

THE EU-RUSSIAN SANCTIONS

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How German and Italian consent to the EU economic sanctions against Russia, following the events in Ukraine between November 21st 2013 and July 31st 2014, can be explained by normative entrapment

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Niels J. Bakhuis

List of acronyms and abbreviations

AA	Association Agreement
CFSP	Common Foreign and Security Policy
Commission	European Commission
Council	Council of the European Union
DCFTA	Deep and Comprehensive Free Trade Agreement
EaP	Eastern Partnership
EEAS	European External Action Service
EEU	Eurasian Economic Union
ENP	European Neighbourhood Policy
EP	European Parliament
EU	European Union
EUMS	European Union Member States
ECJ	European Court of Justice
HR	High Representative of the Union for Foreign Affairs and Security Policy
LCD	Lowest Common Denominator
OSCE	Organisation for Security and Co-operation in Europe
TEU	Treaty on European Union (Maastricht Treaty)
TFEU	Treaty on the Functioning of the European Union
QMV	Qualified Majority Voting
USD	United States Dollar

Abstract

Despite the fact that the effectiveness of the EU sanctions against Russia is often debated, there is also the question of the self-inflicted pain against the EUMS economies. Economic sanctions did not only target the Russian economy, but also hurt the EU's. In order to agree to the sanctions, the EUMS not only had to accept this, but they also had to account for the extra costs caused by possible Russian counter-measures. The question therefore is why some EUMS with strong economic relations with Russia agreed to impose economic sanctions, especially because they initially objected to them. This thesis argues that rationalist thinking fails to provide an adequate explanation as to why some EUMS in the end consented to third-stage sanctions. Instead, it provides an alternative explanation which is based on normative institutionalist assumptions on the primacy of norms, values, and identities. Through a discourse analysis of the expressed reasons of two important EUMS: Germany and Italy, combined with an examination of the discursive framing of the crisis, this thesis argues that final consent was caused by a combination of normative entrapment and a logic of arguing. This conclusion helps us to understand the EU's behaviour as an international actor and the mechanics behind CFSP decision-making.

Introduction

“Do you think that the EU itself is capable of constructing a meaningful common policy towards Russia, given the differences between, say, Poland and Italy as well as the attitudes of France, Germany and this country? Is there a lowest common multiple that is worth anything at all, or are the interests of the member states so discordant that it is going to be very difficult to make anything meaningful emerge?” (House of Lords A, 20-02-2015: 8).

This question was asked on July 17th 2014 by Lord Tugendhat, acting as chairman of the United Kingdom’s House of Lords sub-committee on external affairs, just a few hours before Malaysia Airlines Flight MH17 crashed in Hrabove, eastern Ukraine. Ian Bond, Director of Foreign policy at the Centre for European Reform and at that moment the examined witness, answered that a EU reaction was possible, but that it would be hard to accomplish with the differences between member states (House of Lords A, 20-02-2015: 8).

Bond referred to the fact that the Common Foreign and Security Policy (CFSP), which is part of the European Union’s (EU) external relations, has the requirement of unanimous consent to adopt common policies (Lisbon Treaty, 2007: 255). The Lisbon Treaty confirmed the prerogative of the EU member states (EUMS) to formulate and conduct their own foreign and sanctioning policies. Each EUMS vote is therefore a potential veto. With diverging preferences this can cause problems in EU foreign policy decision-making (Thomas and Tonra, 2012: 11).

Michael Naturski and Karolina Pomorska argue that in times of crisis, EUMS loyalty is mainly displayed towards their national interests instead of reaching compromises, because crises often involve political, military, social, economic, or financial turmoil which can threaten existing interests (2017: 56). When different national positions are irreconcilable, the costs of compromising may be too high, and result in either a deadlock or an outcome of the Lowest Common Denominator (LCD) (Orsini and Compagnon, 2013: 275; Thomas and Tonra, 2012: 13-14). Mitchell Orenstein and Daniel Kelemen call this “institutional disaggregation”, the risk that member states will pursue national policies that undermine possible CFSP policies (2017: 88). This is especially problematic in times of crisis, when non-action would lead to a worsening of the situation (Saurugger, 2016: 72).

Based on these arguments, multiple scholars and journalists expected that “the Union would fail to establish a common stance in response to the events in Ukraine” in 2014 because of the significant differences in national interests concerning Russia would obstruct possible compromises (Naturski and Pomorska, 2017: 56; Sjurssen and Rosén, 2017: 20; Orenstein and Kelemen, 2017: 87; Haukkala, 2016; Marten, 2015: 197; Euractiv, 20-03-2014; Financial Times 25-08-2014; New York Times, 23-06-2008).

Despite these expectations, a collective statement was released after an extraordinary meeting of the European Council on March 6th 2014. The EUMS committed themselves to “additional and far

reaching consequences for relations in a broad range of economic areas between the European Union and its Member States [...] and the Russian Federation” if Russia further destabilised Ukraine (European Council, 06-03-2014: 2). In the following months, the EU adopted a three-stage sanction regime which resulted in an agreement on economic sanctions on July 31st 2014.

It was a surprise that the EUMS managed to agree within the CFSP on an issue with such diverging preferences (Carnegie, 2014: 11). Especially when taking into account that it was “an unprecedented achievement in terms of member states’ commitment to the CFSP” and that they followed low-cost sanctions that were mainly directed at people who had been active in the Ukraine crisis “and imposed no real burden on the EU” (Der Spiegel, 12-05-2014). The new measures were “unprecedented in both target and scope” and had “tangible repercussions on economically stricken EU member-states” (Fischer, 2015: 1).

Nevertheless, German chancellor Angela Merkel noted that the EUMS were worried that the costs would be too high for them and that they were only interested in securing exceptions for themselves during the pre-negotiation talks, while others tried to avoid the subject entirely (Der Spiegel, 12-05-2014). This caused some to argue that the EU-sanctions are a watered-down compromise, rules that can be easily circumvented, and thus were costless to agree to. This has led to an extensive academic debate on the effects of the financial and economic sanctions, as have the causes and development of the Ukraine crisis.

While the relationship between Russia and the EU is well documented, the coming about of the EU-Russian sanctions are not. Only few scholars have approached this subject (Sjursen and Rosén, 2017; Orenstein and Kelemen, 2017), but unfortunately these works remain too shallow in their analysis. Sjursen and Rosén claim to research all EUMS’ positions and reasons, but only sparsely select a few statements from a handful of states (2017: 21, 23, 25-32); while Orenstein and Kelemen are more interested in the so-called “Trojan Horses”, EUMS which Russia uses to undermine the EU sanctions after they were agreed, and therefore limit their analysis to assuming that the Big Three together with front-line states overruled opposition (2017: 89, 96, 98, 99). Both fail to deliver on the specific reasons why reluctant members, especially larger EUMS like Germany and Italy, consented to economic sanctions regardless of the significant potential economic and political costs.

There are two main theoretical approaches that can be used to explain the EU’s sanction regime towards Russia: realism and normative institutionalism (Kazharski and Makarychev, 2015: 336). The first is based on a logic of rational choice, the “hard pursuit of national interests”, and the requirement of unanimous consent (Thomas and Tonra, 2011: 13; Schimmelfennig and Thomas, 2009: 491). However, a study by Frank Schimmelfennig and Daniel Thomas found little evidence supporting hard bargaining in the CFSP. Out of fourteen case studies covering a wide range of foreign policy areas, institutional settings, and EUMS’ policy preferences, only two cases supported hard bargaining with neither of them linked to Ukraine or Russia (Schimmelfennig and Thomas, 2009: 493; Thomas, 2009: 341). Furthermore, a study by Ana Juncos and Karolina Pomorska found that the overall majority of

CFSP negotiations is characterised by a spirit of consensus instead of hard-bargaining (Juncos and Pomorska, 2011: 1105).

This thesis therefore argues in favour of a normative institutionalist explanation whereby the sanction-regime should be understood as a case where norms trumped interests through a normative convergence between EUMS on the importance of international law and principles (Sjursen & Rosen, 2017). CFSP negotiations are basically EUMS trying to justify their position with reasons and to convince others in order to promote a convergence of national preferences, i.e. consensus (Orsini and Compagnon, 2013: 274; Risse and Kleine, 2010: 709, 713; Thomas, 2009: 344; Jørgensen 2004: 12-13). Through argumentation, collectives have the possibility to make decisions without using coercion (Eriksen, 2013: 22).

Good reasons can however only convince if the other party accepts them as legitimate, i.e. if they are based on shared ideas, identities, and discourses (Sjursen, 2002: 493). These are created through social interaction which leads members to endorse group norms and values (Reh, Héritier, Bressanelli, and Koop, 2011: 1126). The idea is that “the more people work together and help each other, the more committed they become to each other and to their common goal” (Stone, 2012: 32). Therefore, a shared belief, a sense of belonging to a community, and a common purpose are created, in other words a *group identity* (Sjursen and Rosén, 2017: 22; Juncos and Pomorska, 2011: 1098; Dür *et al.*, 2010: 615).

The normative institutionalist perception is that the CFSP is an institutionalised forum that operates with a group identity. It has written and unwritten rules, established practises, commonly accepted values, and a collaboration ethos, which legitimises and delegitimises certain policy outcomes and EUMS’ behaviour. Members do value being seen as “acting in accordance with the Union’s normative and policy commitments, regardless of their divergent preferences” (Thomas and Tonra, 2012: 16). Group identity can therefore lead to *normative entrapment*.

Normative entrapment is “the process by which Member States find it difficult to escape the dictates of substantive EU norms and thus accept (however reluctantly) norm-consistent policies that diverge from their actual preferences” (Schimmelfennig and Thomas, 2009: 492). Positions that do not comply with the groups normative framework are considered illegitimate and can count on less or no support from peers or even be subject to social sanctions (Juncos and Pomorska, 2011: 1105). The social rewards for acting within the normative are considered greater than the costs of compromising on the issue. Nevertheless, different but legitimate positions can determine the margins of action of a political community (Carta and Braghiroli, 2011: 262).

Norm entrapment works if a set of norms is accepted and supported by all members of a political community. Nevertheless, norms are considered “autonomous sources of motivation” (Sjursen and Rosén, 2017: 23), which means that they are perceived subjectively. Norms included in the EU Treaties and the UN Charter are assessed individually and interpreted differently by EUMS. The solution brings us back to argumentation: *political framing*. This is a political tool to link preferred actions, choices, and issues to “pre-existing ideas and prior experiences” that are included in the EU’s normative

framework and prior policy commitments which have been agreed to (Thomas and Tonra, 2012: 19). This disempowers political opponents and the supporters of policies that are framed as incompatible.

Nevertheless, Carta and Braghiroli mention that agreement on a shared normative through entrapment is not “a sufficient requisite for action” and that material and ideational considerations must be combined in order to understand the logic of action (2011: 261, 263). Material interests cannot be excluded and, as Merkel noted, EUMS were trying to create exceptions for themselves within the pre-negotiation talks. It is therefore possible that the CFSP agreement on economic sanctions could have been a deadlock or LCD as a result of hard bargaining instead of normative entrapment. This would mean that economic sanctions were a compromise with little effect on the Russian or EUMS economies, i.e. a fake action intended for the media and the public. This thesis needs to establish that the sanctions actually did have an effect and also caused harm to the EU’s economy in order to 1) exclude the argument that the sanctions were a costless compromise and 2) argue in favour of normative entrapment to explain why EUMS agreed to the economic sanctions despite the potential costs.

In order to do this, this thesis will examine material conditions and interests of the selected EUMS and the effect the sanctions had on Russia and on them. Carta and Braghiroli have developed a method to establish these national interests concerning Russia which might go against the EU’s ““common interests and common values” *vis-à-vis* Russia” (2011: 261-262). By combining a material analysis of the national positions based on the strength of economic flows, energy dependency, support for energy projects, national security, and the existence of disputes; and an analysis of the political framing of the various stages of the crisis, one can determine which normative reasons were considered legitimate by the reluctant EUMS and which might have caused ideational considerations to trump over material ones (Sjursen and Rosén, 2017: 24; Eriksen, 2013: 6; Sjursen, 2002: 493; Van Dijk, 1997: 12).

As said before, the reasons for reluctant EUMS consent to economic sanctions have not been prominent within the academic debate. These reluctant members included Germany and Italy, who, according to several scholars and journalists, had significant economic relations with Russia and were not too keen on implementing economic sanctions because of the potential costs (Karolewski and Cross, 2017: 141, 147; Romanova, 2015: 783; Der Spiegel, 12-05-2014; Le Monde, 04-03-2014; Schmidt-Felzmann, 2014: 44, 55; MacFarlane and Menon, 2014: 100; Financial Times, 03-03-2014). Still, as two larger, influential, and long-time members of the EU, they have been exposed intensively to the EU’s normative framework (Dür, Mateo and Thomas, 2010: 615). Therefore, they are interesting to serve as cases in this thesis on how normative entrapment can cause EUMS to act against their material national interests.

During the time-period between the decision by president Yanukovych not to sign the AA on November 21st 2013 and the agreement on economic sanctions on July 31st 2014, the Ukraine crisis was transformed by several events which also changed the position the EU and EUMS had to take. This thesis’ research question is therefore formulated as follows: *To what extent can normative entrapment explain German and Italian consent to the CFSP economic sanctions against Russia, following the*

events in Ukraine between November 21st 2013 and July 31st 2014, despite their initial reluctance due to potential economic and political costs?

An analysis will be made using a discourse analysis of statements, press-releases, speeches, interviews, and articles of Germany's Auswärtiges Amt and from the Italian Ministero degli Affari Esteri concerning sanctions, Ukraine, Russia, and the Crimea; in combination with normative entrapment. The key-events during this timeline help identify actors' discursive changes by determining the mobilising reasons that "reveal the basis upon which collective action was decided". This is done through a categorisation of arguments into categories based on: geopolitics and strategic interests, the power of norms and values, and the self-understanding of actors and collective identities (Sjursen and Rosén, 2017: 21; Börzel, Risse and Dandashly: 2015: 143; Thomas and Tonra, 2011: 12; Smith, 1996). Through the categorisation of German and Italian discourse during this time period one can compare the development of their discourse to the official EU discourse and determine whether or when they started using the same reasons. This would indicate a process of normative entrapment.

This thesis aims to enhance our knowledge of the underlying mechanics of politicised CFSP decision-making, expand our understanding of the EU as a foreign policy actor, and shed light on the EU's struggle to find a balance between principles and pragmatism in its foreign policy. However, normative entrapment does not, and cannot, offer an explanation that can be used to predict future outcomes of EU CFSP decision-making.

This thesis shall continue with chapter 1, which will deal with the theoretical framework, the formulation of hypotheses and the operationalisation of concepts. Chapter 2 will justify the research method and elaborate on its reliability and validity. In chapter 3 the timeline of the Ukraine crisis from November 21st 2013 to July 30th 2014 will be described, as well as the sanctions, the European normative framework, and the Russo-German and Russo-Italian economic relations. Chapter 4 contains the analysis, in which theories, hypotheses, operationalised concepts, and the case will be combined. This thesis will conclude with a summary of the analysis, which attempts to fully answer the research question, and is followed by a discussion of the implications of the findings.

1. Theoretical framework

1.1 Theories

1.1.1 Two-level game theory

Robert Putnam's Two Level Game Theory from his article *Diplomacy and domestic politics: the logic of two-level games*, serves as the fundamental basis for this thesis. Despite it being an abstract grand-theory it offers a framework within which national positions versus international agreements can be understood, because it deals with the interaction of domestic and international politics (Putnam, 1988: 430).

Putnam describes both negotiation stages as levels. The international sphere is called Level I while the domestic one is Level II. This is done for the sake of argument insofar as that the outcome of negotiations at Level I must be ratified at Level II. It is however not an indication of a chronological order. As Putnam writes "there are likely to be prior consultations and bargaining at Level II to hammer out an initial position for the Level I negotiations" (1988: 436).

These prior consultations and bargaining on the formation of national interests or a national position on a particular issue are open to multiple actors: the state, business, interest groups, the public, the economy etc. Each has its own interests and preferred courses of action; and thus pressures the government to act accordingly (Putnam, 1988: 432). National preferences are therefore not a given, but are issue specific and result from a domestic process of interaction and presentation which is "oriented towards increasing (and possibly maximizing) national welfare in the issue-area at hand" (Saurugger, 2016: 71; Schimmelfennig, 2015: 179; Stone, 2012: 11).

Finding out the positions of all parties with an interest in the matter and who had access to – and could therefore influence the positions of – the governments of Germany and Italy would be a thesis in itself. In order to determine the German and Italian relationship with Russia and to examine the basis for their position on the subject of economic sanctions, this thesis uses a different method which was developed by Carta and Braghiroli. In their article *Measuring Russia's Snag on the Fabric of the EU's International Society*, they argue that national positions are influenced, amongst others, by the strength of economic flows, energy dependence, security preferences, the existence of disputes, and projects of energy supply (2011: 261-262, 269-270).

According to Putnam, as a result of this domestic process of position formation, national governments have two goals in international negotiations: 1) to minimise negative consequences of foreign developments and 2) to satisfy domestic pressures (Putnam, 1988: 434). Since economic sanctions could cause harm to the EUMS economies, it could be expected that those states which would be hit the hardest wanted no sanctions (deadlock) or engaged in hard-bargaining (LDC), thus resulting in a costless compromise.

On the other hand, Putnam recognises that national governments try to reconcile their interests with international expectations (Putnam, 1988: 460). Uwe Puetter, Director of the Center for European

Union Research, supports this by arguing in his article *Europe's deliberative intergovernmentalism: the role of the Council and European Council in EU economic governance* that states do focus on the national interest, but also that there is also a strong influence of the institutionalised negotiation setting and its expectations of behaviour, e.g. consensus and joint action (Puetter, 2012: 165, 175). EUMS could therefore be willing to accept certain agreements that are not completely in their own (material) interest.

1.1.2. Normative institutionalism and normative entrapment

The assumption that members of a political community do not cooperate solely on the basis of security interests and strategic calculations, i.e. material considerations, but work together with their fellow members based on a collective normative with behavioural expectations, i.e. ideational considerations, is what sets normative institutionalism apart from realism (Carta and Braghiroli, 2011: 263). According to normative institutionalism, norms can trump interests through normative convergence within an institutionalised setting.

Normative convergence is caused by *socialisation*, which argues that over time, relationships between members of the same organisation will bind them closer together (Dür *et al*, 2010: 615). Through intense interaction within an institutionalised context, members will “developed similar understandings, a sense of community and belonging, and even a sense of common purpose” (Sjursen and Rosén, 2017: 22; Leuffen, Rittberger and Schimmelfennig, 2013: 87; March and Olsen, 2004: 5). This happens especially when: 1) new situations arise with high uncertainty which make old ideas inadequate and fosters the embrace of new ideas, 2) the community has authority to act on behalf of the constituents, 3) members are exposed intensely and consistently to the community’s ideas, 4) norms and rules have high legitimacy in the community, 5) the environment must encourage deliberation, and 6) domestic resonance of community ideas is high (Leuffen, Rittberger and Schimmelfennig, 2013: 89).

In other words, social interaction leads members to become committed to each other and endorse, legitimise, and maintain a normative framework that covers shared assumptions on collective and individual roles, identities, rights, obligations, interests, world views, memories, causal relationships, problem solving, and norms and values, i.e. *instrumental* and *principled ideas* (Leuffen, Rittberger and Schimmelfennig, 2013: 85; Bickerton, 2011: 86; Reh, Hérítier, Bressanelli, and Koop, 2011: 1126; Carta and Braghiroli, 2011: 263; March and Olsen, 2004: 11). These instrumental and principled ideas describe the community’s desired goals and principles of (international) political order, the collective standards or rules of appropriate behaviour, and what is considered appropriate behaviour by which to achieve these principles and goals (Juncos and Pomorska, 2011: 1099).

According to Sjursen and Rosén, a further distinction should be made between *value-based norms* and *rights-based norms*, with the first grounded in the identity, values, and traditions of a political community and considered fundamental to being a member, and the second meaning morally independent assumptions that refer to what is deemed right or just (Sjursen and Rosén, 2017: 22-23).

Combined, this shared normative creates a sense of belonging to a community with a common purpose, in other words a *group identity* (Juncos and Pomorska, 2011: 1098; Dür *et al*, 2010: 615). Collective identities express a sense of belonging to a distinct group and are based on the entirety of the group's ideas and on (in)formally agreed-upon interpretations of both kinds of norms (Aggestam, 2004: 82). Therefore, they legitimise or delegitimise certain policy outcomes and behaviour.

The concept that links group identity to foreign policy, is *role*. Lisbeth Aggestam argues that roles function as “road-maps” for foreign policy makers in “navigating through a complex political reality” (2004: 82). According to her, the foreign policy of political communities can be analysed through three types of roles: *role expectation*, *role conception*, and *role performance* (2004: 88; Tonra, 2003: 743). Based on a community's normative framework a situation is defined, and desired goals and appropriate behaviour in order to pursue them are agreed. Members are expected to set their goals and behaviour within the shared normative framework. Nevertheless, a member has its own role conception and might have different or even rivalling normative and material preferences. Normative institutionalism thus combines both role expectation, i.e. institutional formal and informal limits of behaviour, and role conception, i.e. national interests and expected behaviour, in order to explain role performance (Aggestam, 2004: 89-90; March and Olsen, 2004: 4).

Realists argue that actors will choose to act based on a *logic of consequences*, i.e. in pursuance of their own interests, if their cost-benefit analysis indicates that this will maximise their gains (or minimises their losses). Normative institutionalists argue though that members of a political community will act in accordance with a *logic of appropriateness* (Leuffen, Rittberger and Schimmelfennig, 2013: 85; March and Olsen, 2004). The logic of appropriateness means that actors “do not judge alternative courses of action by the consequences for their utility, but by what is expected of them by their peers based on shared values, norms, and identities, or their social obligations” (Leuffen, Rittberger and Schimmelfennig, 2013: 87; Aggestam, 2004: 82).

Daniel Thomas and Ben Tonra argue in favour of action as a logic of appropriateness based on the normative institutionalist assumptions on the behavioural expectations of a shared normative framework and group identity. They write in their article *To What Ends EU Foreign Policy? Contending Approaches to the Union's Diplomatic Objectives and Representation*, that within the EU, members value being seen as “acting in accordance with the Union's normative and policy commitments, to the extent that they are less/un-willing to insist on their preferences if they are inconsistent with the EU's normative framework and commitments (Thomas and Tonra, 2012: 16, 21). They call this *normative entrapment*, i.e. “the process by which Member States find it difficult to escape the dictates of substantive EU norms and thus accept (however reluctantly) norm-consistent policies that diverge from their actual preferences” (Schimmelfennig and Thomas, 2009: 492).

Basically, the idea is that in the EU member states agreed on several common principles and values and accepted to bind themselves to a set of rules in their relations with one another which they either wrote down in the *acquis communautaire* or are unwritten long-standing practises. These rules

are thus part of member states' own identities and norm sets. They prescribe correct behaviour, shape expectations, and rationalise, justify, and limit actions (Carta and Braghiroli, 2011: 264, 266). EUMS expect that behaving in accordance with the EU's (and thus their own) normative framework will give them social rewards and acting outside the normative framework will be subject to social sanctions, because national positions that do not comply with the EU's normative framework are considered illegitimate and can count on less or no support from fellow EUMS (Juncos and Pomorska, 2011: 1105). It is therefore better to accept the costs of compromising on an issue and gain (external and internal) social rewards for acting within the normative.

According to Thomas' theory and a study done by Schimmelfennig and Thomas, normative entrapment is likely to overcome conflicting EUMS material considerations when there are five conditions present: *determinacy*, *precedent*, *relevance*, *forum*, and *publicity* (Thomas, 2009: 494). The crucial combination is the first three. Without those, members are dis-entrapped (Schimmelfennig and Thomas, 2009: 499).

Determinacy refers to the clarity of a norm. Social differences among EUMS contribute to both the definition and interpretation of common norms (Carta and Braghiroli, 2011: 261). A norm's meaning and behavioural implications may be clear to one member state, but might be less so to another. It is therefore necessary to discriminate between different types of norms, their legitimacy, and validity. In other words, not all norms matter in a given situation, only those with a clear shared understanding of behavioural implications (Bickerton, 2011: 80).

Precedent concerns the EU's prior policies and political commitments over a given issue. Commitments create obligations to stay on an adopted course of action because change is costly due to invested financial, economic, and political resources (Thomas, 2009: 346; Lintonen, 2004: 31). These pledges are determined through an analysis of rhetorical commitments and treaties (Thomas, 2009: 344).

The third, relevance, means that the normative that is used to refer to an issue must be applicable to that issue. In other words, a policy build on a certain principle only traps EUMS as long as that norm is still applicable, e.g. development aid to a poor country as long as that country is poor. If there's no applicability then the argument for action is illogical and states are dis-entrapped, meaning that they will no longer be bound to the rationale for action. An example is when an undeveloped country becomes rich and successful. In that case it is no longer logical to give development aid (Thomas, 2009: 346).

The last two, forum and publicity, are not critical for normative entrapment to happen. Still, when measured positively, they add to the plausibility that normative entrapment was responsible for an outcome of international negotiations. Forum is when all participants are member of the institution in which they operate and when the institutionalised setting promotes the likelihood of argumentative persuasion (Orsini and Compagnon, 2013: 274; Eriksen, 2013: 8; Thomas, 2009: 346). And the last, publicity, is positive when an issue is under significant public attention so the public will notice and possibly disapprove of noncompliance with norms or policy commitments (Thomas, 2009: 346; Risse and Kleine, 2010: 713).

1.1.3. Political framing

Determinacy and relevance are the main concepts here. A community's normative framework needs to be accepted as legitimate by its constituents. This requirement for normative entrapment means that the community's norms and values are commonly understood to imply a certain thing and that there is agreement on the behavioural implications. On the other hand, there is the requirement that the community's normative is commonly understood to be applicable to the situation at hand. This means that there can be different interpretations of the same normative between the members.

Norms, including those in the EU Treaties and the UN Charter, are therefore assessed individually by the EUMS (Sjursen and Rosén, 2017: 23). The common understanding of norms, values, and identities determines which are considered legitimate interests and goals, thus limiting the policy options to pursue national interests (Aggestam, 2004: 82). Behavioural expectations therefore depend on an inter-subjective understanding of a norm's or value's applicability, its behavioural prescription, and of course "depending on how they expect the proposal to affect them" (Stone, 2012: 29).

Because norms have different and changing subjective meanings depending on the identification of the situation, they function as persuasive tools of argumentation, not as accepted-by-all prescribers of behaviour (Carta and Braghiroli, 2011: 266). Members will try to explain, justify, and legitimate their positions, policy preferences, and reasons to act or not, based on their interpretations of the normative's determinacy, relevance, and group identity (Risse and Kleine, 2010: 711; Aggestam, 2004: 83). This is called a *logic of arguing*, or the presenting and hearing of reasons through political discourse in order to convince others of the legitimacy their positions and preferred actions (Sjursen, 2002: 493).

Because norms are interpreted differently, based for instance on national security and economic considerations, following them is a rational choice. (Carta and Braghiroli, 2011: 268). This leads to an argumentation process within international decision-making, that unfolds typically in three steps: 1) claims-making, 2) justification, and 3) learning (Eriksen, 2013: 12). Every process starts with a claim which has to be explained and justified in institutionalised forums, whereafter others accept or comply with the claim and change their preferences (Eriksen, 2013: 1).

Claims-making happens when one or more actors call for a collective decision to solve a problem, to resolve a conflict, or to achieve a goal in a certain way (Eriksen, 2013: 14). The logic of arguing assumes that a claim, when connected to clear shared norms, values, and institutionalised decision-making rules, creates a common interest (Leuffen, Rittberger and Schimmelfennig, 2013: 88). For this a pre-existing value-consensus amongst the community is needed.

Justification is needed because there is often disagreement about a claim. It happens through *political framing*, i.e. linking preferred actions, choices, and issues pre-existing ideas and prior experiences" (Thomas and Tonra, 2012: 19; Dunmire, 2012: 736; Stone, 2012: 36, Thomas, 2009: 345). In giving a reason for action, a problem/situation is framed in such a way that inaction is not an option. This is done through the concepts of 'Self' and 'Other'. The Self is often described and valued positively through describing the actions and identity of the Other in negative terms. This creates a positive vision

of a community with shared values as opposed to the other whose values are different, e.g. “European exceptionalism” (Sjursen and Rosén, 2017: 25-32; Thomas and Tonra, 2011: 13-26; Smith, 1996: 14-16). By describing the Self-identity based on the actions and identity of the Other in a given problem/situations, makes the identification and a common understanding therefore context-dependent (Larsen, 2004: 73; Van Dijk, 1997: 28).

Then a policy alternative is presented, which legitimacy is based on the community’s shared norms and values, and a cost-benefit analysis (Eriksen, 2013: 7; Sjursen, 2002: 494). This is done in order to disempower political opponents and the supporters of policies that are framed as incompatible, in favour of one’s own goals (Saurugger, 2016: 75). Subsequently, these reasons are compared by third party members to other claims and their own interests, identities, norms, values etc.

The last step is either actors changing their opinions or to accept an agreement despite having a different opinion. This could be because they were 1) convinced by the better argument and accept its legitimacy and validity (Eriksen, 2013: 5), 2) were under social pressure to adhere to common norms and values, or 3) faced a sanctioning force of naming, shaming, and blaming (Eriksen, 2013: 23; March and Olsen, 2004: 4). The threats of social pressure and sanctioning could compel members to consent to an agreement for tactical or strategic reasons. Consensus - and normative entrapment for that matter - does not require all members agreeing for the same reason.

The outcomes of international negotiations do therefore not necessarily reflect the constellations of material preferences and bargaining power, but instead are subject to a shared normative framework, a group identity, and the power of the better argument. When enough actors use or accept a certain discourse to describe a social action, this implies that they agree on a common perception of that action. EUMS can thus be trapped inside the EU’s normative and act against their self-interest.

1.2 Hypotheses

The research question was: *To what extent can normative entrapment explain German and Italian consent to the CFSP economic sanctions against Russia, following the events in Ukraine between November 21st 2013 and July 31st 2014, despite their initial reluctance due to potential economic and political costs?*

Normative entrapment assumes that EUMS value being seen as “acting in accordance with the community’s normative and policy commitments” to the extent that they are less/unwilling to insist on their material preferences if they are inconsistent with the EU’s normative framework and commitments (Thomas, 2009: 345). Nevertheless, the explanatory value of normative entrapment depends on whether the sanctions were a costless compromise due to hard bargaining within the CFSP. If they were not, i.e. if they were effective, then realism cannot offer a satisfactory explanation for German and Italian consent, which makes normative entrapment a more likely explanation.

Therefore, the first hypothesis deals with establishing whether the economic sanctions had an effect on the Russian, and on the German and Italian economies. This thesis assumes that they did and

were not a compromise which could have been agreed to without inducing costs. If H1, proves to be correct, then Germany and Italy consented to effective economic sanctions, thus accepting the potential costs. In that case, normative entrapment could provide the explanation for their consent.

Furthermore, it is public knowledge that the Ukraine crisis started with the EU offering an AA to Ukraine and president Yanukovich' decision not to sign. The EU clearly had policy and political commitments to, and investments in, Ukraine at the start of the crisis. Precedent, as a condition of normative entrapment can thus be accepted *a priori* as true.

The other two critical conditions which enable normative entrapment are determinacy and relevance. Based on these conditions and political framing, two hypotheses have been formulated which assume that Germany and Italy accepted the applicability of the EU's normative framework to the situation of the Ukraine crisis and accepted a common interpretation. Nevertheless, since they felt reluctant to accept, this thesis also assumes that despite accepting the common interpretation, they did not accept the behavioural implications.

Finally, the fourth hypothesis is an assumption about the reason and political framing, which serves as the mechanism for norm entrapment to overcome national interests, that caused both EUMS to agree. The assumption is based on the issue of group identity and the framing of the positive Self versus the negative actions and behaviour of the Other, in this case Russia.

1. *The economic sanctions have had a significant effect on Russia and on the EUMS' economies.*
2. *Germany and Italy considered the EU's identified normative framework to be applicable to the Ukraine crisis.*
3. A) *The EU's identified normative framework was considered uncontroversial by Germany and Italy.*
B) *The EU's identified normative framework had no clear behavioural implications.*
4. *Accepting the framed identity of Russia as an untrustworthy dialogue partner drove Germany and Italy to consent to economic sanctions*

In abstract, the relationship between the hypotheses is as follows:



Figure 1 Abstract relationship between hypotheses

1.3 Concepts and operationalisation

1.3.1 Crisis

The events in Ukraine are referred to as a crisis. According to Sabine Saurugger's article *Sociological Approaches to the European Union in Times of Turmoil*, a crisis can refer to political, military, social, economic, or financial turmoil in a given context (Saurugger, 2017: 72). Basically, it is "an environment in which its definition itself evolves and within which the interests and identities of actors/policy-makers develop and change" accordingly (Saurugger, 2016: 71). Furthermore, a crisis must be perceived as an emergency, meaning that non-action would lead to a worsening of the situation (Saurugger, 2016: 72).

The perception of a crisis is characterised by a high degree of uncertainty concerning its origins, its analysis, and the possible choices of action. This explains the different interests and identities; and the divergent solutions actors have in a crisis. Actors try to frame crises according to their changing interests and identities. They do this through political discourse in which they describe a crisis as a threat to their own, or their political group's, core values and/or the functioning of institutions to which they are a member. Political framing is meant to persuade fellow members to change their perceptions of the crisis and to accept certain solutions (Saurugger, 2016: 73; Puetter, 2012: 170-171).

Persuasion is the acceptance of the better argument and a subsequent change in preferences. Actors whose preferences are not in line with those of the identities, norms, and values of the institutional community are subjected to social sanctions, such as shaming, shunning, social exclusion, and reproachment. To avoid these 'sanctions' or to restore their reputation as a legitimate member of the community, actors conform to the legitimate reasons and behaviour (sometimes without changing their convictions) (Leuffen, Rittberger and Schimmelfennig, 2013: 94; Juncos and Pomorska, 2011: 1099).

The identification of the Ukraine crisis in the run-up to the EU's adoption of economic sanctions, has probably developed according to the development of the crisis. The crisis therefore can be divided into several stages, or key events,; $S_1, S_2, S_3 \rightarrow S^*$. To this end, a timeline was created, with nine stages (figure 1):

S1. 21-11-2013

- Yanukovich suspends the signing of the EU Association Agreement in Vilnius.

S2. 22-02-2014

- Yanukovich ousted from power.

S3. 27/28-02-2014

- Violence in the Crimea.

S4. 01-03-2014

- Russian parliament approves the use of force in Ukraine.

S5. 16-03-2014

- Crimean referendum.

<p>S6. 07-04/11-05-2014</p> <ul style="list-style-type: none"> - Donetsk and Luhansk protests and referenda. <p>S7. 27-06-2014</p> <ul style="list-style-type: none"> - Signing of EU Association Agreement with Ukraine. <p>S8. 17-07-2014</p> <ul style="list-style-type: none"> - Malaysia Airlines Flight MH17 shot down over eastern Ukraine. <p>S9. 29/31-07-2014</p> <ul style="list-style-type: none"> - EU economic sanctions against Russia approved unanimously.

Figure 2 Timeline of key events in development of the Ukraine crisis until July 31st 2014.

1.3.2 Determinacy

In the EU, norms and values are either formalised in various documents, such as the Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU), and the Lisbon Treaty; are accepted in uncontested identities, or are long-standing practises (Natorski and Pomorska, 2017: 55; Leuffen, Rittberger and Schimmelfennig, 2013: 94). These are considered more legitimate than lower-ranking documents, contested identities, or recent practises; because their behavioural implications and meaning are more likely to be subject to debate.

Norms and values that are included in the *acquis communautaire* have secured official democratic legitimation, because they would have had to be officially accepted and ratified by national governments, legislators, and sometimes even directly by the people through referenda (Bickerton, 2011: 85). A normative that is based on the EU Treaties, uncontested identities, or long standing practises, is therefore more likely to cause normative entrapment. Thomas' determinacy can thus be measured by analysing the normative that is used as a foundation for an CFSP agreement, and determine whether they are part of the EU's Treaties or are based on uncontested identities and practises within the CFSP.

Examples of norms and values which are enshrined in the EU Treaties, are part of an uncontested identity, or resulted from long-standing practises are: democracy, respect for the rule of law, the non-use of force, human rights, territorial integrity, communication, the principle of joint action, cooperation, and consensus (Thomas, 2009: 344).

1.3.3 Relevance and discourse categories

In order to determine whether Germany and Italy considered the EU's normative framework for CFSP action relevant and applicable, i.e. Thomas' second condition for normative entrapment, a systematic analysis is made of the acceptance of normative arguments, institutionalised practises, or identities by EUMS as being applicable to a crisis.

An inter-subjective understanding of norms and values is indicated by their inclusion in EUMS' discourse to explain and justify their positions and preferences. In order to determine whether Germany

and Italy shared the EU's identification of violated norms in the Ukraine crisis, their discourse during the different stages must be compared to that of the EU.

To this end, four discourse categories were created using articles by Sjursen and Rosén (2017: 21), Börzel, Risse and Dandashly (2015: 143), Thomas and Tonra (2011: 12), Thomas (2009: 344) and Smith, (1996). They are based on realist and normative institutionalist assumptions on the dominance of security matters and strategic interests, the influence of shared norms and values, and the self-understanding of actors in combination with collective identities. Through categorising discourse by the German and Italian foreign ministries regarding Ukraine, Russia, the Crimea, and sanctions and compare it with categorised EU discourse, one can determine if they used the same discourse to refer to the Ukraine crisis. This would indicate that the EU's perception of the crisis was shared by both EUMS and that they therefore considered these norms to be applicable to the situation. For the four categories, see figure 2.

- *Institutional discourse*
 - Established norms of conduct and expectations of behaviour within the CFSP:
 - Consistency and coherence in EU foreign policy across time and issue-areas.
 - Decision-making by consensus.
 - Joint action.
 - Regular communication and consultation.
- *Geopolitical discourse*
 - Threats to economic, political, and territorial security of the EU and its member states:
 - Energy dependency.
 - Security threats to the EU.
 - Security threats to member states.
 - The importance of economic relations.
- *Legal discourse*
 - Norms and values that are laid down in the European Treaties:
 - Democracy.
 - Dialogue.
 - Diplomacy.
 - Human rights and freedoms.
 - International cooperation.
 - Non-use of violence.
 - Peace.
 - Rule of law.
 - Self-determination.
 - Sovereignty.

- Territorial integrity
- *Cultural discourse*
 - Positive identification of the ‘self’ versus the negative identification of the ‘other’:
 - 21st century.
 - Aggression.
 - Annexation.
 - Euromaidan.
 - Interference.
 - Zero-sum games.
 - Geopolitics.
 - Realpolitik.

Figure 4 Discourse categories

1.3.5 Determining national positions

In order to systematically analyse and compare German and Italian positions and attitudes towards Russia, this thesis uses a variation of Carta and Braghiroli’s method (2011: 271). Anke Schmidt-Felzmann argues that national positions depend partly on their historical and geographic experiences with Russia (2014: 55). The differences between, what Donald Rumsfeld once called, Old Europe and New Europe concerning their positions on Russia are taken into account in this method (Bickerton, 2011: 34). Old Europe concerns the EUMS before 2004 and new Europe are those who entered the EU after that year. Old Europe wants to spread its normative through economic integration, while new Europe perceives Russia as a threat to regional security and often calls for a severe stance (2011: 261). This is because they have experienced that trade and energy were used by Russia as a pressure tool (Schmidt-Felzmann, 2014: 55).

The method used in this thesis uses five of the six indicators used by Carta and Braghiroli. Their sixth indicator concerns religion, i.e. if a country is Christian orthodox or not, and does not apply to either Germany or Italy (2011: 270). Therefore, it has been excluded in this research.

The first indicator is based on the Russian share of trade of an EUMS’ total extra-EU trade. The second is based on the same process, but now Russian gas as a share of an EUMS’ total gas import. The support for energy projects is based on a member’s support or opposition to energy projects that link the EU closer to Russia, or when a member has taken no clear position. Indicator four deals with the either perceived or unperceived threat to a member’s national security and number five signals the presence of territorial, diplomatic, or commercial disputes (Carta and Braghiroli, 2011: 270-271).

The following formula is used to determine a EUMS’ score on a Russian Friendliness Scale (RFS):

$$RFS = \left(\frac{\text{ind 1} + \text{ind 2} + \text{ind 3} + \text{ind 4} + \text{ind 5}}{\text{number of indicators}} \right)$$

The outcome will be between 0 and 1, with 1 indicating the highest rate of friendliness towards Russia and 0 being the opposite (Carta and Braghiroli, 2011: 271). There are four categories: ‘normative adamant’ (0-0,25), ‘normative intransigent’ (0,26-0,50), ‘normative malleable’ (0,51-0,75), and ‘normative docile’ (0,76-1). The first group is obstinate versus Russia and consider many issues to be security concerns. The second group is characterised by those who “unfreezed their relationship with Russia” (Carta and Braghiroli, 2011: 274). The third group tries to cooperate with Russia and overall has significant economic exchanges or energy dependencies. Finally, the fourth group has solid cultural, historical, and economic relations with Russia and has no disputes.

Indicators	Perceptions and social differences	Variables
1. Strength of economic ties as a share of total trade	Economic relations with Russia are viewed by old Europe as positive and new Europe as a form of dependence	Strength of economic relationships: - 0 (strong ties with Russia New Europe) - 0,33 (less strong ties with Russia New Europe) - 0,66 (less strong ties with Russia Old Europe) - 1 (strong ties with Russia Old Europe)
2. Energy dependence as a share of total import	The level of energy dependence is different for the EU member states. Also the new Europe perceives this as Russian dominance, while old Europe perceives it as positive economic development	Level of energy dependence: - 0 (large exchanges with Russia New Europe) - 0,33 (small exchanges with Russia New Europe) - 0,66 (small exchanges with Russia Old Europe) - 1 (large exchanges with Russia Old Europe)
3. Energy projects	Some member states promote energy independence from Russia, while others bilaterally negotiate energy projects with Russia	Support for energy projects: - 0 (support Nabucco or oppose Northern Stream) - 0,5 (no clear position, because not reliant on Russian sources) - 1 (support for Northern and/or Southern Stream)
4. National security	Some members consider Russian action in Ukraine a threat to their	Considering Russian interference in Ukraine a threat: - 0 (yes) - 1 (no)

	national security, while others do not.	
5.Presence of disputes	The presence of disputes with Russia may cause some member states to advocate for a more severe stance on Russia	Presence of relevant disputes: - 0 (no disputes) - 1 (disputes)

Table 1 Based on Carta and Braghiroli, 2011:268- 270.

2. Methodology

2.1 Justification

The decision was made to only do an analysis of those EU documents that established the Union's official discourse on the situation in Ukraine, and of statements made by the German Auswärtiges Amt and the Italian Ministero degli Affari Esteri e della Cooperazione Internazionale on that event, the framing of the crisis during the different stages, and the explanation and justification of their (changing) national positions. Additionally, secondary literature provided perspectives, historical, economic, and political contexts, and the possibility to draw a comparison between this thesis' data and those of other scholars (Hardy, Harly and Phillips, 2004: 19).

The decision to not include interviews can be considered a liability. The book *Social research methods* by Alan Bryman deals specifically with the reality of documents. It states that “we cannot ... learn through written records alone how an organization actually operates day by day” (2012: 555). Nevertheless, this decision was taken because 1) CFSP negotiations are classified, and 2) because of practical and time limitations. Nevertheless, data from interviews would have been of added-value in finding extra support for the findings from the discourse analysis.

2.2 Data sampling

Purposive sampling was used as a method to gather data. This means that the data was sampled “with reference to the goals of the research” so that the cases, which are the units of analysis, will provide relevant data for the analysis and to answer the research question (Bryman, 2012: 418). Within purposive sampling, there are different approaches. In choosing the cases for this thesis, *critical case sampling* was used to select two cases to allow the hypotheses to be tested (Bryman, 2012: 419).

Critical case sampling seeks to find critical cases “that permit a logical inference about the phenomenon of interest” (Bryman, 2012: 419). In this thesis, the cases have been selected because they provide the opportunity to test the possibility that normative entrapment can bring EUMS to act against their material interests.

The following factors were combined in order to select critical samples from the EUMS: 1) their geographical position, 2) their position on economic sanctions (hardliner, middle ground, reluctant), and 3) economic ties. Since there are three main positions on sanctions, and three main geographical zones (Western, Central, Eastern) it seems right to pick three countries. However, for practical reasons and the limits of a Master thesis only two have been selected, Germany and Italy.

First, these EUMS had a good political relationship with Russia. An approved Russian foreign policy document from 2013 states explicitly that Germany Italy (amongst others) are seen as helpful for

“advancing Russia’s national interests in European and world affairs [...]” (The Ministry of Foreign Affairs of Russia, February 18th 2013).

Second, both have strong economic relationships with Russia. Eurostat shows that before the sanctions, Germany alone accounted for almost a third of the EU’s total exports to Russia in the first nine months of 2013, followed by Italy with 9%, and the Netherlands, Poland and France with each around 7%. Germany was also the largest importer with 19%, followed by the Netherlands (14%), and Italy (10%) (Eurostat, 24-01-2014). These EUMS stood most to lose from any sanctions implemented. Schmidt-Felzmann argues that because of this, these countries (specifically Germany, France, and Italy) have often been criticised and blamed for the soft EU policy on Russia (2014: 8).

Last, and most critical, is that Germany and Italy were considered to be sceptic (Sjursen and Rosén, 2017: 20), unenthusiastic (Natorski and Pomorska, 2017: 62), reluctant (Karolewski and Cross, 2017: 138), or cautious about economic sanctions and more in favour of diplomacy in order to avoid economic costs (Der Spiegel, May 12th 2014). This makes them interesting cases because on July 31st 2014, economic sanctions against Russia were unanimously agreed to. Both EUMS had changed their position despite the potentially significant economic, financial, and/or political costs. They are therefore critical cases in researching the question why economic sanctions were eventually agreed.

Collected data for this thesis includes primary data for the EU, consisting of the European Treaties, the official conclusions and press releases after Foreign Affairs Council (FAC), Council, and European Council meetings on the crisis in Ukraine between November 21st 2013 and July 31st 2014, and statements, speeches, press releases, articles, and interviews of the foreign ministries of Germany and Italy of that same period. The foreign ministries were selected, because of 1) Putnam’s assumption that negotiators have no personal preferences, but simply have the will to “achieve an agreement that will be attractive” to the constituents and that will be legitimate in the eyes of fellow member’s (1988: 436) and 2) deliberative intergovernmentalism, which assumes that deliberative processes are likely to move upwards from committees to more senior decision-makers when the stakes are high. The focus should therefore be on ministers and the heads of government and state in the Council and the European Council, because this group of actors is “the only one which can exercise sufficient political leadership in order to ensure policy implementation and coherence” (Puetter, 2012: 164). Furthermore, official foreign policy discourse legitimises state action, because it is issued by those with official authority to implement those policies (Hansen, 2006: 53).

Both websites of the foreign ministries were used for systematic data gathering based on specific search terms. For Germany, the Federal Foreign Office’s (Auswärtiges Amt) web archive provided a wealth of information on speeches, interviews, press releases, and articles by minister Guido Westerwelle (FDP) Frank-Walter Stein Meier (SPD) and minister of state for Europe Michael Roth (SPD). Using this archive, a discourse database was created with 46 press releases, 27 speeches made by either the foreign minister or the minister of state for Europe, 31 interviews, and 63 articles, all

between November 21st 2013 and July 31st 2014 and concerning Ukraine and Russia. See annexes A and B.

The same for the Italian Ministry of Foreign Affairs and International Cooperation (Ministero degli Affari Esteri e della Cooperazione Internazionale), which provides an online archive of press releases, speeches, and interviews/articles issued by the foreign ministry and the two consecutive foreign ministers Emma Bonino (RI), Federica Mogherini (PD). With the help of this archive a database has been created with 36 press releases, 1 speech, 19 interviews and articles, and 58 detailed statements. See annexes C and D.

2.3 Research method

Without theory there is nothing but description, and without methodology there is no transformation of theory into analysis. In this thesis, a combination of deductive and qualitative research methods is used. Scientific deduction means that existing theoretical considerations are used to formulate expectations in a given situation. In order to find out if these hypotheses are correct, they must be operationalised into researchable entities, i.e. specify “how data can be collected in relation to the concepts that make up the hypotheses” (Bryman, 2012: 24). The findings are then used to confirm, falsify, or add to existing theories.

The hypotheses work in relation to a *unit of observation* and a *unit of analysis*. The first refers to the level at which data is collected, in this thesis these are the outcomes of CFSP meetings, statements by the German foreign ministry, and statements by the Italian foreign ministry between November 21st 2013 and July 31st 2014. These are further divided into different *data points* to collect data at different intervals, because crises develop and change. The unit of analysis on the other hand, is what this thesis tries to research, namely that normative entrapment can explain the outcome of CFSP economic sanctions against Russia.

Qualitative data analysis assumes a different epistemology to positivism. It is used to *verstehen*, understand, through hermeneutics, which is the study of understanding and interpreting human action through analysing texts (Bryman, 2012: 28-29). It is based on Max Weber’s advocacy of social science as an attempt of “interpretative understanding of social action in order to arrive at a causal explanation of its course and effects” (Bryman, 2012: 29). This thesis combines deduction with a qualitative data analysis into something which Hsieh and Shannon call *directed content analysis* (2005: 1281). Its goal is to validate existing theories and/or expectations by basing the research question, hypotheses, and variables on existing research and theories (Hsieh and Shannon, 2005: 1281).

The research question is answered through, what Bryman calls, a *thematic approach* (2012: 578-581). It creates a framework for ordering data according to themes, i.e. recurring motives in texts. These themes are based on theoretical assumptions and the data itself; and allows for a systematic analysis of qualitative data by looking at repetitions, transitions, similarities or differences, and linguistic

connectors (Bryman, 2012: 580). In this thesis, the four themes are: institutional, geopolitical, legal, and cultural discourse. This approach creates the possibility to methodically and systematically examine the statements from the German and Italian ministries of foreign affairs.

Normative entrapment is indicated by the Schimmelfennig and Thomas' critical combination of a normative framework for agreement being perceived as relevant to the situation and uncontroversial with clear behavioural implications. A thematic approach can categorise discourse and systematically review it for similarities, differences, and discursive changes, which indicate compliance with the EU's discourse, or a rejection.

2.4 Reliability and validity

The reliability and validity of scientific research is of paramount importance. Reliability concerns the replicability of research and its results. Therefore, the methods and definitions should be described in such a way that it is possible for another scholar to do the exact same research and get the same findings. If replicated analysis gets the same results, then research can be considered reliable. Qualitative research' inherent problem is that it is subjective, meaning that interpretation and assumptions are personal instead of objective scientific laws which are the same for all. This makes replicability a problem.

Nevertheless, a detailed description of the theories, concepts, operationalisation, data collection, research method, and the analysis of this thesis, should provide enough information for other scholars to understand the interpretations and assumptions made and to come to the same conclusions. The reliability of this thesis can therefore be ascertained.

Validity concerns the integrity of scientific conclusions based on the findings. There are four kinds of validity that academic research must address: measurement, internal, external, and ecological. The first involves operationalisation. Are concepts and theories defined in such a way that they can be measured correctly? Or in other words, does what is measured truly represent the concept? Without measurement validity the findings do not answer the research question and conclusions will be false. In this thesis, measurement validity is assured because operationalisation was done based on theories and the data was categorised based on this operationalisation, thereby providing proof to confirm or falsify the hypotheses.

Internal validity deals with the causal relationship between variables. The deductive approach means that the hypotheses were based on theory. In this thesis the hypotheses are one hypothesis based on realism, two critical conditions for normative entrapment as provided by theory, and one based on political framing and group identity. The causal relationship between the variables is therefore established.

The third kind concerns the generalisation of empirical findings. However, because purposive sampling is "a non-probability sampling approach" the result from the analysis cannot be generalised to

a population (Bryman, 2012: 418). Furthermore, the findings of this case may not fit other cases with different situations, interests, and pressures. However, this thesis does not try to provide an all-encompassing answer, nor does it offer an explanation that can be used to predict future outcomes of EU integrated decision-making. As Eriksen said “reasons may explain action, but they cannot predict it” (2013: 2). It does nevertheless try to provide evidence for the plausibility of normative entrapment causing the EUMS to sometimes act against their (material) interests. With more empirical research on other and different cases, more evidence for normative entrapment might follow, and scientific knowledge about decision-making within institutionalised intergovernmental organisations and institutions would be enlarged.

Finally, ecological validity questions whether the conclusions resulting from the data reflect real life or if they are just theoretical. Normative entrapment is hard to ecologically validate in this thesis, but by examining the effect of the economic sanctions, this thesis tries to prove that they were not a costless compromise caused by hard-bargaining. Therefore, the decision to consent was against German and Italian (material) interests, which would imply they were coerced. This thesis argues in favour of a normative framework trapping them and forcing them to choose a logic of appropriateness over a logic of consequences. Nevertheless, because of the limited scope it cannot rule out other explanations like reciprocity, log-rolling, and external pressure changing EUMS’ attitudes towards economic sanctions.

3. Case

3.1 Timeline

The current tensions between the EU and Russia are not taking place inside a vacuum. The Ukraine-crisis is rooted in a post-Communist history of EU-Russian relations (Haukkala, 2016: 653). One of the key factors in this relationship is identity, both the EU's and Russia's. The Russian political and state identity still rests in part on the former U.S.S.R., while the EU has institutionalised its CFSP and its visibility on the international stage. As identities change, so did the relationship.

In the 1990's cooperation was the main concept. This was exemplified by the Partnership and Cooperation Agreement (PCA) of 1994 in which not only economic cooperation between the EU and the new post-Soviet Russian state, but also norms and values were enclosed. Common interests and even political values were stressed on both sides. This dynamic changed, according to scholars like Mearsheimer, Howorth, Marten, Sakwa, Schmidt-Felzmann, and Orenstein and Kelemen, because of the increasing external presence of the EU, especially in the former Soviet sphere of influence, an area that Russia considered to be 'their neighbourhood'.

From the Russian perspective, an encroaching EU promoted its normative versus Russian values, which damaged Russian influence. Especially after the 2004 Orange revolution in Ukraine, during which the presidential election was dominated by a pro-East and pro-west narrative, when the pro-EU Yushchenko won, Russia saw this as EU interference and they began to see them as a hostile actor. Other important factors in the deteriorating relationship that antagonised Russia were the 2004 Eastern Neighbourhood Policy (ENP) and the 2008 Eastern Partnership (EaP) agreement with Azerbaijan, Armenia, Belarus, Georgia, Ukraine and Moldova (Howorth, 2017: 127; Kazharski and Makarychev, 2015: 332).

Russia, which viewed "the expansion of European norms and trade into the former Soviet space or former eastern bloc as a direct threat to its security" (House of Lords A, 20-02-2015:23), responded to these policies by creating the Eurasian Economic Union (EEU) as an alternative integration mechanism to counter the EU's influence in their neighbourhood (Howorth, 2017: 127; Orenstein and Kelemen, 2017: 90-91; Haukkala, 2016: 656). Additionally, it was made incompatible with the EU agreements so that countries would have to choose. Since many eastern European countries had strong economic bonds and were therefore dependent on Russia, this meant that choosing the EU would be very painful economically.

Nevertheless, The EC thought the EaP could be "pursued in parallel" with EU-Russian relations. Something which the Polish foreign minister, Radoslaw Sikorski in 2014 considered "not exactly a success" (Carnegie Europe, 12-05-2014: 1). He stated that the EU and the EUMS "were radically overestimating our attractiveness to the neighbours of Europe. We thought that our soft power and our economic attractiveness trumps all other considerations" (Carnegie Europe, 2014: 2).

Several scholars also argued that the promotion of democracy and free markets was a direct challenge to Russian power and control over its neighbouring countries (Orenstein and Kelemen, 2017: 91; Howorth, 2017: 127; Marten, 2015: 189; Sakwa, 2015: 354; Mearsheimer, 2014: 8; Schmidt-Felzmann, 2014). Russia feared that closer alignment or integration of Ukraine with “European economic and even political structures [was] ultimately [...] a stalking horse for Ukraine’s eventual NATO membership” (House of Lords A, 20-02-2015: 21), while Ukraine was considered part of Russia’s sphere of influence, not only economically, politically, and strategically, but also culturally, religiously, and historically (House of Lords A, 20-02-2015: 21). Closer European-Ukrainian bonds posed, in the eyes of Russia, not only a geopolitical threat, but also an attack on their identity. The Ukraine crisis should therefore be perceived, in part, as a clash of identities between a post-Soviet Russian identity of sovereignty, geopolitics and zero-sum logic, and a post-Lisbon EU of international norms, values, and principles (Haukkala, 2016: 654; Kazharski and Makarychev, 2015: 328-329, 332).

Pressured to make a zero-sum choice, the president of Ukraine, Viktor Yanukovich, refused to sign the association agreement with the EU at the summit in Vilnius in November 2013. This led to massive protests in the capital Kyiv and (mostly) in the western half of Ukraine (BBC, 18-02-2015). Within three months, the Euromaidan protests resulted in the ousting of the president on February 22nd 2014.

Nevertheless, the EU-Russian relations were still at a ‘normal level’ and the EU-Russia summit took place as planned on January 28th 2014. Russia was called a strategic partner, and there was talk of further cooperation (EUCO 27/14, 2). Nevertheless, Herman van Rompuy pointed out the differences between them and explicitly called for “[t]he respect for sovereign countries’ freedom of choice on foreign policy, regional economic cooperation and trade” (EUCO, 27/14,2).

However, after Yanukovich fled Ukraine and anti-revolution protests began in the more pro-Russian eastern and southern parts of the country, the relationship worsened. Russian president Vladimir Putin described Euromaidan as a coup d’état and stepped up rhetoric with criticism of western involvement in Ukraine’s domestic affairs. Additionally, starting on February 26th “green men” moved into the Crimean Peninsula and by the 27th the Crimean parliament building was seized. Russian flags were raised, and a new pro-Russian government announced a referendum on independence from Ukraine and integration with Russia. An extraordinary FAC meeting was held on March 3rd which took five hours. At the end the EUMS condemned “the clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces” (Council of the European Union A, 03-03-2014).

Le Monde points that it left out the term ‘invasion’, which was preferred by East-European members and that the EU was far from unanimity on the threat of sanctions (04-03-2014). Especially Poland saw the Russian actions as a threat to its territorial integrity (Carnegie, 2014: 8). When asked about the possibility of economic sanctions and the reluctance by some members, foreign minister

Sikorski answered “We should be intelligent about which sanctions we pick to apply” (Carnegie, 2014: 11).

Some EUMS were concerned that (economic) sanctions would not create a change in Russian policy in Ukraine (Natorski and Pomorska, 2017: 58). According to Der Spiegel, Russia had “little foreign debt and large currency reserves, giving it a transitional period of at least two years – enough time to find new buyers and distribution routes for Russian gas” (May 12th 2014). Also, Russia might consider its interests in Ukraine to be more important than backing down over economic sanctions. Eastern-Ukraine was of significant importance for the Russian armament industry and delivered airplane motors, gear boxes, and rocket equipment to the Russian military. Sanctions which could hurt EUMS economies, might therefore have been in vain. Additionally, the EUMS expected that Russia would react with measures of their own. EUMS that were already expected to bear a certain amount of costs could face potential higher costs than anticipated if Russia decided to implement its own restrictive economic measures which they did on August 8th when they announced a ban on agricultural products (Ec.europa.eu, 05-11-2017; Europa.eu, 2-09-2014). This was not a risk all members were willing to take.

Because of this reluctance, it was simply agreed that in the “absence of de-escalating steps by Russia, the EU shall decide about consequences for bilateral relations between the EU and Russia [...] and will consider further targeted measures” (Council of the European Union A, 03-03-2014). This resulted in the adoption of a three stage sanctions mechanism of diplomatic, restrictive, and economic measures, but without criteria for their adoption (Fischer, 2015: 1). In effect, this meant that the discussion would be continued and calibrated according to the crisis’ development (le Monde, 04-03-2014).

Table 2 shows a timeline of nine significant events and the FAC, Council, and European Council meetings with the agreed upon sanctions. The sanctions-regime’s first phase was limited to diplomatic measures, the second phase included individually targeted measures including visa bans and asset freezings, while the third phase targeted specific Russian economic and financial sectors.

Date	Event	Meetings	Sanctions
21-11-2013	1. Yanukovich suspends the signing of the EU Association Agreement in Vilnius	20-02-2014 FAC meeting	
22-02-2014	2. Yanukovich ousted from power		
27/28-02-2014	3. Violence in the Crimea		
01-03-2014	4. Russian parliament approves the use of force in Ukraine	03-03-2014 Extraordinary meeting of FAC 06-03-2014 Extraordinary meeting of European Council	<u>Diplomatic measures:</u> - Suspension of preparations for G8 summit <u>Restrictive measures:</u> - Preparation of individual restrictive measures. <u>Diplomatic measures:</u>

			<ul style="list-style-type: none"> - Suspension of bilateral talks with Russia on visa matters and the New Agreement.
16-03-2014	5. Crimean referendum	17-03-2014 FAC meeting	<u>Restrictive measures:</u> <ul style="list-style-type: none"> - Introduction of travel bans and asset freezes against 21 officials responsible for actions threatening Ukraine's territorial sovereignty.
		20/21-03-2014 Extraordinary meeting of European Council	<u>Restrictive measures:</u> <ul style="list-style-type: none"> - 12 names added. <u>Diplomatic measures:</u> <ul style="list-style-type: none"> - Cancellation of EU-Russia summit. - No regular summits between member states and Russia.
7-04/11-05-2014	6. Donetsk and Luhansk protests and referenda	15-04-2014 FAC meeting	<u>Restrictive measures:</u> <ul style="list-style-type: none"> - 4 names added.
		12-05-2014 Extraordinary meeting of FAC	<u>Expansion of sanctions criteria:</u> <ul style="list-style-type: none"> - Can now also target persons and entities associated with destabilising actions. - Entities in Crimea and Sevastopol which have been confiscated.
		23-06-2014 FAC meeting	<u>Restrictive measures:</u> <ul style="list-style-type: none"> - 13 names added. <u>Crimea economic sanctions:</u> <ul style="list-style-type: none"> - Ban on import of goods from Crimea and Sevastopol.
27-06-2014	7. Signing of EU Association Agreement with Ukraine	26/27-06-2014 Meeting of European Council	Adoption of 4 concrete steps that Russia has to take by June 30 th 2014.
		16-07-2014 Extraordinary meeting of European Council	<u>Restrictive measures:</u> <ul style="list-style-type: none"> - New list of entities and persons established by the end of July. - Suspension of new financing operations by EIB and member states.
17-07-2014	8. Malaysia Airlines flight MH17 shot down over eastern Ukraine	18-07-2014 Meeting of the Council	Widening of legal basis for restrictive measures: <ul style="list-style-type: none"> - Possible to target entities which materially or financially support actions against Ukraine.
		22-07-2014 Extraordinary meeting of FAC	<u>Restrictive measures:</u> <ul style="list-style-type: none"> - New list implemented immediately.

		25-07-2014 Meeting of the Council	Preparation of economic measures. <u>Restrictive measures:</u> - 15 names and 18 entities added. Discussion of preparations of economic measures.
29/31-07-2014	9. EU economic sanctions against Russia approved unanimously	29/31-07-2014 Meeting of the Council	<u>Economic sanctions:</u> - Restrict Russia's access to EU capital markets. - Embargo on import and export of arms. - Prohibited exports of dual use goods and technology for military use. - Need for authorisation to export energy-related equipment.

Table 2 Timeline of key events and EU meetings (Consilium.europa.eu Timeline, FAC conclusions, and other EU documents)

3.2 Economic sanctions

There has been rich literature on sanctions and in the article *Sanctions and the future of EU-Russian Economic Relations*, Tatiana Romanova dealt with several of them. The first notion amongst scholars is that sanctions (especially against authoritarian regimes) often do not work. Studies have demonstrated that sanctions barely affect the elite and their calculations, lead to a 'rally round the flag' mood in the population of the targeted country, rarely lead to big policy changes, and make the most disadvantaged part of the population suffer (Romanova, 2016: 775). Another notion is that sanctions often bring substantial economic losses, not only to the targeted country, but also to those who do the sanctioning (Romanova, 2016: 775).

To spread potential economic costs evenly, the design of the sanctions had to reflect political and diplomatic requirements. They had to target different sectors, which was difficult, because some countries were more dependent on Russian gas or the Russian economy than others. The third stage of EU sanctions was therefore a combination between economic and financial measures, did not target existing contracts, and did not include energy imports and exports. This means only a small part of the EU's total export to Russia was subject to the sanction regime: credit flows and the export of high-tech goods for oil drilling, exploration, energy production, and the military (Romanova, 2016: 774).

EU nationals and companies were no longer allowed to loan, buy or sell new bonds, equity or similar financial instruments with a maturity exceeding 30 days to five major Russian banks (Sverbank, VTB Bank, Gazprombank, Vnesheconombank, and Rosselkhozbank) and their majority-owned subsidiaries established outside the EU, three Russian energy companies' (Rosneft, Transeft, and Gazprom Neft) and three major Russian defence companies' (OPK Oboronprom, United Aircraft Corporation, and Uralvagonzavod) (Ökvist, 2016: 3-4, europarl.europa.eu, October 2015). In the

financial area, the European Council requested the EIB on July 16th 2014 to suspend the signature of new financing operations in the Russian Federation, thereby restricting Russia's access to EU capital markets (Fritz, Christen, Sinabell and Hinz, 2017: 4). Also EUMS had to coordinate positions with a view to suspend financing of new operations in Russia (Eeas.europa.eu, 16-03-2017). Additionally, the sanctions prohibit the export of arms to Russia and the export of material and technology for the exploration and production of oil in deep water, the arctic, and shale oil (Eeas.europa.eu, 16-03-2017).

Furthermore, sanctions were also implemented against the Crimea. Commodities that are produced there cannot be imported to the EU, except if a Ukrainian certificate legitimises them. Furthermore, no goods, technology, brokering, engineering services can be exported to the peninsula and tourism is prohibited (Ökvist, 2016: 4).

Russia responded on August 8th 2014 with an import ban on agri-food goods from countries that imposed sanctions on Russia. This import ban includes beef and pork, poultry and poultry products, smoked foodstuffs and sausages, milk and milk products, as well as fish, vegetables, and fruits (Fritz *et al*, 2017: 4). These sanctions are quite substantial with Russia being the second-most important export market for EU agri-food; and with a share of 7,7% in total EU exports in 2013, the fourth largest after the USA, Switzerland, and China. Nevertheless, the EU accounted for 42,4% of Russian exports making the trade relationship asymmetrical, i.e. the measures would probably hurt Russia more than it would the EU (Fritz *et al*, 2017: 6, Havlik, 2014: 5).

3.3 Common Foreign and Security Policy

The intergovernmental nature of the CFSP is laid down in the European Treaties (Portela: 2016: 36) and was re-acknowledged in the Lisbon Treaty of December 1st 2009 (Juncos and Pomorska, 2011: 1097). This new treaty included several declarations that underlined the provisions in the TEU that the foreign responsibilities of the EUMS would not be affected and that they would remain in charge of the formulation and conduct of their own foreign policies (Lisbon Treaty, 2007: 255). Nevertheless, it also stresses that the EU and its member states “will remain bound by the provisions of the Charter of the United Nations¹ and [...] the responsibility [...] of its Members for the maintenance of international peace and security” (Lisbon Treaty, 2007: 255). Additionally, EUMS are expected that they “shall ensure that their national policies conform to the Union positions” (TEU, 33), adhere to the Helsinki Accords, and the Charter of Paris (TEU, 33). These international laws, morals, norms, values, and principles were co-shaped by the EUMS as signatories to the treaties and as members of the EU. The normative framework, as laid down in these documents, is much their own as it is the EU's.

¹ “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations” (UN Charter, Article 2).

The UN Charter states the following main principles: 1) maintain international peace and security, 2) peaceful settlements to international disputes, 3) the sovereign equality of all states, 4) the obligation to act in accordance with the UN Charter, and 5) refrain from the threat or use of force against territorial integrity or political independence of any state. It's main instrumental perception of causal relationships is that these value- and rights-based norms can be achieved through international cooperation (UN Charter, 3).

The Helsinki Accord and the Charter of Paris include the following principles: 1) the sovereign equality of states, 2) refraining from the threat or use of force, 3) the inviolability of frontiers, 4) the territorial integrity of states, 5) the peaceful settlement of disputes, 6) the non-intervention in internal affairs, 7) respect for human rights and fundamental freedoms, 8) respect for equal rights and self-determination of peoples, and 9) adhere to international law, which is also accomplished through the instrumental idea of cooperation among states (Helsinki final act, 1975: 4-8; Charter of Paris, 1990: 3-14). So in effect the EUMS are somewhat limited in what they can do on their own.

Because the EUMS are responsible for the creation and conduct of foreign policy, most policies adopted under the CFSP thus require unanimous support and are subject to a veto by all members (Thomas, 2009: 341). Only in specific circumstances is qualified majority voting (QMV) required (TEU, 325-326). Nevertheless, even QMV is subjected to a veto when “a member of the Council declares that, for vital and stated reasons of national policy, it intends to oppose the adoption of a decision to be taken by qualified majority” (TEU, 326).

Nevertheless, the EU does coordinate its external relations and a *High Representative of the Union for Foreign Affairs and Security Policy* (HR) was created in the Lisbon Treaty. The High Representative also oversees the European External Action Service (EEAS), which assists the CFSP and the Foreign Affairs Council (FAC) in preparing decisions to be adopted by the Commission or the Council of the European Union (TEU, 32).

Coordination of the EU's external relations is based on a normative framework which has been laid down in the European Treaties. Title V of the TEU deals with these general provisions of the CFSP and EU external actions. It prescribes that the EU:

“shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law” (TEU, 28).

These values are presented as the values that the Union is meant to defend internationally. The EU's involvement in international conflict resolution is therefore guided by these values (Larsen, 2004: 73).

Furthermore, article 2 states that the EU will use common policies to “safeguard its values, fundamental interests, security, independence and integrity” as well as “support democracy, the rule of law, human rights and the principles of international law [...] preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter” and “assist [...] countries and regions confronting natural or man-made disasters” (TEU, 29). This shall be done in unity, consistency, and with effectiveness of action (TEU, 31).

When international developments are considered threatening or of significant importance to the EU, the President of the European Council has the power to convene an extraordinary meeting in order to “define the strategic lines of the Union’s policy in the face of such developments” (TEU, 31). Despite the general guidelines being defined by the European Council, the actual framing of the CFSP itself is decided upon by the Council.

In case economic, financial or personal restrictive measures are required in the event that the EU’s fundamental values are violated, article 215 of the Treaty on the Functioning of the European Union (TFEU) prescribes them (TFEU, 144). It also establishes jurisdictions and processes for restrictive measures with regard to the rules established by Chapter 2 of Title V of the TEU, i.e. the specific provisions on the Common Foreign and Security Policy (TFEU, 144).

3.3 Germany

Willy Brandt once said that the goal of German diplomacy is to be “a bridge between Russia and the West” (Le Monde, 05-03-2014). On the one hand, Germany has a strong economic and political relationship with Russia, but on the other it acknowledges the clear differences of opinion between them. Germany saw Russia as a partner more than as a rival until the Ukraine crisis (Orenstein and Kelemen, 2017: 89). Carta and Braghiroli call this the German *Ostpolitik* of having a balanced and permissive position towards Russia (2011: 275). After the Angela Merkel’s CDU victory over the SPD’s chancellor Gerhard Schröder, the relationship cooled off a bit, but has remained important. For instance, Merkel has continued the Nord Stream pipeline, but did set up a German-Polish group to discuss the question (Le Gloannec, 2009: 65; COM (2014) 330, 28-05-2014).

This attitude was visible during the Ukraine crisis, in that even when the sanction regime was discussed in Brussels on March 6th, Sigmar Gabriel, German minister of Economy visited Russia to discuss energy policy and economic development (Le Monde, 05-03-2014). For Russia, Germany was also an important partner and a “considerable resource for advancing Russia’s national interests in European and world affairs” (Ministry of Foreign Affairs of Russia, 18-02-2013). Prior to the Ukraine crisis, Germany invested significantly in Russian infrastructure and industries (Orenstein and Kelemen, 2017: 96). A positive German-Russian relationship was of great importance to Germany and they wanted to improve this despite the differences between them (Auswärtiges Amt, 14-02-2014).

This relationship has sometimes been perceived as threatening by other EUMS. They accused Germany of putting its own interests above those of their partners (Whist, 2009: 76). The Nord Stream pipeline for instance, has been in operation since 2011 and another one was scheduled to be built. It ensures that Germany will continue to receive Russian natural gas, since it bypasses ‘difficult transit countries’ such as Ukraine (Schmidt-Felzmann, 2011: 586). In 2012 this made Germany dependent on Russia for 36% of its total gas imports and 37% for its oil imports (IEA, 2014: 205, 210; Schubert, Pollak and Brutschin, 2014: 3).

In 2013, Germany was Russia’s largest EU trading partner with an economic flow of \$77 billion (Open Europe, 2015). German exports to Russia in 2013 accounted for €36 billion, that is just 3,3% of the total German export in 2013, and the import from Russia was €40 billion, which is 4,5% of the total German import in 2013 (DESTATIS, 2014: 414). Furthermore, at the end of 2013 German banks had almost €20 billion in claims on Russia (The Economist, 03-05-2014). Despite the large economic flow between the two countries though, Russia was not in Germany’s top 5 trading partners.

Finally, public opinion in Germany was assessed by a GMF report on transatlantic trends. It noted that in Germany, 43% of the respondents had a favourable view of Ukraine and 45% unfavourable (GMF, 2014: 50). Nevertheless, a majority of 65 against 32% favoured providing economic and political support to Ukraine, even if it would lead to conflict with Russia (GMF, 2014: 51). German public opinion was thus favourable to Ukraine.

Based on Carta and Braghiroli’s method of looking at the strength of economic flows, the existence of disputes, the security perspective, energy dependency, and energy projects, the initial position of Germany can be established on a sound theoretical basis.

Strength of economic ties	Energy dependence	Energy projects	National security perception	Presence of disputes
0,66	1	1	0	0

Table 3 German score

Considering, $RFS = (\text{indicator 1} + \text{indicator 2} + \text{indicator 3} + \text{indicator 5}) / \text{number of indicators}$, we get: $RFS = 2,66/5 \rightarrow 0,532$. Germany is thus categorised as a normative malleable country towards Russia, which means that they have overall significant economic exchanges or energy dependencies and a willingness to cooperate with Russia, but have significant concerns over differences.

3.4 Italy

Italy also has significant economic and political interests in Russia, amounting to \$34,3 billion in the first half of 2014 (CBI, 29-10-2014). Italy was therefore Russia’s third-largest trading partner in the EU. Additionally, Italian banks had claims in Russia a little under \$30 billion (The Economist, 03-05-2014),

and the Italian Energy Company (ENI) had just made a deal with Russia's Gazprom to build a South Stream pipeline. While Italy is not too dependent on Russia for energy (around 30% according to data from Open Europe, 2014), it is one of Europe's largest importers of Russian gas in absolute terms (COM (2014) 330, 28-05-2014). Italy has therefore taken "a rather soft position towards Russia" from the start (House of Lords A, 20-02-2015: 9).

This is supported by the Financial Times, which called Italian foreign minister Federica Mogherini the most vocal proponent of not rushing into sanctions. Italy wanted to avoid setting a trigger for punitive measures and argued instead in favour of helping Ukraine securing a peace deal through negotiations. Establishing economic sanctions would "raise the political temperature" (Financial Times, 27-06-2014) and not help in strengthening the dialogue with Russia, which was a prominent concern of Italy's EU presidency (25-11-2013; 06-05-2014; 12-06-2014).

Italy was also engaged in the South Stream project in order to further diversify their sources of import and ensure energy security. ENI was directly involved in building the underwater section of the pipeline, but other economic opportunities were plenty. Italy also perceived the project as a base to further strengthen the dialogue between the EU and Russia (Ministero degli Affari Esteri, 24-11-2013).

ENI has been very active in the Italian-Russian relationship (Le Gloannec, 2009: 65; Orenstein and Kelemen, 2017: 97; Kuzio, 2017: 111). This among other reasons explains why Italy is defined by Russia as a "strategic partner" (Orenstein and Kelemen, 2017: 92; Ministry of Foreign Affairs of Russia, 18-02-2013; Carta and Braghiroli, 2011: 269; Leonard and Popescu, 2007: 2). Italy has diversified its gas imports, but still Russian gas imports amount to 28% of the total in 2012, and oil to 16% (IEA, 2014: 262, 268). These numbers are significant, but Italy has a large strategic stockpile and is well connected with the central European grid (Tsakaris, 2015: 215). Therefore, it is not in the field of energy that Italy is close or dependent on Russia.

Multiple Italian governments favoured strong political and economic ties with Russia. Especially prime minister Silvio Berlusconi stressed his friendship with Putin and proved to be a loyal Russian ally (Orenstein and Kelemen, 2017: 93; Le Gloannec, 2009: 63; Carta and Braghiroli, 2011: 275; Kuzio, 2017: 111). Economic and trade ties were also extensive, but nevertheless Italy was not too dependent on the Russian economy. According to the WITS, Russia's share of Italy's total import in 2013 was 5,59%, which made Russia Italy's 5th largest import trading partner (WITS, Italy Product Imports by Country 2013). Italy exported less to Russia though, as number 8 Russia made up just 2,76% of the total destination market for Italian products and services (WITS, Italy Product Exports by Country 2013). In absolute terms Russia was thus an important trading partner and Italian firms with "deep and longstanding ties to Russia", have publicly lobbied against more broad-based economic sanctions instead of appealing directly to the government (Financial Times, 13-07-2014). The Italian government was well aware of the exposure of the Italian economy towards Russia and it had no interest in letting the sanctions escalate.

We also see this in the GMF report on transatlantic trends, which noted that Italy's population had one of the lowest favourable ratings of Ukraine. 50% of respondents had an unfavourable opinion (GMF, 2014: 50). Italy's respondents were however in majority (52-39%) for providing economic and political support to Ukraine, even if it would cause conflict with Russia (GMF, 2014: 51). The Russians also lobbied Italian public opinion. According to the Financial Times, Vladimir Dimitriev, a Russian banker close to Putin, warned that sanctions against Russia could cost Italy at least €10 billion, a figure that could become higher due to retaliation from Russia (Financial Times, 13-07-2014).

Based on Carta and Braghiroli's method it therefore becomes clear that Italy scores higher than Germany on the Russian friendliness index.

Strength of economic ties	Energy dependence	Energy projects	National security perception	Presence of disputes
1	1	1	0	0

Table 4 Italian score

Considering, $RFS = (\text{indicator 1} + \text{indicator 2} + \text{indicator 3} + \text{indicator 5}) / \text{number of indicators}$, we get: $RFS = 3/5 \rightarrow 0,6$. Italy's score is thus higher than Germany's, despite being also categorised as a normative malleable country towards Russia. This indicates a willingness to put business over differences and a certain friendliness attitude towards Russia.

4. Analysis

4.1 The sanction's effects

H1: The economic sanctions have had a significant effect on Russia and on the EUMS' economies.

It is difficult to estimate the effect and impact of the economic sanctions on Russia, because at the same time the oil price, which is a major source of income for the Russian government, dropped significantly (Fritz *et al*, 2017: 4; Romanova, 2015: 781). 2014 nevertheless proved to be a damaging year for the Russian economy. GDP growth slowed to 0,7% and the rouble massively depreciated against the US dollars (USD). The rate of inflation increased substantially, and capital flew out of the country (Fritz *et al*, 2017: 5). In addition to the decreasing oil revenues, the EU sanctions restricted Russia's access to the EU's financial markets, and the Russian counter-measures restricted EU exports of agri-food to Russia. These measures amplified the effects of the lower oil price by reducing the availability of capital and thus limiting investments (Fritz *et al*, 2017: 13-14). An example of this is that Russian commercial real-estate used to be priced in USD, but that market has shifted to be priced in roubles, because of the limited possibilities Russian banks had to refinance their operations in USD. (Ökvist, 2016: 5).

In the period 2013-2016, the German and Italian economies suffered the largest export losses in absolute terms of the EU and their average percentage loss in exports to Russia was more than 20,7% (Fritz *et al*, 2017: 7, 9). In that same period, EU agri-food exports to Russia, which amounted to 9,7% of the total trade flows, declined by 2,2% (Fritz *et al*, 2017: 10-11). The decline in EU exports to Russia is the most significant impact related to the economic sanctions. However, this is an insufficient indicator for the effects for two reasons.

First, total economic costs need to include the negative spillover effects on firms which are part of the supply chain for other companies/sectors that export to Russia. These cannot be observed directly, but can be estimated by academic models. Releases by the EP, EU Observer, and the EC put the overall costs of the sanctions and countersanctions at €40 billion (0,3% of EU GDP) in 2014 and €50 billion (0,4%) in 2015 (EU Observer, 28-07-2014). Another study by Havlik of the Wiener Institut für Internationale Wirtschaftsvergleiche, predicts a loss for Russia of €20 billion in 2014 and more than €30 billion in 2015, while estimating a loss for the EU between €11 - €55 billion (Havlik, 2014: 9). The Österreichisches Institut für Wirtschaftsforschung (WIFO) even calculated that the EU's economy could lose up to €100 billion and 2 million jobs, including 465.000 German and 215.000 Italian (Eigendorf, Maisch, Steiner and Tauber, 19-06-2015).

Second, a decline of EU exports does not compare to the total economic costs of the economic sanctions, because exporting companies and governments might have adapted their strategies by seeking alternative destination markets. This might mitigate the estimated economic losses caused by the sanctions (Fritz *et al*, 2017: 13).

Based on this, the report by Fritz *et al* calculates that the EU's export losses are around \$7,9 billion in 2014, \$12,9 billion in 2015, and \$13,9 billion in 2016 (Fritz *et al*, 2017: 33). Germany was hit the hardest in absolute terms with a loss of \$13 billion between 2014-2016, which is a 13% decrease in export to Russia, while Italy's economy in the same period took only \$200 million in damage, a 0,7% decrease in total export. Interestingly though, there appears to be little to no circumvention of the sanctions since the trade flows from the EU to EEU countries other than Russia has decreased over time (Fritz *et al*, 2017: 34-35).

Additionally, the Russian embargo caused the EU's agri-food export to Russia to fall from \$15,5 billion to \$6 billion between 2013-2016 (Fritz *et al*, 2017: 17-18). In 2014, it was still expected that around €5,1 billion would be hit out of a total agri-food export to Russia of €11,8 billion, with Germany losing €589 million and Italy €163 million (Europa.eu, 3-09-2014). For Germany and Italy though, the Russian market accounted for less than 5% of their overall agri-food exports, so this did not hurt them too much. Nevertheless, finding alternative destinations for agricultural products took time and was thus overall less profitable, thereby leading to a loss of income. The EU tried to counter this through the Common Agricultural Policy, i.e. monitoring the affected markets and taking emergency measures, like covering storage costs of relevant products, help stabilise unstable farm incomes, and exploring alternative sales opportunities (Fritz *et al*, 2017: 25).

The possibility of governments and companies exporting agri-food through Serbia, Belarus, and other third countries that were not affected by the sanctions (Romanova, 2015: 791), was also looked at by Fritz *et al*. Agri-food exports from Serbia and Belarus to Russia increased by 13% between August and December 2014. Yet only a small part of this increased export consisted of banned goods. Between the 4th quarter of 2014 and the first half of 2015 exports from the EU to these countries went up. Russia however reinforced their control over inflows of embargoed products through third countries and the exports of banned goods through third countries halted (Fritz *et al*, 2017: 26-27). Several officials, like the Austrian chamber of commerce in Serbia, concluded that the circumvention can therefore not be ruled out completely, but that it was of limited relevance and did "not seriously thwart the effectiveness of the sanctions in place" (Fritz *et al*, 2017: 27).

However, because of the state of the Russian economy before the Ukraine crisis (Havlik, 2014: 1), the decreasing price of oil, the diversification of trade, the circumventing of legal trade restrictions, the lack of investment, wide ranging production chains, and most important the severe deterioration of the business climate between the EU and Russia driving away investors, it remains difficult to determine the specific effects of the EU's economic sanctions on the Russian and EUMS economies with certainty.

Hence, just a few observations can be made: 1) EU exports to Russia have declined significantly between 2013 and 2016, 2) trade diversion has mitigated the economic costs of the sanctions only to a very limited extent, 3) there was an initial attempt to circumvent the sanctions through Serbia, Belarus and others, but Russia reinforced control of the import from third countries, 4) the economic losses for the EU amount in the billions of euro's, with Germany bearing most of the costs in absolute terms, and

5) the impact on the Russian economy is much bigger than on the EU's, 8-10% versus 0,2% (Fritz *et al*, 2017: 39-41).

One could therefore argue that, even though it is hard to determine the significance, the sanctions (both the EU's and those of Russia) did have an effect on the Russian economy while also hurting, to an extent, the EUMS' economies. Both sides lost billions of euros. So the effect of the sanctions is real despite the difficulty in determining their significance. These economic losses show that the EU and the EUMS were prepared to act despite *ex ante* knowledge that the sanction regime, potential Russian counter-measures, and the subsequent effects of the slow-down of the Russian economy would also cause harm to their own economies. H1 can therefore be confirmed.

Nevertheless, despite the sanctions' effect Russia still occupies the Crimea and still supports proxies in the Donbass. The sanctions did therefore not achieve their goal on changing Russian behaviour. On the other hand, Russia might have had bigger plans but behaved more cautiously out of fear of provoking a round of more damaging sanctions. Also, Russia did join the Minsk talks in early 2015, but did not act on its promises to end the destabilisation of Eastern-Ukraine or stop support for the rebels. The only goal that the sanctions managed to achieve was to send a signal that the Russian actions were not accepted by the EU and the EUMS. This might indicate that the sanctions were not a geopolitical strategy, but an expression of identity.

4.2 The EU's normative framework in the Ukraine crisis

In the events of 2014, the security of Europe and the EU's identity was put to the test. The Ukraine crisis represented a critical challenge to the EU's identity and what it, as a political community, stood for. The EU had to react with a message which was needed for the Union to maintain a credible image of itself internationally and internally as a normative power and a protector of international law and peace. The sanctions can be seen as an expression of the EU's identity as a community of norms, values, and principles based in international law.

In order to send this message, the EU had to legitimise its position and did so by framing the crisis during negotiations in the FAC, the Council, and the European Council. The outcomes from these meetings were accepted as the official EU position on the crisis. Through a discourse analysis of the official conclusions of those meetings, the geopolitical threats and the key norms, values, and principles, that were considered to be violated, the EU's normative framework for the crisis can be determined. For a detailed table, see Annex E: official EU discourse.

By organising the EU's official discourse into the four discourse categories, the statements can be systematically examined for the reasons EUMS could legitimately use to explain and justify their national positions. For this, the timeline in figure 1 and the discourse categories in figure 2 are combined to categorise EU discourse on the Ukraine crisis from S₁ till S₉ (table 5).

These nine stages are important, because, as stated previously, the crisis had no stable identity, but changed and developed. New events can change the perception of its political, military, economic, social, or financial threat by external observers and subsequently their identification of the problem and alternative policy options. Developments in the Ukraine crisis made it necessary for the EU to adjust its discourse to include certain norms that were violated, while some norms were excluded, because they were no longer applicable.

Timeline	Institutional	Geopolitical	Legal	Cultural
1. Yanukovich suspends the signing of the EU Association Agreement in Vilnius			<ul style="list-style-type: none"> - Non-use of force - Respect for human rights - Respect for fundamental freedoms. - Engage in dialogue 	
2. Yanukovich ousted from power				
3. Violence in the Crimea				
4. Russian parliament approves the use of force in Ukraine		<ul style="list-style-type: none"> - Energy - Destabilisation - Security 	<ul style="list-style-type: none"> - Sovereignty - Territorial integrity - Respect (international) law and agreements - Independence - De-escalation - Free and fair elections - Negotiations - Dialogue 	<ul style="list-style-type: none"> - Russian aggression - EU responsibility for peace, stability and prosperity - Choice for civilisation
5. Crimean referendum		<ul style="list-style-type: none"> - Destabilisation 	<ul style="list-style-type: none"> - Free and fair elections - Sovereignty - Territorial integrity - Dialogue - De-escalation - Self-determination - Non-use of force - Respect (international) law and agreements 	<ul style="list-style-type: none"> - EU responsibility for peace, stability and prosperity
6. Donetsk and Luhansk protests and referenda	<ul style="list-style-type: none"> - Respect EU Treaties - Consistency - Coherence - Cooperation - Common vision 	<ul style="list-style-type: none"> - Energy 	<ul style="list-style-type: none"> - Non-use of force - Dialogue - Unity - Sovereignty - Independence - Territorial integrity 	<ul style="list-style-type: none"> - Russian aggression - EU positive and transformative role

	- Common objectives		- Respect (international) law and agreements
			- Negotiations
7.	Signing of EU Association Agreement with Ukraine	- Energy	- Non-use of force - De-escalation - Respect (international) law and agreements - Sovereignty - Independence - Territorial integrity
8.	Malaysia Airlines flight MH17 shot down over eastern Ukraine		- Non-use of force - Respect for human rights - Respect for fundamental freedoms - Respect (international) law and agreements - Dialogue - Negotiation
9.	EU economic sanctions against Russia approved unanimously		- Non-use of force - Respect (international) law and agreements - Sovereignty - Independence - Territorial integrity - Respect for human rights - Dialogue
			- Civilisation - EU responsibility for peace, stability and prosperity - EU positive and transformative role - Russian aggression

Table 5 Categories of EU discourse

It is clear that the EU's official rhetoric on the Ukraine crisis mainly consists of legal discourse along with cultural references. Geopolitical rhetoric, which focuses mostly on the issues of energy security and destabilisation of a neighbouring country, is of less importance, while institutional discourse is not used much at all, except during S₅ when it re-establishes what behaviour is expected from EUMS when they work together. Cultural discourse is used to vilify Russia as an uncivilised state, while describing Ukraine's free choice for Europe as a choice for peace, stability, and prosperity, i.e. a moral Europe.

The most significant change in the legal discourse happened after S₄. While the EU started off with mainly value-based norms, it started to include rights-based norms. After the annexation of Crimea, references were made to morally independent norms, such as: sovereignty, territorial integrity. Value-based norms remained present, but started to include those which were also perceived as violated by Russian actions, such as: respect for (international) law and agreements to which Russia was a part,

independence, the non-use of force, and the need for dialogue and negotiations. This is related to developments in the Ukraine crisis, namely the Russian approval for the use of force in Ukraine. This Russian decision is considered a violation of international law and of several agreements, such as the Helsinki Accords and the Charter of Paris. Additionally, after S₅, the Crimean referendum, legal discourse also includes the violations of Ukrainian national law. Between S₄ and S₉, the legal discourse remains centred around this normative.

The Union could only be credible if it acted on its moral standards. Inaction would mean that the EU would leave its principles, values and policies behind, thereby making inaction costlier than the potential costs of action. Principles therefore dominated the discourse over geopolitical concerns.

4.3 German and Italian statements on the Ukraine crisis

4.3.1 Germany

Statements from the *Auswärtiges Amt* made in reference to Ukraine, the Ukraine crisis, and Russia (Annex A) have been categorised into institutional, geopolitical, legal, and cultural discourse (see Annex B). Their shares of the total amount of statements is presented in figure 5.

What is clear is that German statements mostly contain legal discourse in the first few stages of the Ukraine crisis, while geopolitical and institutional discourse is almost non-existent. This changes however during S₄, when the Russians approve the use of force in Ukraine and the Crimean referendum during S₅. Also from S₆ onwards, institutional discourse gradually increases its presence in German statements. This could be explained by Germany's changing position in the Ukraine crisis.

After Germany's change of heart on tougher sanctions, there is more focus on the behavioural expectations of other members. They point out the need for coordination, cooperation, consensus, and joint action. This is logical because Germany now has an interest in getting tougher sanctions and it needs the other EUMS in order to pass it in the CFSP decision-making process. When Germany was still reluctant, it is reasonable that they did not, or refer less, to institutional discourse, because they were the ones blocking the tougher sanctions.

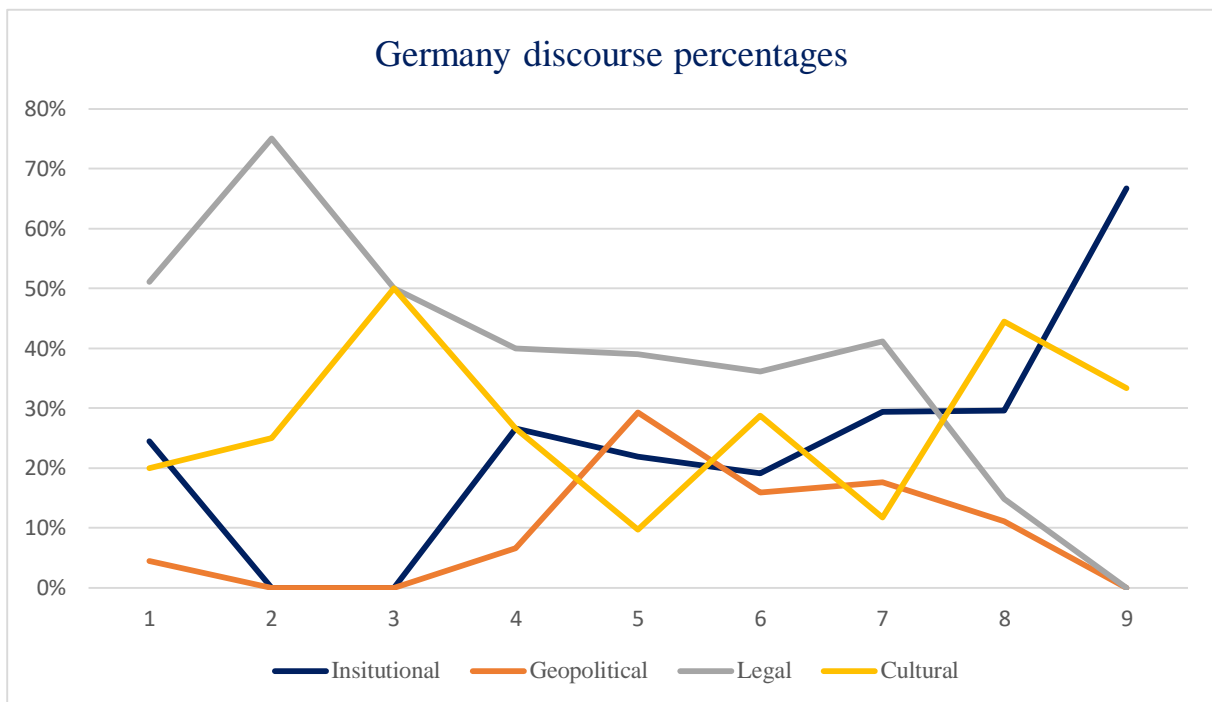


Figure 5 Germany discourse percentages

German geopolitical discourse does not consider the Ukraine crisis a threat to a specific country, even though they accept the validity of Polish and Baltic concerns based on their historical experiences with Russia (Auswärtiges Amt: 14-03-2014), but they rather focus on the possibility of a disunited continent, i.e. a split Europe, and the issue of instability at Europe's borders. In the words of Orenstein and Kelemen, the Ukraine crisis was considered a "proxy war on the EU" (2017: 95). Furthermore, no mentioning has been made on the issue of energy security. This small share of geopolitical discourse suggests that these issues, although recognised to some extent, did not play a significant role in Germany's official perception of the Ukraine crisis and was sparsely used in explaining their position.

The issue of identity, or cultural discourse, is interesting, because its usage peaks three times at S₃, S₆, and S₈. All three stages are characterised by increased violence. First in taking over Crimea, then in the Donbass, and finally when MH17 was shot down. The EU is linked to peace, freedom, and prosperity, while Russian and separatist actions are considered aggressive, violent, and territorial. The group-identity here is associated with values and principles that are considered just and legitimate, while the other, being Russia and the separatists, is vilified by linking their actions to what is considered illegitimate.

Again, with Germany we see little institutional discourse in the first stages of the Ukraine crisis. Germany's statements remain mostly filled with legal rhetoric until the signing of the AA with Ukraine, focusing on European norms and values like non-violence, the need for dialogue and negotiation, and human rights. Only after the change in the German national position the share of institutional rhetoric rises because they want to convince other EUMS to join their preferences.

4.3.2 Italy

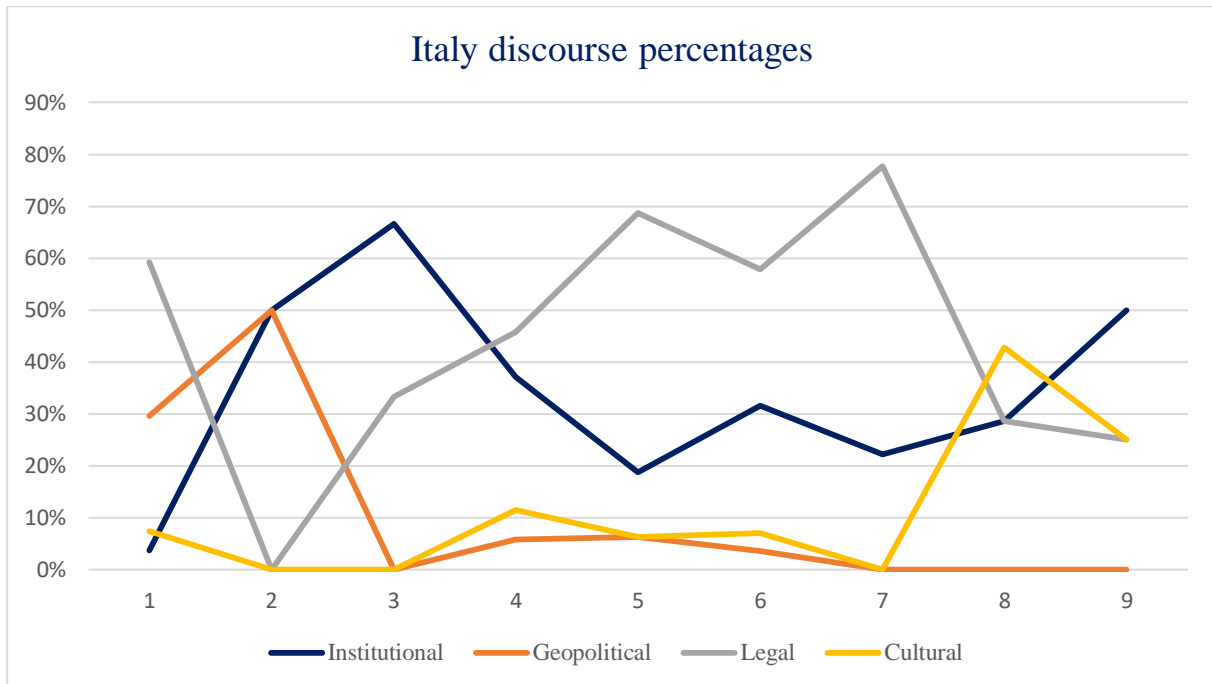


Figure 6 Italy discourse percentages

The same procedure is applied to the statements from the Italian Ministero degli Affari Esteri e della Cooperazione Internazionale made in reference to Ukraine, the Ukraine crisis, and Russia (Annex C). These are also categorised into the four discourse categories (see Annex D) and their shares are presented in figure 6.

There is not much cultural discourse present in Italian statements between S_1 and S_7 . It refers mainly to the Ukrainian government as responsible for the violence against protesters (20-02-2014²). Its share remains minimal, focusing mainly on the expectations that Russia will enter negotiations (10-03-2014; 25-04-2014), until S_8 and S_9 when MH17 crashed in eastern Ukraine. Then the discourse changes more in favour of Ukraine and paints Russia as responsible for the situation that enabled the downing of the airplane. Cultural discourse refers to an “abominable act”, Russia’s responsibility to ensure full and credible collaboration, and finally its repeated failures and failure to respect official commitments (19-07-2014; 29-07-2014)

Geopolitical discourse, after a significant presence in S_1 and S_2 , drops to single percentages. It limits itself to: 1) the danger of Ukraine exploding and civil war at the border, 2) the importance of Russia as a partner for Italy in trade and energy, and 3) the threat of a severe EU reaction to the EU/Italian-Russian relationship (24-11-2013; 20-02-2014; 28-01-2014; 10-02-2014 (A); 20-02-2014; 23-05-2014).

² The colours refer to specific statements as categorised in annexes B and D.

Institutional rhetoric's share, despite being virtually absent during S₁, rises drastically during S₂ and S₃, only to lose its importance until S₈ and S₉. While Italy refers to European unity in word and action, calls for communication between EUMS' foreign ministers, and supports actions by France, Germany, and Poland (26-02-2014; 28-02-2014; 01-03-2014; 13-03-2014; 07-05-2014), it argues that using the same words and messages to denounce Russian actions and the annexation of Crimea, will not be enough to find solutions (19-04-2014). Inviolable principles will remain violated, and red lines and ultimatums by the West will not change this. The only solution, Italy argues, is to get Russia and Ukraine to talk.

Pushing for the need for dialogue, negotiations, and a political solution is at the core of Italian legal discourse. They state several times that there is “no true alternative to the resumption of dialogue” (19-02-2014). In this, Italy claims to be of the same identity of views on, and share a common reading of, the Ukraine crisis with Germany. They argue that German and Italian pushes for the need for dialogue softened the “muscular approach that some countries, such as Poland and France, had suggested” (19-04-2014). Furthermore, it uses words like “unacceptable violence”, “peaceful protests”, unacceptable “abuses against the civilian population”, to describe the Ukraine crisis and separatist and Russian actions. In between there is also expressed concern that human rights in Ukraine are being violated, first by the Ukrainian government, later by the separatists and Russia (10-02-2014B).

In its push for dialogue, Italy specifically refer to the need to include Russia, which is a major partner despite differences (20-02-2014; 25-11-2013). Italian statements refer multiple times in S₁ to the importance of the EU-Russian relationship, the need to strengthen dialogue, and – remarkably – the importance of perceiving Russia as part of the solution, not the problem (24-11-2013; 16-12-2013; 20-02-2014). This faith that Russia will cooperate with the EU through negotiations and that they will try to stop destabilising Ukraine, is present in Italian statements is present at least until S₄ (03-03-2014).

4.4 Second hypothesis

H2: Germany and Italy considered the EU's identified normative framework to be applicable to the Ukraine crisis.

Relevance is a critical condition for normative entrapment. EU norms that are used as foundation for CFSP agreements and joint action must be considered applicable to a situation in order to trap EUMS. If a norm does not apply, then the argument for action is illogical leading members to be disentraped and no longer limited in their choosing their own actions.

As stated by Eriksen, by determining the EU's political framing of the crisis before and after key events, one can determine if/when its normative reasons were accepted by the EUMS. Through an analysis and categorisation of German and Italian discourse on the Ukraine crisis, a systematic comparison can be made with the EU's official discourse per stage of the crisis. This comparison will indicate to what extent German and Italian perceptions of the crisis match the European one. If there is

a match between used references, then this indicates that both considered the EU's legal discourse to be applicable to the Ukraine crisis, because they used it too.

As determined under 4.2, the EU's statements contained mainly legal discourse to refer to the Ukraine crisis. German and Italian statements from the Auswärtiges Amt and the Ministero degli Affari Esteri e della Cooperazione Internazionale must thus be compared with the EU's legal discourse. In Annex B and D both EUMS' statements have been categorised into institutional, geopolitical, legal, and cultural discourse. Those including legal discourse have been analysed, and the referred-to normative has been included into tables 6 and 7 to allow for a systematic comparison.

4.4.1 Germany

Stage	EU legal discourse	German legal discourse
S ₁	<ul style="list-style-type: none"> - Non-use of force - Respect for human rights - Respect for fundamental freedoms. - Engage in dialogue 	<ul style="list-style-type: none"> - Self-determination - Respect for fundamental freedoms - Non-use of force - Democracy - Political solution - Dialogue - De-escalation of violence
S ₂		<ul style="list-style-type: none"> - Need for de-escalation - Need for political solution - Dialogue - Preserve territorial integrity - Preserve national unity - Non-use of force
S ₃		<ul style="list-style-type: none"> - Need for democracy - Need for dialogue - Need for political solution - Support sovereignty - Support territorial integrity - End violence
S ₄	<ul style="list-style-type: none"> - Sovereignty - Territorial integrity - Respect (international) law and agreements - Independence - De-escalation - Free and fair elections - Negotiations - Dialogue 	<ul style="list-style-type: none"> - Need for de-escalation - Need for political solution - Respect sovereignty - Respect territorial integrity - Respect (international) law - Need for dialogue - Need for negotiations
S ₅	<ul style="list-style-type: none"> - Free and fair elections - Sovereignty - Territorial integrity - Dialogue - De-escalation - Self-determination - Non-use of force - Respect (international) law and agreements 	<ul style="list-style-type: none"> - Violation of (international) law - Dialogue - Need for political solution - Negotiations - Cooperation - End violence - Violation of territorial integrity - Violation of sovereignty - Violation of unity - De-escalation
S ₆	<ul style="list-style-type: none"> - Non-use of force - Dialogue - Unity - Sovereignty - Independence 	<ul style="list-style-type: none"> - Need for de-escalation - Non-use of force - Dialogue - Negotiations - Need to respect outcome of negotiation

	<ul style="list-style-type: none"> - Territorial integrity - Respect (international) law and agreements - Negotiations 	<ul style="list-style-type: none"> - Violation of human rights - Need for unity - Territorial integrity - Sovereignty
S ₇	<ul style="list-style-type: none"> - Non-use of force - De-escalation - Respect (international) law and agreements - Sovereignty - Independence - Territorial integrity 	<ul style="list-style-type: none"> - End violence - Dialogue - Negotiations - Need for political solution - Need for de-escalation - Human rights - Violation of territorial integrity - Violation of (international) law
S ₈	<ul style="list-style-type: none"> - Non-use of force - Respect for human rights - Respect for fundamental freedoms - Respect (international) law and agreements - Dialogue - Negotiation 	<ul style="list-style-type: none"> - Violation of human rights - End violence - Violation of territorial integrity - Violation of (international) law
S ₉	<ul style="list-style-type: none"> - Non-use of force - Respect (international) law and agreements - Sovereignty - Independence - Territorial integrity - Respect for human rights - Dialogue 	<ul style="list-style-type: none"> - End violence - Need for de-escalation - Violation of human rights - Dialogue

Table 6 EU-German legal discourse comparison

Table 6 shows that the norms that are referred to by Germany are mostly the same as the EU's. In S₁ Germany states that it will continue its efforts towards a solution. Steinmeier made clear that he was not willing to issue ultimatums and that however difficult the situation is, a political solution was the only way forward. Germany states multiple times that violence is not a solution (19-02-2014 (A)). Value-based norms, like dialogue, negotiations, and self-determination, form the core of German legal discourse. Because value-based norms are grounded in the identity, official values, and long-standing traditions of a group and are considered fundamental to membership, German references can be considered to be in line with the EU.

During S₂ Germany helped mediate a compromise between parties in Ukraine. Despite criticism that the EU was a player in the conflict, Steinmeier said that they had to try to mediate. Furthermore, he restated his conviction that sanctions should only be used to help push players to come to a political solution (23-02-2014).

During S₂ and S₃ German statements for the first time refer to rights-based norms, such as the territorial integrity of Ukraine, the non-use of force, de-escalation, and sovereignty. Violence in the Crimea and eastern regions must not lead to a break-up of Ukraine (28-02-2014). In S₄ Germany calls on Russia to not violate Ukraine's sovereignty and territorial integrity in the Crimea and calls its actions illegal (01-03-2014; 02-03-2014). Nevertheless, Germany's statements remain dominantly filled by value-based norms. Germany states its convictions that it is "important [...] to exhaust all, absolutely all, options to prevent Ukraine from sliding back into violence" (04-03-2014). In its legal discourse, Germany thus uses similar rhetoric to refer to Russian actions as the EU does.

The comparison reveals that German legal discourse includes both value-based norms and rights-based norms, which are the same as the those in the legal discourse of the EU. Because Germany used the same rhetoric, this indicates that they considered the EU's normative framework in reference to the Ukraine crisis to be applicable to the situation. For Germany, H2 is therefore confirmed.

4.4.2 Italy

Stage	EU legal discourse	Italian legal discourse
S ₁	<ul style="list-style-type: none"> - Non-use of force - Respect for human rights - Respect for fundamental freedoms. - Engage in dialogue 	<ul style="list-style-type: none"> - Unacceptable violence - Peaceful protests - Unacceptable abuses against civilians - Dialogue - Abstaining from violence - Democracy - Rule of law - Freedom of association - Freedom of expression - Freedom of assembly - Free trade - Human Rights
S ₂		
S ₃		<ul style="list-style-type: none"> - No alternative to dialogue - Concern for territorial integrity
S ₄	<ul style="list-style-type: none"> - Sovereignty - Territorial integrity - Respect (international) law and agreements - Independence - De-escalation - Free and fair elections - Negotiations - Dialogue 	<ul style="list-style-type: none"> - Violation of territorial integrity - Need for dialogue - Need for political solution - Violation of sovereignty - Violation of (international) law - Need for de-escalation - Unacceptable violence
S ₅	<ul style="list-style-type: none"> - Free and fair elections - Sovereignty - Territorial integrity - Dialogue - De-escalation - Self-determination - Non-use of force - Respect (international) law and agreements 	<ul style="list-style-type: none"> - Violation of (international) law - Need for diplomatic solution - Need for dialogue - Need for de-escalation - Need for respecting sovereignty, independence, and territorial integrity of Ukraine
S ₆	<ul style="list-style-type: none"> - Non-use of force - Dialogue - Unity - Sovereignty - Independence - Territorial integrity - Respect (international) law and agreements - Negotiations 	<ul style="list-style-type: none"> - End violence - Need for de-escalation - Need for dialogue - Need for peaceful solution - Respect human rights - Violation of (international) law. - Need for Ukrainian internal unity - Need for responsible actions from all parties
S ₇	<ul style="list-style-type: none"> - Non-use of force - De-escalation - Respect (international) law and agreements - Sovereignty - Independence - Territorial integrity 	<ul style="list-style-type: none"> - Need for dialogue - Need for negotiations - End violence - Respect international negotiation outcomes
S ₈	<ul style="list-style-type: none"> - Non-use of force - Respect for human rights - Respect for fundamental freedoms 	<ul style="list-style-type: none"> - Respect international negotiation outcomes - End violence - Need for rigorous and impartial inquest.

	<ul style="list-style-type: none"> - Respect (international) law and agreements - Dialogue - Negotiation 	
S ₉	<ul style="list-style-type: none"> - Non-use of force - Respect (international) law and agreements - Sovereignty - Independence - Territorial integrity - Respect for human rights - Dialogue 	<ul style="list-style-type: none"> - Respect international negotiation outcomes - End violence

Table 7 EU-Italian legal discourse comparison

A comparison of EU legal discourse with that of Italy shows that the value-based and rights-based norms that are referred to are also mostly the same to those of the EU. From S₁ to S₆ there is virtually no difference. In S₁, ‘Unacceptable violence’ and ‘abstaining from violence’ can be shared under the EU’s: ‘Non-use of force’. Italian references to peaceful protests, ‘unacceptable abuses against civilians’, ‘democracy’, ‘rule of law’, ‘freedom of association’, ‘freedom of expression’, ‘freedom of assembly’, ‘free trade’, and ‘human rights’ can be linked to the EU’s principles of human rights and fundamental freedoms. Italy also points to the need for dialogue to find a political solution between Ukrainian parties, a principle that is also expressed by the EU. These are mainly value-based norms.

The developments of S₄ and S₅ bring about a new identification of the Ukraine crisis and Italian discourse changes in the same manner as the EU’s, i.e. it includes more rights-based norms. The violations of territorial integrity, sovereignty, and (international) law, are denounced, while they call for the de-escalation of violence and push for the need of dialogue between Russia and Ukraine to come to a diplomatic solution. This does not change during S₆.

Italian legal discourse changes in the latter three stages of this thesis’ timeframe. On April 17th 2014 there have been negotiations between the US, Russia, Ukraine, and the EU. It becomes increasingly clear that Russia does not act according to the agreement. In Italian legal discourse, the references to the need for dialogue and negotiations are thus changed or replaced by the call to respect the outcome of international agreements. Furthermore, the escalation of violence is denounced by Italy. Unlike the EU, Italy does no longer refer to the rights-based violations of territorial integrity and sovereignty. This does however not mean that Italy no longer considers the annexation of the Crimea by Russia as a violation, but that it focuses on other aspects of the crisis which it considers more urgent at that time.

Considering the compared legal discourses and the shared references to certain norms and values, it can be determined that Italy considered the EU’s legal discourse to be applicable to the Ukraine crisis. For Italy, H2 can thus also be confirmed.

4.5 Third hypothesis

The third hypothesis was split into 3A and 3B, the first being: The EU's identified normative framework was considered uncontroversial by Germany and Italy.

Determinacy was determined to be the second critical condition to make normative entrapment a plausible explanation for decision-making within EU institutions. Natorski, Pomorska, Leuffen, Rittberger, and Schimmelfennig all stated that the EU's normative consists of formalised norms and values in the EU Treaties, accepted through uncontested identities, or the result of long-standing practises.

The analysis of FAC, Council, and European Council conclusions and press releases under 4.2. identified the EU's normative framework for action to be mainly in the legal category, i.e. the norms and values that are included in the European Treaties. Furthermore, the discourse analyses and comparisons of Germany and Italy indicated that both nations considered the norms and values that were identified by the EU as a basis for agreement and joint action, to be relevant for the Ukraine crisis.

As stated previously, whether norms are considered uncontroversial is established when the identified normative framework is laid down in the EU Treaties. The norms and values in the EU's legal discourse regarding the Ukraine crisis, must therefore be compared with those in the Treaties. Those that match may be considered uncontroversial, because they have had to be officially ratified and accepted by both EUMS.

The main legal norms and values that were identified by the EU were: 'human rights', 'fundamental freedoms', 'non-use of force', 'respect for (international) law', 'sovereignty', 'territorial integrity', 'self-determination', and 'dialogue'. The EU Treaties mention the following value-based and rights-based norms, values, and behavioural expectations (figure 7):

- *EU and member states' policies are bound by the provisions of the Charter of the United Nations, which includes:*
 - Maintain international peace and security;
 - Peaceful settlements to international disputes;
 - Achieve international cooperation;
 - The sovereign equality of all states;
 - The obligation to act in accordance with the UN Charter;
 - And refrain from the threat or use of force against territorial integrity or political independence of any state
- *Member states are responsible for the maintenance of international peace and security.*
- *EU and member states' policies are bound by the Helsinki Accords and the Charter of Paris, which include:*
 - The sovereign equality of states;

- Refraining from the threat or use of force;
- The inviolability of frontiers;
- The territorial integrity of states;
- The peaceful settlement of disputes;
- The non-intervention in internal affairs;
- Respect for human rights and fundamental freedoms;
- Respect for equal rights and self-determination of peoples;
- Cooperation among states;
- Adhere to international law.
- *EU and member states should advance to the wider world the principles of:*
 - Democracy;
 - The rule of law;
 - Human rights;
 - Fundamental freedoms;
 - Respect for human dignity;
 - Equality;
 - Solidarity;
 - And respect for the UN Charter and international law.
- *EU common policies should be used to:*
 - Safeguard its values;
 - Fundamental interests;
 - Security
 - Independence;
 - and integrity.
- *EU common policies should be used to support:*
 - Democracy;
 - The rule of law;
 - Human rights;
 - The principles of international law;
 - Preserve peace;
 - Prevent conflicts;
 - Strengthen international security;
 - And aid countries confronting man-made disasters.

Figure 7 Norms and values in the EU Treaties, UN Charter, Helsinki Accords, and Charter of Paris.

Germany and Italy were both signatories of the EU Treaties, the UN Charter, The Helsinki Accords, and the Charter of Paris. This means that both countries officially accepted and ratified the norms and values

in those treaties. The EU's identified normative framework, matches perfectly with those represented in figure 7. Furthermore, because Germany and Italy accepted the relevance of the EU's identified norms and values and they also used these themselves, the identified normative framework can be considered uncontroversial. This means that H3A can be confirmed.

Hypothesis 3B states that: The EU's identified normative framework had no clear behavioural implications. The clarity of the behavioural implications is uncertain. The violation of these fundamental norms does prescribe disapproval, because violating something upon which all signatories agreed is considered illegitimate behaviour, but it does not prescribe or demand that the EUMS should agree to and implement economic sanctions against the perpetrators.

Both Germany and Italy tried to use the identified normative framework to put forward their own visions of what should happen. As states, EUMS use norms to argue in favour of their policy preference, or to explain and justify their positions, in a way that is considered legitimate by their peers. This way, those states that favour a different policy choice will not be perceived as acting contrary to the group's normative.

Germany consistently referred to value-based norms, such as the need for diplomacy and dialogue, in its statements regarding the Ukraine crisis. In their statements they argued against the dangerous consequences of economic sanctions because they were considered harmful in the efforts to get Russia to the negotiating table, thereby not ending the violence. Sanctions were only considered to be a tool to get Russia to the negotiation table if they were unwilling to change their actions. Steinmeier called on Russia to "come to an international agreement" and if no decisive steps were taken then "the discussion among leaders in the European Council will indeed lead to measures being taken" (08-07-2014). German discourse thus argued that punishing the violation of rights-based norms would be obstructive to pursuing the EU's value-based norms.

Like Germany, Italy also accepted and used the EU's official legal discourse, but picked out two value-based norms which favoured their preferred choice: ending violence and creating a peaceful solution through dialogue. Their argument was, like Germany's, that economic sanctions would be counterproductive in getting Russia and Ukraine to the negotiating table, because sanctions could drive away Russia's will to come and talk, thereby continuing the violence. They state that "the best way to encourage the Moscow and Kiev governments' responsibility, is to refrain from contributing to escalation, even verbally. (10-03-2014).

Furthermore, they also support this argument by using institutional discourse, referring to communication and cooperation. Italy claims several times not to be misaligned with other members when they argue in favour of keeping "sanctions and financial assistance outside the existing framework" (10-02-2014 (A)). More than once they mention that their position has been discussed with Germany, which, according to Italy, is of the same opinion (3-03-2014 B; 19-04-2014). H3B can therefore be confirmed. This discord on the behavioural implications means that the EUMS' turned to a logic of arguing.

4.6 Fourth hypothesis

H4: Accepting the framed identity of Russia as an untrustworthy dialogue partner drove Germany and Italy to consent to economic sanctions.

When behavioural implications of norms are contested, unclear, or contrary to national interests, states will not always act in accordance with a logic of appropriateness. They will then turn to a logic of arguing, i.e. the justification and explanation of one's position/action/preferred option by convincing others of their logic and legitimacy.

Aggestam argued that through analysing role expectations and role conceptions, role performance could be explained. Role expectation referred to the behavioural expectations of the EU, and the EUMS, of its constituents. The official EU discourse (Annex E) was categorised in table 5. These conclusions of FAC, Council, and European Council meetings identified which norms and values were considered violated by the EU. In the case of Germany and Italy, their arguments against economic sanctions were that they would obstruct the possibility of dialogue and negotiations. The fundament under these value-based norms is the perception of Russia as a trustworthy partner or at least as an important player that is necessary for a political solution.

Role conception is the expectation that both members themselves had of a unified EU response to the Ukraine crisis. Through the friendliness indexes towards Russia, which was based on Carta and Braghiroli's method, the initial positions of both nations towards Russia were determined. Germany scored 0,532 and Italy 0,6 on a Russian friendliness index ranged between 0-1. According to Carta and Braghiroli, this makes both states normatively malleable towards Russia. Or in other words, countries which try to cooperate with Russia and overall have significant economic exchanges or energy dependencies.

Germany and Italy were thus initially positively inclined towards Russia, or at least unwilling to harm their good economic/financial/political relationships. As mentioned under 4.5, both EUMS used the norms of non-violence and finding peaceful solutions through negotiation, in order to argue against economic sanctions. Their argument for negotiation however rested on 1) Russia's willingness to talk, and 2) that Russia would act on its commitments after a possible agreement.

German and Italian use of the EU's identified normative framework to argue in favour of their own policy preferences, i.e. no economic sanctions, was therefore based on their perception of Russia. This means that for the hypothesis to be confirmed, both EUMS' perceptions of Russia must have changed to reflect the EU's perception of Russia. To establish this, German and Italian cultural discourse is analysed and compared with that of the EU.

4.6.1 Germany

Based on annexes A and B, Germany's cultural discourse with references to Russia and Ukraine has been analysed. The results are shown in table 8 in order to determine Germany's perceptive change of Russia.

Stage	EU cultural discourse	German cultural discourse
S ₁		<ul style="list-style-type: none"> - Ukraine shares our values - Ukrainians long for the EU - Prosperous and stable future through EU partnership - Active expression for European Ukraine - Those responsible for the bloodshed can be targeted by sanctions - Ukrainian authorities responsible - Need for a common future with Russia - Important cultural, historical, political, economic relationship with Russia - Acceptance of differences with Russia - Russia a strategic partner - Russia has taken advantage of Ukraine's desperate economic situation to block the EU association agreement is an outrage
S ₂		<ul style="list-style-type: none"> - Russia supported the plan and participated in a mediation by Germany - Russia is an important, but not an easy partner - Legitimate criticism of Russia over its stances on the rule of law and human rights - Need for dialogue and cooperation with Russia - Ukraine is part of Europe
S ₃		
S ₄	<ul style="list-style-type: none"> - Russian aggression - EU responsibility for peace, stability and prosperity - Choice for civilisation 	<ul style="list-style-type: none"> - Russian actions are dangerous to Ukraine's sovereignty and territorial integrity - Russia has no right to deploy its military in Ukraine - Russian annexation of Crimea pours oil into the fire
S ₅	<ul style="list-style-type: none"> - EU responsibility for peace, stability and prosperity 	<ul style="list-style-type: none"> - EU represents the great promise of peace, freedom, and prosperity - Strong German-Russian relationship - Russia is no partner for stability - Law of the strong versus the strength of the law - One-sided geopolitical interests put before agreement and cooperation - Russia still an important partner to resolve conflicts over neighbouring countries - Russia has distanced itself from the path of cooperation and law - Russian acts of aggression - In trying times, people need to care about relations between Germany and Russia - Not ignore that Russia has a special relationship with Ukraine
S ₆	<ul style="list-style-type: none"> - Russian aggression - EU positive and transformative role 	<ul style="list-style-type: none"> - When it comes to further bloodshed and deaths, Kyiv and Moscow have a

		<ul style="list-style-type: none"> responsibility to live up to the commitments they undertook in Geneva - Parading OSCE and Ukrainian prisoners is a violation of human rights - Russia has an obligation to use its influence with the separatists - Welcome Russia's constructive approach - Ukrainian elections show European aspirations - Shooting down aircraft is a crime and those who did it disqualify themselves from taking part in dialogue - Russia needed for Ukrainian unity - We cannot continue our normal relationship with Russia after the annexation of the Crimea
S ₇		<ul style="list-style-type: none"> - European values, such as freedom, democracy, rule of law, freedom of the press, minority rights etc. are the key and guarantee for our European model - The international order has been severely shaken by Russia's annexation of Crimea - Russian actions are absolutely unacceptable - Relationship with Russia cannot go back to business as normal
S ₈	- Civilisation	<ul style="list-style-type: none"> - No one responsible for such an atrocity any longer has any right to push for their own interests in the name of humanity - Heartless conduct of the separatists - Shows clearly what kind of people we are dealing with - Russian unwillingness to cooperate and to be responsible is madness - Russian power politics - Whoever impedes the investigation has something to hide or no heart - Separatists will not adhere to the most basic rules of our civilisation - Separatists beyond civilisation
S ₉	<ul style="list-style-type: none"> - EU responsibility for peace, stability and prosperity - EU positive and transformative role - Russian aggression 	-

Table 8 EU-German cultural discourse comparison

Germany made clear early on that it considered the European aspirations of the Ukrainians to be legitimate and that, despite being unwilling to issue ultimatums, it condemned all forms of violence and that the EU had to consider targeted sanctions on individuals who were responsible for the bloodshed (18-02-2014). Furthermore, while acknowledging their differences with Russia on the rule of law, human rights, or on international situations, Germany referred to the important economic, cultural, historical, and political relationship with Russia and the need to build a common future (14-02-2014; 27-01-2014).

Interesting is that during S₁ German minister Guido Westerwelle, a liberal, was replaced by Frank Walter Steinmeier, a social-democrat. Westerwelle clearly denounced Russian actions while Steinmeier seemed to focus more on the partnership with Russia despite differences.

Still, after Russian actions in the Crimea and its subsequent annexation, Germany responded that it would respond if the situation would continue to escalate. It warned however that sanctions were not the goal and could be revoked in case of de-escalation (10-03-2014).

On March 13th 2014, Merkel gave a policy statement on the situation in Ukraine to the German Bundestag. The statement mainly included cultural discourse, focused on portraying Russian actions as opposed to modern, international, and European principles of non-violence, territorial integrity, sovereignty, cooperation, and agreement. While clearly denouncing Russia and portraying what future options would be in case of no deescalating steps were taken, she still called Russia a partner and proposed a new economic agreement to solve economic conflicts over neighbouring countries (13-04-2014). She also recognised Russia's special relationship with Ukraine, something that was supported several times by Steinmeier.

4.6.2 Italy

Italian cultural discourse has been determined based on the database in annex C and the categorisation in annex D. The results have been put in table 9, which makes it possible to determine a change in the Italian perception of Russian and Ukrainian actions and Russia as a partner.

Stage	EU cultural discourse	Italian cultural discourse
S ₁		<ul style="list-style-type: none"> - Russian realpolitik - Russia to erase shame of imperial breakdown - Human rights as changed from east to west, supported by autocracy and financial gain - Strengthen dialogue and economic relationship with Russia - Ukrainian authorities to blame
S ₂		
S ₃		
S ₄	<ul style="list-style-type: none"> - Russian aggression - EU responsibility for peace, stability and prosperity - Choice for civilisation 	<ul style="list-style-type: none"> - Russian actions unacceptable, but faith in Russian statements on the will to maintain a sovereign and integrate Ukraine
S ₅	<ul style="list-style-type: none"> - EU responsibility for peace, stability and prosperity 	<ul style="list-style-type: none"> - Moscow has to take a step towards diplomacy - Russia must remain a partner to the EU - Russia to return to its role of global, responsible international partner - Russia failed to respect the principles and commitments enshrined in the treaties on which the NATO-Russia partnership is based - Moscow has seriously violated the trust on which cooperation must be based
S ₆	<ul style="list-style-type: none"> - Russian aggression - EU positive and transformative role 	<ul style="list-style-type: none"> - Expect Moscow to implement the accords - During Italian presidency, make effort to rebuild the dialogue between EU and Russia

		<ul style="list-style-type: none"> - Political relations were strong and remain strong, though governments have changed - Italian presidency to bring cooperation with Russia on a constructive basis - Mistrust of Italian economic operators in Russia - Russia not as a factor of instability, but as a factor of responsibility - The problem is inside Ukraine, not only with Russia - Cold war is in the rhetoric - Solve crisis with, and not against Russia
S ₇		<ul style="list-style-type: none"> - Russian complete willingness to work on a ceasefire - Italian presidency to contribute to eliminating the barriers between the EU and Russia
S ₈	- Civilisation	<ul style="list-style-type: none"> - Bringing down MH17 is an abominable act - Russia must ensure full and credible collaboration - Fully aware of the pain Ukraine has long been enduring - Russia had been publically willing to negotiate, but have not backed that pledge with concrete actions - Russian inconsistency between declared intentions and concrete deeds - Russia must use influence to ensure ceasefire, access to crash area, and a reliable inquest - Ukraine has taken difficult path towards political stabilisation - Ukraine has reformed, complied with Geneva accord, and provided peace plans
S ₉	<ul style="list-style-type: none"> - EU responsibility for peace, stability and prosperity - EU positive and transformative role - Russian aggression 	<ul style="list-style-type: none"> - Russia's failure to collaborate - Russia's failure to respect the commitments it made officially

Table 9 EU-Italian cultural discourse comparison

The EU's cultural references on Russia start during S₄., but Italy states much earlier that they have differences of opinion with Russia, but that its political and economic relationship is good and must be strengthened. Italy's perception of Russia as a partner is dominant in its cultural statements, even after S₄ and S₅. Italy did denounce the violations of Ukraine's sovereignty and territorial integrity and stated that Russian actions violated trust, but also mentioned their good faith in Russia based on the statements of Russian Foreign Minister Lavrov, who implied the will to maintain a sovereign Ukraine, and its role as an international partner (03-03-2014). Italy remained of the opinion that the EU needed the Russians as partners, because there are many other problems in the world that had to be solved.

Despite the developments in Ukraine, Italy considers stage-2 sanctions sufficient. They state that stage-3 sanctions would only be agreed-upon when further steps were taken to destabilise Ukraine. Italian foreign minister Mogherini even warned that economic sanctions would mean the failure of Europe's diplomatic strategy (05-04-2014). Later that month, Italy recognised the deterioration of the

situation in Ukraine, but still wanted no economic sanctions instead supporting an expansion of the already existing stage-2 sanctions, i.e. targeted sanctions (25-04-2014). Also Italy retained its goals of strengthening cooperation with Russia during its EU presidency and maintained that the crisis had to be solved with, and not against, Russia.

The EU's transformative role and its responsibilities are not mentioned by Italy. Furthermore, they did not refer to the EU as civilised versus a barbaric Russia. Italy's cultural discourse remained limited to portraying Russia as a partner in solving the crisis, as a future economic and political partner, and acceptance of the differences. Their references to sanctions therefore underlined that they should only be used to get all parties to sit down and talk (25-05-2014; 03-06-2014; 04-06-2014).

4.5.3 Changing positions

Germany's and Italy's Russian friendliness index indicated that both had a normative malleable attitude towards Russia. While Germany scored near the boundary between malleable and intransigent, meaning that it was willing to cooperate with Russia, but had significant concerns over differences, Italy scored higher, indicating that it had a friendlier and more cooperative attitude towards Russia.

Both nations thus perceived Russia as a partner, or at least an important player in finding a political solution to the conflict. German and Italian arguments against economic sanctions rested on the assumption that they would drive Russia away from the negotiation table. Initially, Russia was called upon to use its influence in stopping the violence and participate in dialogue and negotiations. Italy and Germany shared their views on the Ukrainian-Russian case.

However, after April 17th the argument of refraining from implementing economic sanctions to make dialogue and negotiation possible was less valid. Russia came to the negotiation table at Geneva and agreed with the US, the EU, and Ukraine on the steps which had to be taken to deescalate, but they did not act on their promises. Faith in Russia's willingness to negotiate and act on its commitments was tested.

After the Geneva accords, Germany initially praised Russia for its constructive tone. They called on both Russia and Ukraine to exercise maximum restraint and to act according to their commitments in the accord (25-04-2014). Nevertheless, the cultural discourse increasingly points towards Russia's responsibility for acting according to its commitments to the Geneva accords (08-05-2014; 14-04-2014; 28-04-2014; 02-05-2014). Germany additionally points out that Russian partnership in the crisis is a necessity and that it is through much work the Russians may be convinced to negotiate (14-04-2014).

Germany did not argue for tougher sanctions, because they want to keep paths to dialogue open. With the stage-2 sanctions, Germany argues that Russia understands the EU's position. A competition of public declarations for tougher sanctions does not help solve the crisis. Steinmeier argues, that escalating rhetoric and sanctions may lead to a new split in Europe. So all must focus on de-escalation (17-05-2014; 30-05-2014).

In June, German perceptions of Russia's willingness to act on its commitments at first slightly improved when Russia accepted the election of Petro Poroshenko as president of Ukraine, they seemed willing to negotiate further, and Russia retracted its right to intervene in Ukraine (26-05-2014; 08-06-2014; 26-06-2014). Germany and Italy still held off economic sanctions in order not to abandon the chance for a diplomatic solution to the conflict or to prevent Europe from being split (16-04-2014; 10-06-2014).

Nevertheless, an increase in the violence after the shooting of an Ukrainian helicopter over eastern Ukraine, created a changing attitude. Germany demanded a clear explanation from Russia (26-06-2014). In July, talks between Ukraine, Russia, France, and Germany resulted in a joint agreement. Germany pointed out that all parties had to implement the agreed points as quickly as possible (01-07-2014; 02-07-2014). However, quickly thereafter violence increased again and MH17 was shot down. Germany stated that Russia did not seem to put the separatists under pressure and did not keep to their commitments.

As a result, Russia became increasingly framed as an uncivilised geopolitical power with no interest in negotiation. German and Italian role conceptions of Russia were thus delegitimised and no longer held argumentative value. Germany realised that Russia would not take concrete steps on its own and lost its trust in Russia as a partner. Therefore, they changed their position on sanctions and were reluctantly willing to put more pressure on Russia in order to get them to act on their commitments (21-07-2014; 23-07-2014).

The German shift, because of the broken trust that Russia would act on its promises, made economic sanctions a real possibility. This put Germany, as the EU's largest economy, at the head of nations seeking a tougher action on Russia. After the change in German attitudes, Italy became the biggest obstacle to tougher sanctions (Financial Times, 13-07-2014). When on July 1st 2014, Italy took over the Presidency of the Council from Greece, it gained the power to set the agenda and steer debate in Brussels. Critics insisted that Italy would use this power to delay debates over economic sanctions (Financial Times, 13-07-2014). In their statements, Italy tried to counter the perception of Russian untrustworthiness with the argument that Russia was still an indispensable player and that they were needed for a lasting political solution, which could not come about through economic sanctions (30-04-2014). Nevertheless, when MH17 was shot down it was clear that Russia was prepared to keep on violating fundamental principles of sovereignty, territorial integrity, non-violence, and human rights.

On July 24th 2014, Mogherini made a clear statement blaming Russia for the violent situation in eastern Ukraine which led to the crash and the death of many civilians. She said: "Russia has publicly ensured their willingness to negotiate on various occasions over recent months, in Geneva and, most recently, in Berlin a few weeks ago. But they have not backed that pledge with concrete action and the results are now there for all to see" (24-07-2014). This drove Italy to recognise that the inconsistency between Russian publicly declared intentions and concrete deeds would make further negotiations

unsuccessful. They therefore decided to support a strong and unified signal from the EU with the goal to convince Moscow to act on its declared intentions (24-07-2014; 29-07-2014).

Even though it took a while, especially for Italy, to accept the framing of Russia as an untrustworthy and aggressive dialogue partner, the fourth hypothesis can be confirmed. Both German and Italian consent to economic sanctions accepting was driven by Russia's framed identity as an uncivilised aggressive power and an untrustworthy dialogue partner.

Conclusion

This thesis' goal was to explain German and Italian consent to economic sanctions against Russia despite their initial reluctance. Based on realism this agreement would have been subject to hard-bargaining and lead to a LDC compromise, meaning that the agreement would be full of exceptions and loopholes. The economic sanctions that were announced though, caused much surprise amongst academics and journalists since they contained more action than was deemed possible with such diverging interests and positions in the Ukraine crisis.

The question then is how this agreement can be explained. Realist assumptions on self-maximising utility and self-minimising damage would predict that the EUMS would not have agreed with an agreement that could potentially cause harm to their economies, or it would have been an LDC compromise without much effect.

The first hypothesis assumed that the sanctions had an effect on the Russian and EUMS' economies, even though they were a compromise and did not touch Russia's dependence on energy revenues. Especially when taking into account the Russian counter-measures which were provoked by the EU economic sanctions. EU exports to Russia declined significantly and attempts to circumvent the legal barriers through Serbia, Belarus and other third countries, which were not subject to the sanction regime, were limited. Russia increased its control over import from these countries and the numbers show that this could not make up for revenue and business lost. Economic losses on both sides therefore ran into billions of euros. Nevertheless, the Russian economy was hit harder by the sanctions (enhanced effect because of the decline in oil revenues) than the EU's.

The sanctions were therefore not a costless LDC compromise which could have been easily agreed to by the EUMS. Since the EU's internal unity proved to be surprisingly resilient, this thesis argued that the mechanism of normative entrapment could explain why Germany and Italy put principles over material interests.

Hypotheses two and three were based on two critical conditions for normative entrapment to be the likely cause of an agreement. The third condition, which was precedent, was already established to be true, because the EU had significant policy and political investments in Ukraine. The second hypothesis dealt with relevance and whether Germany and Italy thought the EU's normative framework to be applicable to the Ukraine crisis. This proved to be correct in that both Germany and Italy used the same value- and rights-based norms that were identified by the EU regarding the various stages of the crisis in Ukraine. Since the national discourses matched that of the EU, this indicates that the normative rhetoric used by the EU, which was thus at the basis of CFSP agreement, was deemed applicable by both Germany and Italy.

The third hypothesis, which was split in two, found that both EUMS also found the used normative to be uncontroversial, because it is part of treaties and accords which were democratically

accepted and ratified by both countries. Nevertheless, the behavioural implications, accept the part about denouncing the actions violating those principles, were not accepted by all. This led to a logic of arguing, wherein both Germany and Italy used the EU's identified value-based norms of dialogue and negotiation, to argue against economic sanctions. Their arguments rested mainly on the framing of Russia as a trustworthy partner, or at least as an important player in the Ukraine crisis that was needed for a political solution to come about. Their argument was in favour of dialogue, negotiations, and the fear that Russia would become unwilling to attend or commit itself to international agreements if it would be hit by economic sanctions.

The examination of cultural discourse by Germany and Italy indicated that it became increasingly hard for both EUMS to frame Russia as a trustworthy partner in negotiations. After the Geneva accords it was clear that Russia was unwilling to act on its commitments to the EU, the US, and Ukraine. The situation in the Donbass did not deescalate and when Ukrainian military aircraft and flight MH17 were shot down, German and Italian arguments lost their legitimacy and thus their value. Therefore, just one legitimate perception of Russia remained, namely an untrustworthy state that had to be forced to act on its commitments. Unless they were willing to be subject to social sanctions of their peers, Germany and Italy thus had no option but to agree to economic sanctions.

The answer to the question: *To what extent can normative entrapment explain German and Italian consent to the CFSP economic sanctions against Russia, following the events in Ukraine between November 21st 2013 and July 31st 2014, despite their initial reluctance due to potential economic and political costs?*, therefore has to be that a critical combination of pre-existing policy and political commitments to Ukraine, the uncontroversiality of the norms, and the acceptance of the normative, but disagreement on its behavioural implications which led to a logic of arguing, indicates that both EUMS were 'trapped' inside the EU's normative framework and consequently in their own set of norms.

The sanctions were legitimised on an ethical responsibility which was not only agreed to by Germany and Italy, but *a fortiori* was also co-shaped by them as signatories to the treaties and members of the Union. This left them to argue against sanctions within a normative framework that was as much their own as it was the EU's. Their argument could no longer hold after Russia showed time-and-again that it was not living up to its promises in the negotiations. The combination of the need to send a message to Russia and the unwillingness of Russia to change its behaviour, made it necessary for Germany and Italy to agree in order to force Russia to adhere to its promises.

Of course it is difficult to ascribe EUMS consent to economic sanctions entirely to normative entrapment. A factor for Italian consent that has not been discussed in this thesis is Federica Mogherini's bid to succeed Catherine baroness Ashton as the EU's High Representative for Foreign Affairs and Security Policy. According to an article on July 15th 2014, Poland and the Baltic states were uneasy about her soft stance on Russia (Euractiv, 15-07-2014). Italian consent could therefore have been the result of reciprocity or as a sign of good-will to the other EUMS in order to get her the job.

Another factor for agreement could have been external pressure. Sanctions are often part of a collaboration with other institutions or countries, like the UN or the United States. Therefore, it cannot be excluded that there has been behind-the-scene pressure from others on reluctant EUMS to adopt the sanctions. In order to create a full explanation on how the agreement on economic sanctions came to be and to increase our understanding of CFSP decision-making processes and the EU as an international actor, future research on this topic should look into these options.

Nevertheless, it does not matter for the outcome whether Germany and Italy did consent because they were convinced. Acting against the sanctions would mean that they would act against their own principles or because they were afraid of potential social sanctions. This thesis therefore has made it clear that normative entrapment can serve as a legitimate explanation for members of a political community to act against their direct (material) interests in order to be part of something larger and thus sheds more light on the EU as an international actor, the workings of the CFSP, and the factors that help shape institutional agreements.

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Annex A: Database Germany

The table below is filled with dates when the press release/speech/interview/article was posted online on the website of the German Auswärtiges Amt. It is a selection based on the topics of Ukraine and Russia between January 1st and December 31st 2014.⁵

Press releases	Speeches	Interviews	Articles	
21-11-2013	5-12-2013	15-12-2013	18-12-2013	14-05-2014
26-11-2013	10-12-2013	27-01-2014	21-01-2014	15-05-2014
1-12-2013	17-12-2013	07-02-2014	27-01-2014	20-05-2014
9-12-2013	29-01-2014	14-02-2014	27-01-2014	20-05-2014
11-12-2013	20-03-2014	23-02-2014	29-01-2014	23-05-2014
22-01-2014	16-04-2014	24-02-2014	04-02-2014	26-05-2014
26-01-2014	25-04-2014	18-03-2014	05-02-2014	10-06-2014
18-02-2014	07-05-2014	24-03-2014	08-02-2014	16-06-2014
18-02-2014	08-05-2014	26-03-2014	10-02-2014	17-06-2014
18-02-2014	08-05-2014	14-04-2014	14-02-2014	18-06-2014
19-02-2014	09-05-2014	15-04-2014	17-02-2014	24-06-2014
19-02-2014	09-05-2014	17-04-2014	18-02-2014	26-06-2014
21-02-2014	09-05-2014	17-04-2014	21-02-2014	02-07-2014
22-02-2014	15-05-2014	22-04-2014	01-03-2014	09-07-2014
27-02-2014	20-05-2014	27-04-2014	06-03-2014	11-07-2014
28-02-2014	20-05-2014	29-04-2014	07-03-2014	18-07-2014
01-03-2014	28-05-2014	30-04-2014	10-03-2014	21-07-2014
02-03-2014	06-06-2014	06-05-2014	11-03-2014	
04-03-2014	13-06-2014	17-05-2014	11-03-2014	
11-03-2014	13-06-2014	17-05-2014	13-03-2014	
12-03-2014	18-06-2014	30-05-2014	13-03-2014	
14-03-2014	28-06-2014	08-06-2014	17-03-2014	
31-03-2014	01-07-2014	19-06-2014	18-03-2014	
01-04-2014	08-07-2014	01-07-2014	18-03-2014	
17-04-2014	23-07-2014	09-07-2014	19-03-2014	
23-04-2014	25-07-2014	18-07-2014	20-03-2014	
25-04-2014	27-07-2014	20-07-2014	20-03-2014	
27-04-2014		22-07-2014	22-03-2014	
03-05-2014		22-07-2014	23-03-2014	
08-05-2014		27-07-2014	26-04-2014	
26-05-2014		28-07-2014	02-04-2014	
05-06-2014			07-04-2014	
09-06-2014			07-04-2014	
14-06-2014			09-04-2014	
18-06-2014			16-04-2014	
02-07-2014			23-04-2014	
02-07-2014			23-04-2014	
07-07-2014			29-04-2014	
09-07-2014			30-04-2014	
14-07-2014			02-05-2014	
17-07-2014			04-05-2014	
18-07-2014			06-05-2014	
18-07-2014			08-05-2014	
21-07-2014			08-05-2014	
30-07-2014			09-05-2014	
31-07-2014			09-05-2014	

Table 10 Created with the help of the web archive of the German Auswärtiges Amt (http://www.auswaertiges-amt.de/EN/Infoservice/Presse/Web-Archiv_node.html).

⁵ See: Auswärtiges Amt, 'Web Archive'.

Annex B: German discourse categorised

German categorised discourse⁶⁷

Events	Institutional	Geopolitical	Legal	Cultural
1. Yanukovych suspends the signing of the EU Association Agreement in Vilnius	26-01-2014	5-12-2013	21-11-2013	26-11-2013
	18-02-2014 (B)	29-01-2014	1-12-2013	1-12-2013
	18-02-2014 (C)		9-12-2013	9-12-2013
	19-02-2014 (B)		11-12-2013	11-12-2013
	21-02-2014		26-01-2014	22-01-2014
	17-12-2013		18-02-2014 (A)	10-12-2013
	20-12-2014		18-02-2014 (B)	17-12-2013
	27-01-2014 (A)		18-02-2014 (C)	27-01-2014
	5-02-2014		19-02-2014 (A)	17-02-2014
	10-02-2014		5-12-2013	
	21-02-2014		15-12-2013	
			7-02-2014	
			14-02-2014	
			18-12-2013	
			21-01-2014	
			27-01-2014 (B)	
			29-01-2014	
		4-02-2014		
		8-02-2014		
		10-02-2014		
		14-02-2014		
		17-02-2014		
		18-02-2014		
2. Yanukovych ousted from power			22-02-2014	27-02-2014
			23-02-2014	
			24-02-2014	
3. Violence in the Crimea			28-02-2014	28-02-2014
4. Russian parliament approves the use of force in Ukraine	1-03-2014	2-03-2014	1-03-2014	1-03-2014
	4-03-2014		2-03-2014	2-03-2014
	1-03-2014		4-03-2014	4-03-2014
	10-03-2014		6-03-2014	10-03-2014
			7-03-2014	
		10-03-2014		
5. Crimean referendum	11-03-2014	11-03-2014	11-03-2014	14-03-2014
	14-03-2014	12-03-2014	12-03-2014	20-03-2014
	18-03-2014	14-03-2014	14-03-2014	17-03-2014
	11-03-2014 (A)	31-03-2014	31-03-2014	20-03-2014 (A)
	11-03-2014 (B)	20-03-2014	20-03-2014	
	17-03-2014	24-03-2014	11-03-2014 (B)	
	18-03-2014 (A)	26-03-2014	13-03-2014 (A)	
	18-03-2014 (B)	11-03-2014 (B)	13-03-2014 (B)	
	26-03-2014	13-03-2014 (B)	17-03-2014	
		19-03-2014	18-03-2014 (A)	
		20-03-2014 (B)	18-03-2014 (B)	
		23-03-2014	19-03-2014	
			20-03-2014 (A)	
		20-03-2014 (B)		

⁶ The colour black contains press releases, red is used for speeches, green for interviews, and purple for the remainder. Furthermore, A, B, C *et cetera* refer to multiple statements that have been made on that same date. 18-02-2014 (A) thus represents the first statement, 18-02-2014 (B) for the second and so on.

⁷ See: Auswärtiges Amt, 'Web Archive'.

			22-03-2014	
			23-03-2014	
6. Donetsk and Luhansk protests and referenda	16-04-2014 25-04-2014 7-05-2014 8-05-2014 (A) 18-06-2014 15-04-2014 17-05-2014 (A) 2-04-2014 7-02-2014 (B) 16-04-2014 30-04-2014 8-05-2014 (A) 8-05-2014 (B) 9-05-2014 (A) 9-05-2014 (B) 16-6-2014 17-06-2014 24-06-2014	16-04-2014 7-05-2014 20-05-2014 (B) 28-05-2014 13-06-2014 (A) 27-04-2014 6-05-2014 17-05-2014 (B) 2-04-2014 9-04-2014 29-04-2014 2-05-2014 8-05-2014 (A) 10-06-2014 18-06-2014	27-04-2014 8-05-2014 26-05-2014 18-06-2014 16-04-2014 8-05-2014 (A) 15-05-2014 14-04-2014 15-04-2014 17-04-2014 (A) 17-04-2014 (B) 22-04-2014 27-04-2014 30-04-2014 17-05-2014 (A) 17-05-2014 (B) 8-06-2014 19-06-2014 2-04-2014 7-02-2014 (A) 9-04-2014 23-04-2014 2-05-2014 4-05-2014 6-05-2014 8-05-2014 (B) 14-05-2014 15-05-2014 20-05-2014 (A) 20-05-2014 (B) 23-05-2014 26-05-2014 10-06-2014 24-06-2014	17-04-2014 23-04-2014 25-04-2014 27-04-2014 26-05-2014 14-06-2014 21-06-2014 16-04-2014 7-05-2014 8-05-2014 (A) 8-05-2014 (B) 9-05-2014 (A) 9-05-2014 (B) 9-05-2014 (C) 15-05-2014 20-05-2014 (A) 6-06-2014 13-06-2014 18-06-2014 14-04-2014 27-04-2014 29-04-2014 30-04-2014 7-02-2014 (B) 29-04-2014 8-05-2014 (A) 26-06-2014
7. Signing of EU Association Agreement with Ukraine	28-06-2014 8-07-2014 9-07-2014 11-07-2014	2-07-2014 8-07-2014 1-07-2014	7-07-2014 9-07-2014 28-06-2014 1-07-2014 2-07-2014 11-07-2014	8-07-2014 9-07-2014
8. Malaysia Airlines flight MH17 shot down over eastern Ukraine	21-07-2014 23-07-2014 25-07-2014 27-07-2014 22-07-2014 27-07-2014 28-07-2014 21-07-2014	23-07-2014 25-07-2014 22-07-2014	23-07-2014 18-07-2014 20-07-2014 27-07-2014	18-07-2014 (A) 18-07-2014 (B) 21-07-2014 23-07-2014 25-07-2014 27-07-2014 20-07-2014 22-07-2014 27-07-2014 28-07-2014 18-07-2014 21-7-2014
9. EU economic sanctions against Russia	30-07-2014 31-07-2014			30-07-2014

Annex C: Database Italy

The table below is filled with dates when the press release/speech/interview/article was posted online on the website of the Italian Ministero degli Affari Esteri e della Cooperazione Internazionale. It is a selection based on the topics of Ukraine and Russia between January 1st and December 31st 2014.⁸

Press releases	Speeches	Interviews/Articles	In detail
20-01-2014	06-05-2014	24-11-2013	25-11-2013
24-01-2014		25-11-2013	26-11-2013
24-01-2014		27-12-2013	09-12-2013
28-01-2014		20-02-2014	16-12-2013
19-02-2014		03-03-2014	16-12-2013
22-02-2014		03-03-2014	29-01-2014
26-02-2014		09-03-2014	07-02-2014
28-02-2014		14-03-2014	10-02-2014
01-03-2014		23-03-2014	10-02-2014
02-03-2014		12-04-2014	20-02-2014
02-03-2014		19-04-2014	21-02-2014
02-03-2014		07-05-2014	28-02-2014
10-03-2014		12-05-2014	03-03-2014
13-03-2014		25-05-2014	04-03-2014
16-03-2014		01-06-2014	05-03-2014
25-03-2014		03-06-2014	05-03-2014
17-04-2014		04-06-2014	07-03-2014
23-04-2014		24-07-2014	10-03-2014
25-04-2014		29-07-2014	11-03-2014
29-04-2014			12-03-2014
03-05-2014			12-03-2014
06-05-2014			14-03-2014
15-05-2014			17-03-2014
23-05-2014			18-03-2014
25-05-2014			19-03-2014
25-05-2014			25-03-2014
25-05-2014			25-03-2014
28-05-2014			01-04-2014
12-06-2014			02-04-2014
12-06-2014			05-04-2014
01-07-2014			14-04-2014
04-07-2014			14-04-2014
17-07-2014			16-04-2014
19-07-2014			16-04-2014
23-07-2014			17-04-2014
29-07-2014			25-04-2014
			30-04-2014
			06-05-2014
			07-05-2014
			08-05-2014
			12-05-2014
			12-05-2014
			14-05-2014
			14-05-2014
			19-05-2014
			19-05-2014

Table 11 Created with the help of the web archive of the Italian Ministero degli Affari Esteri e della Cooperazione Internazionale (http://www.esteri.it/mae/en/sala_stampa/archivionotizie).

⁸ See: Ministero degli Affari Esteri e della cooperazione Internazionale, ‘News Archives’.

Annex D: Italian discourse categorised

Categories Italy⁹¹⁰

Events	Institutional	Geopolitical	Legal	Cultural
1. Yanukovych suspends the signing of the EU Association Agreement in Vilnius	19-02-2014	20-01-2014 24-11-2013 25-11-2013 20-02-2014 28-01-2014 10-02-2014 (A) 10-02-2014 (B) 20-02-2014	20-01-2014 24-01-2014 (A) 24-01-2014 (B) 28-01-2014 19-02-2014 24-11-2013 25-11-2013 26-11-2013 9-12-2014 16-12-2013 (A) 16-12-2013 (B) 29-01-2014 7-02-2014 10-02-2014 (B) 20-02-2014 21-02-2014	27-12-2013 20-02-2014
2. Yanukovych ousted from power	26-02-2014	22-02-2014		
3. Violence in the Crimea	28-02-2014 28-02-2014		28-02-2014	
4. Russian parliament approves the use of force in Ukraine	1-03-2014 2-03-2014 (A) 2-03-2014 (B) 2-03-2014 (C) 13-03-2014 3-03-2014 (A) 9-03-2014 3-03-2014 5-03-2014 (A) 5-03-2014 (B) 7-03-2014 10-03-2014 14-03-2014	3-03-2014 (A) 3-03-2014 (B)	1-03-2014 2-03-2014 (B) 2-03-2014 (C) 10-03-2014 13-03-2014 3-03-2014 (A) 3-03-2014 (B) 14-03-2014 3-03-2014 4-03-2014 5-03-2014 (A) 7-03-2014 10-03-2014 11-03-2014 12-03-2014 (A) 12-03-2014 (B)	10-03-2014 9-03-2014 12-03-2014 (A) 14-03-2014
5. Crimean referendum	16-03-2014 23-03-2014 19-03-2014	17-03-2014	16-03-2014 25-03-2014 23-03-2014 17-03-2014 18-03-2014 19-03-2014 25-03-2014 (A) 25-03-2014 (B) 1-04-2014 2-04-2014 5-04-2014	25-03-2014 (A)

⁹ The colour black contains press releases, red is used for speeches, green for interviews, and purple for the remainder. Furthermore, A, B, C *et cetera* refer to multiple statements that have been made on that same date. 18-02-2014 (A) thus represents the first statement, 18-02-2014 (B) for the second and so on.

¹⁰ See: Ministero degli Affari Esteri e della cooperazione Internazionale, 'News Archives'.

6. Donetsk and Luhansk protests and referenda	17-04-2014	23-05-2014	17-04-2014	25-04-2014
	23-04-2014	19-04-2014	25-04-2014	19-04-2014
	25-04-2014		29-04-2014	30-04-2014
	6-05-2014		5-05-2014	12-05-2014 (B)
	15-05-2014		6-05-2014	
	28-05-2014		25-05-2014 (A)	
	12-06-2014 (A)		25-05-2014 (B)	
	12-06-2014 (B)		25-05-2014 (C)	
	12-04-2014		6-05-2014	
	19-04-2014		12-04-2014	
	12-05-2014		19-04-2014	
	14-04-2014 (A)		7-05-2014	
	16-04-2014 (A)		12-05-2014	
	6-05-2014		25-05-2014	
	8-05-2014		1-06-2014	
	14-05-2014 (A)		3-06-2014	
	14-05-2014 (B)		4-06-2014	
	19-05-2014 (B)		14-04-2014 (A)	
			14-04-2014 (B)	
			16-04-2014 (A)	
			17-04-2014	
			25-04-2014	
			6-05-2014	
		7-05-2014		
		12-05-2014 (A)		
		14-05-2014 (B)		
		19-05-2014 (A)		
		26-05-2014		
		27-05-2014		
		13-06-2014		
		21-06-2014		
		23-06-2014		
		25-06-2014		
7. Signing of EU Association Agreement with Ukraine	4-07-2014		1-07-2014	
	7-07-2014		4-07-2014	
			3-07-2014	
			7-07-2014	
			8-07-2014	
			9-07-2014 (A)	
		9-07-2014 (B)		
8. Malaysia Airlines flight MH17 shot down over eastern Ukraine	17-07-2014		19-07-2014	19-07-2014
	22-07-2014		23-07-2014	23-07-2014
				24-07-2014
9. EU economic sanctions against Russia	29-07-2014		29-07-2014	29-07-2014
	29-07-2014			

Annex E: Official EU discourse

Date	Event	Meetings	Decisions
21-11-2013	Yanukovich suspends the signing of the EU Association Agreement in Vilnius	20-02-2014 FAC meeting ¹¹	<p>“We condemn in the strongest terms all use of violence. Those responsible for grave human rights violations should be brought to justice”</p> <p>“We call for an immediate end to the violence, full respect of human rights and fundamental freedoms”</p> <p>“We call on all sides to engage [...] in a meaningful dialogue, to fulfil the legitimate democratic aspirations of the Ukrainian people”</p>
22-02-2014	Yanukovich ousted from power		
27/28-02-2014	Violence in the Crimea		
01-03-2014	Russian parliament approves the use of force in Ukraine	<p>03-03-2014 Extraordinary meeting of FAC¹²</p> <p>06-03-2014 Extraordinary meeting of European Council¹³</p>	<p>Strongly condemns “clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces [...]”</p> <p>Considers actions “clear breach of the UN Charter and the OSCE Helsinki Final Act, as well as Russia’s specific commitments to respect Ukraine’s sovereignty and territorial integrity under the Budapest Memorandum of 1994 and the bilateral Treaty on Friendship, Cooperation and Partnership of 1997”</p> <p>Does not recognise the referendum of the Autonomous Republic of Crimea since it is a “clear breach of the Ukrainian constitution”</p> <p>Calls for “full respect of the principles of and obligations under international law”</p> <p>Strongly condemn “the unprovoked violation of Ukrainian sovereignty and territorial integrity by the Russian Federation and call on the Russian Federation to immediately withdraw its armed forces”</p> <p>“The solution to the crisis in Ukraine must be based on territorial integrity, sovereignty and independence of Ukraine,</p>

¹¹ Press release 6767/14

¹² Press release 7196/14.

¹³ Statement of the Heads of State or Government on Ukraine, 06-03-2014 & European Council, ‘Remarks by president of the European Council Herman Van Rompuy following the extraordinary meeting of EU Heads of State or Government on Ukraine’, 6-03-2014.

		<p>as well as the strict adherence to international standards”</p> <p>Consider the decision by Crimea “to hold a referendum on the future status of the territory in contrary to the Ukrainian Constitution and therefore illegal”</p> <p>The EU has “a special responsibility for peace, stability and prosperity in Europe. We will pursue these objectives using all available channels”</p> <p>The EU will participate deescalating the situation and has the objective to “build confidence between parties, watch over the territorial integrity and sovereignty of the country, protect all citizens against intimidations, watch over the rights of minorities, help to prepare free and fair elections, and monitor implementation of agreements and commitments”</p> <p>Restore the relationship with the Russian Federation “based on mutual interest and respect of international obligations”</p> <p>“The solution to the crisis would be found through negotiations”</p> <p>“Any further steps by The Russian Federation to destabilise the situation in Ukraine would lead to additional and far reaching consequences for relations in a broad range of economic areas”</p> <p>“Energy and energy security are an important part of the Union’s external relations. We will continue our efforts to ensure security of supply”</p> <p>“Most serious challenge to security on our continent”</p> <p>“We want a solution in full respect of international law and the territorial integrity of countries”</p> <p>“The situation must de-escalate – and failure by Russia to do so will have serious consequences on our bilateral relationship”</p> <p>“The solution to the crisis should be found through negotiations”</p> <p>“dialogue is the only way out”</p> <p>“The majority of the people of Ukraine made a decisive choice in favour of our</p>
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			European values. It was a civilisation choice”
16-03-2014	Crimean referendum	17-03-2014 FAC meeting ¹⁴	<p>Strongly condemned the referendum in Crimea and “did not recognise its outcome”</p> <p>Considers “the holding of the referendum illegal, and a clear breach of the Ukrainian constitution”</p> <p>“the Crimea referendum was held with visible presence of armed soldiers. The EU does not and cannot recognise the outcome of a referendum organised under such circumstances”</p> <p>The negative developments are a “clear breach of Ukraine’s sovereignty and territorial integrity”</p> <p>The EU “remains ready to facilitate dialogue between Ukraine and Russia”</p> <p>Calls on Russia to “take steps to de-escalate the crisis” and warns that “heavier economic sanctions would follow in case of further actions by Russia to destabilise the situation in Ukraine”</p>
		20/21-03-2014 Extraordinary meeting of European Council ¹⁵	<p>Supports “the Ukrainian people and their right to choose their own future”</p> <p>Welcomes Ukraine’s “commitment to ensure the representative nature and inclusiveness of governmental structures”</p> <p>The EU remains committed to the “sovereignty and territorial integrity of Ukraine”</p> <p>The EU “does not recognise the illegal referendum in Crimea, which is a clear violation of the Ukrainian Constitution. It strongly condemns the illegal annexation of Crimea and Sevastopol to the Russian Federation and will not recognise it”</p> <p>Asks the Commission to “propose economic, trade and financial restrictions regarding Crimea for rapid implementation”</p> <p>Firmly believes “that there is no place for the use of force and coercion to change borders in Europe in the 21st century”</p> <p>The Russian actions are in clear breach of the Helsinki process.</p>

¹⁴ Consilium.europa.eu, ‘Foreign Affairs Council, 17/03/2014’.

¹⁵ European Council, ‘Conclusions on Ukraine’, 20/21-03-2014.

			<p>The EU “has a special responsibility for peace and stability in Europe. It will remain at the forefront of efforts to facilitate and engage in a meaningful dialogue involving Ukraine and Russia”</p> <p>“Any further steps by the Russian Federation to destabilise the situation in Ukraine would lead to additional and far reaching consequences for relations in a broad range of economic areas”</p>
7-04/11-05-2014	Donetsk and Luhansk protests and referenda	15-04-2014 FAC meeting ¹⁶	<p>Condemns “actions undertaken by armed individuals in cities of Eastern Ukraine”</p> <p>Calls on “all parties to engage in a dialogue of a peaceful solution”</p> <p>Strong support for “Ukraine’s unity, sovereignty, independence and territorial integrity, and calls upon Russia to do likewise and to repudiate the latest lawless acts in Eastern Ukraine”</p> <p>It demands “Russia to call back its troops from the Ukrainian border and immediately withdraw the mandate of the Federation Council to use force on Ukrainian soil”</p> <p>“Any threat or use of force against Ukraine or any other countries is not acceptable and must stop immediately”</p> <p>Reiterates “its strong condemnation of the illegal annexation of Crimea and Sevastopol to the Russia Federation and will not recognise it”</p> <p>States the “importance of Russia’s and Ukraine’s engagement in a meaningful dialogue”</p> <p>Reiterates its “commitment to stand by Ukraine”</p> <p>“Energy relations must be based on reciprocity, transparency, fairness, non-discrimination, openness to competition and continued cooperation”</p>
		12-05-2014 Extraordinary meeting of FAC ¹⁷	<p>The EU and its member states “can bring to the international stage the unique ability to combine, in a coherent and consistent manner, policies and tools ranging from</p>

¹⁶ Press release 8763/14.

¹⁷ Council of the European Union, ‘Council conclusions on the EU’s comprehensive approach’ & consilium.europa.eu, ‘Foreign Affairs Council, 12/05/2014’.

			<p>diplomacy, security and defence to finance, trade, development and human rights, as well as justice and migration”</p> <p>“Union’s ability to play a positive and transformative role in its external relations and as a global actor”</p> <p>Recalls “the provisions in the EU Treaty on consistency in external action and with other policies, and the responsibility of the Council and the European Commission to cooperate to that effect”</p> <p>“The EU’s policies and priorities should follow from common strategic objectives and a clear common vision of what the EU collectively wants to achieve in its external relations or in a particular conflict or crisis situation”</p> <p>Stresses the key importance of “conflict prevention to reduce the risk of outbreak or recurrence of violent conflict and human suffering”</p> <p>Recalls “the importance of ensuring the greatest possible coherence between the Union’s and Member States’ actions to support partner countries”</p> <p>Strongly condemns “recent violent events in Ukraine and the organisation of the referendum in Eastern regions”</p> <p>Considers “illegitimate and illegal any referendum on Ukraine’s unity, sovereignty, independence and territorial integrity”</p>
		23-06-2014 FAC meeting ¹⁸	<p>Expects “the Russian Federation to support the peace plan with specific de-escalation measures”</p> <p>Russia needs to “use its influence on the separatists to halt the violence and lay down their arms”</p> <p>Engage “in political-level consultations with the Russian Federation on the implementation aspects of the [DCFTA] agreement, in order to dispel Russian concerns about its possible effects”</p>
27-06-2014	Signing of EU Association Agreement with Ukraine	26/27-06-2014 Meeting of European Council ¹⁹	<p>Calls on all to “cement the cessation of the military activities”</p> <p>Urges “the Russian Federation to actively use its influence over the illegally armed</p>

Council, 23/06/2014’.
-06-2014.

			<p>groups and to stop the flow of weapons and militants across the border, in order to achieve rapid and tangible results in de-escalation”</p> <p>Does “not recognise the illegal annexation of Crimea and Sevastopol”</p>
		16-07-2014 Extraordinary meeting of European Council ²⁰	<p>Support for “a peaceful settlement of the crisis in Ukraine, notably the urgent need to agree on a genuine and sustainable cease-fire by all parties”</p> <p>Condemns “the continuation of illegal activities by armed militants in Eastern Ukraine, including the occupation of public buildings, hostage-taking and armed attacks on Ukrainian law enforces and border guards”</p> <p>Expands travel ban “for actions undermining Ukraine’s territorial integrity, sovereignty and independence”</p> <p>Commits to “pursue trilateral talks on the conditions of gas supply from the Russian Federation to Ukraine [...] Finding a swift agreement is important for safeguarding the security of supply and transit of natural gas through Ukraine to EU member states”</p>
17-07-2014	Malaysia Airlines flight MH17 shot down over eastern Ukraine	18-07-2014 Meeting of the Council	
		22-07-2014 Extraordinary meeting of FAC ²¹	<p>Strongly condemned “the continuation of illegal activities by armed militants in Eastern Ukraine and may consider the possible designation of these groups as terrorist organisations”</p> <p>Urged “the Russian Federation to actively use its influence over these groups to guarantee access to the crash site and to cooperate with OSCE monitors and international experts”</p> <p>Called on the separatists “to ensure full, immediate, safe and secure access to the crash site”</p> <p>“Those directly and indirectly responsible for the downing must be held accountable and brought to justice”</p> <p>Stresses “its support for a peaceful settlement of the crisis in Ukraine” and “for a sustainable ceasefire”</p>
		25-07-2014 Meeting of the Council	

²⁰ European Council, ‘Conclusions’, 16-07-2014.

²¹ Consilium.europa.eu, ‘Foreign Affairs Council, 22/07/2014’.

29/31-07-2014	EU economic sanctions against Russia approved unanimously	29/31-07-2014 Meeting of the Council ²²	<p>“It is meant as a strong warning: illegal annexation of territory and deliberate destabilisation of a neighbouring sovereign country cannot be accepted in 21st century Europe”</p> <p>“the violence created spirals out of control and leads to the killing of almost 300 innocent civilians in their flight from the Netherlands to Malaysia, the situation requires urgent and determined response”</p> <p>The EU “will fulfil its obligations to protect and ensure the security of its citizens”</p> <p>The EU “will stand by its neighbours and partners”</p> <p>“Since the beginning of the Ukrainian crisis, the European Union has been calling on the Russian leadership to work towards a peaceful resolution. We have done this collectively and bilaterally”</p> <p>“The Russian Federation and the European Union have important common interests. We will both benefit from open and frank dialogue, from increased cooperation and exchanges. But we cannot pursue this important positive agenda when Crimea is illegally annexed, when the Russian Federation supports armed revolt in Eastern Ukraine, when the violence unleashed kills innocent civilians”</p>
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²² European Council EUCO 158/14.

THE EU-RUSSIAN SANCTIONS

How German and Italian consent to the EU economic sanctions against Russia, following the events in Ukraine between November 21st 2013 and July 31st 2014, can be explained by normative entrapment.

PERSONAL DETAILS

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