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# Still a Normative Power Europe?

The European Union's promotion of European norms in Ukraine

## **Abstract**

Ukraine experienced two great events of change in 2013-2014: the Euromaidan revolution and the Russian annexation of Crimea. Throughout this time, the European Union sought a deeper association with Ukraine built on the fundamental European principles of democracy, rule of law, social justice and human rights. The purpose of this thesis is twofold. Firstly, it will examine the continuity and change in the EU's policies towards Ukraine before and after the Ukrainian great events of change. Secondly, the thesis will test the explanatory power of Ian Manners' theory 'Normative Power Europe' when applied to EU-Ukraine relations.

The study argues that the EU exerted normative power over Ukraine, which played an important role in sparking the Euromaidan revolution and the subsequent deeper EU-Ukraine association. However, the normative power cannot be derived from the EU's distinct characteristics on the international arena, as is suggested by Manners, but rather from its commitment to abide to its own normative principles when exerting non-ideational forms of power. The most important factor shaping the international role of the EU is therefore not what it is, but what it does.

**Key words:** *European Union, Ukraine, Normative Power, Civilian Power, Military Power, Ian Manners, Norm Diffusion, Euromaidan, Annexation of Crimea*

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# Contents

<b>ABSTRACT</b>	<b>2</b>
<b>ABBREVIATIONS</b>	<b>4</b>
<b>1 INTRODUCTION</b>	<b>5</b>
<b>2 THEORETICAL FRAMEWORK</b>	<b>7</b>
<b>2.1 A CIVILIAN OR MILITARY POWER EUROPE?</b>	<b>7</b>
<b>2.2 NORMATIVE POWER EUROPE</b>	<b>8</b>
2.2.1 WHAT IS NORMATIVE POWER?	8
2.2.2 DIFFERENCES BETWEEN NORMATIVE AND CIVILIAN POWER	10
2.3.3 THE BOUNDARIES OF NORMATIVE POWER	11
<b>3 METHODOLOGY</b>	<b>13</b>
<b>4 ANALYSIS</b>	<b>16</b>
<b>4.1 EMPIRICAL BACKGROUND</b>	<b>16</b>
4.1.1 THE ORANGE REVOLUTION	16
4.1.2 EUROMAIDAN	16
4.1.3 THE ANNEXATION OF CRIMEA	17
4.1.4 THE EEAS AND UKRAINE	18
<b>4.2 THE PRE-EUROMAIDAN STRATEGIES</b>	<b>19</b>
4.2.1 ECONOMIC CONDITIONALITY	19
4.2.2 INFLUENCE THROUGH MILITARY CAPACITY	20
4.2.3 NORMATIVE POWER EXERTION?	22
<b>4.3 THE POST-ANNEXATION STRATEGIES</b>	<b>24</b>
4.3.1 THE TRILATERAL MEETINGS	25
4.3.2 THE SIGNING OF THE AA/DCFTA-AGREEMENTS	27
4.3.3 THE REVISED ENP 2015	28
4.3.4 THE NEW FOREIGN POLICY STRATEGY	30
<b>5 CONCLUSIONS</b>	<b>32</b>
<b>REFERENCES</b>	<b>34</b>

## Abbreviations

AA	-	Association Agreement
CFSP	-	Common Foreign and Security Policy
CPE	-	Civilian Power Europe
CSDP	-	Common Security and Defence Policy
CoEU	-	Council of the European Union
CoR	-	Committee of the Regions
CSF	-	Civil Society Forum of the Eastern Partnership
DCFTA	-	Deep and Comprehensive Free Trade Area
EaP	-	Eastern Partnership
EC	-	European Commission
ECs	-	European Communities
EP	-	European Parliament
EEAS	-	European External Action Service
EESC	-	European Economic and Social Committee
ENP	-	European Neighbourhood Policy
EPE	-	Ethical Power Europe
ESS	-	European Security Strategy
EU	-	European Union
EUGS	-	Global Strategy for the European Union's Foreign and Security Policy
HR	-	High Representative of Foreign Affairs and Security Policy
MPE	-	Military Power Europe
NPE	-	Normative Power Europe
TEU	-	Treaty on European Union
TFEU	-	Treaty on the Functioning of the European Union

# 1 Introduction

In late November 2013, only nine years after the Orange revolution, the people of Kiev once more went to the Independence Square to voice its dissatisfaction with the Ukrainian government. The day before, President Viktor Yanukovich had taken a step closer to Russia by deciding not to sign the pending Association Agreement with the European Union. The following protests, later called the ‘Revolution of Dignity’ or ‘Euromaidan’, resulted in brutal clashes with the police before Yanukovich was displaced and a pro-reformist government was installed. Only a few months after the end of the revolution, Russia annexed the Crimean Peninsula, which was quickly condemned by the EU. The deposition of Yanukovich and the annexation of Crimea led to uprisings in eastern Ukraine, and subsequently to the war in Donbass (Natorski 2017: 177-8).

The sudden instability in Ukraine has put the EU under great pressure. Democracy, rule of law, social justice, and respect for human rights have been considered fundamental principles for the European Union since the Copenhagen declaration on European identity (ECs 1973), and the EU has increasingly valued the diffusion of these norms to its neighbourhood. One of the Union’s highest priorities in the security sector is the creation of stable regions on its borders. The European Neighbourhood Policy (ENP) was created as a response to the new security issues that emerged when the EU stood before its most ambitious enlargement ever in 2004. Expanding the borders of the Union meant that it would be brought closer to unstable regions, and the inclusion of new Eastern European member states would risk the creation of a new dividing line in Europe between the developed West and the excluded poorer East. The ENP was created in order to mitigate these “unintended side effects” of the enlargement (Casier 2015: 99-100).

The purpose of this thesis is twofold. Firstly, it will examine the European Union’s policies towards Ukraine. Through the ENP, the Union has sought to establish a stable democracy in Ukraine. However, borrowing Holsti’s terminology (2004: 10-1), two ‘great events of change’ have occurred in Ukraine during the 2010s: the Euromaidan Revolution in the winter of 2013/14 and the following Russian annexation of the Crimean Peninsula in March 2014, which raises questions of what continuity and change can be observed in EU-Ukraine relations during this period. Thus, the thesis will provide a chronological comparison of the EU’s strategy for the

## Still a Normative Power Europe?

diffusion of European norms in Ukraine. The study therefore contributes with a practical understanding of the characteristics of the EU-Ukraine relations and how they were affected by the Ukrainian ‘great events of change’, and provides a wider basis of knowledge from which future policy creation can depart.

Secondly, the thesis will test the explanatory power of Ian Manners’ (2002) theory ‘Normative Power Europe’ (NPE) when applied to EU-Ukraine relations. There is an ongoing academic debate about the nature of EU power exertion, and as Sjusen points out, the conception of a ‘Normative Power Europe’ is “very similar to that used by EU officials when describing the EU’s international role” (2006: 170). Therefore, “to assess if such conceptualizations of the EU are simply co-optations of the agenda of those in power” (*Ibid.*), it is academically important to investigate whether the official discourse fits the empirical record. This study situates itself in this academic debate by assessing to what extent Manners’ theory can explain European influence in Ukraine. To do so, it will examine documents from the EU that lay out the framework for the Union’s relations with Ukraine to see what kind of power the EU exerts when promoting the fundamental European principles of democracy, rule of law, social justice, and human rights. Therefore, the following two research questions will form the groundwork for the thesis:

- How did the Euromaidan Revolution and the Russian annexation of Crimea affect the EU’s promotion of the fundamental European principles in Ukraine?
- To what extent can the EU’s promotion of the fundamental European principles in Ukraine be ascribed to its normative power?

The thesis argues that the EU did exert normative power over Ukraine, which played an important role in sparking the Euromaidan revolution and the subsequent signings of the AA and the DCFTA. The normative power cannot, however, be convincingly derived from the EU’s *sui generis* character and its hybrid polity, as is suggested by Manners, but rather from its commitment to abide to its own normative principles when exerting economic, political and military power.

## 2 Theoretical Framework

In 2002, Ian Manners published an article titled “Normative Power Europe: A Contradiction in Terms?”, which sparked a fierce debate about the nature of the EU’s power exertion. In this chapter, Manners’ theory of normative power will be presented and discussed. In his original article, Manners contrasts normative power with the earlier concepts ‘civilian power’ and ‘military power’. Therefore, to situate the theory of Normative Power Europe (NPE) in its academic context, the dichotomy of civilian and military power will be briefly presented. Thereafter, the concept of normative power will be examined more thoroughly, opening for a critical discussion of the NPE theory.

### 2.1 A Civilian or Military Power Europe?

In the 1970s, François Duchêne suggested that the European Communities (ECs) could shift its focus in international affairs from a military to a political emphasis. He called this *civilian power*, which implies that an actor is “long on economic power and relatively short on armed force”, and aims to “domesticate relations between states” (Duchêne 1973: 19), both internally and externally. Central to the civilian power was, according to Duchêne, an open international society, sustained through economic and social policies. Therefore, he argued, the ECs had to “be a force for the international diffusion of civilian and democratic standards or it will itself be [...] the victim of power politics” (*Ibid.*: 20-1).

However, as Zielonka points out, “Duchêne never developed his vision into a detailed and comprehensive scheme” (1998: 226). In his original article on ‘Normative Power Europe’, Manners instead sets out three characteristics for civilian power in his theoretical framework, which he draws from Maull (1989: 92-3) and Twitchett (1976: 1-2): “[1] the centrality of economic power to achieve national goals; [2] the primacy of diplomatic co-operation to solve international problems; and [3] the willingness to use legally-binding supranational institutions to achieve international progress” (Manners 2002: 236-7).

In the early 1980s, Hedley Bull criticised Duchêne’s concept of Civilian Power Europe and argued that the European states should “take steps towards making themselves more self-sufficient in defence or security” (Bull 1982: 152). Bull’s notion of military power was that the

Still a Normative Power Europe?

ECs' international influence was "conditional upon a strategic environment provided by the military power of states, which they did not control" (1982: 151).

In foreign policy, the EU's approach has traditionally been to use economic and political means, and devalue military capacity. However, although the EU's application of military means has been limited, one cannot ignore that the EU has increasingly included military means in its foreign policy instruments by developing the Common Security and Defence Policy (CSDP) and the Common Foreign and Security Policy (CFSP) (Diez 2005: 623). Although the EU's military power has seen limited use, the actual acquisition of military capacity is in itself a clear example of deterrence, "the prevention from action by fear of the consequences" (Lowther 2012: 1), and cannot be disregarded. Although Civilian Power Europe (CPE) has dominated the official discourse on European power, Bull's notion of military power might be gaining some traction as the acquisition of 'operational capacity drawing on military assets' (TEU art. 42), supposedly provides a strategic environment for other exertions of power.

## **2.2 Normative Power Europe**

In this section, the key characteristics of normative power will be presented. Then, a distinction will be made between normative power and civilian power as these concepts often seem to overlap one another. Lastly, there will be a critical discussion of what the normative power concept entails and what its limits must be in order for the theory to remain useful.

### **2.2.1 What is Normative Power?**

Manners argues that Duchêne's *civilian power* and Bull's *military power* share many common assumptions. They both focus on the "strengthening of international society, not civil society", and they both "value direct physical power in the form of actual empirical [economic or military] capabilities" (Manners 2002: 238). These 'empirical capabilities' do not offer a satisfying explanation for Manners. He contends that the cold war ended with "the collapse of norms rather than the power of force" (*Ibid.*) as regimes crumbled internally under the ideological pressure from unsatisfied citizens.

He therefore developed the concept of *normative power*, a definition of EU power as "neither military nor purely economic, but one that works through ideas, opinions and conscience" (Diez & Manners 2007: 175). Thus, normative power entails an 'ideational impact': the "power over

opinion” (Carr 1962: 108). Normative power therefore claims to be independent from the discussions of civilian versus military power and aims to go beyond this dichotomy (Whitman 2013: 174). Manners (2002: 240-1) suggests the normative power that the EU supposedly possesses stems from three sources: historical context (the legacy of two world wars), hybrid polity (the post-Westphalian character with supranational and international institutions) and political–legal constitutionalism (the elite-driven, treaty-based legal order). These three aspects brought the common principles of the Member States under the same framework and led to the EU placing the norms of democracy, rule of law, social justice, and human rights to the core of its foreign policy (Whitman 2013: 175). The EU’s common normative basis allows the EU to act as more than the sum of its parts and gives the Union international legitimacy and therefore the ability to exercise the “ideological power over ideas” (Galtung 1973: 33; Manners 2002: 242-4).

This notion of the ‘power over ideas’ seemingly corresponds well with Lukes’ third dimension of power, which states that A exercises power over B “by influencing, shaping or determining his very wants” (2005: 27), contrasting with the first dimension of power that states that “A has power over B to the extent that he can get B to do something that B would not otherwise do” (*Ibid.*: 16). However, one cannot apply such instrumental logic to the concept of normative power. Manners suggests that “simply by existing as different in a world of states and the relations between them, the European Union changes the normality of ‘international relations’” (2008: 45), and that this difference “pre-disposes it to act in a normative way” (2002: 242). In this sense, he argues, the European Union is a normative power, since it changes the norms of international politics “away from the bounded expectations of state-centricity” (2008: 45). In a sense, it is related to structural power since they both can be exercised in a non-deliberate manner (Strange 1996: 25), although the outcomes and objectives of the two types of power are vastly different.

Lastly, Manners suggests six different factors and means for norm diffusion. They are summarised and illustrated in the table to the right (2002: 244-5). *Contagion* takes place through the diffusion of ideas between the EU and other global actors, e.g. its inspiration for regional integration in other parts of the

**Manners’ 6 factors of norm diffusion**

Contagion	Unintentional diffusion of ideas from the EU to other political actors
Informational	Strategic/declaratory communications
Procedural	Institutionalization of a relationship between the EU and a third party
Transference	Trade, aid or technical assistance
Overt diffusion	Physical presence in third states and international organizations
Cultural filter	Affects the impact of norms, leading to learning, adaptation or rejection

## Still a Normative Power Europe?

world. *Informational* diffusion occurs through strategic and declaratory communications, e.g. the ESS. *Procedural* diffusion occurs through the institutionalisation of relationships between the EU and third parties, e.g. Association Agreements. *Transference* includes the transfer of material and immaterial assets, e.g. humanitarian aid and technical assistance through conditionality clauses or grass roots engagement. *Overt diffusion* appears through the EU's physical presence in third states and international organisations, e.g. embassies or peacekeeping and peacebuilding missions. Lastly, the *Cultural Filter* affects the impact of international norms in a country. It includes factors such as identity and construction of knowledge, and impedes or strengthens the effects of foreign norm diffusion (Manners 2013: 315-9).

### 2.2.2 Differences Between Normative and Civilian Power

As mentioned before, Duchêne suggests that Europe as a *civilian* power “must be a force for the international diffusion of civilian and democratic standards” and promote values such as “equality, justice and tolerance” (Duchêne 1973: 20). These are all highly normative objectives, and Manners' distinction between civilian and normative power has therefore been criticised: “Although some current CPE [Civilian Power Europe] accounts stress the normative dimension, the ‘new normative power Europe literature’ hardly makes any linkage with the idea of a CPE” (Orbie 2006: 126). These normative features of civilian power, along with its devaluation of military power often causes confusion in the distinction between civilian power and normative power (Whitman 2013: 174). Manners does acknowledge the normative aspects of Duchêne's work, but he argues that the use of ‘civilian instruments’ forms the main characteristic of civilian power and finds that the term ‘Normative Power Europe’ was needed, focusing on the “ability to shape conceptions of ‘normal’ in international relations” (Orbie 2006: 126; Manners 2002: 239).

However, because of the normative features of civilian power there remains a need for the “difference between the EU as a civilian power and other forms of normative power to be analysed more carefully” (Diez 2005: 636). It might be tempting to draw connections to Joseph Nye's distinction between ‘hard power’, which is described as military power and economic power that can utilise inducements or threats, and ‘soft power’, which entails the ability to “get others to want what you want” (2003: 8-9). In this regard, *civilian* and *military power* would correspond to Nye's *hard power*, and *normative power* would correspond to Nye's *soft power*. However, according to Diez & Manners (2007: 179), this is a common misconception. The fundamental differences between ‘normative power’ and ‘soft power’ lie in the instrumentalist

features of ‘soft power’ as a tool that can be used alongside ‘hard power’, and in its disregard for whether its application is normative (i.e. ethically good) or not (Manners 2008). Normative power is based upon cosmopolitan values, in contrast to civilian power’s focus on national interest, and it seeks to transcend Westphalian structures towards a world society rather than strengthening international society. Diez & Manners argue that, when advocating and practicing certain sets of norms, “civilian power can be read as one specific form of normative power” (2007: 175-9).

### **2.3.3 The Boundaries of Normative Power**

However, to avoid ending up with a definition of normative power so broad that it becomes all-encompassing and useless, its coherence must be questioned. On the one hand, Manners claims that “the most important factor shaping the international role of the EU is not what it does or what it says, but what it is” (2002: 252). On the other hand, he suggests that civilian power, despite its instrumental and empirical nature, can be read as normative power if it advocates certain kinds of norms (Diez & Manners 2007: 177). Furthermore, the view of the EU as fundamentally different is contested, and putting the essence of the EU as the cornerstone of the theory makes it unstable. Additionally, the only factor of norm diffusion that seems to be consistent with the NPE framework is diffusion through ‘contagion’. These issues will be discussed below.

Firstly, in order not to dilute the term, the concept of normative power must be delimited to the ideational impact that was originally described as its key characteristic. In this context, it is useful to recall a divide of normative power into two aspects that Manners himself points out: “it is one thing to say that the EU is a normative power by virtue of its hybrid polity; it is another to argue that the EU acts in a normative way” (2008: 45). It seems these two aspects of normative power exertion have been commingled in the development of the NPE theory. This quote suggests that the EU can perform civilian and military exertions in a normative way, without being a normative power. However, such normatively executed power exertion has at times been mistakenly identified as manifests of normative power. Being a normative power and acting normatively are of course highly compatible concepts, but fulfilling one does not include the other.

Shifting the attention towards what the EU does rather than what it is, is reminiscent of another prominent notion of European power: Ethical Power Europe (EPE). The EPE paradigm departs

## Still a Normative Power Europe?

from a different set of core assumptions by reversing the causality between the EU's normative identity and the increasingly normative international context, questioning the EU's proposed fundamentally different nature, and reconnecting empirical capabilities with ethical considerations. This opens for a focus on agency rather than essence (Aggestam 2008; Nunes 2011).

In the study of normative agency, to examine whether an actor acts in a normative way, Manners suggest that one must assess the actor's ability to apply normative principles to different realities. An actor does so firstly by 'living by example'. To consistently act in accordance to one's own principles grants normative coherence and thus legitimacy. Secondly, it needs to 'be reasonable' in its foreign affairs. This means that it should reason and rationalise its external policies through processes of engagement and dialogue. Lastly, it should apply the consequentialist ethics of 'doing least harm'. By ensuring that reflexive thought about the impact of its policies on partner countries, and aiming for 'other empowering' in contrast to self-empowering policies (Manners 2008: 55-60). By distancing itself from the assertion that the EU is a fundamentally different international actor, and that this difference pre-disposes it to exert normative power, the EPE-literature avoids the polemic issue of the *sui generis* character of the EU (Aggestam 2008). Apart from being more compatible with a wider range of state-centric (Hyde-Price 2006) and non-state centric perspectives, it creates a firmer theoretical basis that is less contested.

Lastly, some of the means and factors of norm diffusion that Manners presented seem to clash with the notion of normative power. Both 'transference' and 'procedural diffusion' are indicative of economic and political conditionality, 'overt diffusion' includes peacekeeping (military) operations, and the 'cultural filter' is not a means as much as an impediment to norm diffusion (Forsberg 2011: 1196). Only 'contagion' and 'informational diffusion' remains as NPE compatible means of diffusion. In relation to conditionality, Manners suggests that the application of 'positive conditionality' is compatible with the reflexivity that characterises a normatively acting power. By rewarding progress with greater incentives and an even deeper relationship, an actor can ensure that its policies towards a partner country is not harmful and is 'other empowering' rather than self-empowering (2008: 59). This, however, only corresponds with the agency aspect of normativity, not with the institutional composition of the EU and its pre-disposed normative power.

### 3 Methodology

This thesis will apply a textual analysis, more specifically a content analysis, to identify continuity and change in European power exertion in foreign policy, which grants the study a hermeneutic character (Bergström & Boréus 2012a: 24; Teorell & Svensson 2007: 99). The analysis is remitter oriented, that is, it focuses on the message that the senders want to convey rather than how it is perceived by the recipients (Bergström & Boréus 2012b: 169; Teorell & Svensson 2007: 103).

The thesis will rely on a qualitative analysis of the material, which ensures a high validity, but produces a problem of reliability; it can be difficult to reach intersubjectivity in personal interpretations. To increase the reliability and the intersubjectivity, clear classifications of the different types of power exertion are required. It is pivotal that the groups of classification are neither too general, nor too specific. In the first case, there is a risk that the groups of classification overlap each other which forces subjective interpretations from the researcher. In the latter, there is a risk that some of the material cannot be classified and ends up outside of the theoretical framework (Bergström & Boréus 2012b: 150–6, 169–71; Teorell & Svensson: 55–7). Therefore, the theoretical framework of this thesis aims to provide a clear set of key characteristics for the different types of power exertion, especially for normative power, with clear differentiations that lay the groundwork for the analysis. This classification scheme is similar to Weberian ‘ideal types’, which facilitate the comparison of different representations of a studied phenomenon (Weber 1949: 90). However, here the focus lies mainly on the NPE theory, where the other types of power exertion that are presented mainly provide limitations for the term ‘normative power’.

The empirics are mainly composed by primary sources, consisting of EU policy documents from the period 2011–2017. The secondary sources are mainly composed of Manners’ theoretical framework and the earlier research used to create the theoretical framework of this study. However, secondary sources are also consulted in the analysis of the EU policy documents and the EU-Ukraine relations in the 2010s. The primary sources were chosen because of their availability and the extension of the study. The access to direct observations of negotiations between international actors is restricted, and the creation of a large material

## Still a Normative Power Europe?

composed of interviews and surveys would be difficult given the study's timeframe (Dulić 2011: 36–7).

The extension of the study forces a delimitation of the material to solely include documents in direct relation to the work of the EEAS published between the institution's launch in 2011 and today (2017). This means that the selection of material is done strategically, in contrast to randomised selection of material that is used in other studies to avoid selection bias. To avoid selection bias in this study, all material that concerns EU-Ukraine relations published by the EEAS within the given timeframe will be included in the analysis. The EEAS cooperates and shares some competences with the European Commission (EC), which means that some of the EEAS's work is to be found in EC documents or in joint communications from the two.

The focus on EEAS documentation also means that what is examined is the strategies for European power exertion on a policy level and excludes the formation processes and the implementation of policy. Therefore, the documents do not give an insight into how the EU has acted, but they describe how it wants (and wanted) to conduct its future external relations (Teorell & Svensson 2007: 84, 87–91). The focus on EEAS documents means that four types of documents will be examined: European Neighbourhood Policy (ENP), Eastern Partnership (EaP), the Association Agreement (AA) and its trade part the Deep and Comprehensive Free Trade Area (DCFTA), and the EUGS (European Union Global Strategy). Although the EEAS is an independent department, some of these documents overlap with different EU institutions, e.g. joint statements from the Commission and the High Representative and statements from the foreign ministers of the Council (who naturally form a central part of the EEAS as well). However, since these documents are integral parts of the EEAS and are central to its relations to Ukraine, they are considered EEAS documents and are included in this thesis.

The study also had to be delimited to a single case due to the extension of the thesis. It could have focused on the EU's relations with any state within the ENP, but what makes the Ukrainian case interesting is not only that it is the biggest actor in the Eastern Partnership, but also the aforementioned 'great events of change' that it has experienced. They give this thesis the opportunity to examine policies and strategies when they are put to the test of extreme conditions. To examine the development of the EU-Ukraine relations, documents and reports from the EEAS regarding Ukraine published since 2011 will be analysed. The EEAS was formally launched on 1 January 2011, which is why the timeframe 2011–2017 was selected.

The focus on EEAS documentation also means that what is examined is the strategies for European power exertion on a policy level and excludes the formation and implementation of policy.

## **4 Analysis**

In this chapter, the empirical material will be analysed. In 4.1, the reader will be introduced to the empirical background of the case. In 4.2, the EEAS documents released prior to the Euromaidan revolution of December 2013 will be analysed through the theoretical framework established in Chapter 2. The same will then be done in 4.3 for the EEAS documents released after the Russian annexation of the Crimean Peninsula in March 2014.

### **4.1 Empirical Background**

This section provides a brief introduction to the current situation in Ukraine, with a strong focus on the previously mentioned ‘great events of change’ – the Euromaidan Revolution and the Russian annexation of Crimea – in 2013-2014. Nevertheless, a synopsis of Ukrainian 21<sup>st</sup> century politics, however brief, must include the Orange Revolution of 2004. The last part of this section gives an insight to the creation of the European External Action Service (EEAS) in 2011, and presents the documents that are analysed in this thesis.

#### **4.1.1 The Orange Revolution**

In November 2004, presidential elections were held in Ukraine. On one side stood Viktor Yanukovich, who was the sitting prime minister and the choice of the authorities. On the other stood Viktor Yushchenko, the former prime minister who now led the opposition movement. By the end of the night, Yanukovich was declared the winner. However, the result was not coherent with other counts and polls – neither in terms of voter turnout nor the actual result. The dubious results triggered massive protests at the Independence Square (commonly known as Maidan) in Kiev, organised by the opposition. These protests, sparked by mass falsifications of votes, was named the ‘*Orange Revolution*’. The results were invalidated by the Supreme Court, and a package of constitutional reforms was passed in Parliament, which included new election laws. In late December 2004, new elections were held and Yushchenko emerged victorious (Wilson 2005: 1-2, 114-26, 148-55).

#### **4.1.2 Euromaidan**

With the considerably more EU-friendly Yushchenko in power, EU-Ukraine relations intensified. At the time, the ENP had recently been launched and the EU continuously insisted on Ukrainian reforms that would bring Ukraine closer to the EU in economic, political and

social areas. However, Viktor Yanukovich won the presidential elections in 2010 and thus returned to power. Ukraine took an authoritarian turn as the Orange Revolution-reforms that limited the President's powers were reversed, opposition leaders were incarcerated and parliamentary elections were manipulated in 2012 (Natorski 2017: 180). In November 2013, Yanukovich unexpectedly decided not to sign a negotiated Association Agreement (AA) with the EU. This was symbolically important, as an agreement would have been a clear step towards Europe, and away from Russia (Harvey 2016: 371). The result was that the people of Kiev, nine years after the Orange Revolution, once again gathered at Maidan to let their voices be heard. This was the start of what would be called the 'Revolution of Dignity', or *Euromaidan* (Reznik 2016: 750).

In November 2013, Euromaidan started out in a similar fashion to the Orange Revolution. Although the reason was another, the means remained the same as they were both initially peaceful protests. However, the night to December 1, the special police unit 'Berkut' was called in to disperse the crowd, which mainly consisted of students, forcefully. Many were injured and arrested, but the protests persevered and gained even more traction. The violence that was used against a peaceful protest angered the people of Kiev, and the "Euro-protest was transformed into the Euro-revolution" (Lozynskyj 2013: 6-7). The revolution entered a new stage on January 16, 2014, when the Ukrainian Parliament passed laws that prohibited, among other things, outdoor assembly and demonstrations. The laws were perceived as an authoritarian attempt at retaining power, and the demonstrations intensified, resulting in bloody battles with police near the Presidential Administration Building. On February 21, protestors stormed the Presidential Palace, and the following day the revolution ended with the Parliament removing Yanukovich from power (Shveda & Park 2016: 88-91). The fall of Yanukovich resulted in a pro-reformist and pro-European government (Natorski 2017: 182).

#### **4.1.3 The Annexation of Crimea**

During the following presidential elections after Euromaidan, Russia annexed the Crimean Peninsula from Ukraine and a war broke out in Eastern Ukraine (Shveda & Park 2016: 90). The Russian Federation referred to a referendum held in Crimea in March 2014 that allegedly had caused the peninsula's separation from Ukraine, which meant that the Crimean state could then sign a treaty with Russia, allowing a legal annexation. However, the referendum has been deemed unlawful by both the Constitutional Court of Ukraine and the Venice Commission of the Council of Europe, since only the Ukrainian Parliament has the authority to call for a

## Still a Normative Power Europe?

referendum concerning changes to national territory. Consequentially, the unilateral Crimean secession was unconstitutional, and Crimea was in no position to sign a treaty with Russia (Grant 2015: 68–71). Therefore, the EU condemned the Russian annexation, and only seven UN Member States have made statements about their recognition of the Republic of Crimea as a federal subject of Russia.

The Russian government, on the other hand, condemned the new Ukrainian government as illegitimate Western puppets. It expressed concern for the well-being of ethnic Russians and Russian speakers in Ukraine and soon thereafter armed men with unmarked uniforms appeared throughout Crimea. Although they were widely recognised as Russian forces, Vladimir Putin described them as “local self-defence units” (Biersack & O’Lear 2014: 248-9). The history of Crimea is complex, and different ethnic groups hold widely differing narratives and historical claims (Charron 2012). The deposition of Yanukovych and the annexation of Crimea led to uprisings in eastern Ukraine, and subsequently to the war in Donbass. The war between pro-Russian separatists, covertly supported by Russia, and the Ukrainian government has had several failed ceasefires and remains ongoing at the time of writing (Robinson 2016: 506, 511; Altshuller 2017: 7–8).

### **4.1.4 The EEAS and Ukraine**

The creation of the European External Action Service (EEAS) was initiated by its inclusion in the Treaty of Lisbon in 2009. The EEAS was then officially launched January 1, 2011 (EEAS 2016b). The EEAS describes itself as the Union’s diplomatic service that makes the EU’s voice heard internationally. It brings together the foreign and defence ministers of the Member States with the aim to form a cohesive foreign policy of the Union (EEAS 2016c). The EEAS was created by the merger of the foreign policy competencies of the European Commission (EC) and the Council of the European Union (CoEU). Today, the EEAS cooperates closely with the ministers of foreign affairs in the CoEU and shares some competencies with the EC.

Central to the EU-Ukraine relations are the European Neighbourhood Policy (ENP), the Eastern Partnership (EaP), the Association Agreement (AA), and the Deep and Comprehensive Free Trade Area (DCFTA). The ENP was launched in 2003 and aims to “foster stabilisation, security and prosperity” in Europe’s Eastern and Southern neighbouring countries by working jointly in key priority areas. It was first revised in 2011, and then again in 2015. The EaP is a joint initiative involving the EU, its member states and six eastern European partners (including

Ukraine). The EU and partner countries leaders meet biannually in Eastern Partnership Summits, latest in Riga 2015. The AA is a document that sets out the commitment of the EU and Ukraine to a close, long-term relationship based on common values. The DCFTA is part of the AA and offers Ukraine a progressively easier access to the EU internal market (EEAS 2016d). Another central document for the EEAS is “A Global Strategy for the European Union’s Foreign and Security Policy” (EUGS 2016), which determines the aims of the Union’s foreign policy. It replaced the European Security Strategy (ESS) from 2003.

## 4.2 The Pre-Euromaidan Strategies

In this section, the documents that were released prior to, or in conjunction with, the Euromaidan in late November 2013 will be analysed. Representative extracts from the documents will be presented to lead the discussion.

### 4.2.1 Economic Conditionality

A central part of all EU-Ukraine relations is overt economic and political conditionality. This conditionality is the cornerstone of the AAs and DCFTAs and are expressed throughout the joint declarations from the EaP Summits, as can be seen in example (a):

(a)

The pace of reforms will determine the intensity of the cooperation, and partners most engaged in reforms will benefit more from their relationship with the European Union, including closer political association, deeper gradual economic integration in the EU Internal Market and increased EU support.

[EaP Summit, 2011]

This ‘incentive based approach’ clearly shows how the EU uses its economic power to influence the countries of the EaP to adopt policies that harmonise with the fundamental European principles. This practice of economic and political conditionality, sometimes called ‘more for more’, was introduced in the revised ENP of 2011 and stipulates that the Union shall develop “stronger partnerships with those neighbours that make greater progress towards democratic reform” (Rey & Legrand 2016: 1). The EU uses political and economic means towards civilian ends, which is strongly indicative of civilian power exertion. However, it also acts according to Manners’ (2008: 59) normative criteria since it sets out normative principles that are coherent with its own policies, it institutionalises its external relations through dialogue in order to pursue

## Still a Normative Power Europe?

a ‘reasonable’ foreign policy, and it utilises positive conditionality to ensure that it minimises any potential harm to its partner countries and thus rejects the self-empowering approach. This suggests that the EU is exerting civilian power in a normative way.

Political and economic conditionality is also observed in the ENP Progress Reports. After Viktor Yanukovich’s victory in the presidential elections of 2010, and the subsequent deterioration of political freedoms in Ukraine and backsliding of compliance with the Association Agenda, the EU sharpened the conditionality for signing the AA to include several reforms (Natorski 2017: 180):

(b)

In the area of democracy and human rights there was further deterioration. Several leading opposition figures, including former Prime Minister Tymoshenko, were subjected to selective justice [...] Ukraine’s performance, notably in relation to respect for common values and the rule of law, will be of crucial importance for the speed of its political association and economic integration with the EU, inter alia with regard to conclusion of the Association Agreement and its subsequent implementation.

[ENP Progress Report for 2011 (EC & HR 2012)]

In example (b), the EU opts for the specific criticism of an instance where Ukraine has not fulfilled the requirements of the European fundamental principles. The EU clearly states that such lack of compliance with European values will jeopardise Ukraine’s politico-economic integration with the EU. Judiciary reforms to avoid ‘selective justice’ for political opponents and an improved electoral system were central to the conditions that were added in 2013 to the original conditions of the 2011 Association Agenda (Natorski 2017: 180–1). Initially, the extract takes the shape of informational norm diffusion, a strategic communication, but is soon linked to the conditionality clauses of the AA indicative of diffusion through transference. The presented conditionality excludes the possibility of ascribing any political reforms in this area solely to the EU’s normative power, since normative power as an explaining factor cannot be isolated from the impact of the politico-economic conditionality.

### 4.2.2 Influence Through Military Capacity

The same relationship can be found between the concepts of military power and normative power. During the pre-Euromaidan period, there were some instances where the EU approached Ukraine via its military instruments:

(c)

[The participants] welcome the EU's strengthened role in conflict resolution and confidence building efforts in the framework or in support of existing agreed formats and processes, including through field presence when appropriate.

[EaP Summit, 2011]

In example (c), the EU is recognised by the participants of the Warsaw Summit as a military actor with the legitimacy to conduct stabilising missions in the region within an agreed framework. This means that the EU's military capacity gives it influence in the EaP as it establishes itself as a security provider in the region, and thus increases the partner countries' dependence on the EU. This means that the EU gains influence solely by possessing the greater military capacity in the region. Although the Union's actual military strength is being questioned, this passage of the Warsaw Summit suggests that the EU is perceived by its partners as a coherent and capable military actor, which appears to be enough to increase its influence.

However, although this influence stems from military capacity, there are no signs of the hard, coercive power that characterises military power exertion. Rather, it seems like the EU offers its military assistance only when needed. This potential future need is determined by its partners and the established frameworks in accordance with the normative criteria of reason: to rationalise its external policies through processes of engagement and dialogue. The assistance provided through this framework does not seem to follow the logic of self-empowerment, but instead offers a source of stability to empower others. This therefore appears to be an exertion of military power that abides to normative principles. In the following example of EU-Ukraine relations within the military realm, no coercive power is exerted either:

(d)

Recalling the importance of cooperation in the CSDP area, the participants of the Vilnius Summit look forward to the further strengthening of multilateral and bilateral security dialogue and practical CSDP cooperation [...] They welcome the contribution by Ukraine of a frigate to the EU-led operation EUNAVFOR Atalanta as of January 2014 [...] They also appreciate Ukraine's commitment to contribute to EU Battlegroups in 2014 and 2016.

[EaP Summit, 2013]

In example (d), the partner countries are invited to cooperate within the framework of the CSDP. By including Ukraine in the EU Battlegroups and EU-led operations, the EU opens for military socialisation, and thus an alternative way for to spread its norms through its military capacity. However, the EU does not impose its values upon Ukraine by coercive military means. In the

## Still a Normative Power Europe?

same way that the CSDP has enabled socialisation processes between soldiers of different nationalities within the EU, conducting joint military missions in a proactive manner together with partner countries could make possible military socialisation as another way of spreading European norms, while creating the stable neighbourhood towards which the ENP aims (Deschaux-Beaume 2011: 1193).

### 4.2.3 Normative Power Exertion?

On several instances, the EU therefore seems to utilise military and economic means while also abiding to the normative criteria. The question is then if the EU also exerts normative power without the use of economic or military means. An example worth discussing is found in the following passage, which is included in both pre-Euromaidan joint declarations of the EaP Summits:

(e)

The Eastern Partnership is based on a community of values and principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law. All countries participating in the Eastern Partnership are committed to these values through the relevant international instruments.

[EaP Summit, 2011 & 2013]

Within the framework of the EaP, the EU establishes a continuous process of procedural diffusion in which it institutionalises a relationship with Ukraine built on norms. The normative clauses, like the one in example (e), can then be invoked to influence Ukraine to comply with EU norms. The EU then builds on the norms that have been established in the EaP to diffuse and consolidate its norms. In this extract, there is no explicit conditionality present. The inclusion in the EaP of Belarus – a country in which such serious violations to human rights occur that the EU on several cases has adopted restrictive measures against it (EC 2014a) – testifies to the fact that no certain steps other than the formal acceptance of a common set of values was needed for accession. This clause of the EaP Summits is not only a procedural diffusion of norms, but also an example of informational diffusion of norms through declaratory communications. By setting the fundamental European principles as common norms, they hope to gain legitimacy within the partner countries. The early institutionalisation of a common set of norms allows the EU to influence the discourse on the EU and the EaP within the partner countries:

(f)

The participants of the Warsaw Summit emphasize the need to promote and disseminate the key principles and activities of the Eastern Partnership among the public, and agree to take additional action to increase its visibility including by using the Eastern Partnership label widely to identify relations and activities between the EU and the partner countries.

[EaP Summit, 2011]

Example (f) demonstrates an attempt from the EU to spread the fundamental European principles to the societies of the partner countries. By encouraging the dissemination of the EaP norms to the public, the EU yet again takes on an informational strategy to consolidate the fundamental European principles in the partners' population, which would stand a better chance to survive in the event of a less EU-friendly regime coming to power. A clear example of this is of course found in the Euromaidan protests, where Western ideas had been firmly rooted within Ukrainian society, preventing Yanukovich from distancing the country from the EU. The will to avoid state-centricity is an integral part of concept of normative power and can also be seen in its initiatives to strengthen civil society in partner countries:

(g)

The participants of the Vilnius Summit recall the valuable role of civil society within the Eastern Partnership. They recognize that civil society constitutes an integral element in a well-functioning democratic system. They underline the contribution of civil society in all the relevant activities under the Partnership including through the Civil Society Forum and its National Platforms. They welcome the support extended to civil society through the Neighbourhood Civil Society Facility.

[EaP Summit, 2013]

The Civil Society Forum (CSF) is one of the main features of the revised ENP from 2011 (Ashton & Füle 2011). The CSF aims to strengthen civil society in the EaP countries as well as establish cooperation and exchange of experiences between civil society organisations from partner countries and the EU. One of its core aspects is to create a strong democratic basis to enable societies to hold governments accountable throughout the democratic transition and European integration of the partner countries (CSF 2017). The EU's focus on civil society is a further manifestation of its will to shape the people's conception of 'normal'. A focus on local ownership of democratisation processes has been a theme of the ENP since its launch (EC 2004: 21), and local ownership is also given as an example by Manners (2008: 59) of how the EU can act in a normative way by applying reflexivity. The problem of local versus international control over reforms, sometimes referred to as the 'systemic dilemma' (Jarstad 2008: 24), entails a trade-off between an international impetus to push democratic advances which lacks intra-societal legitimacy, and the legitimate but less efficient democratic efforts coming from within

## Still a Normative Power Europe?

the society. The will to trade efficiency for legitimacy clearly suggests that the EU attempts to act normatively. Although there are initiatives to strengthen civil society, as seen in example (g), it is safe to say that much of the EU's pre-Euromaidan norm diffusion stemmed from a top-down approach.

Despite its reliance on economic, political and military power resources, the EU often abides to normative principles by seeking 'milieu goals' rather than 'possession goals', i.e. aiming to shape the environment in which it operates rather than furthering direct national interests through a zero-sum mentality (Wolfers 1962: 73-6; Zartman 2013: 106-7). 'Milieu goals' do, of course, also serve national interests; it lies in the EU's direct interest to create a stable region on its borders. However, to act ethically and to pursue one's own interests are not mutually exclusive concepts. To act ethically often entails an awareness and sensitivity to the interests of others, but does not require a disregard for self-interest (Brown 2001: 21-2). Thus, this section shows that the pre-Euromaidan strategies mainly revolved around civilian power exertion, carried out in a normative way through ethical considerations.

### **4.3 The Post-Annexation Strategies**

In this section, the documents that were released after, or in conjunction with, the Russian annexation of Crimea in March 2014 will be analysed. To avoid redundancy, the continuities from the pre-Euromaidan period will only be treated briefly and focus will lie on the policy changes that took place after the Russian annexation of Crimea.

As is to be expected, many of the EU's initiatives in its relations with Ukraine remained unchanged. Continuity can, for example, be observed in the incentive-based 'more-for-more' approach (cfr. EaP Summit 2015). However, after the conclusion of the Euromaidan revolution, and especially following the Russian annexation of Crimea, the EU eased the conditionality and offered unprecedented economic and political incentives, issued the 'Support Package for Ukraine' and accelerated the signature of the AA (except the DCFTA) in order to support the stabilisation of Ukraine. The EU also temporarily removed custom duties on Ukrainian exports to the EU, provided a 'Macro-financial Assistance' loan programme and issued grants to civil society organisations (Natorski 2017: 182-3). The focus on economic power to support political

and economic transformation in Ukraine therefore remained intact, but the size of the support measures was enhanced and the conditionality clauses eased.

Despite the continuity in the field of economic support for Ukrainian assimilation to EU standards, there have been some notable changes in EU-Ukrainian relations since March 2014. Firstly, despite earlier condemnations of Russian involvement in Ukraine, trilateral meetings were initiated between the EU, Ukraine and Russia regarding the possible effects of a Ukrainian AA/DCFTA-agreement on Russia. Secondly, the EU and Ukraine signed both the AA and the DCFTA. Thirdly, the ENP was revised again in 2015. Lastly, the EEAS issued a new strategic document (EUGS) in 2016 that replaced the ESS from 2003.

#### **4.3.1 The Trilateral Meetings**

Prior to the Euromaidan revolution, Russia had voiced its concerns about the negative impact an AA/DCFTA between the EU and Ukraine would have on traditional Russian-Ukrainian trade routes. Russia exercised political and economic pressure on Ukraine and threatened that signing the DCFTA would have consequences for the Ukrainian economy. The EU criticised Russia and refused to hold tripartite discussions on the topic of DCFTA. However, the EU changed its approach to trilateral meetings in 2014 and started organising technical consultations on the matters of trade and energy with representatives from Russia and Ukraine, where Russia could voice its concerns about the DCFTA becoming operational (EC 2014b). The meetings resulted in an agreement to delay the application of the DCFTA until the end of 2015, a decision that attracted a lot of criticism. Concerns were raised that delaying the trade agreement meant setting a bad precedent of third states interfering in the EU's bilateral relations (Natorski 2017: 183-5; Herranz-Surrallés 2017; Van der Loo 2016: 141-53).

The decision to involve Russia in the preparations for the signing of the DCFTA and subsequently postpone the application of the trade agreement certainly stems from careful tactical considerations. It was a trade-off between the negative implications of rewarding Russia's military activity and allowing a third country to undermine the EU's bilateral agreements, and the positive implications of limiting the points of conflict with Russia and avoiding any harmful blows to the unstable Ukrainian economy that could compromise the implementation of the DCFTA (Sadowski & Wierzbowska-Miazga 2014; Speck 2014).

## Still a Normative Power Europe?

Although it is difficult to assess the exact reasoning behind the decision to involve Russia and delay the implementation of the DCFTA, the EU appears to have favoured absolute gains to relative ones in this scenario, which is indicative of a will to act in a normative way. The EU remains committed to its principle of dialogue and mediation in its external relations (CoEU 2009) by opening for the Russians to voice its concerns and investigate the possibilities to accommodate the interests of both sides. The EU therefore shows normative coherence and ‘lives by example’ and restrains itself from self-empowerment. There was a clear possibility to sign the DCFTA without a consent from the Russians, and this would be the obvious self-empowering move for the EU. The negative consequences would mainly be felt by Ukraine as it would compromise its trade with Russia and the prospects of a peaceful solution to the war in Donbass. The EU opted for an ‘other empowering’ approach that demonstrates reflexivity in its foreign affairs as it shows great concern for the impact its policies could have on other countries.

The EU thus acted in a normative way according to Manners’ criteria. The following question is whether it exercised normative power. By applying Diez & Manners’ definition of normative power as “neither military nor purely economic, but one that works through ideas, opinions and conscience” (2007: 175), this could very well be an example of that since there were neither any military nor economic power exertion from the EU’s part. Nevertheless, it is also important to consider the possibility that the EU did not exert any power in this scenario; another interpretation could be that the EU was subjected to coercive Russian economic and military power exertion through Lukes’ (2005) first dimension of power. However, this would be a simplified take on the situation. Because of the significant steps to approach the EU that Ukraine had taken, the EU had the upper hand in the negotiation: the invitation of Russia to the meetings was the EU’s to give. The EU’s stronger position becomes apparent in the following extract from the last trilateral talk before the DCFTA implementation:

(i)

The EC has engaged in trilateral talks to find practical solutions to the concerns expressed by Russia on the impact of the EU-Ukraine DCFTA on its economy [...] As EU leaders have made clear on numerous occasions, the DCFTA will neither be reopened nor re-negotiated. [...] The decision taken by Russia to suspend the CIS FTA obligations towards Ukraine added an element of pressure that violated conditions agreed by Ministers to engage in the trilateral talks.

[Memo on the trilateral talks (EC 2015)]

The reason for the Ukrainian approximation to the EU was manifested on the Euromaidan: the protestors wanted the democracy and liberty they associated with the West. The EU's normative power of attraction had therefore given it the ability to lead and set the terms for the trilateral meetings; Ukraine was once again leaning towards Europe. It is also unclear what kind of negative precedent the trilateral meetings supposedly have set. As can be seen in example (i), the EU had expressed clearly that the DCFTA would not be re-negotiated; the EU was only interested in solutions to the Russian concerns that were complementary to the agreement. Furthermore, it condemned the Russian economic sanctions on Ukraine and accepted no coercive means of persuasion. The precedent set is rather one of European openness and concern for other countries' interests, and of restraint and rationality when faced with coercive tactics. Therefore, the trilateral talks were both shaped by normative power and likely strengthened the EU's future normative legitimacy.

#### 4.3.2 The Signing of the AA/DCFTA-agreements

On 27 June 2014, Ukraine at last signed an AA with the EU. After a period of trilateral talks with Russia, the DCFTA became operational on 1 January 2016. It had not been easy to reach the signature of the AA; as the Ukrainian President Poroshenko noted at the day of the signing: "it took Ukraine seven long years to walk the terrible, thorny road towards the political association and economic integration with the EU. This road saw its ups and downs, but today, we are finally here" (Van der Loo 2014: 120). A new chapter has opened in EU-Ukraine relations, and this has implications for how the EU will approach the spreading of fundamental norms in Ukraine in the future (Van der Loo 2014: 1, 153; EEAS 2015).

The signing of the agreement means that a new level of procedural norm diffusion has been reached. The AA contractually manifests the deepened institutionalisation of the process towards political association and economic integration. However, the signing of the AA does not constitute an end to the EU's use of conditionality, as becomes evident in its preamble:

(j)

ACKNOWLEDGING that the political association and economic integration of Ukraine with the European Union will depend on progress in the implementation of this Agreement as well as Ukraine's track record in ensuring respect for common values, and progress in achieving convergence with the EU in political, economic and legal areas;

[EU-Ukraine Association Agreement, 2014]

## Still a Normative Power Europe?

Nonetheless, the number of steps that can be demanded through conditionality is finite; at some point, given the correct circumstances, Ukraine will be able to apply for EU membership. In this context, Krasnodębska (2016) observes a tension within the EU between liberal and communitarian understandings of values. While some Member States prefer the top-down promotion of democracy through conditionality, others see the inclusion of neighbouring countries in European institutions as a prerequisite to liberate them from Russian influence and initiate a democratic transformation. For varying reasons, some Member States are reluctant to further enlarge the Union, while others welcome it (Krasnodębska 2016: 58-61).

For positive conditionality to remain efficient, more ‘carrots’ had to be created in the shape of membership prospects. In a 2014 resolution, the European Parliament stated that Ukraine can apply for EU membership when it fully adheres to the fundamental European principles (EP 2014). The same year, President Poroshenko presented a reform package that would allow Ukraine to apply in 2020. However, it remains uncertain how realistic the Ukrainian accession plans are. In a speech 2016, the European Commission President Jean-Claude Juncker said that “Ukraine will certainly not join the EU in the next 20 to 25 years” (Juncker 2016), a statement that most certainly does not increase Ukraine’s motivation to assimilate.

In this new context of EU-Ukraine relations, the EU must agree on how to handle Ukraine in the future. Proposedly, the Union’s normative power of attraction has already managed to sway the Ukrainian public to its side. However, in order not to lose the progressive momentum in Ukraine, the EU must decide how far it is willing to go in the integration process of Eastern Europe. If the EU were to reject a future Ukrainian application for membership out of fear of aggravating Russia, it would damage the Union’s legitimacy and credibility, and it would compromise its relations with all other EaP partner countries. Normative power, relying heavily on coherence and credibility, is sensitive to actions that damages the EU’s external image.

### **4.3.3 The Revised ENP 2015**

The 18 November 2015, the EC and the HR issued a joint communication describing the coming review of the ENP. The purpose of the revision was twofold: a prioritisation of the fostering of regional stabilisation, and a greater differentiation between the cooperation with different countries, leading to a mutual ownership of the partnerships (EC & HR 2015). The issue described in the last section of the prospects of conditionality being finite is also acknowledged in the new ENP strategy. In the introductory chapter, it is stated that “there are limits to its [the

EU's] leverage, but the new ENP will play its part in helping to create the conditions for positive development" (*Ibid.*: 2). In this section, the three main changes of the 2015 ENP revision will be analysed in the context of EU normative power exertion in Ukraine.

Firstly, the new ENP identifies stabilisation as the most urgent need in its neighbourhood. The EU takes a broad approach to what is needed for a stable region:

(k)

The causes of instability often lie outside the security domain alone. The EU's approach will seek to comprehensively address sources of instability across sectors. Poverty, inequality, a perceived sense of injustice, corruption, weak economic and social development and lack of opportunity, particularly for young people, can be roots of instability, increasing vulnerability to radicalisation.

[Review of the ENP, 2015 (EC & HR 2015)]

The EU demonstrates a holistic view of the security concept as it moves away from state-centricity and includes human security in its analysis. Human security entails a broader security agenda, where not only existential threats are considered (Sheehan 2005: 77). This rejection of state-centric interests and the concern for human quality of life is distinctive for a normative approach. As a self-declared champion for human rights, the EU must live by example and address human suffering to remain coherent in its external affairs.

Secondly, the EU further demonstrates its will to act normatively by adopting the principle of 'least harm' and reflexivity in its policies towards the European Neighbourhood:

(l)

The EU proposes to start a new phase of engagement with partners in 2016 [...] The expectation is that different patterns of relations will emerge, allowing a greater sense of ownership by both sides. The EU is ready to discuss the possibility to jointly set new partnership priorities, which would focus each relationship more clearly on commonly identified shared interests.

[Review of the ENP, 2015 (EC & HR 2015)]

By abolishing the 'One Size Fits All'-approach to the formation of the ENP, the EU shows greater reflexivity and opens for customised relations with its partners. Supposedly, this opening would also grant a greater sense of local ownership of the reform processes and enhances the EU's 'other empowering' approach.

## Still a Normative Power Europe?

The reviewed ENP of 2015 therefore takes steps towards a greater compliance with Manners' normative criteria. The signing of AAs with Ukraine, Georgia and Moldova means that half of the EaP partner countries have taken their ambitions of economic and political integration to a new level. The ENP demonstrates a will to seize upon this opportunity of developing the regional cooperation in a less asymmetric manner. The signings of the AAs are also a manifest of that the EU's normative power of attraction has succeeded in bringing countries from Russia's immediate interest zone closer to Western Europe.

### 4.3.4 The New Foreign Policy Strategy

In June 2016, Federica Mogherini (the HR) and the EEAS presented a new strategy for the EU's foreign and security policy. The document, often called EUGS (European Union Global Strategy), replaced the ESS (European Security Strategy) from 2003. The EUGS adopts a very ambitious plan for its external affairs. However, the EU's impressive strategic ambitions have seldom kept what they promised in the past. This produces a 'capability-expectations gap', and might damage the Union's credibility (Smith 2016: 447). It is thus uncertain to what degree the strategy will be implemented. Maria Mälksoo (2016), for example, argues that the strategy, which was published soon after the British referendum that brought forth the so called 'Brexit', rather serves the internal purpose of reunification by proving the EU's relevance to the own population than realistic external purposes of actual global influence. Nonetheless, the EUGS gives an indication towards how the EU wishes to conduct its future foreign policy. This, of course, has implications for the prospects for the EU's normativity and normative power exertion. The document does, however, not provide any specific clarity of the development of future EU-Ukraine relations.

Firstly, the foreword of the document, written by the High Representative, suggests that the EU seeks a stronger military capacity to make possible the exertion of other kinds of power:

(m)

The European Union has always prided itself on its soft power – and it will keep doing so, because we are the best in this field. However, the idea that Europe is an exclusively “civilian power” does not do justice to an evolving reality. For instance, the European Union currently deploys seventeen military and civilian operations [...] For Europe, soft and hard power go hand in hand.

[Foreword by HR Federica Mogherini (EUGS 2016)]

Example (m) testifies to the notion that Europe's military ambitions cannot be disregarded. An increased reliance on military capacity and politico-economic conditionality limits the possibility to ascribe the EU's influence to its normative power. However, many parts of the document indicate that normativity will remain a central part of EU foreign policy. The EUGS suggests that "principled pragmatism" will guide the EU in its foreign policy, which is described as a "realistic assessment of the current strategic environment" mixed with an "idealistic aspiration to advance a better world". The combination of military and civilian instruments along with an aspiration to act normatively is not entirely compatible with the NPE paradigm. Rather, it is indicative of Aggestam's Ethical Power Europe.

Regarding the EU's future relations to Ukraine, the EUGS does not provide any additional clarity. The possibility for any European state which respects the fundamental European principles to apply for membership, as enshrined in article 49 TEU, is reiterated. However, in direct regard to the European neighbours and the ENP, no prospects of future accession are mentioned. Ukraine itself is only mentioned twice in the document, both times as an example of the current unstable European security order.

## 5 Conclusions

This study has examined the European Union's policies towards Ukraine in the promotion of European norms. In this chapter, the results and conclusions of the analysis will be presented. In the introduction, two research questions were provided, which have guided the investigation. The analysis of the EU documents sought to describe how the 'great events of change' in Ukraine had affected the EU's policies towards Ukraine in its promotion of the fundamental European values. Additionally, it sought to provide some insight to the EU's normative power exertion in Ukraine, in relation to other forms of power exertion. The analysis shows that the EU did exert normative power on Ukraine. However, this power stemmed from its normative use of political, economic and military capabilities, rather than from the EU existing as a different actor in the international system.

In the years leading up to the Euromaidan revolution, the EU's policies towards Ukraine were heavily reliant on economic and political conditionality. The Yanukovich regime was negotiating an AA with the EU, but was strongly influenced by Russia. In its direct relations with the Ukrainian government, the EU therefore focused on its empirical (economic and military) capabilities to gain influence. However, it is noteworthy that the EU chose to apply these empirical capabilities in a normative way. It exerted economic power through positive conditionality, which is indicative of normative reflexivity, and its use of military capacity took a mainly 'other empowering' approach as it was only to be utilised in accordance with the framework that the EaP partners had agreed on. The EU also worked through policies that were neither economic nor military. It supported the development of civil society in Ukraine, strived to achieve a high degree of local ownership, and established the European norms in the EaP in a non-coercive manner. However, most of the EU's strategy towards Ukraine was based on conditionality through a top-down approach.

What would become apparent in conjunction with the Euromaidan revolution, however, was that the normativity of the EU's policies towards Ukraine, and the coherence with its principles and norms, had reached the Ukrainian people. Because of the EU's strong normative power of attraction, the Yanukovich regime could not afford to distance itself from the EU since the people would not let it. After the Euromaidan revolution, and the instalment of the pro-reformist government, there was no need for a strong conditionality to be applied to the economic

assistance the EU provided. Ukraine had already chosen a closer association with the EU, and the key prioritisation was therefore to stabilise the country rather than to persuade it. Nonetheless, the EU would capitalise on the momentum that its normative power had granted and sign the AA with Ukraine the same year. The signing of the DCFTA was, however, brought to a halt; Ukraine was still vulnerable and Russian pressure threatened the stability of the country further. Rather than pushing for a signature of the DCFTA, the EU chose the ‘other empowering’ approach that allowed Russia to voice its concerns about the agreement, and momentarily relieved Ukraine from Russian pressure. In the end, the DCFTA was signed without any changes, and without any concessions to Russia. The EU’s normative power had given it the upper hand in the negotiations; it was not forced to agree to any demands that did not suit European and Ukrainian interests.

The successful signing of the AA/DCFTA meant that the EU could put a greater emphasis on its ideational impact. The revised ENP of 2015 focused on an enhanced local ownership and took a less state-centric approach to security and stabilisation. The new security strategy of 2016 coined the term ‘principled pragmatism’ that indicates that the EU will defend its interests in the strategic environment within which it exists, but will always strive to act in accordance with its normative principles while doing so. The EU’s normative power of attraction was paramount in the Ukrainian approximation to the rest of Europe. However, normative power is fragile and can be damaged by inconsistencies, lacking coherence and waning credibility. To retain its normative power, and not only towards Ukraine, the EU must decide how far it is willing to go in the process of integration with the EaP. Ukraine certainly has the ambition to apply for membership in the future.

Given the findings stated above, it is concluded that the EU did exert normative power over Ukraine, which played an important role in sparking the Euromaidan revolution and the subsequent signings of the AA and the DCFTA. The normative power cannot, however, be convincingly derived from the EU’s *sui generis* character and its hybrid polity, but rather from its commitment to abide to its own normative principles when exerting economic, political and military power. The most important factor shaping the international role of the EU is not what it is; it is rather what it says, what it does, and how it does it.

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