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EU-Russia Relations and Their Deterioration Over Time. From a Cooperation Regime to a Sanction Regime

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*“One must still have chaos in oneself in order
to give birth to a dancing star.”*

Friedrich Nietzsche, *Thus Spoke Zarathustra*

To my chaos and the people who have
learnt to appreciate it.

INTRODUCTION

The first economy in the world on one side and the biggest country in territory on the other, the European Union and Russia have been of outmost importance for one another. This is not only about the strong interdependence at the economic level which links the two, but it is also about the significant role that both parties play in the international chessboard of world politics.

Being such powerful neighbours implies that cooperation and coordination between the EU and Russia would inevitably result in several advantages for both. From this stems the need for a dialogue between the two, since there are various preconditions for a strategic partnership, such as economic compatibility, common history, and cultural and civilizational proximity¹.

Despite all the areas of interest in which Russia and the European Union could potentially cooperate, today's relations are characterized by a deep crisis, which is due to political and legal impediments. While an agreement exists and is still in force, it is considered obsolete and unsuitable due to the changes which both Russia and the EU have undergone since the thereof signature. The Partnership and Cooperation Agreement, while providing for the legal basis of the EU-Russia relations, was indeed signed in 1994 – although entered into force only in 1997. Domestic and external alterations affecting the two sides have been highlighting since the beginning of 2000s' the need for replacing the Agreement.

Nonetheless, substituting the PCA with a new strategic deal has proven complicated. Several attempts were made but the parties seemed not to be able to reach a conclusion which could leave both sides satisfied. Although Russia and the European Union alike have always known the importance of a significant political dialogue, their relations have indeed been characterized by numerous contradictions, which have ultimately led to the present-day deadlock situation.

This dissertation intends to provide an extensive and eclectic insight on how the relations between the Russian Federation and the European Union have deteriorated over time. What is more, this work aims to explore the root causes which have resulted in the implementation of a sanction regime by both Brussels and Moscow, respectively.

The common thread of this study should be what in practice defines and regulates the EU-Russia relations, i.e. an agreement. To be clearer, the stress should be placed on the events and the intrinsic contradictions which have shaped the EU-Russia relations in the last thirty years, so as to better

¹ As emphasized by the President of the European Commission José Manuel Durão Barroso at the Russia-European Union – Potential for Partnership conference: "Moving into a Partnership of Choice". Moscow, March 21, 2013.

understand why the only major bilateral agreement between two such powerful neighbours is the already outdated Partnership and Cooperation Agreement.

However, in order to better evaluate why important and close geopolitical actors such as the European Union and Russia have not managed to agree on a new deal which would enhance close and fruitful partnership on multiple aspects, it will be crucial to explore the causes which have led to the freeze in the political dialogue, the ensuing the passage from a cooperation regime to a sanction regime. This way, we should be able to understand the impact and the legal implications that the deployment of restrictive measures has had on the institutional contacts between Moscow and Brussels, so as to ultimately comprehend why a new agreement is yet to be adopted.

The analysis thus begins by deploying a descriptive and historical approach, presenting the various events which have shaped the political discourse between the two superpowers over the years. In Chapter I, the discussion starts with the first interactions between the then Soviet Union and European Economic Community, which were favoured by the policies adopted by Mikhail Gorbachev. Subsequently, the focus is placed on the agreement which still today is at the foundations of the contacts between what had already become the Russian Federation and the European Union, respectively.

The events which followed the signature of the PCA are deemed to have brought to light the first contradictions in the political debate between the two superpowers, which is why the Agreement took longer than expected to be ratified. Nonetheless, with Vladimir Putin being elected President of the Russian Federation, highly positive impulses – and, consequently, expectations – for the EU-Russia relations were introduced.

The first chapter then lays the emphasis on the happenings which, regardless of the unquestionable achievements of the initial years of Putin's first term, brought to the slow and progressive deterioration of the relations. The Kaliningrad issue, the obstacles encountered in the negotiations for Russia's accession to the WTO, the fact that Putin was building a more authoritarian regime are all factors which contributed to the embitterment of the relations that the two parts had been building over the previous decade.

Nonetheless, the decline in the dialogue after the encouraging impetus of the first years of 2000's became visible only ensuing the 2004 EU maxi-enlargement and the subsequent Orange Revolution in Ukraine. Chapter I thus ends by exploring the escalation of the geopolitical rivalry between Brussels and Moscow, particularly regarding ex-Soviet countries. The two gas crises with Ukraine are set as an example of the importance that some states in the post-Soviet space, or – more in general

– in the shared neighbourhood, have had on the developments between the European Union and the Kremlin.

Chapter II instead examines the EU-Russia relations from the events immediately prior to the 2014 Ukrainian Crisis, up to the situation that characterizes the current dialogue. In the beginning, the focus is placed on the underlying causes which have headed to the outbreak of the Crisis. The role that Ukraine plays in shaping the policies of Russia and the EU vis-à-vis each other is already deducible from the first chapter. However, Chapter II aims at explaining why the dispute over Ukraine in 2014 is to be considered the ultimate point of rupture in the EU-Russia relations. The discourse is then shifted over the interactions and the atmosphere between Moscow and Brussels following the adoption of the sanction regime stemmed from the situation in the shared neighbouring country.

Hence, after going through the underlying factors which have given rise to the disputes between the EU and Russia, the focus should be placed on the restrictive measures implemented and the implications they have had on the dialogue. This is why Chapter III explores the different rounds of sanctions imposed by Brussels, the retaliatory measures adopted by the Kremlin, and the impact that this sanction regime has had on the relations.

The discussion then moves on the importance to restore the regime of cooperation that had been present up until the very first years of 2000s'. Abandoning the sanction regime and resuming negotiations on substantial issues of interest would bring enormous benefits for the European Union and Russia alike, especially taking into consideration a broader geopolitical perspective. In conclusion, courses of action which could be deployed to possibly circumvent the political and legal hindrances are investigated.

1. HISTORY OF EU-RUSSIA RELATIONS FROM THE COLLAPSE OF THE SOVIET UNION UNTIL THE UKRAINIAN CRISIS

1.1 Relations Before the Dissolution of the Soviet Union

The relations between the European Union – at the time still under the appellation of European Economic Community – and the Soviet Union started in the late 1980's. In spite of the fact that the European Economic Community emerged in 1957 with the Treaty of Rome, the Soviet Union had not officially recognized it because of ideological reasons. Indeed, the URSS was following the Marxist-Leninist dogma, according to which integration is possible only among socialist countries, with socialism being the only path to establish peace. This was, of course, seen in contrast with the integration among the capitalist countries which the EEC was involving in its own process. Nonetheless, some previous attempts to establish relations had been made, but they all turned to be unsuccessful.

This trend was changed by Mikhail Gorbachev, who decided to downplay the role of ideology. As a result, in 1986 he started to introduce policies and reforms which aimed at correcting past mistakes committed by previous leaders. It was the beginning of a new era – as it was described by the same Gorbachev – characterized by openness (*glasnost*) and restructuring (*perestroika*).

In fact, Gorbachev introduced relevant changes within the foreign policy of the Soviet Union with his “new thinking”. The Soviet Union accepted and recognized the European Economic Community². Furthermore, the USSR was becoming more and more dependent on countries – mostly Germany – forming the EEC. This may also be another reason for which this change in foreign policy towards the West was deemed necessary by the Soviet authorities. Still, there is the need to specify that Mikhail Gorbachev did not want to join the West. What he intended to do was to end confrontation by trying to eliminate divisions – such as geopolitical and ideological ones – within the “Common European Home”³.

On December 18, 1989, the Soviet Union and the European Economic Community – together with the European Atomic Energy Community – signed in Brussels an agreement on trade and commercial and economic cooperation. The aim of the Agreement was to simplify and encourage the harmonious progress of trade, with special regards to differentiation of various forms of commercial and economic

² Joint Declaration on the establishment of official relations between the European Economic Community and the Council for Mutual Economic Assistance. Council Decision of June 22, 1988 – 88/345/EEC.

³ Mikhail Gorbachev's speech in Prague on April 10, 1987.

cooperation⁴. Shortly after this agreement was signed, the Union of Soviet Socialist Republics collapsed, thus creating the grounds for a new phase of relations between Russia – i.e. the heir of the USSR – and the EEC, which was about to undergo fundamental changes with the Treaty of Maastricht.

Immediately after the Soviet Union was dismantled, Russia's main priority regarding its foreign policy was the role that it was to play in the new world scenario⁵. The newly born Russia was seeking recognition from the West, so as to keep following the path to reach the foreign policy goals introduced by the “perestroika”. Among these objectives – such as market-like and privatization reforms and deals on arms reduction – the relations with the European Economic Community were of particular concern⁶.

1.2 The Partnership and Cooperation Agreement

With the adoption of the Maastricht Treaty – signed in 1992 and entered into force in 1993 – the European Union was established. The EU, now also emerging as a political actor, incorporated and renewed the European Economic Community. The Treaty allowed the European Union to have political relations with its external partners. The second of the three pillars introduced by the Treaty of Maastricht was the Common Foreign and Security Policy (CFSP) pillar, which regulated the above-mentioned relations on an intergovernmental basis.

This opened the opportunity for Russia on one side and the European Union on the other to establish and deepen a political dialogue. The initiation of this cooperation with the West was of utmost importance for Russia – not only for geopolitical reasons, but also because of the economic challenges the country was facing after the dissolution of the USSR. Russia wanted indeed to increase its possibilities to access the internal market of the EU since the latter was – and still is – a significant trade partner for the former. It is worth noting that, at that time, the Russian Federation was not a member of the WTO. Consequently, it was facing restrictions on trade, which added to all the difficulties linked to the transition from a state-controlled economy to a market one. At the same time, the European Union was interested in establishing a dialogue with Russia in order to persuade it to

⁴ Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation, December 18, 1989.

⁵ Aron L. in “The Foreign Policy Doctrine of Postcommunist Russia and Its Domestic Context”, in M. Mandelbaum (ed) *The New Russian Foreign Policy*, New York: Council on Foreign relations, 1998.

⁶ Mikhail Gorbachev's report to the 27th Congress of the Communist Party held in Moscow from February 25 to March 6, 1986.

follow the EU's models of development, both at the political and at the economic level⁷. This would have been easy also because Russia was then under the leads Boris Yeltsin, who was conducting pro-western policies in order to integrate Russia with the West⁸.

Therefore, in 1992, negotiations over an agreement which would update and replace the one signed in 1989 started. The consultations were mainly dominated by the European Union⁹. This new agreement would be much more comprehensive and would then serve as a model for the EU to conclude agreements with other countries such as Ukraine and Belarus. The Partnership and Cooperation Agreement was thus signed in Corfu on June 24, 1994. The Agreement – often referred to as PCA – is a mixed and comprehensive agreement which aimed at the establishment of a solid political dialogue between Russia and the EU and at the adoption of WTO norms in the trade of goods between the two parties.

Still today, the Partnership and Cooperation Agreement serves as the legal basis in the relations between the Russian Federation and the European Union. Despite providing the grounds for strong bilateral contacts between the parties and despite providing a proper framework for integrating Russia with the EU standards in several areas of cooperation, the PCA focuses on the economic relations.

The trade relations between the EU and Russia were adapted to the WTO rules, even though Russia was not a member of the Organization, thanks to the deployment in the Agreement of the GATT provisions. Trade and investment between the parties were promoted, together with harmonious economic relations. The long-term objective was establishing a free trade area, as far as the trade of goods is concerned¹⁰.

Notwithstanding the economic aspect of the relations being at the core of the PCA, it is worth mentioning that it heavily relies on the values which the European Union wanted to export into Russia. The endorsement for Russia to consolidate as a democratic system; the support for Russian efforts in its transition into a market economy; the bolstering of political and economic freedoms. These could all reflect the EU's attempt to make Russia gradually approximate its legislation with the Union's legal framework – attempts that at the time were embraced by the Yeltsin Administration.

⁷ European Commission. Press Release. June 22, 1994. Retrieved from https://ec.europa.eu/commission/presscorner/detail/en/IP_94_565

⁸ As the same Boris Yeltsin made clear in the letter that he wrote to NATO on December 21, 1991.

⁹ Haukkala H. (2010) The EU-Russia Strategic Partnership: The Limits of Post-Sovereignty in International Relations.

¹⁰ EU–Russia Partnership and Cooperation Agreement. Objectives. Retrieved from [https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=celex:21997A1128\(01\)](https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=celex:21997A1128(01))

1.3 The Last Years of the XX Century

In the immediate aftermath of the signature of the Partnership and Cooperation Agreement, Russia and the European Union had some frictions in their relations. These problems postponed the ratification and, consequently, the entry into force of the PCA. Mutual disappointment made the two parties realize that not everything was as they had expected. Russia was indeed dissatisfied with the lack of assistance showed from the EU in its struggling for national unity. Besides, some tensions arose over accession negotiations with countries which belonged to the Soviet sphere of influence. On the other side, the European Union was probably too optimistic in believing that Russia would have followed a somewhat straight path towards integration with Western values. It was indeed disappointed at the slow rate of reforms in Russia and at Russian actions in the Chechen Republic¹¹.

In fact, the suspension of ratification of the Partnership and Cooperation Agreement was mainly due to the war conducted by the Russian Federation in Chechnya. The First Chechen War, which lasted from December 1994 to August 1996, was indeed unexpected by the European Union. The latter regarded the conflict as a step in the opposite direction from the one Russia was supposed to go along¹². The operation in Chechnya was the first alarm bell indicating that the two parties had different visions of what Russia should have become after the dissolution of the Soviet Union.

Following the peace treaty between Russia and Chechnya, signed on 12 May 1997, the PCA finally entered into force on December 1st, 1997. It would be valid for a period of ten years, with the provision that it would be automatically extended every year in case a new agreement is not reached. The Agreement, while still valid today, has been considered outdated and not suitable anymore¹³. Yet, at that time it was a successful step forward for the development of EU-Russia relations.

The very last years of the 1990's are deemed as a period of lost opportunities. This was due to the fact that there was not a real improvement in the partnership between Brussels and Moscow. However, there were both internal and external reasons for which the two parties did not manage to intensify cooperation and political dialogue.

As far as internal explanations are concerned, there is the need to highlight the fact that none of the sides was regarding partnership with the other as their major priority. Indeed, for Russia the top priority was simply its survival. By the end of the 1990's the country faced multiple economic challenges. The Russian economy was bankrupt in 1998. The first Chechnyan war had not been

¹¹ Haukkala H. (2009, December). Lost in Translation? Why the EU has Failed to Influence Russia's Development.

¹² *Ibid.*

¹³ Van Elsuwege P. (2009). Towards a new Strategic Partnership Agreement: EU-Russia Relations at the Crossroads. Retrieved from <http://alleuropa.ru/?p=6179>

resolved completely, with the second one breaking out in 1999. The centre was not able to keep control over the regions. Russia was considered a failed state. Instead, the European Union's major concern was its enlargement process. What is more, the EU was going through a profound deepening of its integration thanks to the Amsterdam Treaty.

On the other hand, the principal external reason for the inability to develop strong relations between the EU and Russia is to be attributed to the NATO enlargement. This, in fact, symbolized the collapse of the initial Russian dream of being part of the European security infrastructure. The latter was in fact being turned being turned in a NATO-based security infrastructure. Therefore, the NATO enlargement was seen by the Russian Federation as its exclusion by the West in establishing a new order¹⁴. Instead, Russia expected to be part of a joint management of the international order, given all the efforts made in opening to the West. Additionally, the NATO intervention in Kosovo further increased concerns and emotional outrage by Russia, as the latter opposed the intervention vociferously¹⁵.

1.4 The 2000-2003 Period of Positive Relations

The period in between 2000 and 2003 is regarded as the most positive one for the relations between Russia and the European Union. Until this time, indeed, there had been no real progress in the implementation and intensification of a political dialogue. But due to several events which changed this trend, the parties managed to start cooperating in different fields.

The major and most obvious engine of this positive change is to be found in Russia itself and in the change in its leadership. On 31 December 1999, Boris Yeltsin resigned, being extensively held responsible for the poor economic performance of Russia during the 1990's¹⁶. Vladimir Putin succeeded to Yeltsin as the new President of the Russian Federation. Putin – being a very pragmatic leader – understood that he needed to push for partnership with the EU in order to make Russia a great power again¹⁷. What is more, the European Union was developing and integrating more and more with the adoption of the Treaty of Amsterdam, which is why Putin regarded the EU as a partner of extreme importance¹⁸.

¹⁴ Russian Foreign Ministry on March 27, 2001.

¹⁵ *Ibid.*

¹⁶ Vladimir Putin (December 30, 1999), Russia at the Turn of the Millennium. Retrieved from <https://pages.uoregon.edu/kimball/Putin.htm>

¹⁷ Vladimir Putin, Annual Address to the Federal Assembly of the Russian Federation. Retrieved from <http://en.kremlin.ru/events/president/transcripts/21216>

¹⁸ *Ibid.*

The NATO enlargement and the intervention in Kosovo in 1999 found strong opposition in Russia. Even more moderate patriots and the new pro-democratic forces embraced the feeling of disapproval towards NATO, and were of course supported by communists and extreme nationalists. The decision to undertake eastward expansion was indeed deemed to be the “most fateful error of American policy in the entire post-Cold War era”¹⁹. Paradoxically, these frictions in NATO-Russia relations and the embitterment of US-Russia ones, created a chance for the Brussels-Moscow axis. Russia regarded indeed the European Union as a friendly player, while perceiving NATO as a threat to its national interests. For this reason, the Kremlin started welcoming the enlargement of the EU, mistakenly believing that it would substitute and prevent the one by NATO²⁰. Therefore, partnership with the European Union was seen as necessary to balance the United States power and the same EU was deemed as an ally in the strife against the US-dominated unipolar world. Nonetheless, this instrumentally-driven interest by Russia in cooperation with the European Union did not impede to effectively establish a positive dialogue in the early years of 2000’s.

Putin himself, during the 2000 EU-Russia Summit in Moscow, declared that Russia belonged to Europe and that the latter was Russia’s choice. Putin was welcoming the idea of integration with the EU without having to enter it as a member. Within the framework of the EU-Russia Summit which took place in Brussels in October 2001, the Common European Economic Space concept was launched. It was based on the idea that Russia would have had to harmonise its legal framework to the standards of the EU. It was of fundamental concern for Russia to be recognized the status of full market economy, given its strong desire to access the WTO²¹.

What is more, the Energy Dialogue was initiated in 2001, being considered essential by the two parties²². This Dialogue aimed at assuring stability of supplies, energy efficiency and energy liberalisation in Russia²³. The energy sector is still today one of the biggest components in the EU-Russia relations, and that is why the launching of the Energy Dialogue was regarded as a huge step towards successful bilateral partnership²⁴. The idea was again to integrate the Russian system within the Western one, hence with the approximation of the former’s legislation to the latter’s. In 2003 the Permanent Partnership Council was established as the major body of Russian cooperation with the

¹⁹ As stated by George F. Kennan, principle architect of America’s post-World War II containment strategy.

²⁰ Bell, I. (2002). Central and South-Eastern Europe 2003.

²¹ Vladimir Putin (December 30, 1999). Russia at the Turn of the Millennium. Retrieved from <https://pages.uoregon.edu/kimball/Putin.htm>

²² EU/Russia Summit Joint Declaration, Paris, October 30, 2000. Retrieved from https://ec.europa.eu/commission/presscorner/detail/en/IP_00_1239

²³ EU/Russia Summit Joint Declaration, Brussels, October 3, 2001. Retrieved from <http://data.consilium.europa.eu/doc/document/ST-12423-2001-INIT/en/pdf>

²⁴ *Ibid.*

EU. It allowed regular consultations between the interested Ministers, who could hence debate over specific issues.

In May 2003, the idea of creating four Common Spaces was launched during the Saint-Petersburg EU-Russia Summit. The already existing Common Economic Space was supplemented with a Common Space of Freedom, Security and Justice, a Common Space of External Security, and a Common Space of Research and Education. They were created so as to foster partnership and provide a new framework within the PCA one²⁵, and so that cooperation between Russia and the European Union would be strengthened on different areas of interest.

1.5 Beginning of the Deteriorations

It is true that the very first years of 2000's have probably outlined the most positive and fruitful period for the relations between the EU and Russia, with the latter de facto accepting the module of integration without association with the former. Yet, some problems had already started to emerge both because of internal development in Russia and because the European Union was getting ready for enlargement.

Already during the 1990's, Russia had to cope with a tense situation with Lithuania, regarding the issue of Kaliningrad – an enclave surrounded by Poland and Lithuania. Even if there were some frictions in the relations, Russian citizens were allowed to transit Lithuania to go from Kaliningrad to the mainland without a visa. In 2002, Lithuania was conducting negotiations to join the European Union. Accession in the EU would have implied a change in the transit policy, for the Kaliningrad Oblast would be encircled by EU member states. Even though Lithuania would have joined the European Union in 2004 and the Schengen Area only in 2007, Brussels required visas. In the same year, it decided to forbid the above-mentioned transit to the Russian citizens. This came as a surprise for Russia, which was dissatisfied with the rigidity of the EU norms in regard to this situation²⁶. Luckily, by November 2002 the deployment of a “Facilitated Transit Document” was issued after negotiations. It allowed again the transit in Lithuania, despite being valid only for people and not for goods.

²⁵ Joint Statement – EU-Russia Summit. Saint Petersburg, May 31, 2003. Retrieved from https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/75969.pdf

²⁶ Vitunic B. (June 26, 2010). Enclave to Exclave: Kaliningrad Between Russia and the European Union. Retrieved from <http://www.columbia.edu/cu/ece/research/intermarium/vol6no1/enclave.pdf>

Another issue which emerged regarding the movement of people was linked to the visa regime. From the Russian side, there was the volition of creating a visa-free regime with the EU. Abolition of visa or, at least, deep visa liberalization seemed to Russia to be the most logical thing to do²⁷. This would allow for a real rapprochement between the two sides. Nevertheless, Brussels was not really interested in liberalizing the visa regime. This unwillingness further discouraged Russia.

In addition, as already mentioned, the Russian Federation was strongly interested in joining the World Trade Organization. Given this desire to join the institution, the country had been undergoing several changes in its economic system already since the 1990's. Vladimir Putin was sponsoring Russia's integration into the world economy so that the country could recover from the economic difficulties faced during Yeltsin presidency. Besides, the EU was promoting Russian membership to the WTO since it was seeking full implementation of the PCA provisions. Putin thus negotiated with the EU, convinced that the latter would have accelerated the accession process. Yet, closing the negotiations with the European Union demonstrated to be more complicated than expected, hence leaving both parties dissatisfied²⁸.

In 2003, Russia started to be doubtful of the Union's ability to conduct a single, coherent foreign policy. This was due to the fact that within the framework of the war in Iraq, some EU countries had shown support for the US intervention in Iraq. Other member states, instead, were opposed to it. In this context, the EU failed to provide a joint position on one of the most important events opening the 21st century. Hence, the Kremlin considered cooperating with some EU members – such as Germany and France – more rewarding than cooperating with the EU as a whole on matters of international security. During the 2003 EU-Russia Summit in Rome, the bifurcation of the relation was even more evident. Whereas Italian Romano Prodi, in charge of representing the EU as the President of the European Commission, was strongly criticizing Russia on different grounds, the Italian Prime Minister Silvio Berlusconi was instead defending Putin and trying to promote Russia inside the EU. This disagreement highlighted that while bilateral relations with single Member States can be good and fruitful, it is much more difficult to have substantial positive outcomes in the relations with the EU institutions. Vladimir Putin thus concluded that it would have been more beneficial for Russia to focus on positive relations with single EU countries, such as Germany and France – which were joined by Italy in the Russia-friendly bloc.

²⁷ Vladimir Putin in his letter to EU leaders, August 28, 2002.

²⁸ Johnson D., Robinson P. (August 2, 2004). Perspectives on EU-Russia Relations.

Discouragement was also present within the side of the European Union. It was in fact disappointed at the internal development in Russia started in 2003²⁹. The State was indeed re-establishing control over strategic sectors, as the energy one. All the branches of power were becoming subordinated to the Kremlin. The 2003 elections in the Duma were not considered fully democratic³⁰. Putin's party obtained the constitutional majority, which de facto allowed it to legislate without many constraints. Finally, people who were ferociously opposing Vladimir Putin got arrested. It was becoming clear to the EU that Putin was building a more authoritarian regime, thus drifting away from the path of democratization and economic liberalization the West was expecting from Russia. Hence, both systemic and non-systemic contradictions had started to emerge even though the timeframe from 2000 to 2003 was probably the one where the two parties were most enthusiast about their relations.

1.6 Major Problems in the Downfall of the Relations

During the following period, the crisis in the EU-Russia relations became clear. From 2004 it was evident that the bilateral dialogue would not be as predicted during the previous years. Russia would not become the periphery of the EU, but would on the contrary build its own model of integration. Russia had already made clear to foreign investors that the rules established during the 1990's would not be valid anymore. The country indeed was now allowing foreign shareholders to possess only a minority of shares of companies operating within the energy sector in Russia. This, together with other issues already discussed, were only the beginning of the downfall and embitterment of the EU-Russia relations, the climax of which was mainly due to the EU maxi enlargement.

In May 2004, the EU was joined by ten new countries, hence almost doubling the number of its Member States. This major change of the EU provoked a substantial shift in the relations with Russia since the new members included countries notoriously hostile towards the Russian Federation. Hence, the European Union started to have a strong anti-Russian component, for some countries regarded the big neighbour as a national security threat. Moreover, Russia considered the EU enlargement to be a major challenge to its interests and to the order it had established in its geopolitical sphere of influence³¹. This fact inevitably caused a tug of war in the post-Soviet space, which continues still today. In view of the enlargement, the European Commission had also delineated in 2003 the

²⁹ Evans A. B. (2006). The Failure of Democratization in Russia: A Comparative Perspective. Retrieved from <https://www.sciencedirect.com/science/article/pii/S1879366510000345>

³⁰ *Ibid.*

³¹ Zięba R. (2019, November). Poland's Foreign and Security Policy: Problems of Compatibility with the Changing International Order.

European Neighbourhood Policy to further integrate the EU and its (new-to-be) neighbours, which was not welcomed by Russia³².

After the 2004 enlargement, the European Union included the majority of European countries. Russia was not comfortable with this monopolization of the concept of “Europe”³³. Its main fear that other ex-Soviet countries would have wanted to follow the path³⁴ started in this occasion would soon materialize. Poland and the Baltic states were now active promoters of countries like Georgia and Ukraine joining the EU³⁵. Russia felt under attack, being the Russian-centric integration process in the post-Soviet area at stake. It was also concerned that human rights were not respected in countries such as Estonia and Latvia³⁶, where Russian-speaking minorities did not see all their rights recognized.

The real turning point happened in the immediate aftermath of the presidential elections in Ukraine. In fact, after Poland and the Baltic republics joined the EU, the perception that Ukraine’s destiny should follow the same path was boosted. The idea of joining the European Union had become more appealing than the one of integrating with Russia. The run-off vote in the Ukrainian elections, held on 21 November 2004, saw Viktor Yanukovich win against his competitor Viktor Yushchenko. Whereas the former was notoriously pro-Russia and endorsed by Putin, the latter was openly pro-western and got support from the Presidents of Estonia and Poland, among the others. The elections’ result stemmed into widespread protests – also known under the appellation of Orange Revolution. The Revolution managed to annul the outcomes of the first run-off and to have a revote organized, for the first results were deemed to be rigged. This time, the pro-EU candidate won in what were acknowledged to be fair and free elections. The Orange Revolution thus ended when Yushchenko was officially nominated President of Ukraine on February 23, 2005.

Russia had started its own model of economic integration in 2003 with the goal of creating a common market³⁷. The decision to establish the Single Economic Space was taken among four CIS countries. Ukraine was one of the four founding members of this project, which aimed to establish a regional organization that could ultimately deploy a single currency. The victory of Yushchenko was a major setback against the Single Economic Space establishment. His interest in joining the European Union would be incompatible with the model of economic integration initiated by Russia. Consequently,

³² *Ibid.*

³³ *Ibid.*

³⁴ Herd G. P. (2005), Russia and the "Orange Revolution": Response, Rhetoric, Reality?.

³⁵ Maass A.S. (July 15, 2016). EU-Russia Relations, 1999-2015: From Courtship to Confrontation.

³⁶ *Ibid.*

³⁷ Joint statement by the Presidents of Belarus, Kazakhstan, Russia and Ukraine. Yalta, September 19, 2003.

Ukraine withdrew from the project, despite the Ukrainian Parliament had already agreed on the adoption of the Single Economic Space in May 2003. This is what initiated a real geopolitical crisis between Russia and the European Union. The Russian side was indeed blaming the Orange Revolution and its consequences on the EU enlargement³⁸. In fact, Ukraine started to crave for closer ties with the EU, thus conducting more pro-western policies, just after the European Union had expanded to its borders. From that moment on, EU-Russia relations in the post-Soviet space have just been confrontational.

1.7 The Two Gas Crises and Securitization of Energy

The victory of Yushchenko and the instillation of a pro-EU government in Ukraine let to an alteration within the Russian foreign policy towards Ukraine. The aim was to undermine the new government and to compel the country to go back to more Russian-friendly policies³⁹. Russia decided to deploy energy negotiations as a vis-à-vis leverage to Ukraine.

Russia is the first partner of the European Union as of imports of natural gas. Yet, Russian gas flowed to the EU by going through Ukraine, which refused to sell its pipelines to Russia on the grounds of national security. In the early 2000's, Russia was exporting gas to Ukraine at a very cheap price, with the claim that countries which integrate with Russia would get lower charges compared to those which do not. Hence, given that Ukraine was now shifting to deeper integration with the EU, Russia decided to sharply increase the price for gas. Negotiations for a new contract started, with Putin demanding Ukraine to pay the same amount of money as western EU countries. The logic behind this move was the following: Ukraine would not be able to pay for the higher price of gas, thus entering a deep crisis which would make the pro-Western government fall. The old contract was to expire on January 1, 2006. The negotiations were in a deadlock, with the EU supporting Ukraine and claiming that Russia was using gas price as a geopolitical tool⁴⁰. Both sides hoped for the other to make concessions up to the very end, which did not happen.

On the 1st of January 2006, Russia started to supply only the gas supposed to go the EU, thus cutting down the amount destined to Ukraine. The latter, exploiting the gas transit through its pipelines, started to illegally consume a significant amount of gas which was to get to the European Union.

³⁸ Herd G. P. (2005), Russia and the "Orange Revolution": Response, Rhetoric, Reality?.

³⁹ Pirani S., Stern J., Yafimava K. (2009, February). The Russo-Ukrainian gas dispute of January 2009: a comprehensive assessment.

⁴⁰ Jacek Emil Saryusz-Wolski during the European Parliament debates held in Strasbourg on January 17, 2006.

Retrieved from <https://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20060117&secondRef=ITEM-011&language=EN>

Consequently, the EU was getting only a reduced percentage of gas compared to the one agreed in its contract with Russia.

This generated a huge crisis for the European Union, which immediately called for action⁴¹ and asked for new negotiations between Moscow and Kyiv to be closed. A new contract was signed by the two parties on January 3, under the pressure of the European Commission. Although the crisis – informally referred to as the “first Russia-Ukraine gas dispute” – only lasted three days, it had a tremendously negative impact on the energy relations between the EU and Russia. Energy started to be regarded not only as a sector of economic importance, but also as a matter of security.

The EU blamed indeed both Ukraine and Russia for the crisis, but qualified the latter as an irresponsible and unreliable supplier⁴². This further damaged the relations with Russia, which blamed instead Ukraine for creating a shortage in gas supplies to the EU⁴³. The European Union, being sceptical about the reliability of the two countries in ensuring stability of gas consumers, started to change its foreign policy regarding energy supplies. It started to look for a reduction of its energy dependence on both Russia and Ukraine. Gazprom’s monopoly began to be seen as a threat, with Poland and the Baltic countries strongly opposing its presence within the EU energy infrastructure.

When the first gas crisis was solutioned in January 2006, a new contract regulating gas supplies was signed by Russia and Ukraine. This included a clause according to which Ukraine should have paid in advance for Russian gas. The failure in respecting this condition would have justified Russia to stop its supplies to Ukraine. This contract thus contained the potential risk for a new disruption. A new crisis, indeed, did not take long to materialize.

Kyiv was not able to pay in advance for Russian gas supplies. Negotiations in late 2008 were again unsuccessful. This meant that Russia, in absence of a new contract, would have stopped supplying gas to Ukraine starting from January 1, 2009. This is exactly what happened. On January 7, in order to prevent Kyiv from appropriating the gas which was destined to the EU, Russia halted all the gas flows through the Ukrainian transit. This second Russia-Ukraine gas dispute had much more negative consequences than the first one. This time the crisis lasted thirteen days, with the supplies being restored on January 20. Additionally, Russia had meaningfully violated its obligations towards the

⁴¹ Andris Piebalgs during the European Parliament debates held in Strasbourg on January 17, 2006. Retrieved from <https://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20060117&secondRef=ITEM-011&language=EN>

⁴² Pirani S., Stern J., Yafimava K. (2009, February). The Russo-Ukrainian gas dispute of January 2009: a comprehensive assessment.

⁴³ Vladimir Putin during an interview held on January 9, 2009.

European Union⁴⁴. The process of securitization of energy by the EU – already started in 2006 – was now more than ever thought to be of outmost importance⁴⁵. Thus, the consequence of the two Russia-Ukraine gas disputes was that trust between Russia and the European Union had been further demolished, highlighting the confrontational relation when it comes to ex-Soviet satellite countries.

1.8 A Last Attempt for a New Strategic Agreement

The European Union, especially after the launch of the ENP, increased its diplomatic presence in countries such as Georgia, Belarus and Armenia. Russia, again, perceived this move as a threat to its national interests⁴⁶. Russia was also endorsing the project by the EU of adopting a European Constitution. It did so for it was hoping that the European Union would hence become more autonomous and independent from the United States, which meant a possibility to establish more friendly relations with its ‘big neighbour’. Besides, in the Russian logic, single positions of countries like Poland or the Baltic republics would not have had much weight in the EU decision-making process if the EU was to become a federation. Yet, the rejection of the Treaty establishing a Constitution for Europe crashed to Russian hopes. On the other side, the European Union was more and more disappointed at Russian domestic policy developments and behaviour in the post-Soviet space⁴⁷.

All the above-mentioned evidences help us understand how the EU-Russia relations were already following a trend of deterioration during the first half of the 2000’s. Nevertheless, desire to cooperate was present in both sides, and several attempts to establish a positive dialogue were made. It is worth noting that the period which goes from the EU enlargement of 2004 to the 2014 Ukrainian crisis is marked by improvements in bilateral relations between Russia and single Member States of the European Union. This was mainly due, as already revealed, to the fact that Russia perceived it easier to conduct negotiations with single countries rather than with the EU institutions.

An attempt to foster cooperation was made during the 2005 EU-Russia Summit in Moscow. In this occasion, Roadmaps for the four Common Spaces were officially adopted. Even if they were just political declarations, they had a positive impact on the relations as they basically set the agenda for the adoption of a new agreement which could replace the PCA. It is true that Russia was dissatisfied

⁴⁴ Pirani S., Stern J., Yafimava K. (2009, February). The Russo-Ukrainian gas dispute of January 2009: a comprehensive assessment.

⁴⁵ *Ibid.*

⁴⁶ Giusti S., Penkova T. (2008, October). Russia: just a normal great power? Retrieved from https://www.ispionline.it/it/documents/WP_34_2008.pdf

⁴⁷ European Commission (November 5, 2008). Review of EU-Russia Relations. MEMO/08/678, Brussels. Retrieved from https://ec.europa.eu/commission/presscorner/detail/en/MEMO_08_678

with the mechanism of one-sided legal approximation implied by the four Common Spaces Roadmaps⁴⁸. But at the same time, they provided new prospects for effective cooperation and progress.

Moreover, Russia and Germany had established a very positive dialogue on the North Stream Pipeline project. Unfruitful negotiations over the Third Energy Package – which would have limited Gazprom's presence in the EU market – seemed to be a problem in the creation of positive EU-Russia energy relations. Despite that, in December 2005 the North Stream Pipeline started to be built. This generated controversies within the European Union, with some Member States stating that this bilateral cooperation contradicted the EU needs to strengthen its energy policy⁴⁹. Nonetheless, it was an encouraging development within the framework of Russian relations with the European country.

In May 2006, two Agreements were adopted on the same day. The first one concerned the liberalization of visa relations between the European Union and Russia. Before this agreement, the visa situation was very chaotic. Thus, the simplification of the rules regarding visas for short travels was welcomed by Russia, even though it had been proposing a visa-free regime since 2002. The Readmission Agreement was also adopted, with the parties taking on obligations and responsibilities in the fight against illegal migration. Russia was also happy with the signature of the Treaty of Lisbon, which would have strengthened EU centralization⁵⁰.

Already since 2005, both Russia and the European Union showed their eagerness to work on a new strategic agreement which would have replaced the Partnership and Cooperation Agreement, for it contained provisions which made it ineffective and obsolete. Anyways, negotiations could not start as Poland posed a veto from November 2006 to December 2007, to which followed a veto posed by Lithuania until May 2008. Particularly encouraging for Russia was the fact that the EU institutions managed to exert pressure over the two countries so that they would withdraw the veto. In the EU-Russia Summit which took place in June 2008 in Khanty-Mansiysk, Russia was represented by its new President Dmitry Medvedev. There, Russia and the EU agreed that talks on the new agreement would have finally took place in July. This would set the stage for an enhanced two-sided partnership. Additionally, the fact that Donald Tusk – less aggressive towards Russia than his predecessor – became the new Polish Prime Minister, that Putin was substituted by Medvedev as the President of

⁴⁸ European Union Committee, House of Lords, Great Britain, Parliament (2008). The European Union and Russia. 14th Report of Session 2007-08.

⁴⁹ Cohen, Ariel (26 October 2006). "The North European Gas Pipeline Threatens Europe's Energy Security".

⁵⁰ Euractiv (February 19, 2009). Lisbon Treaty opens new era in EU/Russia relations. Retrieved from <https://www.euractiv.com/section/med-south/opinion/lisbon-treaty-opens-new-era-in-eu-russia-relations/>

the Russian Federation, and that the 2008 economic crisis emphasised the need for cooperation all created positive expectations for the EU-Russia agenda.

These encouraging expectations unfortunately collapsed when, in August 2008, the Russian-Georgian war broke out. This conflict was a major turning point in the EU-Russia relations, since it accelerated the tug of war in the post-Soviet space. For the first time after the dissolution of the Soviet Union, Russia had violated the territorial integrity of a neighbouring country. This strongly discouraged the EU⁵¹. Consequently, negotiations over the new agreement were suspended. What is more, symbolic sanctions against Russia were adopted. Despite the conflict had not been fully resolved by the end of 2008, the European Union decided to lift the sanctions and resume negotiations over the new strategic agreement. This choice, made during the Nice EU-Russia Summit on November 14, 2008, showed the Kremlin that the EU deemed cooperation with Russia to be a priority.

Therefore, starting from December 2008 up to December 2010, twelve rounds of talks over the new agreement took place. The negotiations demonstrated to be much more difficult than expected, although some progress had been made. Both parties had reiterated in different occasions that their aim was to deepen cooperation and economic integration, thus regarding the new strategic agreement as fundamentally important. What is more, in 2010 the Partnership for Modernization was launched and the Meseberg initiative was proposed. Nonetheless, there had been no real improvement after that year. A very last attempt for negotiations was made in 2012, but the consultations were already in a situation of stalemate. The talks on the new agreement would then be officially suspended as part of the first round of sanctions which followed the 2014 Ukrainian crisis.

⁵¹ European Parliament resolution of September 3, 2008 on the situation in Georgia. Retrieved from <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0396+0+DOC+XML+V0//EN>

2. DEVELOPMENTS IN EU-RUSSIA RELATIONS FROM 2014 UP TO THE PRESENT DAY

2.1 Towards the 2014 Ukrainian Crisis

Despite Russia's accession to the World Trade Organization in 2012 and other events which may have helped restore a peaceful and meaningful dialogue between the European Union and the Russian Federation, the two parties had already abandoned the regime of somewhat sincere cooperation which was present during Vladimir Putin's first presidency. Since 2004, they had entered a mechanism of geopolitical competition, particularly in regard to the post-Soviet space.

The rivalry had been growing even further following the launch in 2009 of the Eastern Partnership by the EU. The EaP was initially proposed by Poland, with the aim of establishing closer ties with ex-Soviet states like Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine⁵². This way, the European Union would manage to export its own norms and values to these countries, by deploying a conditionality-based approach which would be mainly bilateral.

Russia interpreted this move by the EU as an interference in the post-Soviet space, deeming this policy as an action which did not take into consideration the interests of Russia and the common European perspective⁵³. The intrusion by the European Union in an area which had been typically under the Russian sphere of influence gave an impulse to the process of Russia-centric integration in the region. Already in 2003, the idea of establishing the Single Economic Space (SES) was launched by common accord of the Presidents of Russia, Belarus, Ukraine, and Kazakhstan, respectively. Russia now wanted to further develop and strengthen its own model of (economic) integration. Thus, in order to counterbalance the EU and its Eastern Partnership, Russia set in June 2009 – together with Belarus and Kazakhstan – the stages and timeline for the establishment of a single custom area. The long-term objective of the creation of the Custom Union would indeed consist in forming the Eurasian Economic Union⁵⁴.

Hence, both Russia and the European Union were developing their own self-centred project of integration in the shared neighbourhood. The two apparently mutually exclusive projects seemed to imply that the countries in the contended region would have to choose one side. This inevitably

⁵² Joint Declaration of the Prague Eastern Partnership Summit by the Council of the European Union on May 7, 2009, doc. 8435/09 (Presse 78), p. 6.

⁵³ Russian Foreign Minister Sergey Lavrov at the Brussels Forum held on March 21, 2009.

⁵⁴ Declaration on Eurasian Economic Integration of November 18, 2011.

bolstered the already on-going geopolitical competition in the post-Soviet space and created further distrust between Brussels and Moscow.

Within the scenario of the tug of war between the two parties, Ukraine had always played – and still plays – a crucial role. In order to evaluate how the Ukrainian Crisis in 2014 marked such an historical turning point in the EU-Russia relations, there is the need to understand why the country had such significance for both parties. Ukraine is regarded as an important partner for the European Union⁵⁵. A friendly, stable and democratic Ukraine would bring advantages to the EU on the grounds of political stability, security and energy-related matters. On the other side, Russia regards Ukraine as a strategic partner not only for geopolitical reasons, but also for cultural and historical proximity. The country was indeed an integral part of the USSR, with most people who live in the east and in the south speaking Russian and being propense to have closer ties with their former Soviet identity still nowadays. On the Russian side, there is the belief that Russians and Ukrainians are one people, one nation in fact⁵⁶. After the EU maxi-enlargement and the NATO enlargement, Ukraine found itself in a very uncomfortable and dangerous position, being – geographically speaking – the buffer country between the West and the Russian Federation. Kyiv leaning more pro-EU would imply Brussels' influence getting to another substantial part of Russia's borders. Conversely, by strengthening ties with Russia, Ukraine would bring Moscow's influence deeper into the European territory. For this reason, after the EU had expanded and gotten closer to Ukraine, the developments in the latter have strongly conditioned the relations between the two big powers.

In 2010, a major change shaped the relations among Russia, the EU and Ukraine. In February, Viktor Yanukovich was indeed nominated new President of Ukraine, after beating his pro-EU opponent Yulia Tymoshenko in the run-off vote in the presidential elections. Tymoshenko – who succeeded Yanukovich as the Prime Minister of Ukraine in 2007, under the presidency of Viktor Yushchenko – did not recognize the results. Once again, the accusation against Yanukovich was that the elections results had been rigged. In any case, this time the elections were recognized to be conducted in an efficient, transparent and honest manner both by domestic and international observers⁵⁷. Thus, on February 25, 2010 Yanukovich presidency was inaugurated.

Yulia Tymoshenko, who was Prime Minister at the time of the elections, was dismissed from her role by the Ukrainian Parliament through a motion of no confidence. She resigned on March 4, 2010, and

⁵⁵ EU-Ukraine relations – factsheet. European Union External Action on EEAS webpage.

⁵⁶ President Vladimir Putin on June 19, 2019, during the interview with Oliver Stone, American film director, screenwriter, and producer.

⁵⁷ OSCE/ODIHR Election Observation Mission Final Report on “Ukraine, Presidential Election 17 January and 7 February 2010” - Warsaw, 28 April 2010.

started attacking the Yanukovych Administration from the opposition, for the newly elected President would have deployed a more Russia-friendly approach.

Since March 2007, Ukraine and the European Union had been negotiating over an agreement which could substitute the Partnership and Cooperation Agreement entered into force in March 1998. In September 2008, it became known that the new agreement would have been an Association Agreement. There had been numerous rounds of negotiations, being this agreement more comprehensive than similar ones concluded between the EU and other neighbouring European countries. With Viktor Yanukovych as President, Ukraine continued negotiating over the new agreement, though trying to maintain equilibrium between Russia and the West⁵⁸.

Yet, even though attempts to create closer ties with the EU had been made, Ukraine proved to be a reality far from the one expected by the European Union. With its economic and political systems characterized by the presence of oligarchic networks, Ukraine demonstrated indeed to be incapable of ensuring the rule of law and unable to guarantee civil rights and basic freedoms⁵⁹. The arrest of Yulia Tymoshenko in October 2011 is an event which generated discouragement and bewilderment inside the EU⁶⁰. For this reason, despite the announcement during the December 2011 EU-Ukraine Summit that negotiations over the Association Agreement had been concluded, The European Union stalled the process for which the Agreement would have been signed.

While initialling the Association Agreement in March 2012 and the chapter on the Deep and Comprehensive Free Trade Area (DCFTA) in July 2012, the EU started making demands on Kyiv in order to actually sign on the Agreement. The European Union would not have signed without Ukraine freeing Tymoshenko from jail, reforming the judicial system and allowing more freedom to the media. This situation was necessarily favourable to Russia, which could hence try to get back to closer relations with Ukraine, also taking into consideration the re-election of Vladimir Putin as President in 2012. While the EU was repeatedly protesting against Yanukovych misconducts, Putin started his counteroffensive, obtaining an agreement with the Ukrainian President according to which Ukraine would have become an observer to the Custom Union led by Russia. Thus, on May 29, 2013, Ukraine signed a Memorandum on the Deepening of Integration between the Eurasian Economic Commission

⁵⁸ Viktor Yanukovych during his visit in Moscow on March 5, 2010.

⁵⁹ Statement of Preliminary Findings and Conclusions "International Election Observation. Ukraine - Parliamentary Elections, 28 October 2012", resulting from a common endeavour involving the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), the European Parliament (EP) and the NATO Parliamentary Assembly (NATO PA). Kyiv, October 29, 2012.

⁶⁰ As it was made clear by Catherine Ashton, the High Representative for Foreign Affairs, on the same day of the verdict, October 11, 2011.

and Ukraine. Despite its non-binding nature, this agreement marked a rapprochement between Russia and Ukraine, deemed of outmost importance by the Russian side.

2.2 The Outbreak of the Crisis in Ukraine

The positive expectations by Russia were soon to die, for the Kremlin realized in June 2013 that the European Union would have signed the Association Agreement with Ukraine even in the case the latter had not been able to fulfil the requests made by the EU. The fact that the European Commission had recommended the Council of the European Union to sign the Agreement with Yulia Tymoshenko still being imprisoned came as a cold shower to Russia. The EU deemed indeed Ukraine to be poorly governed, further drifting away from the Western principles with Yanukovych presidency – fact which would ultimately lead to instability and public discontent that could spread to the EU as well. Despite of all of this, and regardless the alleged democratic decline of the Ukrainian Republic, the European Union decided to accelerate the neighbour's integration to its own standards.

As a consequence, the Russian Federation initiated a trade war against Ukraine in July 2013. The Kremlin was trying to refrain Ukraine from signing the Association Agreement with the EU⁶¹, by listing a number of restrictive measures which it could deploy. Moscow was once again sending the message – as it did by invading Georgia following the NATO Bucharest Summit of 2008 – that it would resort to any measure had its national interests been at stake. The Russian government warned that the Custom Union countries had to think about safeguards in case the Association Agreement was concluded between the EU and Ukraine⁶². In the Russian perspective, Kyiv would cease to be a strategic partner⁶³. This would be due to the fact that the country would have to comply with the EU policies on trade, which did not – and still do not – recognize the sovereignty of the Custom Union over trade matters with Russia.

The adoption in summer 2013 of the sanctions by the Russian Federation towards Ukraine generated inevitably a reaction within the Yanukovych Administration. Nonetheless, the response was not the one expected by Russia, as Ukraine actually started being even more propense for integration with the EU after the intimidation endured. Yanukovych deemed the association with the European Union to be fundamental as to complete the transition of the country into a modern European state⁶⁴. The Ukrainian President probably pursued this quick change in foreign policy also because he realized

⁶¹ As Russian President Vladimir Putin later made clear on August 22, 2013, during the Meeting on Socioeconomic Developments in Rostov-on-Don.

⁶² Vladimir Putin, "Meeting on Socioeconomic Developments in the Rostov Region", August 22, 2013, www.kremlin.ru.

⁶³ Sergey Glazyev, BBC Monitoring, "Kremlin aide warns Ukraine over EU integration", Rossiya 24 TV, August 27, 2013.

⁶⁴ Viktor Yanukovych during his speech at the Festive Celebration of Independence Day, August 24, 2013.

that he would have been more likely to be re-elected in the upcoming 2015 presidential elections had he allowed the country to integrate with the West rather than with Russia.

The Ukrainian Parliament started drafting some laws which would have brought WTO standards into the domestic legislation and allowed accession by the opposition to national media. Furthermore, the regulations were expected to bring several improvements in the electoral law according to more democratic standards, as well as several reforms in the judicial system. Everything seemed to be ready for the signature of the Association Agreement. Ukraine showed its adherence to the principles which Brussels was trying to export in its neighbours. Notwithstanding the approximation of the national legislation to the standards of the European Union, the fear that Kyiv could be subject to intimidation by the Russian Federation was still present on the side of the EU. The latter claimed that any threats from Russia linked to the possible signing of the agreements with the European Union would be unacceptable⁶⁵. Thus, the European Union would not have justified any restrictions on trade vis-à-vis Ukraine by Russia⁶⁶.

Despite Ukraine and the EU being potentially ready and prepared to finally sign the Association Agreement during the soon to happen Vilnius Summit – arranged for late November 2013 – Ukraine did find itself in a very difficult and dangerous stance. The European Union was trying to support the country, but was also trying to make sure it would comply with the conditions it had set. On the other side, the Russian Federation was making it clear that it would have conducted a geopolitical war against Ukraine, were it to conclude the Agreement with the EU. What is more, Russia decided to deploy a “carrot-and-stick” approach. Not only it would have punished Ukraine if the above-mentioned scenario were to verify, but it also promised a series of advantages for the country in case it would instead integrate with the Russia-led Custom Union⁶⁷. Among these benefits there would be the removal of the economic sanctions adopted in summer 2013, cheaper prices for natural gas exports to Ukraine, and \$15 billion in loans.

A few days before the Vilnius Summit, scheduled for November 28-29, the Yanukovych Administration issued a decree which halted preparations to sign the Association Agreement with the EU. This decision by the Ukrainian government stemmed from different factors. Pro-Western Ukrainians, while willing to join the West and become a modern European state, were also hoping to

⁶⁵ As stated by EU Commissioner for Enlargement and European Neighbourhood Policy Stefan Füle, during his “Statement on the Pressure Exercised by Russia on countries of the Eastern Partnership” in Strasbourg, on September 11, 2013.

⁶⁶ Stefan Füle, “Statement on the Pressure Exercised by Russia on countries of the Eastern Partnership”, September 11, 2013, Strasbourg.

⁶⁷ As Vladimir Putin later made public during his meeting with Viktor Yanukovych on December 17, 2013.

obtain EU membership in the long-term, which instead seemed to be out of the picture. Regardless of the support by the European Union, the conclusion of the Association Agreement would have also implied costly market and political reforms. The approximation of Ukrainian legislation with the EU standards would have entailed Kyiv choosing the West over its historical partner, as the same Russian Federation had made clear⁶⁸. Russia was still the most important economic partner for Ukraine, which meant that the latter would have heavily suffered from the custom war that was to follow the Agreement. What is more, the reforms that the EU demanded Ukraine to implement did not really seem to be to Yanukovich's liking. The choice which the Ukrainian Government had to make was not an easy one and would have had complicated consequences in any case.

The result was that after very long negotiations between the European Union and Ukraine over the Association Agreement, Ukrainian President Viktor Yanukovich had made it clear that he eventually would not be going to sign the Agreement⁶⁹. Yanukovich was certainly being exercised pressure by the Kremlin. At the same time, it is worth noting that signing the Agreement with the EU may have been beneficial in the long-term, but it would have probably entailed fatal short-term consequences which could have costed Ukraine its default.

Anyhow, the decision by the Ukrainian President not to sign the Association Agreement with the European Union – as expected for the conclusion of the Summit in Vilnius on November 29, 2013 – generated indignation and disappointment both at the international and domestic levels. The EU was deeply discouraged⁷⁰. Most importantly, many Ukrainian people were outraged for they had been promised a pro-European policy which would have made Ukraine follow the path of countries like its western neighbour Poland. Thus, thousands of Ukrainians started protesting in the streets. People were demonstrating under Ukrainian and European Union flags. In Kyiv, the epicentre of the mass protests was Maidan Nezalezhnosti (“Independence Square”), at the very heart of Ukraine's capital. The so-called Euromaidan Revolution had started. The Ukrainian Revolution and the events which ensued in the subsequent months are considered to be the ultimate point of rupture within the EU-Russia relations. From this motivation has stemmed the need to examine more in detail the situation in Ukraine, which helps understand the process that has led to the freeze in the dialogue between the European Union and Russia.

⁶⁸ As remarked by the Ministry of Foreign Affairs of the Russian Federation in its Comment by the Information and Press Department on the Sixth Russia-Ukraine-EU Ministerial Meeting, on December 22, 2015.

⁶⁹ Viktor Yanukovich to German Chancellor Angela Merkel upon his arrival at Vilnius.

⁷⁰ As stated by EU Commissioner for Enlargement and European Neighbourhood Policy Stefan Füle on November 21, 2013.

2.3 The Escalation of the Conflict During the First Months of 2014

Yanukovych made it clear that his decision had been taken so as to prevent millions of Ukrainians from losing their income and that this would not have precluded further integration with the European Union in the future⁷¹. Nevertheless, starting from November 21, people were filling the streets in Ukraine, mainly in the western and northern part of the country, where the pro-European sentiment was stronger.

The protests took a violent connotation on November 24, which escalated to impressive numbers on November 30 – namely, the day following the Vilnius Summit, during which the Association Agreement was in fact not signed. The Government started to respond to the riots with harsh repression and further violence. After the meeting between Yanukovych and Putin on December 17, 2013, Euromaidan protesters showed even more concern about the Ukrainian President allegedly selling the country to its eastern neighbour⁷². The demonstrations had become a national movement which was calling upon the Government to retreat its decision not to sign the Association Agreement with the European Union. Among the other requests by the protesters were also the amnesty of convicted demonstrators, the change of the Constitution and the dismissal of Yanukovych from office.

The situation was tragic for the Ukrainian President, who was receiving support from the Kremlin in order to suppress the revolts. On January 16, 2014, Anti-Protest Laws were passed by the Ukrainian Parliament and signed by Yanukovych the following day. This left the EU profoundly concerned, as it deemed this move as contradicting Ukraine's European aspirations⁷³. The anti-democratic nature of the laws gave rise to further tensions between the State and the Euromaidan activists. In the meantime, Anti-Maidan protests were becoming more frequent and violent as well, showing support for President Yanukovych and for the establishment of closer ties with Russia.

Despite the resignation of Ukrainian Prime Minister Mykola Azarov and the repeal of the Anti-Protest Laws in the end of January, the turmoil went on up until late February 2014, with clashes reaching tremendous levels of violence on February 20. On February 21, Viktor Yanukovych signed the Agreement on Settlement of Political Crisis in Ukraine, together with the leaders of the opposition and some leaders of the EU.

The same night of February 21, Yanukovych left Kyiv in order to flee the country. He would then be assisted by Russian troops in his relocation in Moscow, where he supposedly arrived on February 26.

⁷¹ As also later reported on President Yanukovych website on November 29, 2013.

⁷² As emphasized also by 46-year-old protester Liudmyla Babych while demonstrating in Kyiv on November 24, 2013.

⁷³ As reported in a tweet by Stefan Füle, EU Commissioner for Enlargement and European Neighbourhood Policy, on January 16, 2014.

On February 22, the Ukrainian Parliament voted to remove Yanukovich from office, hence dismissing him as the President of Ukraine. The Parliament also voted on new presidential elections to be held on May 25. A provisional government was established, several ministers of the Yanukovich Administration were dismissed and Yulia Tymoshenko was freed from prison. Thus, the Euromaidan Revolution came to an end with the ousting of Viktor Yanukovich and with the mise in place of an interim government which would have later signed the Association Agreement with the European Union.

Russia was understandably unhappy with the developments in Ukraine, for it had already been hoping to attract the country towards integration within the Custom Union following its renounce to sign the Agreement with the EU. Putin defined the ousting of Yanukovich from office as a Western-backed fascist coup which put into peril the ethnic Russian majority in the Crimean Peninsula. The Kremlin did not take long to act upon defence of its national interests, ordering a covert military operation in Crimea in order to seize the whole region. Starting from February 26, 2014, Russian armed forces began to steadily take over Crimea. On March 1, the Russian Parliament endorsed the operation in Ukraine on the grounds of protecting Russian interests. On March 16, a referendum was held in Crimea, resulting in more than 90% of the voters supporting independence from Ukraine and transition within the Russian Federation. Two days later, Vladimir Putin signed a document to absorb the Crimean Peninsula into Russia. On March 21, through the ratification of an accession treaty, the Republic of Crimea and the Federal City of Sevastopol officially became part of the Russian Federation.

On the same March 21, 2014, an extraordinary EU-Ukraine Summit was held. In this occasion, the pro-Western provisional government which the Euromaidan Revolution had manage to install signed the political part of the Agreement with the European Union. Hence, Ukraine – under the lead of Prime Minister Arseniy Yatsenyuk – had finally signed the long-awaited and long-negotiated EU Association Agreement. This U-turn by Ukraine showed Russia that the country was committed to integration with the West, rather than with its eastern neighbour. What is more, Petro Poroshenko would have soon won the presidential elections in Ukraine on May 25, thus becoming the new President. Being an active supporter of the Euromaidan, Poroshenko had been gaining popularity since February, which made almost obvious he would have become Yanukovich's successor. The new Ukrainian President, officially in charge from June 7, would have then signed the economic part of the Association Agreement with the EU on June 27, 2014. Ukraine had thus formally chosen economic integration with its western neighbour, definitely moving away from the Russian counter-project.

On April 6 and 7, 2014, Anti-Euromaidan demonstrators occupied government buildings in some cities located in the eastern part of Ukraine. The pro-Russian activists were calling for a referendum of independence for the Donetsk and Luhansk regions. Russia was – allegedly – again intervening by deploying its military forces. This second wave of Russian operations in Ukraine aimed at further destabilising and dismembering the country⁷⁴. Russia-backed separatists declared the cities of Donetsk and Luhansk independent from Ukraine. They would have subsequently established the Donetsk People's Republic and the Luhansk People's Republic. The Donbass region – in which both the self-proclaimed republics are located – started witnessing a violent escalation of the protests. The demonstrations soon became a real armed conflict – ongoing still today – between the pro-Western side supported by the Ukrainian Government and the pro-Russian side supported by Moscow.

2.4 EU Reaction and the Point of No-Return

The events which gave rise to the Euromaidan Revolution had caught the attention of the international community. Ukraine's domestic developments after the decision not to sign the Association Agreement with the European Union were hence already in the public eye. As a consequence, the pressure exerted by the Kremlin inevitably made it into the headlines, generating concerns in the West.

Putin justified Russian military intervention in Crimea on humanitarian purposes, for the majority of the region's inhabitants are ethnic Russians⁷⁵. Of course, besides its connotation as a rescue operation, the invasion of Crimea was finalised in creating instability in Ukraine as well as gaining strategic control over the Kerch Strait. The whole region is a key grip on the Black Sea, which the Kremlin could deploy so as to project its influence deeper into Middle East, as well as into the Mediterranean and North Africa. Besides, the Russian Federation annexed the Crimean Peninsula so as to create legal impediments for Ukraine eventually joining NATO, which was Russia's primary fear⁷⁶.

Russian military mobilization – started in late February 2014 – in the Crimean region did not wait long to come across condemnation from the West. Russia was considered to have breached its international obligations and commitments⁷⁷. According to the European Union, Moscow had committed a clear violation of Ukraine's sovereignty and territorial integrity by acts of aggression by

⁷⁴ As stated by Oleksandr Turchynov, interim President of Ukraine, during his address on national TV on April 7, 2014.

⁷⁵ Vladimir Putin in his address to State Duma deputies, Federation Council members, heads of Russian regions and civil society representatives in the Kremlin on March 18, 2014.

⁷⁶ *Ibid.*

⁷⁷ As it was stated by Catherine Ashton, EU High Representative for Foreign Affairs and Security Policy, on March 3, 2014.

its armed forces as well as by the consent given on March 1 for the deployment of the Russian military forces on the territory of Ukraine⁷⁸. Therefore, while calling for a peaceful resolution of the conflict⁷⁹, the European Union on March 3 also decided to suspend preparation for the G8 Summit which would have taken place the upcoming June in Sochi. Furthermore, the EU underlined its intention to suspend bilateral talks with Russia in case the latter would not have taken de-escalating steps in regard to the situation in Ukraine.

In a coordinated action with the United States, the European Union imposed what is known as the first round of sanctions on the Russian Federation. On March 6, 2014, diplomatic restrictions were adopted by the EU leaders during the Extraordinary meeting of EU Heads of State or Government on Ukraine. In this framework, the European Union suspended bilateral talks with Russia on both visa-related negotiations and the New Agreement.

International criticism soon followed as well over the referendum that would have been held in Crimea on March 16 – which finally witnessed the overwhelming majority of voters asking for secession from Ukraine and annexation into the Russian Federation. Even though the Kremlin defended it on the grounds of compliance with the will of the people⁸⁰, Ukraine, the European Union, and several international leaders rejected the validity of the referendum⁸¹. The EU defined it as being illegal and as a clear breach of the Ukrainian Constitution⁸². The United Nations General Assembly later joined the EU in emphasizing the illegality and invalidity of the Crimean referendum, for it undermined Ukraine's territorial integrity⁸³. Russia would then deem this position by the United Nations as being counterproductive as well as being the result of pressure exerted by Western Member States⁸⁴.

Immediately after the Republic of Crimea and the city of Sevastopol officially became part of Russia, the European Union, together with other subjects of the international community, condemned the annexation of Crimea into the Russian Federation as illegal⁸⁵. The EU did not – and still do not – recognize the unlawful annexation and advocated for Russia returning the Crimean Peninsula back to

⁷⁸ As emphasized in the frame of the Extraordinary meeting of the Foreign Affairs Council on the situation in Ukraine, held on March 3, 2014.

⁷⁹ EU High Representative for Foreign Affairs and Security Policy Catherine Ashton during an extraordinary meeting of the Foreign Affairs Council on the situation in Ukraine, held on March 3, 2014.

⁸⁰ Vladimir Putin in his address to State Duma deputies, Federation Council members, heads of Russian regions and civil society representatives in the Kremlin on March 18, 2014.

⁸¹ Statement of the Heads of State or Government on Ukraine, Brussels, March 6, 2014. The position was later reaffirmed with the Conclusions on Ukraine, approved by the European Council on March 20, 2014.

⁸² Foreign Affairs Council meeting on March 17, 2014.

⁸³ Resolution 68/262 adopted by the United Nation General Assembly on March 27, 2014.

⁸⁴ Russian Foreign Ministry website on March 28, 2014.

⁸⁵ United Nation General Assembly on March 27, 2014, through Resolution 68/262.

Ukraine⁸⁶. In order to reverse and deter further aggression by the Kremlin onto its neighbour, the European Union imposed additional restrictive measures against Russia on March 17, including asset freezes and travel bans on certain individuals. Further sanctions and condemnation soon arose due to the Russian support towards secessionist protesters in the Donbass region, where demonstrations were escalating into a real military conflict which is ongoing still today.

2.5 The First Years After the Point of Rupture

In the wake of Russian annexation of the Crimean Peninsula, the Kremlin was facing strong criticism by the European Union. The continued aggression supported by Russia in eastern Ukraine further contributed to the embitterment of the EU-Russia partnership. The relations had indeed just entered an unprecedented modality of crisis, which highlighted the presence of several contradictions.

On the Russian side, the belief was that – as for the 2004 Orange Revolution – the internal political crisis in Ukraine had been largely provoked by Western actions⁸⁷. On the other side, there was the EU conviction that the crisis stemmed from Russia behaving as a neo-imperialist power which wanted to gain Ukraine back under its sphere of influence⁸⁸. This inconsistency may be considered at the base of the EU-Russia relations after 2014, which are still today characterized by a complete freeze on multiple levels of the diplomatic dialogue which had been built over the previous years.

With the adoption of restrictive measures by the EU, the European Parliament decided to unilaterally halt its participation in the EU-Russia Parliamentary Cooperation Committee (PCC)⁸⁹, which the PCA had established as the primary tool of inter-parliamentary cooperation. In so doing, what had been an important platform for a political dialogue went missing. Nonetheless, the European Union was not limiting itself in suspending the talks with Russia. A major event which further created dismay within the West verified on July 17, 2014⁹⁰. On this date, Malaysian Airlines Flight 17 – directed from Amsterdam to Kuala Lumpur – was shot down over the territory controlled by Russia-backed separatists who had seized the Donbass region in eastern Ukraine. The accident, which caused the death of all 298 people on board, led to an immediate reaction by the EU. During the meeting of the Foreign Affairs Council held on July 22, Brussels called for the ‘mise en place’ of further significant targeted measures against Russia. The third package of sanctions was hence adopted on

⁸⁶ Herman Van Rompuy, European Council President during the Meeting in the European Council on March 20-21, 2014.

⁸⁷ As it is also reported on the website of the Permanent Mission of the Russian Federation to the European Union. See Russia-EU relations – Political dialogue.

⁸⁸ EU Commissioner for Enlargement and European Neighbourhood Policy Stefan Füle, on November 21, 2013.

⁸⁹ Statement of the Heads of State or Government on Ukraine, Brussels, March 6, 2014.

⁹⁰ Foreign Affairs Council, Brussels, July 22, 2014.

July 29, and included restrictions concerning exchanges with the Russian Federation in targeted economic sectors. This round of sanctions – also referred to as Tier III – is probably the costliest for both the EU and Russia. The Kremlin soon retaliated with its own countermeasures on August 7.

In the middle of the sanction regime that was being built between Russia and the EU, there were nevertheless attempts to de-escalate the conflict in eastern Ukraine. To this purpose, the Trilateral Contact Group on Ukraine was formed as a platform to favour diplomatic dialogue between Russia and Ukraine, with the mediation by the OSCE. A few days later, on June 6, 2014, the Normandy Format was also created with the aim of resolving the crisis in Donbass. The Normandy Group included leaders of Ukraine, Russia, Germany, and France. Thanks to the deployment of these frameworks, on September 5, 2014, the Minsk Protocol (Minsk I) was signed, temporarily posing a ceasefire and leading to an improvement in the humanitarian state of affairs.

However, the positive impetus soon crumbled for the frequent violations of the ceasefire. As a result, on September 12, new sanctions were adopted by the EU. What is more, Ukraine and the European Parliament simultaneously ratified the Association Agreement on September 16. At the end of October 2014, Ukrainian citizens elected a new Parliament which was strongly pro-EU. These events led to further intensification of the conflict in the Donbass region, from which a call for immediate resolution ensued. On February 12, 2015, the Minsk II Agreement was signed, providing a roadmap for de-escalation of the conflict in Donbass through thirteen points.

Despite being welcomed by all the parties concerned as a glimmer of hope towards an eventual resolution of the crisis in eastern Ukraine⁹¹, the Minsk II was always – and still is – far away from being fully implemented. This constitutes an enormous problem within the framework of the EU-Russia relations, for the European Union linked the lifting of sanctions against Russia to the full implementation of the Agreement⁹².

The coming into effect of the Eurasian Economic Union on January 1, 2015, contributed to supplementary animosity of the already tense relations between Brussels and Moscow. The European Union indeed did not recognize the EAEU, deeming it as an expression of Russian neo-imperialist aspirations⁹³. What is more, the revision in 2015 of the European Neighbourhood Policy by the EU generated additional concern on the Russian side⁹⁴. The intention by the European Union to build

⁹¹ German Chancellor Angela Merkel on February 12, 2015.

⁹² European Council President Donald Tusk at EU Summit in Brussels on March 19, 2015.

⁹³ European Parliamentary Research Service, Briefing “Eurasian Economic Union. The rocky road to integration”. April 2017.

⁹⁴ As Russian Foreign Minister Sergey Lavrov had already made clear during the framework of a session of the Committee of Ministers of the Council of Europe, held in Brussels on May 19, 2015.

more effective partnership in its neighbourhood⁹⁵ – being it also in preparation of the EU Global Strategy adopted in June 2016 – was seen as another attempt by the West to expand its influence over an area which was vital for Russia's national interests⁹⁶.

What in that period could have been seen as a pretext for cooperation – even more after the attacks in Paris in 2015 – was the fight against terrorism. Yet, the hopes for greater collaboration in this field were quickly dissipated by Russia's military intervention in the Syrian War since September 2015, as Moscow's support for Assad clashed with EU positions. Criticisms from the Brussels also came regarding the Russian parliamentary elections held in September 2016, where Putin's party United Russia won the absolute majority. This big victory by Putin was considered dangerous, for it could have potentially implied strong limitations on democratic values⁹⁷. The first biennium after the outbreak of the Ukrainian Crisis was hence characterized by a complete crisis in the relations between the European Union and the Russian Federation, despite the efforts for cooperation on certain issues of interest.

2.6 Relations from 2017 up to Present Days

In spite of the fact that the EU-Russia relations have been in a deadlock since the 2014 Ukrainian Crisis and nothing has changed at a substantial level even in the most recent years, starting from 2017 there have been some alterations – both internal and external to the parties – which potentially led to a shift in the dialogue between the two superpowers.

The relations between the European Union and Russia have always been framed as well by the developments regarding the United States. Donald Trump taking office in January 2017 seemed indeed to be generating hopes about a possible rapprochement between the Russian Federation and the West. Already in the aftermath of Trump's victory of the US presidential election, Putin had signed on November 30, 2016, the Foreign Policy Concept of the Russian Federation. In this detailed document, Moscow highlighted its interest in constructive, stable and predictable cooperation with EU countries based on the principles of equality and respect for each other's interests⁹⁸.

⁹⁵ Federica Mogherini on November 18, 2015, during the Review of the European Neighbourhood Policy (ENP): stronger partnerships for a stronger neighbourhood.

⁹⁶ As John J. Mearsheimer would have described, in line with his work "Why the Ukraine Crisis Is the West's Fault".

⁹⁷ As emerged from the European Policy Centre's Commentary "Russian Parliamentary Elections 2016: A lifeline is needed for the non-systemic opposition", published on September 23, 2016.

⁹⁸ Provision n° 63 of the Foreign Policy Concept of the Russian Federation, approved by President of the Russian Federation Vladimir Putin on November 30, 2016.

The desire for reconciliation with Russia was present within the European Union as well. From the first months of Trump's presidency, it became clear that he would have pursued his policy of "America First", thus moving progressively away from the close ties with the European allies. Besides, the European Union itself was entering a profound crisis. For the first time a relevant Member State as the United Kingdom was leaving the Union, following a referendum held in June 2016. Moreover, the challenges arisen from multilateralism and migratory pressure – among other factors – brought out the need for the EU to build a serious common defence policy. Nonetheless, concrete improvement on these grounds have not been seen yet.

The crisis in the Transatlantic relations, together with the EU internal crisis, seemed to be preparing the ground for re-establishing a significant partnership with Russia. Nevertheless, some legal and political issues have posed obstacles for meaningful multi-layered cooperation between Moscow and Brussels. Putin being re-elected as President for the fourth time caused discouragements within the EU, which again shared its concerns about the full respect of democratic principles⁹⁹. Despite the call by several European leaders for lifting or at least easing the sanctions against Russia¹⁰⁰, these have been periodically extended since some voices within the Union advocated for the full implementation of the Minsk Agreements before withdrawing the restrictive measures¹⁰¹. The Skripal case in 2018 generated further friction between the Kremlin and Brussels, with the former being accused as supposedly being responsible¹⁰². Tensions have arisen as well over Moscow allegedly funding populist parties in some of the Union Member States so as to create additional instability.

Thus, while in the very last few years the desire to establish a constructive and meaningful dialogue has been present in both sides, several contradictions and misunderstandings continue to governate the relations between the European Union and Russia. With France and Germany being the most active promoters for cooperation with the Kremlin within the framework of the EU, other countries have shown their reluctance in strengthening partnership. Consequently, the last period of the EU-Russia relations has been characterized by a bifurcation in the interactions. On the one hand, a freeze and a somewhat sharp competition have been present between Moscow and the European Union as a whole. On the other hand, progress and positive atmosphere have been achieved at the bilateral level among Russia and single Member States.

⁹⁹ Report on the state of EU-Russia political relations (2018/2158(INI)) by the Committee on Foreign Affairs on February 8, 2019.

¹⁰⁰ As advocated by Italy's Interior Minister Matteo Salvini during his visit to Moscow on October 17, 2018.

¹⁰¹ German Chancellor Angela Merkel to Russian President Vladimir Putin during their meeting in Sochi on May 2, 2017.

¹⁰² British Prime Minister Theresa May during her address to the Parliament on March 12, 2018.

3. IMPLICATIONS OF THE SANCTION REGIME AND POSSIBLE WAYS TO RETURN TO COOPERATION

3.1 The Three Rounds of Restrictive Measures by the EU

After having gone through the events which have shaped the EU-Russia relations in the last three decades, it is worth examining to a closer degree some legal aspects of the relations themselves. Having already seen how the interactions between the European Union and Russia have gone from a cooperation regime up until the very first years of 2000's to a sanction regime in response of the Ukrainian Crisis of 2014, it would be interesting to understand to what extent the restrictive measures and their implications influence the dialogue. In order to do so, first of all, there is the need to discuss about the nature of the sanctions themselves and the way they were put into place.

Sanctions, more appropriately called restrictive measures, are a tool at disposal of the European Union, as established by the Treaties under Article 29 TEU and Article 215 TFEU. The purpose of these measures is to bring about a change in policy or activity by governments of non-EU countries, non-state entities and individuals¹⁰³. It is exactly on these grounds that the EU adopted its restrictive measures towards Russia following the 2014 Ukrainian Crisis.

The first instance in which the European Union announced it would have implemented sanctions against the Russian Federation was March 3, 2014. On this date, in the framework of the Extraordinary meeting of Foreign Affairs Council on the situation in Ukraine, the EU decided to put in place some restrictions of diplomatic nature. This first round of sanctions – sometimes referred to as Tier I – comprised the decision to boycott the G8 Summit scheduled for the upcoming June in Sochi. On March 6, this decision was supplemented with the choice to halt bilateral talks on visa matters and on the agreement which should have replaced the PCA.

On the same March 6, during the Extraordinary meeting of EU Heads of State or Government on Ukraine, preparations for posing individual sanctioning measures also started. This second round of restrictive measures (Tier II) was officially adopted on March 17, 2014. In light of the Crimean referendum held on March 16, declared to be illegal and to be a breach of Ukrainian Constitution by the Foreign Affairs Council¹⁰⁴, the latter implemented restrictive measures against 21 people. The

¹⁰³ Basic Principles on the Use of Restrictive Measures (Sanctions) - Council document 10198/1/04. Brussels, June 7, 2004.

¹⁰⁴ Foreign Affairs Council meeting, March 17, 2014. Press Release. Retrieved from <https://www.consilium.europa.eu/media/28722/141614.pdf>

Council adopted travel bans and asset freezes against Russian and Ukrainian officials – and entities to them related – for they allegedly had responsibility in undermining Ukraine’s territorial integrity and sovereignty.

On March 20, both Tier I and Tier II were extended by the EU. As far as diplomatic restrictions are concerned, the European Council decided to annul an arranged EU-Russia Summit, underlining that Member States would not have conducted any bilateral regular meeting with the Russian Federation. The individual sanctions were instead augmented by adding 12 names on the list of people subject to restrictions.

Witnessing the formal accession of Crimea and Sevastopol into the Russian Federation, along with the escalation of the conflict in eastern Ukraine, the European Union was progressively strengthening the sanction regime vis-à-vis Russia and planning on the implementation of broader economic and trade sanctions which would have been adopted was the Kremlin to further destabilize Ukraine. Seeing no substantial efforts by the Russian side to de-escalate the conflict in the Donbass region, the EU adopted some restrictive measures towards Crimea, together with other individual sanctions, until Tier III was adopted at the end of July.

The third package of sanctions was officially adopted on July 29, 2014. It followed the call by the European Council to implement further targeted sanctions, and ensued the request by the Foreign Affairs Council to accelerate the process in the immediate aftermath of the shooting down of flight MH17. These sanctions differ from the prior ones for they target exchanges with Russia in regard to specific economic sectors. They are indeed about trade and investment limitations. They encompass a prohibition to buy or sell financial instruments, an embargo on arms and related material, very rigorous restrictions on equipment and technology linked to the energy sector, and trade and investment restrictions towards Crimea and Sevastopol.

On September 12, 2014, a new set of sanctions targeting Russia in particular economic sectors was adopted, aiming at deepening the measures implemented at the end of July 2014¹⁰⁵. This decision by the EU was taken subsequently to the increasing number of fighters and weapons flowing from Russia into Ukraine notwithstanding the ceasefire agreement (Minsk I) of September 5. In line with this choice to strengthen sanctions, Brussels has continued to do so over the years, along with extending their validity up to the present day.

¹⁰⁵ Statement by the President of the European Council Herman Van Rompuy on further EU restrictive measures against Russia, Brussels, September 8, 2014.

EU sanctions against the Russian Federation are currently in force. The bilateral dialogues are still suspended. Talks over the New Agreement or visa-related matters have not resumed. Asset freezes against 10 persons which the EU has identified as responsible for abuse of office or misappropriation of state funds of the Ukrainian Republic will be in place until March 6, 2021, if not further extended. Individual sanctions (Tier II) have been extended to September 15, 2020 and currently include a list of 175 persons and 44 entities. Economic sanctions targeting specific sectors of the Russian economy (Tier III) have also been prolonged until July 31, 2020 and will probably be further extended. This means that Russia still has restricted access to EU capital markets, that the arms embargo is still in place, and that cooperation in the energy sector is still limited. Hence, the sanction regime built by the European Union against Russia still today entails constraints for a meaningful partnership between the two parties, constituting a major impediment in the development of Russia-EU economic cooperation in affected sectors.

3.2 Russian Reaction with Countersanctions

In response to the deployment of restrictive measures by the European Union, the Kremlin retaliated by imposing its own countersanctions. Moscow acted to ensure the security of the Russian Federation¹⁰⁶, hitting back on the countries which had decided or joined the decision to impose sanctions against Russia. On August 6, 2014, following the round of economic measures by the EU adopted on July 29, Putin signed a decree which outlawed imports of various agricultural products, raw materials, and foodstuffs from states which had adopted the sanctioning measures.

On August 7, the Russian Government, through its Decision n°778, defined the list of products undergoing the ban. What is more, the Decision included the countries from which imports were prohibited. It goes without saying that all Member States of the European Union were comprised in the directory. The list of banned products was then modified on August 20, 2014, on June 25, 2015 and again on May 27, 2016. The import ban comprises any kind of beef, pork and poultry foodstuffs, as well as milk and all products containing milk – including fish, fruit and vegetables.

Since the first implementation of these countermeasures by Russia in August 2014, their lawfulness has been periodically extended. The latter prolongation of the embargo was issued on June 24, 2019 by the Presidential Decree n°293. With this decree, President Vladimir Putin prolonged to December

¹⁰⁶ Decree of The President of The Russian Federation n°560 on the application of certain special economic measures to ensure the security of the Russian Federation. Moscow, August 6, 2014.

31, 2020 the validity of the previous decrees regarding these “Special Economic Measures Aimed at Ensuring the Safety of the Russian Federation”¹⁰⁷.

In more occasions has the ban imposed by Russia been criticised by the West. What is more, frictions with the European Union have also generated following the decision by the Kremlin to extend these measures as the EU kept its own sanctions in place. On this matter, Moscow has always responded by stating that it would have followed the principle of mutuality, it being the foundation of its approach. In fact, according to the Russian side, Russia had not commenced any restrictive measures, but had only reacted in kind¹⁰⁸.

Hence, the countermeasures adopted by the Russian Federation, which also include a blacklist of Western officials, will probably not be lifted unless the EU makes the first step towards withdrawing – or at least lightening – the sanction regime that it has been implementing since the first months of 2014.

3.3 The Impact of Sanctions and the Outlook on the Energy Sector

After having discussed the escalation of the sanction regime, the various steps followed both by Brussels and by Moscow to implement the restrictive measures vis-à-vis each other, as well as the motives behind the imposition thereof, it would be natural to examine the consequences and implications that the sanction regime has had on the relations between Russia and the EU.

As already mentioned, the adoption of sanctions by the European Union may be deemed as the rupture point in the EU-Russia relations. Previous to the Ukrainian Crisis, the Kremlin had been negotiating with Brussels over a new strategic agreement. Agreeing over a new deal which would have regulated the partnership – as well as it would have defined the scope of this partnership – between two such powerful players as Russia and the EU has been deemed of utmost importance for both parties since Putin’s first term as President. Nevertheless, negotiations over the New Agreement proved to be tremendously complicated. By the time the Ukrainian Crisis broke out, the EU and Russia had yet not managed to conclude the accord, for negotiations were in a situation of impasse. However, only with the first round of sanctions by the EU, bilateral talks with Russia were officially suspended. The diplomatic dialogue over the New Agreement – as well as the one on visa matters, considered fundamental by Moscow – was thereby halted. Even today, this freeze in the dialogue characterizes

¹⁰⁷ European Commission. Russian import ban on EU products. Retrieved from https://ec.europa.eu/food/safety/international_affairs/eu_russia/russian_import_ban_eu_products_en

¹⁰⁸ Putin’s spokesman Dmitry S. Peskov in his statement on June 22, 2015.

the relations between Russia and the European Union, which have been incapacitated to replace the already outdated Partnership and Cooperation Agreement with a new more suitable strategic deal.

Yet, the consequences of the ‘mise en place’ of restrictive measures are not limited to remarking the no-return point in the bilateral talks over a new partnership agreement. While inevitably generating discouragement and frustration within Brussels and Moscow alike for both sides know the importance of cooperating but have been unable to do so, the diplomatic measures may not have been the ones which have had the most substantial impact on the relations. The same goes for the second package of sanctions, which may have created inconvenience for some individuals and various entities, but has not had significant implications over the relations themselves. Consequently, the third round of restrictive measures, to which countersanctions by Moscow did not take long to ensue, may be deemed as the one which most substantially has affected both Russia and the EU.

Of course, it is not easy to assess how and to what extent economic sectoral sanctions by the European Union have impacted the Russian economy. This is due to the fact that these restrictive measures came to Moscow simultaneously with sanctions from other Western countries, a fall in oil price and an ongoing economic slowdown which followed the 2008 financial crisis. Nonetheless, Russian economy has been unavoidably troubled by Tier III, facing recession and instability in the 2014-2016 period. Only starting from 2017 has the Russian economy started recovering, showing a modest but still positive growth up until the present day.

At the very same time, the sanction regime caused severe economic consequences for the European Union as well, particularly in some sectors and within some Member States. Many producers working in the agri-food industry have suffered from the import ban imposed by the Kremlin. While EU exports to Russia had increased steadily in previous years – as the volume of trade and investment in general – they declined by roughly 20% annually between 2013 and 2016. From a two-way trade in goods value of €322 billion in 2012 to €183 billion in 2016, bilateral trade has, however, started improving in the last four years, reaching a value of €232 billion in 2019¹⁰⁹.

The energy sector deserves a special mention, for it is considered fundamental in the relation of economic interdependence between Russia and the European Union. The former indeed provided in 2019 for about 40% of the EU imports of natural gas, as well as for almost 30% of oil imports, thus being the first importer of energy resources in the Union. Simultaneously, the EU accounts for 70% of Russian exports of natural gas and for more than 80% of Russian oil exports.

¹⁰⁹ European Commission. Trade. Russia. Retrieved from <https://ec.europa.eu/trade/policy/countries-and-regions/countries/russia/>

Given this solid inter-reliance between Russia and the EU – with particular Member States such as the Baltic republics, Germany and Italy being dependent on Russian gas imports – Brussels opted for applying certain restrictive measures which would have preserved the national economic interests of its members. Therefore, the EU decided to put in place restrictions in the oil sector, but not to companies, such as Russian giant Gazprom, operating in the gas sector. This choice, reflecting a careful compromise among the Member States, has allowed the trade of natural gas with Russia to continue without being heavily harmed by the sanctions.

What is more, despite the suspension of bilateral talks, negotiations over energy matters have been allowed to take place, mainly at the bilateral level between the Kremlin and single Member States. Partnership with some EU countries – among which are Germany, Italy, Austria, and Hungary – has been particularly positive. Nevertheless, EU institutions have been more critic towards certain projects like the NorthStream2 pipeline, which would lead to closer ties with Moscow on energy-related issues. The European Union has long been expressing its concerns about being heavily dependent on imports of Russian energy. For this reason, it has disclosed its desire to become less reliant on the Russian Federation¹¹⁰, thus looking for diversion in the sector, from which a process of energy securitization has started. On the other side, Russia has intensified its energy trade with China over the last few years, as well as with other Asian countries, which reflected a shift towards Eurasia within the policies adopted by the Kremlin.

Therefore, Russia and the EU alike have managed to relatively redirect trade flows to different international markets following the economic and trade contraction caused by all the retaliatory measures in place. Nevertheless, this diversification cannot offset the negative impact of the losses due to the deteriorating commercial relations. For this reason, despite the trade relations being blighted by numerous factors, both parties have been partly re-engaging with each other on numerous commercial fronts, which has led the two-way trade back to an increase in the recent years.

Sanctions have hence had a valuable impact on the relations between Brussels and Moscow, at the economic level, as well as at the diplomatic and political ones. Furthermore, as a consequence of tensions arisen in the aftermath of the sanction regime, the EU decided on March 14, 2016 to adopt five guiding principles of its policy towards Russia. These guidelines included the need for a selective engagement with the Kremlin on areas of interest to Brussels, strengthening ties with Eastern Partners, and strengthening the resilience of the Union on certain matters like energy security. Most

¹¹⁰ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on an EU strategy for liquefied natural gas and gas storage. COM/2016/049. Brussels, February 16, 2016.

importantly, the first of the five principles stresses the implementation of the Minsk Agreements to be the key condition for any substantial change in the EU's stance vis-à-vis Russia¹¹¹.

3.4 The Minsk Agreements

Sanctions have negatively impacted the relations between Russia and the EU. The restrictive measures deployed not only have led to contraction in trade and further frictions between two superpowers that had already been engaging in conflicting relations with each other. They have caused the crumbling of a political dialogue which had been meticulously build over the previous decades as well.

Nonetheless, the three rounds of sanctions by the EU have not come with no reason. The objective, as already explained, was to reverse and deter further aggression in Ukraine by the Russian Federation. The European Union had hence decided to act upon principles of democracy and international law. On the same grounds was the effort to find a solution to the ongoing conflict in a Ukraine which was completely split between its pro-European government and people on one side, and pro-Russian separatists who had seized the Donbass region on the other side.

In fact, with the aim of restoring peace and ending the bloodshed in the concerned territory, the Trilateral Contact Group and the Normandy Format were established in late May and early June 2014, respectively. Consultations of these groups led to the adoption of agreements in two different instances among the affected parts, together with the intermediation of other actors.

The Minsk Protocol – also known as Minsk I – was signed on September 5, 2014. It had been drafted over a proposal for resolution of the dispute based on fifteen points advanced by the newly elected Ukrainian President Petro Poroshenko. The Minsk I Agreement consisted in twelve provisions which should have provided for an immediate bilateral ceasefire as well as for the implementation of some peace-making measures.

After the evident failure of the Minsk Protocol in restoring peace in the Donetsk and Luhansk regions, a second agreement was negotiated following the further escalation of clashes in the region. The Minsk I had proven to be flawed for it did not entail the necessary measures to solve the conflict, but only comprised practices which would have at best just slowed down or paused the fight. For this reason, the Minsk II Agreement – signed on February 12, 2015 – had been more extensively

¹¹¹ Federica Mogherini, High Representative for Foreign Affairs and Security Policy, Foreign Affairs Council meeting on March 14, 2016.

elaborated. It is based on thirteen points, which are more comprehensive than the ones present in the first protocol. However, despite differing from the previous agreement for it also contained several obligations for Ukraine – which undoubtedly left the Russian side satisfied – the Minsk II was and still is highly complicated to fully implement.

The Minsk II Agreement has had a major role in halting the hot war in eastern Ukraine, but it has been unable to solve the security crisis which has arisen in the region. What is worth noting is that it plays a crucial role within the EU-Russia relations and the resolution of their deep crisis. On March 20, 2015, the complete implementation of the Minsk agreements has been linked by the European Council to the duration of the restrictive measures against the Russian Federation¹¹². This means that the sanction regime imposed by the EU will not be lifted unless all the measures in the agreements are adopted by both parties, which seem quite unrealistic. Indeed, Ukraine not only has been unable to fulfil its obligations, but has also expressed its intention to amend the agreements¹¹³, disclosing its reluctance to implement them as they were originally elaborated¹¹⁴. On the Russian side as well there have been several behaviours in contradiction with the Minsk provisions, fact which has further demolished the possibility of the full implementation to occur.

3.5 Major Impediments Despite the Desire for Enhanced Partnership

The relations between Russia and the EU have been in a deadlock for six years now. What is more, scholars have also been arguing that there is not going to be any real improvement in the near future, for there are some legal and political impairments to the re-establishment of a meaningful political dialogue. While some of these impediments only arose in the aftermath of the escalation of the sanction regime between Russia and the European Union, other obstacles have been inherited from the Cold War or from the deterioration of the relations which materialized starting from 2003.

The first major obstacle for the institution of a new framework for cooperation lies in the first round of sanctions by the EU. As already broadly discussed, this constitutes a legal impediment for it suspended inter-parliamentary meetings, EU-Russia summits and, with them, the possibility to negotiate over a new agreement which would have aimed at bolstering support and joint action in several areas of interest.

¹¹² Conclusions adopted by the European Council at the meeting held in Brussels on March 19-20, 2015.

¹¹³ Oleksii Reznikov on "Obschestvennoye TV" channel during an interview held on December 11, 2019.

¹¹⁴ Oleksii Reznikov in his address during Savik Shuster's "Free Speech" on May 22, 2020.

A second hindrance is posed by the fact that, since March 2015, the possibility to ease or completely lift the sanctions against Russia has been linked by the EU to the full implementation of the Minsk Agreements. While this would surely solve a relevant portion of the problem, it is highly unlikely to occur. As already mentioned, the Minsk II is extremely complicated and both Russia and Ukraine have failed to respect the majority of the measures listed in the agreement. Hence, since complete implementation of the Minsk Agreements seems not to be at hand in the short-term, the European Union – at least theoretically speaking – is not likely to withdraw the sanctions against Russia.

Besides the legal obstacles posed by the sanctions and the conditions upon which they would be dismantled, EU-Russia relations have been characterized by somewhat systemic contradictions which have given rise to frictions in several occasions. These inconsistencies were already present since the second half of the XX century. An explicative example could be Russia's particular sensitivity towards the asymmetry within the relations with the West. With the collapse of the Soviet Union, Russia started suffering from an inferiority complex in respect to the Western world, for it felt it was losing its status as a global superpower¹¹⁵. For this reason, the Kremlin has been looking for being treated as an equal partner by the European Union, which the latter fails to do according to the former.

This condition of imparity may be seen as well in the disagreement about how the Cold War ended and the subsequent new world order which should have been created. In fact, while often in the Western perspective the Cold War ended with the collapse of the Soviet Union, which marked the victory of the United States¹¹⁶, Russia deems the end of the Cold War and the fall of the USSR to be two completely separate things. In the Russian perspective, the former happened with the fall of the Berlin Wall and the ensuing reunification of Germany, which had been allowed by Gorbachev since he wanted to end confrontation with the West in order to modernize and empower the Soviet Union. On the other hand, the collapse of the USSR materialized just in December 1991, thus being only successive to the end of the Cold War.

From this contradictory and incompatible understanding also stemmed the disagreement with the European Union about what Europe is, what kind of order is to be constructed and what the roles of both Moscow and Brussels are. In the EU perspective, the re-unification of Germany in 1990 established the pattern of the East joining the West. The idea is therefore that the European Union is the centre and the others are the neighbours which could eventually enter the Union as part of its EU-centric approach¹¹⁷. This view conflicts with the Russian vision of Europe, according to which Russia

¹¹⁵ As Vladimir Putin, then prime minister and acting president, wrote in his article for the *Nezavisimaya Gazeta*, published on December 30, 1999.

¹¹⁶ US President George H. W. Bush during his Address on the State of the Union on January 28, 1992.

¹¹⁷ As deducible from Art. 2 TEU and Art 3 TEU.

is a part of Europe by no means inferior to the European Union, which should therefore treat the Russian Federation and the EAEU as its peer partners in the joint management of the common neighbourhood¹¹⁸. This way, instead of having other European countries approximating their legislation to the legal standards of the European Union, there would be mutual approximation and mutual recognition with both the EU and the Eurasian Economic Union in what is called “Integration of Integrations”¹¹⁹.

What is more, because of the lack in the capacity to agree over the order which should reign over Europe and the modality to achieve it, a severe geopolitical competition has arisen between Russia and the European Union. As already discussed, the harsh tug of war – in particular in the post-Soviet space – is what has led to the Ukrainian Crisis in 2014, which in turn has caused the relations to enter a deep freeze except for sporadic occasions.

From the above-mentioned contradictions have ensued the disputes over the Eurasian Economic Union. The EU does indeed not officially recognize the EAEU, and therefore refuses to establish formal relations with it. While a first small breakthrough was made on March 15, 2019, during the forum “The First Dialogue: Connecting Eurasia – from the Atlantic to the Pacific” held in Brussels, no real cooperation has started between the two Unions. What is more, regardless of the concept of an economic space from Lisbon to Vladivostok being present for many years, the project seems to be out of the picture for two main reasons. First, the possibility to engage in meaningful relations with the EAEU has been often deemed to be linked to the implementation of the Minsk II. Secondly, some EU Member States – as Poland and the Baltic republics – expressed their aversion regarding the option of collaborating with the Eurasian Economic Union, for they consider it a geopolitical tool at disposal of Russia, aimed at restoring its position in the world.

However, despite all these systemic and non-systemic, legal and political obstacles, in several occasions both sides have expressed their will and desire to cooperate and re-establish a meaningful political dialogue. While some EU Member States – such as the Baltic republics – have voiced their concern in re-engaging with Russia, others have strongly advocated for trying to lighten the diplomatic isolation of Moscow. On these grounds, Russia was readmitted to the Council of Europe last July after five years in which its participation had been suspended consequently to the annexation of Crimea. This turning point in the policy towards the Kremlin had been strongly lobbied by

¹¹⁸ As clinched by Russian Foreign Minister Sergey Lavrov last April 27, 2020.

¹¹⁹ Russian President Vladimir Putin in his speech about regional economic projects during his address to the UN General Assembly on September 28, 2015.

Germany and France, with them being even today the most active EU countries in promoting an approach which would not alienate Russia, for it would be a profound strategic mistake¹²⁰.

What is more, the contraction in bilateral trade witnessed in the 2013-2016 period has been replaced by a positive fashion started in 2017. The EU-Russia turnover increased by more than 20% from 2016 to 2017, and followed the same trend in the most recent years. Hence, the decision to re-engage in meaningful bilateral trade and economic relations can be considered as another factor showing the eagerness to go back to a cooperation and coordination regime by Russia and the European Union alike. This underlying desire is surely present not only at the economic level, but also regarding global and regional security matters¹²¹, for both parties are significant international actors.

3.6 The Importance of Cooperation in the Bigger Picture

The Russian Federation and the European Union are both powerful players in the world of geopolitics. They play such key roles in the sphere of international affairs because of historical, economic and political reasons. The EU is the first economy in the world and has been considered the centre of modern civilization for centuries. On the other hand, Russia may not be economically as strong as its Western neighbour, but it is the first country in the world for territorial extension, as well as a nuclear superpower which had been one of the two leaders in the bipolar world characterizing the Cold War period.

For the two parties acknowledge their own influential status and, at the same time, recognize each other to be important pieces in the international chessboard of world politics, both Moscow and Brussels have emphasized the importance of a partnership. Cooperation between such powerful geopolitical actors would inexorably lead to substantial benefits for them both. What is more, the financial and commercial compatibility has made it possible to build close relations which today have resulted into strong economic interdependence.

Having already discussed how these relations have – despite the various preconditions for a strategic partnership – entered a phase of stagnation followed by a deep crisis, there is the need to shed some light on the significance that positive EU-Russia relations would entail.

¹²⁰ French President Emmanuel Macron in his address during the 27th edition of the Ambassadors' Conference on August 27, 2019.

¹²¹ Permanent Mission of the Russian Federation to the European Union. Political dialogue. Retrieved from <https://russiaeu.ru/en/political-dialogue>

To begin with, the European Union and Russia have several common interests, over which they have tried and somewhat managed to build a strategic relationship starting from the end of the 1990's. Apart from the attention shown in developing positive relations concerning trade that stemmed from the economic compatibility of the two superpowers, Russia and the EU have been eager to cooperate on certain issues such as energy, climate change, research, and education. Of utmost concern have been cooperation and coordination in conflict resolution in the Middle East, as well as in the security architecture of Europe, including the fight against terrorism. Yet, building a deep partnership would not only be significant on these grounds, as it would be fundamental considering a broader perspective as well.

By taking a look at the 'bigger picture', it would be worth noting that since the beginning of 2000's the international world order has been undergoing some changes from the previous Cold War period. Prior to the latter, the power had been focused mainly in Western Europe. With the end of World War II, authority had rather shifted to the United States and their allies on one side, and the Soviet Union and its satellites on the other. With the collapse of the USSR, Russia began losing some ground, while the US probably reached its peak, followed by the European Union. Nonetheless, starting from the new millennium, new players have started to emerge. The power has been progressively shifting to the South Pacific, with Beijing taking the leads. The rising of China as a global superpower inevitably posed a threat to the used-to-be world hegemon, i.e. the United States. The latter have hence started focusing on policies which would return them their status as undiscussed world leading power – even more so after Donald Trump started his presidency in January 2017.

The shifts in these equilibria have had several implications. Since the early 2000's, the Russian Federation has shown a keen interest towards the Pacific. With the deterioration of the relations between Russia and the EU highlighting the contradictions that have been already discussed, Moscow has begun to move its geopolitical focus to Eurasia¹²². The West had indeed stopped being considered a model to follow by the Kremlin, as it instead was immediately after the collapse of the Soviet Union.

The embitterment of Russia's relations with the European Union has paved the way for stronger ties of the former with China, which Beijing has been deploying so as to have a closer ally against the US threat. With the trade war initiated by the United States against China under the Trump Administration, along with more protectionist measures enacted by the same White House, US historic European allies have been concerned about the meaningfulness of their partnership with Washington. Given the commitment by the United States to implement policies aimed at 'making

¹²² Dmitry Trenin, "Vladimir Putin's Fourth Vector", *Russia in Global Affairs*, 20 March 2018.

America great again' according to the "America First" principle, it has become clear that the Transatlantic relations have entered an unprecedented modality of crisis. Additionally, the internal crisis which hit the European Union, together with the above-mentioned external developments, has posed the question of what the role of the EU is going to be in this new global context.

Notwithstanding the deepening of cooperation between Moscow and Beijing on many fronts during the last few years, the European Union is still the first economic partner for Russia, while China occupies the second place. Not only for their economic inter-reliance, but also for the several grounds of common interest, as well as for the shared European identity, Russia and the EU are deemed to be much closer than Russia and China could be.

However, political dialogue seems to be in an impasse, which derived mainly from the logic of competition that has characterized the relations since the 2004 EU maxi-enlargement. Neither Russia nor the EU seem to gain from the confrontational nature of their interactions. This holds as well for countries in the shared neighbourhood, as they are sometimes trapped in what could be seen as an either/or choice which would generate frictions in any case. For all the afore-discussed reasons, a sincere rapprochement between Russia and the European Union is considered vital by both sides, especially considering the position of other international players and emerging powers.

3.7 Possible Ways Out the Deadlock

That the EU-Russia relations are in a deadlock is an undeniable fact. Despite the positive trends which have occurred during the very last few years and the numerous presuppositions for an enhanced cooperation, negotiations over substantial matters of primary concern for both parties are still suspended. Finding a possible way out the stalemate would hence enable Moscow and Brussels to resume the political dialogue in order to finally engage in a renovated modality of relations on the grounds of a new partnership agreement.

Nonetheless, negotiations cannot theoretically be resumed until the restrictive measures adopted by Brussels since early March 2014 are in place. Because the duration of the sanctions by the EU is linked to the full implementation of the Minsk agreements, the possible legal constraint may persist until both Russia and Ukraine abide by all their obligations envisioned in these documents. Therefore, a first way to escape the lose-lose game between the EU and Russia would consist in Moscow and Kyiv implementing the Agreement in its integrity. This seems however to be far from being realized in the near future, for neither of the parties has managed to show adherence to the provisions.

Nonetheless, in recent times, the Ukrainian side has expressed its desire to review the provisions of the agreements themselves. Hence, an additional hypothesis to escape the deadlock brought by the sanction regime could consist in modifying the Minsk Agreement to subsequently implement it in its integrity. This would accordingly lead to the restrictive measures against Russia being withdrawn. However, this supposition may be unrealistic since the Kremlin deems the Minsk Agreements and the law on the special status of Donbass which they comprise to be the only way for the settlement of the situation in eastern Ukraine¹²³.

The Minsk agreements are particularly linked to the conflict in the Donbass region in eastern Ukraine. Yet, the agreements fail to address effectively the Russian annexation of the Crimean Peninsula, to which instead ensued the first two rounds of restrictive measures. Therefore, if Russia and Ukraine theoretically were to agree between themselves on the status of Crimea through any kind of deal, it could be regarded easier for the EU to withdraw or ease sanctions and re-start negotiations with the Kremlin.

An alternative way out the impasse would materialize as well in case any of the 27 EU Members was to show reluctance in renewing the sanctions. Indeed, every six months or every year, depending on the typology of restrictive measures at issue, Brussels has to decide upon their renovation following the unanimity mechanism. Although this far none of the EU countries has wanted to be the first wrecker of the sanction regime that has been built, the vote by unanimity entails the possibility for the sanctions to be withdrawn just thanks to the will of a single Member State. This may actually occur in case of the election of a pro-Russian sanctions-sceptic candidate in any European capital.

In any case, for the time being, the most logical and feasible approach to re-establish a dialogue seems to consist in taking steps towards small-scale spheres of cooperation. This would bring Moscow and Brussels closer for they would be jointly working on issues of mutual interest. A dialogue on technical regulation issues between the European Union and the Eurasian Economic Union could also be opened and exploited as a platform which would enhance partnership through constructive discussions. What is more, opening up talks on delicate matters where visions and interests collide could be useful as well for re-launching meaningful relations between the EU and Russia.

This method could then possibly and eventually lead to re-opening the discussions on certain matters which may include visa liberalization as well as specific issues which would have addressed in the New Agreement. What is more, this could end up in the initiation of a completely different and renovated deal from the one that was being discussed up until the Ukrainian Crisis. The brand-new

¹²³ Vladimir Putin on December 19, 2019.

partnership deal could thus potentially represent the solution to the fact that neither Russia nor the European Union want to engage in the same mode of relations as they had done until 2014, since they both acknowledge that in the past few years there have been countless alterations which have shifted the equilibria at domestic and global levels alike.

CONCLUSION

The analysis has started by going back to the very beginning of the interactions between what nowadays have become the European Union and the Russian Federation, respectively. By deploying this mainly historical approach, we have been able to be given an overview of the events which have shaped the EU-Russia relations over the past thirty years. This dissertation has thus explored the process that has led to the deterioration over time of the relations between two such powerful actors.

Chapter I has gone through the proceedings during the timeframe embracing the collapse of the Soviet Union and the soon-to-happen entry into force of the Maastricht Treaty, up until the period which preceded the Ukrainian Crisis of 2014. As we have seen, despite some disagreements and some tensions, the 1990's were characterized by positive relations between Moscow and Brussels, with the former desperately aiming to connect and get closer to the latter. The recognition which the Kremlin was looking for from the West became even more evident under Putin's first term as President, since he understood that partnership – and not confrontation – was the key to give back to Russia its status as a world power.

Nonetheless, the second part of this first chapter then has laid the emphasis on the relentless worsening in the EU-Russia relations which began immediately prior to the EU maxi-enlargement of 2004. This event, together with several incongruities which started coming to the surface, has led to what is deemed to be a real tug of war. Moscow and Brussels indeed engaged in a serious competition – ongoing still today – which contraposed EU integration on one side and what is nowadays known as EAEU integration on the other. This geopolitical rivalry, mostly in regard to the post-Soviet space, gave rise to the gas disputes of 2006 and 2009, which were an alarm bell for the role that Ukraine would have played in the subsequent breaking up of the relations between the EU institutions and the Kremlin.

With Chapter II, the focus has initially been placed on the 2014 Ukrainian Crisis, which has unquestionably had a severe impact on the dialogue between Moscow and Brussels. This event, indeed, made it evident that the mode of relations that had been present up to that point was then being destroyed. It is correct to state that – as already explained – the relations had started to deteriorate since 2003. It is also true that since 2010 negotiations over a new deal had already been in a situation of stalemate, showing no real signs of improvements in the political dialogue. In fact, despite the interest shown by both parties in replacing the already outdated PCA, the solution did not seem to be at hand in the short-term. Nonetheless, it is only with the Ukrainian Crisis of 2014, Russian annexation of Crimea, and the ensuing deployment of sanctions, that the EU-Russia relations have entered a mechanism of systemic crisis. In particular, the first round of sanctions by the European

Union halted negotiations with Russia on certain issues, thus constituting a major obstacle for the New Agreement between the two sides.

The restrictive measures by the European Union – to which countermeasures by Russia did not take long to follow – thus may be deemed as representing the point of rupture within dialogue that had been established since Gorbachev presidency. The relations, characterized – despite the various misunderstandings throughout the years – by commitment to cooperate and to be strategic partners by the two big neighbours alike, were indeed taken over by a sanction regime which posed and still poses both legal and political hindrances to the dialogue itself.

The second chapter thus has eventually explored the more recent developments between Russia and the EU. Following the afore-mentioned point of no-return, the interactions were kept to the minimum up until 2016. Nevertheless, ensuing Trump's election and the Brexit referendum, the political discourse between Brussels and Moscow seemed to have a glimmer of hope again. With the Russian economy finally starting to improve since 2017, the economic relations with the EU have witnessed a somewhat intensification as well, which may be considered a revealing factor of a timidly positive trend in the EU-Russia contacts.

After having gone through the implications that the restrictive measures adopted have had on the interactions between the parties, Chapter III has laid the emphasis on the significance of returning to a regime of cooperation and coordination, which would be highly beneficial for Russia, as well as for European Union. Taking into consideration the bigger picture and the shifts that have occurred at the global level in the last years, the importance of a meaningful partnership between these two actors could be considered as self-explanatory.

It is worth remarking, as just mentioned, that the European Union has entered a period of crisis due to both the uncertainty about the Transatlantic relations and the internal turmoil derived from Brexit, together with internal dissident voices. The soon-to-be-held US presidential elections could theoretically play a crucial role in shifting the international equilibria again, thus reconnecting the EU to its historical ally. Nevertheless, the Union internal crisis, its dependence on Russian energy resources, along with the needs to build a more effective European security infrastructure and to fight terrorism, all indicate that a partnership with the Kremlin seems unavoidable, other than fundamental.

On the other side, Russia has recognized the difficulties in establishing sincere cooperation with the West, with the latter often perceiving the former as a strategic challenge rather than a strategic

partner¹²⁴. For this reason, Russia has initiated its “Pivot East” strategy, shifting its diplomatic efforts to Eurasia. It is not a coincidence that the coat of arms of the Russian Federation portrays a golden two-headed eagle. The two heads are said to be facing the West and the East, respectively. However, despite this may symbolize Russia as being geographically positioned exactly in-between Europe and China, it has always been somewhat clear which one of its neighbours is more to Moscow’s liking. The Kremlin has always paid special attention to Europe and the European Union, for it shares historical, cultural and civilizational features with them. Consequently, abandoning the sanction regime and putting an end to the freeze in the EU-Russia relations would undoubtedly be regarded by Russia as very pleasant reversal.

In any case, by looking at the current situation, it is evident that it is not going to be possible to engage in a real partnership-like relation in the short term. As a consequence, for the time being, the most sensible choice would be for Russia and the EU to take part in frameworks in which matters of mutual concern are discussed. The sectoral cooperation based on a pragmatic assessment of respective interests¹²⁵ could be deemed indeed as the solution for slowly but progressively abandoning the situation of stalemate embodied in the current mode of EU-Russia relations, to then establish a fruitful, multi-layered and enhanced real cooperation.

¹²⁴ European Union. “Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union’s Foreign and Security Policy”, June 2016. Retrieved from http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf

¹²⁵ Federica Mogherini, EU High Representative for Foreign Affairs and Security Policy, during her visit in Moscow on April 24, 2017.

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- Protocol to the Partnership and Cooperation Agreement, establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union. Retrieved from <https://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?step=0&redirect=true&treatyId=4781>
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RIASSUNTO

La prima economia del mondo da un lato e il più grande paese per territorio dall'altro, l'Unione Europea e la Russia sono sempre state considerate di estrema importanza l'una per l'altra. Non si tratta solo della forte interdipendenza a livello economico che le unisce, ma anche del ruolo significativo che entrambe le parti svolgono nella scacchiera internazionale della politica mondiale.

L'adiacenza di due entità così potenti implica che la cooperazione e il coordinamento tra l'UE e la Russia si tradurrebbero inevitabilmente in numerosi vantaggi per ognuna. Da ciò deriva la necessità di un dialogo costruttivo, anche in vista della presenza di diversi presupposti per una *partnership* strategica, tra i quali la compatibilità economica, la storia comune e la vicinanza civile e culturale.

Nonostante tutti i settori di interesse in cui la Russia e l'Unione Europea potrebbero potenzialmente cooperare, le relazioni odierne sono però caratterizzate da una profonda crisi dovuta a svariati ostacoli, sia di natura politica che giuridica. Un accordo difatti esiste ed è tutt'ora in vigore. Esso viene tuttavia considerato obsoleto e inadatto a causa dei cambiamenti che sia la Russia che l'Unione Europea hanno subito in seguito alla firma del suddetto. L'Accordo di Partenariato e Cooperazione, pur costituendo la base giuridica delle relazioni UE-Russia, è stato infatti firmato nel 1994 - sebbene sia entrato in vigore solo nel 1997. Di conseguenza, le alterazioni interne ed esterne che hanno interessato questi due attori politici hanno evidenziato fin dall'inizio degli anni 2000 la necessità di rimpiazzare l'accordo.

Tuttavia, la sostituzione dell'APC con un nuovo accordo strategico si è rivelata più che complicata. A seguito di diversi tentativi, le parti contraenti non sono sembrate in grado di giungere ad una conclusione che potesse lasciare soddisfatte entrambe allo stesso modo. Infatti, sebbene sia la Russia che l'Unione Europea abbiano sempre riconosciuto l'importanza di un dialogo politico efficace, le loro relazioni sono state caratterizzate da numerose contraddizioni, che in ultima analisi hanno portato all'attuale situazione di stallo.

La presente dissertazione intende fornire un'ampia ed eclettica panoramica di come le relazioni tra la Federazione Russa e l'Unione Europea si siano deteriorate nel tempo. Inoltre, questo lavoro si propone di esplorare le cause che hanno portato all'attuazione di un regime sanzionatorio sia da parte di Bruxelles che di Mosca.

Il filo conduttore di questo elaborato dovrebbe essere ciò che a livello pratico definisce e regola le relazioni istituzionali UE-Russia. Si parla ovviamente di un accordo. Per essere più chiari, l'accento viene posto sugli eventi e sulle contraddizioni intrinseche che hanno plasmato le suddette relazioni negli ultimi trent'anni, in modo tale da comprendere meglio la ragione per la quale l'unico

considerevole accordo bilaterale tra due vicini così potenti sia l'ormai superato Accordo di Partenariato e Cooperazione.

Tuttavia, per valutare meglio il motivo per cui attori geopolitici importanti e adiacenti come l'Unione Europea e la Russia non siano riusciti a definire un nuovo patto che rafforzi una collaborazione solida e fruttuosa su molteplici aspetti, è fondamentale esplorare – come già evidenziato – le cause che hanno portato al congelamento del dialogo politico, conseguente al passaggio da un regime di cooperazione a un regime di sanzioni. In questo modo, dovremmo essere in grado di intendere l'impatto e le implicazioni giuridiche che il dispiegamento di misure restrittive abbia avuto sui contatti istituzionali tra Mosca e Bruxelles, affinché si possa comprendere, in ultima analisi, perché non sia stato adottato un nuovo accordo.

L'analisi viene perciò avviata seguendo un approccio storico e descrittivo, presentando i vari eventi che hanno caratterizzato il discorso politico tra le due superpotenze nel corso degli anni. Nel capitolo I, la discussione comincia con le prime interazioni, favorite dalle politiche adottate da Mikhail Gorbaciov, tra le allora Unione Sovietica e Comunità Economica Europea. Successivamente, l'attenzione si concentra sull'accordo che ancora oggi è alla base dei contatti tra quelle che erano già diventate rispettivamente la Federazione Russa e l'Unione Europea.

Si ritiene che gli eventi che hanno fatto seguito alla firma dell'APC abbiano portato alla luce le prime contraddizioni nel dibattito politico tra le due superpotenze, motivo per cui l'accordo ha richiesto più tempo del previsto per essere ratificato. Aldilà delle delusioni reciproche emerse dalla lentezza delle riforme in Russia con cui questa teoricamente si sarebbe apprestata all'integrazione con i valori occidentali e dai negoziati su determinati accordi di adesione all'Unione Europea, la sospensione della ratifica dell'Accordo di Partenariato e Cooperazione è stata dovuta principalmente alla guerra condotta dalla Federazione russa in Cecenia. Bruxelles considerava infatti il conflitto come un passo nella direzione opposta a quella che Mosca avrebbe dovuto seguire.

L'operazione in Cecenia fu il primo campanello d'allarme indicante che le due parti avessero visioni diverse su ciò che la Russia sarebbe dovuta diventare dopo la dissoluzione dell'Unione Sovietica. Nonostante la susseguente ratifica dell'accordo nel 1997, che è stata sicuramente un grande passo avanti nelle relazioni, gli ultimi anni degli anni '90 sono considerati come un periodo di opportunità mancate. Ciò è dovuto al fatto che non ci sia stato un reale e visibile miglioramento del dialogo tra l'UE e la Russia.

La principale ragione dell'incapacità di sviluppare strette relazioni tra l'UE e la Russia è da attribuire all'allargamento della NATO. Ciò ha simboleggiato il crollo del sogno iniziale russo di far parte delle

infrastrutture di sicurezza europee, essendo difatti percepito dalla Federazione Russa come la propria esclusione da parte dell'Occidente nello stabilire un nuovo ordine.

Tuttavia, con l'elezione di Vladimir Putin a Presidente della Federazione Russa, sono stati introdotti impulsi molto positivi per le relazioni UE-Russia. Il Cremlino – probabilmente erroneamente – ha cominciato a considerare l'Unione Europea come un alleato che potesse contrastare l'espansione della NATO. Nonostante questo avvicinamento fosse di natura strumentale, vi è stato comunque un miglioramento ed un rafforzamento dei rapporti. Di fatti, il lancio di iniziative quali i *Four Common Spaces* o l'*Energy Dialogue* hanno indubbiamente aiutato a far emergere la volontà di una sana cooperazione multisetoriale.

Il primo capitolo segue ponendo però l'attenzione sugli eventi che, a prescindere dagli indiscutibili successi degli anni iniziali del primo mandato di Putin, hanno portato al lento e progressivo deterioramento delle relazioni. La questione di Kaliningrad, gli ostacoli incontrati nei negoziati per l'adesione della Russia al WTO, il fatto che Putin stesse costruendo un regime sempre più autoritario sono tutti fattori che hanno contribuito all'inasprimento delle relazioni che le due parti avevano costruito nel decennio precedente.

Tuttavia, il declino del dialogo dopo l'incoraggiante impulso dei primi anni 2000 è diventato visibile solo in seguito al maxi-allargamento dell'UE del 2004 e alla successiva Rivoluzione Arancione in Ucraina. Il capitolo I si conclude così con l'approfondimento dell'escalation della rivalità geopolitica tra Bruxelles e Mosca, in particolare per quanto riguarda i Paesi ex sovietici. Le due “Crisi del gas” con l'Ucraina sono un esempio dell'importanza che alcuni stati dello spazio post-sovietico abbiano avuto e abbiano tutt'ora negli sviluppi tra l'Unione Europea e il Cremlino.

Il capitolo II esamina invece le relazioni UE-Russia dagli eventi immediatamente precedenti la Crisi Ucraina del 2014, fino alla situazione che caratterizza il dialogo in corso al giorno d'oggi. Inizialmente, l'attenzione si pone sulle cause che hanno portato allo scoppio della crisi. Il ruolo che l'Ucraina svolge nella definizione delle politiche di Russia e UE nei confronti dell'altro è già deducibile dal primo capitolo. Tuttavia, il capitolo II mira ad analizzare i motivi per cui la disputa sull'Ucraina nel 2014 debba essere considerata il punto di rottura definitivo delle relazioni UE-Russia.

Dopo che la Russia aveva per anni cercato di includere l'Ucraina nel proprio processo di integrazione economica, nel 2013 divenne chiaro Kiev avrebbe invece seguito il modello proposto dall'Unione Europea tramite la firma di un accordo di associazione con quest'ultima. Ciò generò inevitabilmente la reazione del Cremlino, il quale, utilizzando un approccio “bastone e carota”, ha cercato di riportare

il Presidente Ucraino Yanukovych ad un avvicinamento verso Mosca. L'Ucraina si è vista dunque stretta in una morsa per cui qualsiasi scelta avrebbe inevitabilmente generato innumerevoli tensioni.

La decisione di non firmare l'accordo di adesione con l'UE durante il vertice di Vilnius diede vita a fine novembre 2013 a ciò che viene denominato "*Euromaidan*". Questa serie di proteste e rivolte sul suolo ucraino portò alle dimissioni dell'allora Presidente, nonché alla conseguente instaurazione di un governo provvisorio europeista.

Putin definì la cacciata di Yanukovych come un colpo di stato fascista sostenuto dall'Occidente che ha messo in pericolo la maggioranza etnica russa nella penisola di Crimea. Su queste basi, il Cremlino ha successivamente dato ordine di avviare un'operazione militare coordinata nella regione. L'Unione Europea ha immediatamente chiesto la risoluzione del conflitto, iniziando allo stesso tempo ad implementare delle restrizioni diplomatiche contro la Russia.

L'annessione della Repubblica Autonoma di Crimea e della Città di Sebastopoli da parte della Federazione Russa ha generato la risposta sanzionatoria da parte del mondo occidentale, il quale ha condannato la violazione attuata da Mosca ai danni dell'integrità territoriale dell'Ucraina. Inoltre, nei mesi successivi, scontri nella regione Donbass dell'Ucraina Orientale hanno contribuito ad aumentare le tensioni, di fatto portando all'implementazione di misure restrittive economiche da parte dell'UE nei confronti della Russia. A queste sono susseguite delle contro-sanzioni adottate dal Cremlino.

Il discorso viene poi incentrato sulle interazioni e l'atmosfera creatasi tra Mosca e Bruxelles in seguito all'adozione del regime sanzionatorio. Nonostante la distruzione della precedente modalità dei rapporti e malgrado un quasi totale congelamento del dialogo per i primi due anni dall'implementazione delle misure restrittive, le relazioni tra Unione Europea e Russia iniziarono a rivedere un lieve miglioramento a partire dal 2017. Il secondo capitolo termina quindi con una breve valutazione di quelle che sono state le relazioni istituzionali negli ultimi anni.

Con la Francia e la Germania tra i più attivi promotori della cooperazione con il Cremlino nell'ambito dell'UE, altri Paesi hanno al contempo mostrato la loro riluttanza nel rafforzare il sodalizio. Di conseguenza, l'ultimo periodo delle relazioni UE-Russia è stato caratterizzato da una biforcazione nelle interazioni. Da un lato, tra Mosca e le istituzioni dell'Unione Europea, si è assistito ad un congelamento e ad una concorrenza piuttosto aspra. Dall'altro lato, a livello bilaterale, si sono registrati progressi e atmosfera positiva tra la Russia e i singoli Stati Membri.

Dopo aver esaminato i fattori decisivi che hanno dato origine alle controversie tra l'Unione Europea e la Federazione Russa, e ad aver successivamente analizzato gli sviluppi dei loro rapporti fino ai giorni odierni, l'attenzione dovrebbe essere posta sulle misure restrittive attuate e sulle implicazioni

che esse hanno avuto sul dialogo. Per questo motivo il capitolo III esplora le diverse serie di sanzioni imposte da Bruxelles, le misure di ritorsione adottate dal Cremlino, nonché l'impatto che questo regime sanzionatorio ha avuto sulle relazioni.

La discussione si sposta poi sull'importanza di ripristinare il regime di cooperazione che era stato presente fino ai primi anni del 2000. Nonostante la riapertura del dialogo diplomatico e delle negoziazioni sul nuovo accordo siano legate ad una improbabile completa implementazione degli Accordi di Minsk, l'abbandono del regime sanzionatorio e la ripresa dei negoziati su questioni sostanziali di interesse porterebbero enormi benefici sia per l'Unione europea che per la Russia, soprattutto in considerazione di una prospettiva geopolitica più ampia.

Vale la pena di sottolineare che l'Unione europea è entrata in un periodo di crisi sia per l'incertezza sulle relazioni transatlantiche, soprattutto in seguito all'elezione di Donald Trump, sia per i propri disordini interni, di cui Brexit è un esempio alquanto auto-esplicativo. Le imminenti elezioni presidenziali americane potrebbero teoricamente svolgere un ruolo cruciale nello spostare nuovamente gli equilibri internazionali, riavvicinando così l'UE al proprio storico alleato. Tuttavia, la crisi interna dell'Unione, la sua dipendenza dalle risorse energetiche russe, insieme alle necessità di costruire una più efficace infrastruttura di sicurezza europea e di combattere il terrorismo, sembrano tutti indicare che una *partnership* con il Cremlino sia inevitabile, oltre che fondamentale.

D'altra parte, la Russia ha riconosciuto le difficoltà di stabilire una sincera cooperazione con l'Occidente, con quest'ultimo che spesso percepisce la prima come una sfida strategica piuttosto che come un partner strategico. Per questo motivo, la Russia ha dato avvio negli ultimi alla strategia "*Pivot East*", spostando i propri sforzi diplomatici verso l'Eurasia. Non è un caso che lo stemma della Federazione Russa raffiguri un'aquila reale d'oro a due teste. Si dice che le due teste siano rivolte rispettivamente verso l'Occidente e verso l'Oriente. Tuttavia, nonostante ciò possa simboleggiare la Russia come un'entità geograficamente posizionata esattamente in mezzo tra l'Europa e la Cina, è sempre stato piuttosto chiaro quale dei suoi due vicini sia più gradito a Mosca. Il Cremlino ha sempre prestato particolare attenzione all'Europa e all'Unione Europea, in quanto condivide con esse caratteristiche storiche, culturali e civili. Di conseguenza, abbandonare il regime sanzionatorio e porre fine al congelamento delle relazioni UE-Russia sarebbe senza dubbio considerato dalla Russia come un'inversione di rotta molto piacevole.

In conclusione, si esaminano le linee d'azione che potrebbero essere impiegate per aggirare gli ostacoli politici e giuridici. Appare dunque necessario il rilancio di un dialogo multidirezionale che possa dar vita ad un rinnovato ed efficiente accordo di cooperazione tra Bruxelles e Mosca. In ogni caso, guardando alla situazione attuale, appare evidente che non sarà possibile nell'immediato futuro

avviare una vera e propria relazione di sincera collaborazione. Di conseguenza, per il momento, la scelta più sensata sembrerebbe consistere nel fatto che la Russia e l'UE partecipassero a contesti in cui si discutano questioni di interesse reciproco.

La *partnership* settoriale basata su una valutazione pragmatica dei rispettivi interessi potrebbe essere considerata, infatti, la soluzione per abbandonare lentamente ma progressivamente la situazione di stallo presente nell'attuale modalità delle relazioni UE-Russia, per poi poter stabilire una cooperazione rafforzata che sia fruttuosa e vantaggiosa su molteplici aspetti.