However, in this first phase, the EU list did not include high-profile Russian officials, but rather targeted self-proclaimed Crimean “authorities” – Sergey Aksyonov, the acting prime minister of Crimea, the speaker of the Crimean parliament, Vladimir Konstantinov, the acting mayor of Sevastopol and others. Later in May 2014, Canada and Japan joined the EU sanctions policy.

In an attempt to find a diplomatic solution, on 16 April 2014 the parties discussed the de-escalation process in Geneva. The main points of the so-called Geneva agreement is at least as interesting for what it included – a ceasefire in Eastern Ukraine, the disarmament of separatist groups, the return of seized buildings and the release of detained protesters and monitors – and what it did not include: it did not mention Crimea anymore. However, in the aftermath of the negotiations in Geneva neither a ceasefire nor any of the other conditions were properly implemented.

STEP TWO

Given the lacking success of the Geneva agreement and the lacking Russian stance, another controversial referendum on self-rule in the regions took place on 11 May 2014 in Eastern Ukraine, which forced the EU to expand the list of travel bans and asset freezes. It added not only another thirteen individuals, but also two Crimean oil and gas companies to its list – Chernomorneftegas and Feodosia.² Moreover, the EU included individuals close to the Russian president – Vyacheslav Volodin, first deputy chief of staff, and Vladimir Shamanov, the commander of the Russian airborne troops. Surprisingly, Denis Pushilin, the self-appointed head of

1 Council Decision 2014/145/CFSP

2 Council Regulation 2014/265/CFSP

Donetsk People's Republic was not on the list though. A Crimea-based gas company, Chernomorneftegaz, and a Crimean oil supplier, Feodosia that were expropriated after the annexation, were on the sanctions list as well as low-profile Crimean companies such as the resort "Nizhnyaya Oreanda" and wine producer "Massandra".³ However, due to the EU's energy dependence on Russia's resources, no high-profile companies such as Gazprom were targeted.

STEP THREE

The game changer in the EU sanctions policy came with the crash of the Malaysian airline MH17. On 17 July 2014, the civilian plane was shot down by separatists using a Russian-made surface-to-air missile system when it was flying over the conflict zone in Eastern Ukraine. Officially, the expansion of restrictive measures was linked to "Russia's actions destabilizing the situation in Ukraine"⁴. When the US issued new sanctions by targeting Russia's top energy firms and banks, including Russia's biggest oil firm Rosneft, the second largest gas company Novatek as well as Gazprombank and VEB, a bank that financed Sochi Olympics, the pressure on the EU to take a hard line on Russia increased.

A third stage of EU sanctions followed, which comprised coordinated sanctions on whole economic sectors – in particular finance and energy. In line with the US, the EU introduced an arms embargo with certain companies, banned the export of technologies for oil exploration and production as well as shale gas projects. At the same time, the European Investment Bank and the European Bank for Reconstruction and Development announced the suspension of new lending to Russia

3 Council Regulation No 811/2014

4 Council Regulation, 2014/512/CFSP

as well. In addition, cooperation programs between the EU and Russia worth € 450 million were cancelled. In December 2014, the EU banned any European investments in Crimea in real estate, oil and gas exploration and outlawed ship cruises calling at Crimean ports.⁵ Inspired by both the USA and the EU, Australia, Norway and Switzerland joined the EU sanctions list imposing travel bans and asset freezes in the same year.

Due to the escalation of violence in Eastern Ukraine, in particular the indiscriminate shelling of residential areas in Mariupol in January 2015, the Heads of States and Governments of the EU (European Council) agreed to extend existing restrictive measures until September 2015. The suspension of sanctions was bound to the full implementation of the Minsk agreements.⁶ Furthermore, in February 2015 the EU Council adopted additional listings of separatists in eastern Ukraine and their supporters in Russia. As a result, another 19 persons and 9 entities were added to asset freezes and travel ban lists.⁷ As the Minsk I Agreement failed to de-escalate the situation, the EU Council activated additional listings.

In March 2015, the EU Council extended the validity of sanctions over actions against Ukraine's territorial integrity for another six months. The asset freezes and travel bans were imposed against 150 persons and 37 entities.⁸ The EU Council decided to officially peg the

5 Adrian Croft and Robin Emmott. "EU bans investment in Crimea, targets oil sector, cruises." *Reuters*, December 18, 2014

6 Outcome of the Council Meeting, 3369th Council Meeting, Foreign Affairs, Brussels, 29 January 2015

7 Council Decision (CFSP) 2015/241, 9 February 2015

8 Council Decision (CFSP) 2015/432 (OJ L 70, 14 March 2015)

validity of the sanctions with the complete implementation of the Minsk agreements. It was agreed that economic sanctions would remain in force until the end of 2015 when the Minsk agreements are fully realised. With the lack of progress regarding the complete implementation of the Minsk agreements, on 1 July 2016 the EU Council prolonged the economic sanctions to 31 January 2017, targeting the financial, energy and defence sectors as well as dual-use goods.⁹ In addition to these measures, in June 2015, the EU Council extended the restrictions in response to the illegal annexation of Crimea and Sevastopol which are in place until 23 June 2017. The restrictions included the prohibition on imports of products, investments, tourism services, and exports of certain goods and technologies.¹⁰ Moreover, individual restrictive measures in terms of a visa ban and an asset freeze are currently imposed against 146 people and 37 entities.¹¹

THE RUSSIAN RESPONSE

In a response to the Western sanctions, Russia imposed a 12-month ban on a wide range of food products, including meat and dairy, from the US, EU, Canada, Norway and Australia.¹² As a reaction to a new round of sanctions, Russia also introduced embargoes on imports of consumer goods and second-hand cars from Western countries.¹³ In June

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

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

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

12 "Russia hits West with food import ban sanctions row", BBC News, August 7, 2014

13 Russia reacts to EU sanctions with

2015, a product import ban was prolonged for another year, whereas the number of countries affected was also expanded to Albania, Montenegro, Iceland, Liechtenstein, and Ukraine¹⁴. In August 2015, tonnes of Western-produced cheese and foodstuff were publically destroyed as allegedly being illegally smuggled to Russia. In addition, Russian authorities started destroying Dutch flowers under the suspicion of being infected by harmful insects. The critics say, however, that it is a way of taking revenge on the Netherlands' call for the establishment of an international tribunal for the investigation of the MH17 crash.¹⁵ Another form of Russian retaliation for the Western sanctions was the blacklisting of 89 European politicians from entering the country. In contrast to the Western sanctions, the Russian blacklist was not made public.

SANCTIONS UPSHOT

Two aspects follow from the description of the sanction episode that followed the Russian aggression in Crimea and its involvement in the conflict in eastern Ukraine. To start with, the EU has moved significantly beyond its previous sanction policies and practices when faced with the increasing Russian assertiveness. For the first time in its history, it issued economic sanctions that had direct implications for the respective economic sector of some of its member states. The combined effect of lower Russian imports of European goods and services due to EU sanctions and Russia's counter-sanctions was estimated to be 0.3 percentage points off the EU's economic

further Western trade embargos, The Guardian, 11 September 2014

14 <http://government.ru/docs/19265/>

15 "Russia adds countries to food import ban over sanctions", BBC News, 13 August 2015

growth in 2014, and 0.4 per cent in 2015.¹⁶ In this respect, the impression of a united EU front against Russia was somewhat surprising. However, although the extension of the restrictive measures is perceived as a legal formality, the demonstrated unity of 28 EU states in response to the Ukraine crisis could not have been taken for granted. On the contrary, behind the scenes the EU member states have always been divided in their enthusiasm and willingness to impose and prolong the sanctions regime towards Russia. The division lines among the EU member states are both the old ones, opening up the wounds of European integration (e.g. between the British and the French), and the new ones, created by the EU enlargement process.

UNITY BEHIND THE SCENES: HOW CONSOLIDATED ARE THE EU MEMBER STATES IN THE UKRAINE CRISIS?

With our interest in the dynamics of the EU sanction policy against Russia, we go beyond the broader range of research that addresses the internal implications of the EU enlargement that either focus on the socio-political and socio-economic developments in the new member states or on the dynamics of decision-making at the European level.¹⁷ Instead we shed some light on the question of

¹⁶ Ian Bond, Christian Odendahl, and Jennifer Rankin. *Frozen: The politics and economics of sanctions against Russia*. Center for European Reform. 2015, p. 11.

¹⁷ See e.g. Rachel A. Epstein and Wade Jacoby. *Eastern Enlargement Ten Years On: Transcending the East–West Divide?* *Journal of Common Market Studies* Volume 52, Issue 1, pages 1–16; Dirk Leuffen. *The Impact of Eastern Enlargement on the Internal Functioning of the European Union. Why so much Continuity?*, in: Arcidiacono, Bruno, Milzow, Katrin, Marion, Axel und Bourneuf, Pierre-Étienne (eds.) *Europe Twenty Years after the End of the Cold War - The New Europe, New Europes?*, Brüssel: Peter Lang, 17–32.

how the most comprehensive enlargement in its history has impacted the foreign policy of the European Union.

DIVIDING LINES: THE CLICHÉ OF OLD AND NEW MEMBER STATES DOES NOT WORK

Ever since the former US Defence Secretary Rumsfeld coined the bon mots of a distinction between old and new Europe as the fault line in the member states' stance towards foreign policy actions, a central first question relates to the interest in the implications of the big bang enlargement in 2004/2007. In the present case, however, Rumsfeld's dividing lines turned out to be too simplistic to capture the differences between the EU member states over Russia's actions in Ukraine and the respective red lines of their positions concerning the arms embargo as well as financial and economic sanctions. Actually, the situation was more complex than a simple opposition between the new 12 member states and the older members of the European club. At different stages of the development, there were some countries that pushed for a tougher stance, while others wanted to keep the door open for diplomatic options to address the challenges. However, some cleavages still characterized the constellation of member states.

NORTH-EASTERN HAWKS AND SOUTHERN DOVES

A first cleavage resulted from a combination of historic, geographic and economic factors which did not play out into one direction though. In a somewhat crude way it may be described as an opposition between North-eastern hawks and Southern doves. On the one hand, there was a group of states that advocated a tougher stance towards Russia at the different stages of the EU discussions on sanctions. Following the annexation of Crimea, the United Kingdom, Poland, Sweden,

Denmark, the Czech Republic, Lithuania, Latvia and Estonia were of the opinion that only the introduction of tougher sanctions including economic and trade restrictions could prevent a further destabilisation in the region. This coalition was motivated by a combination of factors comprising the traditional tougher transatlantic stance of the British government as well as the historic experience and geographic proximity of some of the Eastern member states. For different reasons that we will address below, France and Germany joined this group only at a later stage. And so did the Netherlands after the shooting of the Malaysian airplane that cost the lives of many Dutch citizens.

On the other hand, historical and geographic factors did not determine the positioning of the member states. We also have to take economic factors into account when highlighting the motivation of the second group of states that took a rather dovish stance towards Russia. The coalition of Southern dovish countries that opposed tougher sanctions comprised Italy, Greece, Cyprus, Bulgaria, Luxembourg, Austria, Spain, Portugal and Malta. A common denominator of this group found clear expression in statements of politicians that referred to the implications of sanctions for the national context. For instance, the reference to the national interest by the leader of the Socialist Party of Bulgaria (“Besides the common position of the European countries we have our national interests”) was reiterated with the reference to the economic implications of sanctions by the Austrian Foreign Minister (“we should not yearn for economic sanctions, as they would not only hit Russia but also definitely hit us”).¹⁸

¹⁸ EurActive, 17 March 2014; EurActiv, 13 May 2014.

Hence, economic considerations that reflected economic dependencies, in particular in terms of a reliance on energy products or the relevance of other economic sectors such as banking or tourism, at least in some cases trumped the perception of a threat by Russia due to geographic vicinity and historical experiences.

INSIDE THE NEW MEMBER STATES

The importance of economic considerations in relation to both the historic experience of the Soviet domination after the Second World War and the geographic proximity to an ever more assertive Russia mirrored the concern of some member states over the implications for the domestic economies that might follow both EU sanctions and potential Russian countermeasures. However, the economic aspect at best partially explains the divide within the new member states in their reaction to the invasion of Crimea and the involvement in the destabilisation of Eastern Ukraine. The picture is indeed more complex.

The hawkish stance of the Baltic countries may be explained by a significantly stronger perception of a threat by Russia. On the one hand, the presence of Russian military planes and ships in the Baltic Sea and airspace that had increased over the past years. On the other hand, the existence of a significant Russian minority in the countries nourished the fear of a Ukraine scenario in their countries. Hence, in the Baltic countries as well as in Poland, the historical experience contributed to the dominance of an anti-Russian attitude in both the respective societies and discourses of political elites.

While the Romanian situation was somewhat similar, the picture in Bulgaria was again a different one. The aforementioned quotation of the leader of the socialist party

indicated the awareness of the country's economic vulnerability given its economic interdependence with Russia. Both the country's dependence on the supply of energy from Russia and the importance of the Russians in some parts of the country contributed to a softer stance of the Bulgarian decision-makers. Yet a different aspect might help to understand the attitude of Hungary and Greece. In both countries the governments in charge with Prime Ministers Orbán and Tsipras at the top perceived Russia not primarily as a threat, but rather displayed some sympathy for different reasons. Despite his self-declared liberal and anti-communist background, Orbán openly and explicitly expressed the view that Russia under Putin came close to his vision of an illiberal democracy and serves as a kind of role model for his idea of transforming the political system of Hungary. On the other hand, Tsipras and his left-wing political party Syriza had had historical bonds with the communist party in the Soviet Union. Along with the ideological proximity, Greece's explicit rapprochement to Russia was motivated by economic factors. Its involvement in the Russian-Turkish pipeline project South Stream had top priority, while it also hoped to find a financially supportive ally at a time when the European Monetary Union and the IMF were exerting massive pressure on the Greek government to enact significant domestic reforms. To sum up, it becomes apparent that there is a huge level of divergence between the new member states, which no single factor alone can explain. Instead the combination of different factors merged into country-specific motivations and attitudes on the EU's sanctions regime towards Russia.

DYNAMICS AT THE TOP TABLE

Interestingly, with the exception of Poland

none of the new member states came close to a seat at the top table of European foreign policy. The Polish ambitions may be seen as a function of the country's size that compared to that of Spain and Italy and its historical experience of being invaded three times in one century.¹⁹

The active Polish stance included the promotion of a more substantial engagement of the EU with its neighbours to the East. It found Sweden as a strong allied partner to push the Eastern dimension in the European Neighbourhood Policy in 2004. During the crisis in Ukraine, the so-called Weimar Triangle was revived. Established in 1991 as a means to politically connect the traditionally strong Franco-German axis with the most important economy of Central and Eastern Europe, the foreign ministers of the Weimar Triangle temporarily took the lead and negotiated a settlement with the parties involved in the conflict in Kiev in 2014. Later on, the dynamics changed, however, as the French president François Hollande and the German chancellor Angela Merkel became the top negotiators with the heads of states of Ukraine and Russia, Petro Poroshenko and Vladimir Putin – an interaction that was labelled the Normandy format.

Other dynamics at the top table were also quite illuminating. To start with, there was a temporary re-emergence of the antagonism between France and the UK. The two countries, which in the course of European integration frequently displayed opposing positions in the areas of defence and security policy, were at odds over the appropriate tasks regarding

¹⁹ For the Polish foreign policy objectives see e.g. the official document Polish Foreign Priorities 2012-2016, Warsaw, March 2012, <http://www.msz.gov.pl/resource/d31571cf-d24f-4479-af09-c9a46cc85cf6:JCR> [retrieved 18. 11.2015].

the arms embargo and financial sanctions. On the one hand, the UK pushed for an arms embargo, while France refused to support these sanctions because it had a € 1.5 billion contract for the delivery of two helicopter-carriers to Russia. On the other hand, France initiated financial sanctions against Russia which found less support in the UK as these would hit the City of London heavily. In an attempt to find an “equitably shared” solution to the EU sanctions policy, the pressure on Russia was significantly diminished in the first two phases. The French position changed towards a tougher stance only after the shooting down of the Malaysian airplane – and after some clarification on the costs of a rescission of the sale of the helicopter carrier. Last but not least, position of Germany needs to be addressed. Two dimensions are relevant: the shifting motivations for the German position and the more general characterization of its role in the enlarged Europe. With respect to the first dimension, its deep involvement in Central and Eastern European economies motivated the interest of both politicians and industry representatives to mitigate the conflict and its economic implications. As German exports account for about a third of EU exports²⁰, the German chancellor and her foreign minister, Frank-Walter Steinmeier, invested very much time and energy in keeping channels of communication between the parties open and finding pragmatic solutions. Germany was a key player in the Minsk agreements that were meant to end the conflict in Ukraine. But unlike Poland, Germany like France took a dovish stance in the first phase of the negotiations after the annexation of Crimea by Russia. Friendly relationships between Germany and Russia

²⁰ Bond, Odendahl, and Rankin 2015: 12.

established under the Schröder chancellorship divided the German elites in their response towards Russia. The SPD elite, including Helmut Schmidt and Sigmar Gabriel, favoured soft response to Russia’s aggression and formed so-called Putin-Versteher group (members of the elite who sympathise with Vladimir Putin’s politics). But the longer the conflict lasted, the more unreliable the Russian counterpart turned out to be and after the escalation with the shooting down of the Malaysian aircraft, the constellation ultimately changed, with Merkel and Foreign Minister Steinmeier pushing both the coalition partners and German businesses to tougher sanctions against Russia.

There have been many efforts to characterize the role of Germany in the enlarged Europe in general. Especially during the financial crisis, the dominant role played by Chancellor Merkel and Finance Minister Schäuble earned the term ‘Europe’s reluctant hegemon’ as coined by The Economist. The Russian-Ukrainian crisis, however, saw a different role of German politicians. Rather than dominating the scene, Merkel was characterized as a “go-to woman” due to her numerous travel activities to Kiev, Minsk, Paris or to the D-Day memorial celebrations in France to meet Putin, which were linked to the celebration of the 70th anniversary of the end of WWII.²¹ In a similar vein, Foreign Minister Steinmeier characterized the brokering role of Germany in an article of the New York Times as follows: “Germany will seek to play an efficient role as Europe’s ‘Chief facilitating officer’, forging an ambitious and unified

²¹ <http://blogs.reuters.com/john-loyd/2014/08/22/europe-bows-to-germany-merkel-and-that-might-be-a-good-thing/> [retrieved 18. 11.2015]

response to the challenges we are facing".²²

EUROPEAN VALUES VS NATIONAL ECONOMIC INTERESTS

The forging of a unified European response in reaction to the Russian aggression turned out to be no easy task. The Russian aggression took the EU by surprise as it not only significantly undermined its idea of a security architecture for Europe built on mutual trust and confidence. Russia's crude violation of international law also challenged the EU's value system and self-understanding as a normative and civilian power that seeks to address problems through co-operation, non-military means and law-based, multilateral engagement. Hence, most European policy-makers acknowledged that the blatant Russian behaviour posed a challenge to common European values.

However, there was no common position of the member states on how to react to Russia's assertiveness. As described above, the motivations of the member states differed significantly, comprising pragmatic diplomatic approaches, historically motivated tough stances and economically driven considerations. Not only was the constellation characterized by an absence of clear cut cleavages between or within old and new member states, but also by member states that shifted their position from a dovish to a hawkish stance over time. Given these complexities, it was surprising that the EU speedily managed to put into place a coherent and credible system of sanctions in the first place. This holds for both the relative speed and in particular for quality of the sanctions that significantly went beyond the traditional

means related to arms and visa related measures.

It may be argued that the Russia's aggressive behaviour has been a game changer in the EU's sanction history. The current sanction regime against Russia contradicts statements that claim that the EU only manages to sanction weaker countries that lack the means to reciprocate.²³ Apparently, the declaration of a three step escalation in the sanctions towards Russian and Ukrainian elites, which was originally a compromise between the hawkish and the dovish coalitions amongst the member states, gained an independent momentum after the shooting down of the Malaysian airline. The member states became rhetorically entrapped as stepping back from prior agreed action would have undermined the credibility of their policies with respect to both external and domestic audiences. As a consequence, the decision to enact tough economic sanctions against Russia was more due to an unintended momentum of the situation than an expression of the normative actor Europe. In this situation, the shifted position of Germany towards hawkishness contributed to formal unanimity among the member states. Being a key member state, Germany's more stringent position set up a pattern for other – weaker, smaller or new – member states and shaped the development of the EU sanctions policy as a whole. For instance, under Germany's duress Bulgaria was forced to halt the construction work on Russia's initiated South Stream natural gas-pipeline.

CONCLUSION

²² <http://www.nytimes.com/2015/03/12/opinion/save-our-trans-atlantic-order.html?smid=pl-share&r=0> [retrieved 18. 11.2015]

²³ Karen Del Biondo. EU Aid Conditionality in ACP Countries: Explaining Inconsistency in Sanctions Practice. *Journal of Contemporary European Research*. 2011, vol. 7 (3), :380-395: 382

One may argue that the case of the sanctions regime towards Russia over its annexation of Crimea and its military involvement in the conflicts in the eastern part of Ukraine paints a positive picture of the enlarged EU's capability to consent on foreign policies in its Eastern neighbourhood. It can also be argued that the share of the new member states in painting this picture has been significant.

However, there are also reasons to be more sceptical about the situation. One reason for this scepticism relates to the question of sustainability of the strong, common position of the EU. While it already was difficult to avoid loopholes in the sanction regime during its first years of existence, the challenge to uphold a tight and coherent regime has grown substantially over time. In this regard, both the economically motivated lobbying by businesses in many member states and the geostrategic considerations as expressed for instance in a "Issues Paper on relations with Russia"²⁴ by the EU's High Representative Mogherini work into the same direction. It only seems a question of time that the inglorious-pragmatic "business as usual" will replace the value-based sanction regime against Russia.

An even bigger question mark concerning the coherence of the enlarged EU's foreign policy relates to the dividing lines that have become so strikingly apparent during the current refugee crisis. The issue that inherently links the domestic policies of the member states with the internal and external policies of the EU revealed substantial dividing lines between many of the old and the new member states. The challenge for the EU in this context is even more substantial as the clash between Western

and Eastern members relates to the core of the EU's foundations, i.e. its norms and values as well as the solidarity between its members.

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²⁴ Issues paper on relations with Russia. Foreign Affairs Council of 19 January 2015; <http://blogs.ft.com/brusselsblog/files/2015/01/Russia.pdf> [retrieved 18. 11.2015]

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Recent publications:

Lehmkuhl, D., & Shagina, M. (2015). EU Sanctions in the Post-Soviet Space. In Tache, I. (Ed.) *The European Union and the Challenges of the New Global Context* (pp. 52-85). Newcastle upon Tyne: Cambridge Scholars.

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