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**Case Study Analysis of Conflicts
and Crises in the EU's
Neighbourhoods**

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**ENVISIONING A NEW
GOVERNANCE ARCHITECTURE
FOR A GLOBAL EUROPE**



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Executive Summary

This working paper probes four distinct – most diverse – cases of the EU’s engagement in crisis and conflict situations in its immediate neighbourhood, that is, countries encompassed in the European Neighbourhood Policy (ENP) framework. These cases are: the Israel-Palestine and Armenia-Azerbaijan protracted conflicts, and the more recent and cascading (crisis-to-war) conflicts in Libya and Ukraine, with particular attention to the ongoing stage of Russia’s full-scale military invasion of Ukraine. Drawing on previous work within the ENGAGE project, the current four case studies follow a goal-oriented framework of analysis, aiming to uncover the rationales, scope and forms, as well as effects of the EU’s engagement in given crisis and conflict situations over the past three decades.

The empirical evidence from these most diverse crisis/conflict situations (crises versus conflicts, protracted versus recent conflicts, conflicts between EU neighbours and those involving third powers, the level of institutionalisation of the EU’s bilateral relationship with the countries, etc.) suggests that the EU’s engagement – whether in terms of its scope, form or commitment – has largely been selective and driven by factors such as a crisis’ or conflict’s proximity, severity, and salience for the EU’s own security and/or stability. The patterns of EU engagement in crisis management and conflict resolution show certain similarities with regard to the choice of tools from the EU’s crisis/conflict response repertoire. However, both the varied strategic and operational extent of such tools, as well as their occasional and offbeat amplification through further (existing or newly created, including both legally and politically creative) formats of EU and joined-up (with Member States) engagement strongly point to an inherent selectivity. Constraining opportunity structures only reinforced selective EU crisis/war responses.

The coherence and sustainability dimensions of the EU’s engagement have thus been beset with similar issues and challenges across the four cases analysed, with Ukraine’s case presenting – particularly since February 24, 2022 and for now – a positive and promising exception. The case of the EU’s response to Russia’s escalating war in Ukraine also appears tentatively promising with regard to the anticipated effects of EU engagement, especially if contrasted with the Union’s previous trajectory of crisis/conflict response before 2022 or its even more problematic – in terms of effectiveness– engagement in other three cases.

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1 Introduction

“Without common positions and clear ideas, it is difficult to decide whether Europe is ready to step forward. Whether it can succeed depends on its management of a series of relationships – with nations, with crises and challenges, with issues and ideals.”
(2009-2014 EU HR/VP Baroness Catherine Ashton, 2022, p. 353)

The above epigraph reflects some of the ‘lessons learnt’ by the first High Representative of the Union for Foreign Affairs and Security Policy (HR/VP) appointed under the current Lisbon Treaty, Baroness Catherine Ashton. During her term in office, the EU had to face, i.a., the acute phase of the 2009 Eurozone crisis; unrest and revolutions in both its Eastern and especially Southern neighbourhoods (including the 2009 Grape/Twitter revolution in Moldova; waves of protests in 2008 and 2013 in Armenia; and the 2011 Arab Spring and 2013 Arab Winter, a series of massive protests and revolutions of which two – in Libya and Syria – escalated into civil and proxy wars since then); the 2013–2015 JCPOA (nuclear deal) negotiations; as well as the Russian invasion of Georgia in 2008 and Ukraine’s 2013/2014 Euromaidan revolution, which was followed by Russia’s hybrid incursion in Crimea and Donbas that, after eight years of struggle, transformed into a full-scale war of aggression. This presents quite a sample for lesson learning in managing crises and conflicts in the EU’s abroad, including two cases from the EU’s immediate neighbourhood that form part of this working paper – Libya and Ukraine.

Since the moment when the EU embraced a security actress, through the formulation of its Common Foreign and Security Policy (CFSP) in the Maastricht Treaty, the ‘portfolio’ of the Union’s substantial or simulated (placebo) engagement in crisis and conflict situations has only grown – along with the number of crisis and conflict developments that necessitated EU attention or urged its involvement. Over just thirty years (1992–2022) and in the EU’s immediate – ENP – neighbourhood alone, over 65 domestic (political, socio-economic) crises with external nexuses occurred. This period also saw regional migration crises (2015, 2021, 2022), as well as global and transnational crises such as the financial crisis (2008), the COVID-19 pandemic (2020–2022), the food supply crisis (2022-ongoing), and the energy crisis (2022). Understandably, crises varied in scope and nature: from crises emanating from economic hardships to political repression, leading to mass protests, revolutions and at times political and economic reforms as well as constitutional dis-/re-ordering. While there were about 36 domestic crises in the EU’s Southern neighbourhood, the Union’s Eastern neighbourhood saw 29 notable national mass protests and revolutions over the past thirty years. It should be noted as well that crises have not only multiplied (cascaded) – they also have dangerously mutated (escalated), such as the Libyan and Syrian crises that transformed into civil and regional proxy wars or the Ukrainian crisis that escalated into a full-spectrum armed conflict of global magnitude. On the conflicts side, out of over one hundred armed conflicts fought in the world



today, thirteen occur at the EU's door, including the first major conventional war *in* Europe since WWII – the Russian war in/against Ukraine.²

In view of such proliferating and cascading crises and conflicts, it is unsurprising that the EU's relations with both neighbourhoods have become incrementally securitised (Gamkrelidze & Väisänen, 2022) – as has its engagement. The post-Lisbon Article 8 TEU constitutionally mandates that the EU shall “develop a special relationship with neighbouring countries”, thus stipulating an obligation to engage. The practice shows, however, that the EU's engagement is hindered by both intra- and extra-EU constraints far more often than it is enabled by the varied (and varying) opportunity structures (Wolczuk et al., 2023 (ENGAGE [Working Paper 26](#))). The current working paper builds on the preceding analyses of the EU's framings of the neighbourhood and the rationales of the Union's engagement with it (Gamkrelidze & Väisänen, 2022 (ENGAGE [Working Paper 15](#))) and the overview of both enabling and constraining ‘opportunity structures’, that is, structural and institutional features that either facilitate or hinder the EU's (effective) engagement with its Southern and Eastern neighbourhoods (Wolczuk et al., 2023 (ENGAGE Working Paper 26)).

With an eye on the *EU's engagement in crisis and conflict situations within its ENP neighbourhoods*, this working paper aims to conduct a thorough exploration and identification of EU and Member States' objectives, strategies, capacities and capabilities to address conflict and crisis situations in the EU's neighbourhoods. To this end, it features a *multi-layered case study analysis*. In order to ensure maximum variation, four divergent cases have been chosen – two cases from the EU's Eastern neighbourhood (Ukraine and Armenia-Azerbaijan), and two from its Southern neighbourhood (Libya and Israel-Palestine).

The selected cases differ in terms of: (a) the neighbours' degrees of institutionalisation and depth of their relations with the EU; (b) the nature and features of the EU's past and current engagement in the respective crisis/conflict; (c) the nature (low-intensity vs. high-intensity) and duration (recently emerged vs. protracted) of the respective crisis/conflict situation; and (d) the parties that are immersed in the respective crisis/conflict (e.g., EU neighbours vs. actors from the wider EU neighbourhood; EU neighbours vs. EU neighbours) (see Table 1 for detail).

² According to the Geneva Academy's *Rule of Law in Armed Conflict Online Portal (RULAC)*, six armed conflicts are taking place in Latin America, seven in (Eastern) Europe, 21 in Asia, 35 in Africa and more than 45 in the Middle East and North Africa.



Table 1: The EU's Engagement in Crisis and Conflict Situations in its Neighbourhood: Case Study Sample

Case study parameters	Israel-Palestine	Armenia-Azerbaijan	Libya	Ukraine(-Russia)
Crisis/conflict classification	existential conflict → territorial conflict	USSR demise/ dissolution → territorial conflict	revolution → two civil wars → internationalised armed conflict	revolution → hybrid internationalised conflict → total (existential) conflict / full-scale war
Emergence	1948	1988; 1994	2011	2013-14
Intensity and duration	(protracted; frozen) declining: HIC → LIC	(protracted; unfrozen) dynamic: LIC → HIC → LIC	(recent; stalling) declining: HIC → LIC	(recent; volatile) dynamic: LIC → HIC
EU engagement	since the early 1990s, stagnant	since 2020, circumstantially evolving	since 2011, gradually evolving	since 2013, radically evolving
Level of EU bilateral relationship institutionalization	<u>Palestinian Authority (PA)</u> : EU-PA AA (1997) <u>Israel</u> : EU-Israel AA (2000)	<u>Armenia</u> : CEPA (2021) <u>Azerbaijan</u> : CCPA (negotiated since 2017)	<u>Libya</u> : 2008-launched (2011-suspended) negotiations on AA/framework agreement	<u>Ukraine</u> : EU-Ukraine PCA (1998) and then AA/DCFTA (2017); current EU membership candidate; <u>Russia</u> : EU-RU SP mid-1990s till mid-2010s; since 2016: strategic adversary
ENP neighbourhood	Southern	Eastern	Southern	Eastern

Note: LIC – low-intensity conflict; HIC – high-intensity conflict; AA – Association Agreement; PCA – Partnership and Cooperation Agreement; SP – Strategic Partnership; CEPA – Comprehensive Economic Partnership Agreement; CCPA – Comprehensive Cooperation and Partnership Agreement.

Source: own elaboration

Analytically, the above four case studies draw on a *goal-oriented framework (GOF)* for policy analysis that, by casting a look into an actor's declared goals of foreign-political engagement and examining its performance in this light, better allows to evaluate the performance-effectiveness nexus (Gutner & Thompson, 2010; Groen & Niemann, 2013; Giumelli & Ivan,



2013) as well as to assess a “success” or “failure” of a policy (Tyushka & Schumacher, 2022, pp. 242–244) – and, thus, to provide policy recommendations on effectiveness. In the context of the ENGAGE project’s endeavour, and that of Sus et al. (2021 (ENGAGE [Working Paper 3](#))) in particular (which seeks, among others, to identify vertical and horizontal coherence problems in EU foreign and security policy), such an analytical approach appears promising. More specifically, the goal-oriented policy analysis also neatly fits into the analytical framework for examining the EU’s engagement in conflict resolution, prevention and mediation, as developed in De Man et al. (2022, esp. pp. 45–46 (ENGAGE [Working Paper 14](#))). With a certain framework-analytical embeddedness of the tasks in ENGAGE [Work Package 9](#) on Conflict Resolution, Prevention and Mediation, the case studies within this working paper seek to: (a) explore the rationale and aims of the EU’s engagement in select crisis/conflict situations in the EU’s neighbourhoods; (b) examine the dynamics of crisis/conflict response by EU institutions and Member States; and to (c) examine their performance against the backdrop of the achieved goals, including the lessons learnt from both successes and failures of engagement in crisis and conflict situations in the EU’s Eastern and Southern ENP neighbourhoods. *Methodologically*, the four case studies draw on the analysis of a set of primary and secondary sources, analysis of institutional discourse and practices, event and conflict analysis, as well as they involve perceptions’ analysis and policy evaluation.

The *case study research design* is firmly guided by the above analytical approach. Each individual case study shares the key design features as follows: a case backgrounder, a three-level core empirical analysis, and a conclusion. Each case study first introduces and contextualises the crisis/conflict in question, classifies it and presents the key (f)actors, their stakes and, if applicable, identifies stakeholders further afield. Then, every case study delves into the rationale of EU engagement in a given crisis/conflict situation, thereby uncovering specific interests, aims and objectives that both the EU and its Member States have pursued. Next, forms and formats of EU and its Member States’ engagement are explored. Crucially, the EU’s capacity to act and overall performance is assessed with reference to the stated goals/objectives (effectiveness, thus, being understood as goal-attainment), considering as well the overall dynamics of coherence among EU policies and institutions (horizontal coherence) and vis-à-vis Member States (vertical coherence). Finally, all cases conclude with an evaluative statement on the effectiveness and sustainability of EU engagement in a given crisis/conflict context and the lessons (to be) learnt.



2 Ukraine “Crises”: Revolution, Conflict and War

2.1 Ukraine “Crises” 2013-2023: From Euromaidan Revolution to Russian Aggression

In late 2021, Ukraine celebrated the thirtieth anniversary of regaining its independence from the former USSR and the Russian metropole in particular. Paradoxically, in early 2022, Ukraine faced the massive and brutal postcolonial war of aggression waged by Russia – the war for Ukraine’s independence. However, there is more at stake in this conflict than ‘just’ Russia-Ukraine relations – it evidently goes beyond the scope of a bilateral struggle, with (anti-)colonial, (counter-)hegemonic, (anti-)power-political and world-order (anti-)revisionist tensions running deep through multiple layers of this *complex conflict*.

The dynamic,³ devastating and cascading crisis-turned-conflict-turned-war in Ukraine was triggered two decades ago by the lethal interplay of two key factors. First, the overall worsening of the Russia-EU/West relations since mid-2000s, as Russia revived its economic might and with it the old scripts of (post)colonial politics in the former Soviet space coupled with the development of the EU’s own policies and influence at around the same time and countries in question – the EU’s Eastern neighbourhood (Casier & DeBardeleben, 2017; Delcour, 2017; Tyushka, 2022). Second, the endogenous state-building and transformational processes (such as democratisation and Europeanisation or Westernisation at large) within many countries that came to constitute the EU-Russia adjacent (aka “common” / “shared” / “contested”) neighbourhood, which became incompatible *in principle* with Russia’s uninvited but coercively imposed and strategically pursued agenda of regaining maximum (political, geopolitical and geoeconomic) control over its ‘peripheries’ – all in the name of Moscow’s desperate haunting of once lost great-power status (Dragneva & Wolczuk, 2015; Mälksoo, 2022; Plokhly, 2023).

Ukraine, as a large and geo-strategically highly important country, found itself at the epicentre of immensely growing tensions both from outside (as a result of systemic great-power competition in the region) and from within (as a result of radically polarising political agendas of domestic actors supported by external power competitors). The long-negotiated formula of Ukraine’s political association and economic integration with the EU was meant to result in the conclusion of the EU-Ukraine Association Agreement with the Deep and Comprehensive Free Trade Area component (AA/DCFTA), along with similar deals to be signed by the EU with other three Eastern neighbours (Georgia, Moldova and Armenia) at the Eastern Partnership’s (EaP) Vilnius Summit in November 2013.

³ For greater detail, see Walker’s (2023) neatly composed timeline of conflict-related developments in Ukraine since November 2013.



Closer to that date, amid increasing pressure from Russia – in the form of both financial incentives, economic and military blackmail as well as direct personal threats to then Ukraine’s president V. Yanukovich – to turn down on the EU-Ukraine Association Agreement, the Ukrainian president declined to sign the Agreement during the November 28–29, 2013 EaP Vilnius Summit. The signs of this coming refusal, observable since summer 2013 already, triggered a series of public protests already on the eve of the EaP summit – more precisely, on the night of November 21, 2013. First framed as “*Euromaidan*” due to the popular demands to return their “stolen” European future, the protests gained in attendance and enlarged the agenda to cover domestic constitutional and political reform requirements, reaching their peak in Kyiv in mid-February 2014. The sacrificial revolutionary events of February 18–23, 2014, resulting in deadly clashes between protesters and state forces, have gained their own – distinct – name as the *Revolution of Dignity*. This period yielded two significant outcomes. Firstly, President Yanukovich’s fleeing to Russia and subsequent “ousting” by the Verkhovna Rada, leading to the formation of a new Ukrainian government and subsequent presidential elections in May 2014. This shift embodied Russia’s earlier existing concerns about completely losing control over Ukraine’s political elites. Secondly, the revolutionary chaos and power transition in Ukraine presented a long-awaited⁴ opportunity for wannabe great power Russia to seize Crimea, and so Russian special military operation involving military without insignia (the so-called ‘little green men’) and concealed incursion in Ukraine’s Autonomous Republic of Crimea (ARC) led to a dramatic – both in the direct and indirect meanings – ‘secession’ of Crimea from Ukraine and ‘accession’ to the Russian Federation in mid-March 2014. In fact, and as later on acknowledged by the Kremlin’s leadership itself, this had been a perfectly surprising, for the world out there, *Blitzanschluss* of a part of the sovereign territory of a European country in the twenty-first century – the illegal and illegitimate international crime of annexation committed by Putin’s Russia.

Simultaneously, in March 2014, Ukraine’s eastern oblasts of Luhansk and Donetsk, part of the Donbas region, saw an unusual spike of anti-revolution and pro-Russia protests that, as became known later on, were not only ‘inspired’ by the so-called ‘Russian spring’ in Crimea but also were conspired (covertly organised, controlled and conducted) by the Kremlin’s central and locally-based proxy forces. Similarly to the Russia-orchestrated ‘self-determination’ ‘referendum’ in Crimea, spectacles of the kind (i.e. sham referenda) were also staged in Donetsk and Lugansk oblasts of Ukraine as in April-May 2014 they proclaimed ‘independence’ and the forming of the so-called Luhansk and Donetsk ‘People’s Republics’ (‘LNR’/‘DNR’). Ukraine’s government launched in April 2014 a counter-offensive to contain the territorial expansion of ‘secessionist’ ‘republics’ and regain full control over its sovereign territory. First named ‘anti-terrorist operation’ (ATO), this Ukrainian counter-offensive later on got renamed into ‘joint-forces operation’ (JFO). Russia resorted to hybrid war(fare) tactics, constantly

⁴ Russia’s first attempts to take control of Crimea can be traced back to 1994 as it unsuccessfully attempted to stage ‘referendum’ on the peninsula’s independence and, more recently, to 2003 when – already under V. Putin’s leadership – Russia again unsuccessfully attempted to physically connect the peninsula with Russia’s mainland (Tuzla island conflict).



denying its military and politico-strategic involvement in this undeclared proxy war, which made the international community largely watch and wonder about Russia's stealth – hybrid – invasion of Ukraine's east (that is 'hybression', or hybrid aggression). The veil of Russia's (im)plausible denial of its covert war in/against Ukraine and the international (including European) community's complicity had it that Ukraine was urged to negotiate with 'LNR/DNR' while Russia played a 'peacemaker'. And so, the Minsk I Protocol (a ceasefire agreement from September 5, 2014) and Minsk II Protocol (another major ceasefire agreement from February 12, 2015) came to be, with nearly 30 'micro'-ceasefires agreed but failed in the aftermath. The clashes continued but took a more static form of positional warfare, with dozens killed monthly. Whereas Donbas remained an active war zone, the conflict, in an awkward manner, started being regarded as 'frozen'.

Mediated by two EU Member States – Germany and France – as part of the 'Normandy Four' format (including also Ukraine and Russia but excluding 'LNR/DNR' representatives), a roadmap to ending the war was eventually agreed in October 2019. Ukraine was then represented by the newly elected peace-seeking president V. Zelenskyy, which gave all stakeholders a hope – and the last chance – for conflict resolution. As Russia kept denying its role as a party to the conflict while taking pride in playing a 'mediator' of it, the prospects for resolving the conflict, whose scope extended way beyond the Donbas war zone, were quite scant. Russia's real role and stakes got only more clearly exposed – at least to the sceptical national leaders – when it started amassing troops along Ukraine's north-eastern borders first in April 2021 and then again since November 2021 – continuously and incrementally – up until mid-February 2022. The mid-December 2021 over-ambitious (to say the least) ultimatum that V. Putin extended to the US/NATO leaders credibly alarmed them of the imminence of the Russian attack on Ukraine, leaving only the scale of it a matter of speculation. That Russia's longest-serving president V. Putin made the decision to go to war for his legacy signalled his eventual recognition, on February 21, 2022, of 'LNR/DNR's 'independence' and the simultaneous deployment of Russian troops to those territories. In the dawn of February 24, 2022, Russia began its full-scale military invasion of Ukraine. Counting on 'shock and awe' of its massive military assault over Ukraine's entire territory, belligerent Russia failed to win the once again planned *Blitzkrieg* and keeps shelling Ukrainian territory for over 500 days now. Notably, even such a massive and obvious case of contact warfare and an act of aggression with multiply committed war crimes and crimes against humanity Russia attempts to conceal as a 'non-war': it legally proscribes the use of the term and instead prescribes the recourse to the 'SVO' frame, standing in Russian for a 'special military operation'. This not only creates confusion and disorientation but, more importantly, creates conflicts between legal orders and thus distorts the space of international community's lawful action in response to the Russian aggression.

The *framing and naming* of the ongoing armed struggle in Ukraine is, in fact, of utmost importance for war response, termination, and post-war justice. After all, ways to solve crisis, resolve conflict and end war differ. With confusion about classifying and naming complex conflicts like this one inherently present, the case of Russian war in Ukraine is furthermore aggravated by Russia's serialised disinformation and cognitive warfare. As a result, Russia's



continued aggression against Ukraine has become a “war with all too many nicknames and a no-name war at the same time” (Tyushka, 2023). Depending on the chosen paradigm – crisis, conflict or war – one can certainly find a number of suitable (commonly adopted and alternative) naming conventions within each (see Table 2). Choosing one of the Russian propaganda-weaponised false-narrative framings, however, will inevitably result in distorting *the factual* as it had been the case with calling the 2014–2021 armed struggle in Ukraine a ‘crisis’ or anything else but *Russian war*.

Table 2: Contending Framings and Naming Conventions of Conflict Events in Ukraine Since 2013

Naming events in Ukraine	Ukraine Crisis (Nov 2013 – Feb 2014)	Russian Hybrid War in Ukraine (Feb 2014 – Jan 2022)	Russia-Ukraine War (Feb 2022 – onwards)
<i>Crisis frame</i>	Ukraine crisis	‘Ukraine crisis’; Russia-Ukraine crisis	Russian crisis; European security crisis; International crisis in/around Ukraine
<i>Conflict frame</i>	(Euromaidan or Dignity) revolution	Russia-Ukraine proxy / internationalised armed conflict (in Donbas); Donbas conflict	Russia-Ukraine (total / full-spectrum) armed conflict
<i>War frame</i>	n/a	Russia-Ukraine hybrid war(fare); Russian covert war in/on Ukraine; Russian undeclared war in/on Ukraine	Russia-Ukraine (all-out / total / existential / postcolonial) war; Russian war of aggression against Ukraine; Russian overt war in/on Ukraine; War in Ukraine; ‘Ukraine war’
		Russian (c)overt/evolving war in/on Ukraine	
<i>Russia-weaponised false-narrative frames</i>	‘fascist/Western-sponsored coup’, Crimea ‘self-determination’ / ‘referenda’	‘Ukrainian civil war’, ‘Ukrainian domestic conflict/war’, Donbas ‘self-determination’ ‘referenda’; Ukraine crisis	‘SVO’, ‘special military operation’ (SMO); ‘Western/NATO’s hybrid aggression/proxy war against Russia’; Ukraine crisis

Source: own elaboration

The toll of the *Russian war of aggression and war of choice* in/against Ukraine has been extremely high both for the Ukrainian state and its people as well as for the European nations and populations. In just a year of Russia’s brutal all-out military invasion of Ukraine, that is by February 24, 2023, 6.3 million Ukrainians turned into war refugees in Europe, with another 6.6 million of people being internally displaced, making this war-triggered humanitarian crisis the second-largest displacement crisis in the world (Prange, 2023). The losses of lives – both civilian and of the Ukrainian military – are massive as well, even if the exact figures cannot be revealed at the moment. The damage to Ukraine’s infrastructure (particularly, civilian), huge



economic recession and other direct and indirect consequences are only a sample of what is to come in the wake of this escalating war and after it ends.

By July 2023, as the Ukrainian counter-offensive started to unwind, the country's armed forces succeeded in liberating 50% of the territories that Russia had occupied after February 24, 2022. Even though the chances of regaining control over Ukraine's entire internationally recognised territory and terminating war by end-2023 are small, Ukraine's president V. Zelensky plans for a peace summit in autumn 2023 – an idea that received wide support as shown at the 30 nations-strong (including China but excluding Russia) international attendance of the summit-preparatory meeting in Jeddah (Saudi Arabia) on August 5, 2023.

Given that this conflict has proven to be truly unthinkable and volatile and as the stakes in this war are high for both warring parties and the global community, its dynamics is *not* quite predictable. After all, this is the first major conventional war *in* Europe since WWII, the first major annexation *in* Europe since WWII, which is, moreover, fraught with the greatest threat of great power war since 1950 (or perhaps since WWII) as well as the greatest threat of using nuclear weapons since 1962 (or, again, perhaps since WWII).

2.2 The EU's Interests and Evolving Objectives

The EU's engagement in crisis/conflict resolution in Ukraine is driven by both: (a) the EU's overall rationale (strategic interests, principles, values aims and objectives) of external action, such as, i.a., the establishment of peace, stability and security in the EU's vicinity (De Man et al., 2022, pp. 25–32 (ENGAGE [Working Paper 14](#))); (b) its neighbourhood-projected goals, with regional differentiation in mind (hereto count the overall European Neighbourhood Policy's (ENP) goals of promoting good neighbourliness, stability, prosperity, solidarity, democracy and freedom within the EU's 'ring of friends'" and the Eastern Partnership's (EaP) focus on political association, economic integration and resilience-building) (Schumacher et al., 2018; Tyushka & Schumacher, 2022, pp. 244–245), as well as, more specifically; (c) the interests and objectives of EU engagement in crisis management/conflict resolution in Ukraine. With regard to the latter one, the has pursued *varied aims and objectives* while its (strategic) interests have remained unchanged throughout the crisis/conflict stages (see Table 3).

With its offer of political association and economic integration through the EU-Ukraine AA/DCFTA, the EU had been pursuing its commercial (trade) interests, (democratic) regime promotion and security interests. The *Ukraine crisis (revolution)* that erupted in the country in autumn 2013, and especially its tragic phase of February 2014, instantly put into question not only the EU's key stakes for engagement in the neighbourhood and Ukraine in particular (that is, "security, stability and peace") but also the core of European values-based foreign policy (that is, democracy and the rule of law). The European Council, in its Conclusions following the December 20, 2013 summit, reconfirmed the EU's sustained interest in signing the Association Agreement, including Deep and Comprehensive Free Trade Area, "as soon as Ukraine is ready", thereby calling for "restraint, respect for human and fundamental rights and a democratic solution to the political crisis in Ukraine that would meet the aspirations of the Ukrainian people" as a precondition for the stabilisation of domestic situation and exercise of Ukraine's



own foreign-policy choice, thereby denouncing “undue external [Russian] pressure” (European Council, 2013, p. 24). In its Conclusions of January 12, 2014, the Foreign Affairs Council urged “all actors to seek through an inclusive dialogue a democratic solution to the current political crisis that would meet the aspirations of the Ukrainian people” (Council of the EU, 2014). The next FAC meetings on February 10 and 20, 2014 reaffirmed the EU’s calls for ending violence, engaging in an inclusive and meaningful dialogue to deescalate the situation, as well as to find a political solution to the crisis, adding that the EU maintained interest in supporting Ukraine’s reform process, including through the – then still on-offer – AA/DCFTA with Ukraine.

After Russia flagrantly annexed Ukraine’s Crimea in March 2014 and then covertly incurred in Ukraine’s Donbas areas, the domestic (though, spurred externally) political crisis entered its new phase – that of a *hybrid armed conflict* with Russia. This transformation of the crisis saw yet another set of core EU values and interests being challenged, including those shared more universally, such as the non-use of force (or threat of it), inviolability of borders, peace, etc. In their joint statement on the Russian annexation of Crimea, the President of the European Council Herman Van Rompuy and the President of the European Commission José Barroso jointly stated that “the European Union has a special responsibility for peace, stability and prosperity on the European continent and will continue pursuing these objectives using all available channels” (European Council & European Commission, 2014). More specifically, they stated that “[t]he solution to the crisis in Ukraine⁵ must be based on the territorial integrity, sovereignty and independence of Ukraine, in the framework of the Ukrainian Constitution as well as the strict adherence to international standards” (European Council & European Commission, 2014). At the meeting of the European Council on March 20–21, 2014, the President of the European Council Herman Van Rompuy stated: “Our goal is to stop Russian action against Ukraine, to restore Ukraine’s sovereignty – and to achieve this we need a negotiated solution” (European Council, 2014). Thus, mediation, as well as primarily a direct bilateral dialogue between governments of Ukraine and Russia, were then seen as the key approaches to “crisis” management. The EU’s approach also included non-recognition of the Russian annexation of Crimea, with sanctions meant to communicate such a policy stance. As the conflict took on violence and scale since mid-2014, the EU had added ceasefire and political solution to the conflict as two more rationales of engagement, which later on brought about two ceasefire agreements, known as the “Minsk Protocols” (Council of the EU, 2014, p. 2).

Simultaneously, and as part of a broader regional endeavour in non-EU Eastern Europe, the EU started closely pursuing, since mid-2010s, the resilience-building agenda, including in the context of the Russian hybrid war in Ukraine (Tyushka & Schumacher, 2022, p. 257; Kakachia et al., 2021; Kočí et al., 2023). The objectives had been geared towards strengthening the

⁵ It has to be noted that, up until Russia’s full-scale invasion of Ukraine on 24 February 2022, the EU’s institutions and most EU Member States had been referring to the conflict developments in the country as a “Ukraine crisis” (“Crisis in Ukraine”) situation, occasionally noting as well the occurrence of a “conflict in Donbas”. For details on the conflict’s political, media and academic framings, see: Tyushka (2023).



resilience of EU's Eastern (EaP) partners to external pressures, enhancing their institutional and decision-making capacities, and facilitating sustainability of sorts (political stability, economic development, good governance, rule of law, etc.).

Partly, such an agenda overlapped with the earlier-negotiated and 2014-concluded EU-Ukraine AA, which i.a. provided for strengthening democratic institutions, the rule of law, respect for human rights, as well as – unlike in the case of the EU's other association agreements concurrently concluded with Georgia and Moldova – the “promotion of respect for the principles of sovereignty and territorial integrity, inviolability of borders and independence” (Preamble EU-Ukraine AA) (for detailed analysis of the AA's scope, see: Van der Loo, 2016). With regard to Ukraine, the EU's region-wide resilience-building and capacity-building agenda was also complemented by an endeavour to facilitate Ukraine's – civilian – security sector reform (SSR), which has become a mandate, since December 1, 2014, of the EU Advisory Mission in Ukraine (EUAM Ukraine) (German & Tyushka, 2022, pp. 25–28).

In the wake of Russia's repeat and growing military build-ups along Ukraine's north-eastern borders since April 2021, and its escalatory ultimatums to the US/NATO leadership in December 2021, EU institutions started making sense of the situation and its potential repercussions already in the lead-up to *Russia's full-scale aggression of Ukraine* on February 24, 2022. So, in its discussions of the European security situation on January 24, 2022, the Council of the EU rejected Russia's “sphere of influence” claims and emphasised the indivisibility of European security stating that: “Any challenge to the European security order affects the security of the EU and its Member States” (Council of the EU, 2022). Likewise, the EU's HR/VP Josep Borrell pondered in January 2022 that “[b]eyond Ukraine, the whole European security architecture is at stake” (Borrell, 2023, p. 21), thus conveying the view that a possible Russian war in Ukraine would crucially undermine the EU's own stability and security and that it, therefore, presents a highly salient issue. As Russia invaded whole of Ukraine, the EU's interests regarding not only a (stable and effective) European security architecture but also a (predictable and just) rules-based international order got imminently and gravely challenged.

At the joint press conference with NATO Secretary-General Jens Stoltenberg and European Council's President Charles Michel, held right on February 24, 2022, European Commission's President Ursula von der Leyen unequivocally stated that “[w]hat is at stake is the stability of Europe and the whole international order” (Von der Leyen, 2022a). A threat of such a grave magnitude could not but have mobilised EU's inter-institutional and Member State level consensus, as well as wider international solidarity, as regards comprehending its nature, cause and the need of solidary response.

Thus, unlike it had been the case with Russia's covert invasion of Ukraine's south-eastern regions since 2014, the EU Member States stood now united – among themselves, with the EU institutions and with Ukraine. On February 24, 2022, the heads of state and government of EU Member States explicitly proclaimed “[t]he EU is united in its solidarity with Ukraine” (European Council, 2022, p. 2). After all, in many regards, February 2022 had become Europe's 9/11 that has lasted for over 600 days *now*. It is, therefore, *the* reason for the EU's radically



changed rhetoric, goals and agenda-setting with regard to the engagement in the Russia-Ukraine war termination *and* conflict resolution at large. The May 30–31, 2022 European Council enunciated that “the European Union is unwavering in its commitment to help Ukraine exercise its inherent right of self-defence against the Russian aggression and build a peaceful, democratic and prosperous future” (European Council, 2022, p. 1). In addition to these new – uncompromising (in their rhetoric, at least) – endeavours, the EU’s aims of engagement in/with Ukraine also keep revolving around the earlier-declared end-goals of defending the principles of the rules-based order, shared values of freedom, democracy and human rights (Bosse, 2022). The early-March 2022 Versailles Declaration called for strategically embracing common responsibility to “protect EU citizens, values and democracies and the European model” while “bolstering EU defense capabilities, reducing energy dependencies, and building a more robust economic base” (European Council, 2022). Both state and societal resilience in Ukraine, too, remain on the EU’s agenda (Natorski, 2022). As for the latter one, a new dimension was added as the EU set out to provide, furthermore, “strong support for Ukraine’s [...] military [...] resilience” (European Council, 2022, p. 1). As the war dynamics (and the forms of struggle) evolve, the EU eyes additional goals for its engagement toward the conflict’s end. So, after the Bucha and Irpin massacres and other war crimes, committed by the Russian invaders, the EU – and particularly the European Commission – started demanding justice for Ukraine and thus holding Russia accountable for its aggressive war of choice. At the most recent 29–30 June 2023 meeting of the European Council, the EU leaders reaffirmed their determination and stated that the European Union is “firmly committed to ensuring that Russia is held fully accountable for its war” (European Council, 2023).

The latest (spring 2023) Eurobarometer survey (Eurobarometer, 2023) reveals that Russia’s war against Ukraine and the fragile international situation remain among the primary concerns of Europeans (second only to inflation, which is a factor impacted by the war, too). It is, therefore, unsurprising – given this popular mandate and demands of EU citizens, and the dictums of gravity of the current security situation in *and* beyond Ukraine – that the EU fully and sustainably commits to provide unwavering support for Ukraine. Attending the EU-Ukraine summit in Kyiv on February 3, 2023, the European Council President Charles Michel stated that the EU would stand by Ukraine and its people “as long as it takes” (Michel, 2023a). This commitment got soon reaffirmed in the statement by the Members of the European Council of February 23, 2023 (European Council, 2023). The exact same “as long as it takes” promises were proclaimed by other EU leaders, including the Commission’s President Ursula von der Leyen, the European Parliament’s President Roberta Metsola, and the EU’s HR/VP Josep Borrell.

Importantly, the EU has come to *share* a goal of/with Ukraine as regards an ending of this unjust war in a just and sustainable way. At the special European Council meeting on February 9, 2023, EU leaders reiterated their support for “Ukraine’s initiative for a just peace based on the respect for Ukraine’s sovereignty and territorial integrity”, including via “the peace formula of President Zelenskyy” (10-point peace plan) and a “peace formula summit” (EUCO Conclusions, 2023, p. 2). Furthermore, on the bitter anniversary of Russian full-scale invasion, the European Council undertook yet another ambitious goal, namely to “make sure that Ukraine



prevails, that international law is respected, that peace and Ukraine's territorial integrity within its internationally recognised borders are restored, that Ukraine is rebuilt, and that justice is done" (European Council, 2023), thus outlining the parameters of desired end of this war – Ukraine's victory. To this end, the recent European Council meeting in June 2023, with the participation of the NATO's Secretary-General Jens Stoltenberg, vowed to provide Ukraine with "sustainable *military* support for as long as it takes" and committed to consider modalities and options of providing Ukraine with (post-war) security guarantees – or "future security commitments" as it sounds *expressis verbis* in the European Council's Conclusions (European Council, 2023).

All in all, the EU's goals of engagement in crisis management and conflict resolution in Ukraine have considerably – and expectedly – evolved as the conflict itself transformed. Though, even within the conflict's current stage, that is undeclared and full-scale Russian war of aggression, the EU's rationale for engagement and the pursued objectives showcase dynamism and responsiveness, making it a moving target at present.

2.3 Improving EU Capacity to Act and Performance

Overall, the rationale, forms, means and end-states of EU engagement in crisis management and conflict resolution in Ukraine have largely been determined by the constellation of EU Member States' (diverging versus converging) interests and concerns at a given time and context and the EU's strategic (un)preparedness, *rather than* by the nature and the consequences logic of the conflict developments themselves.

2.3.1 EU Response to the 2013-2021 'Crises': Euromaidan Revolution, Russian Annexation of Crimea and its Hybrid War in Donbas

The EU has a record of engagement as a mediator in Ukraine's two, out of three, revolutions. During the 2004 Orange Revolution, HR/VP Javier Solana engaged in mediation efforts alongside Poland, Lithuania, and the Dutch Presidency of the Council. A similar mediation effort was carried out during 2013/14 Euromaidan Revolution by HR/VP Catherine Ashton and Stefan Füle, who was the European Commissioner for Enlargement and European Neighbourhood Policy at the time, although this endeavour presented more challenges. Notably, the EU's mediation and crisis diplomacy in Ukraine has also had a prominent parliamentary dimension. Well before the pro-EU Association Agreement revolution began, in mid-2012, the European Parliament delegated to Ukraine a two-man mission of EP's former president Pat Cox and Poland's former President Alexander Kwaśniewski (European Parliament's Monitoring Mission to Ukraine, EPMM, also known as the "Cox-Kwaśniewski mission") (Nitoiu & Sus, 2017). Overall, the actions taken then by EU institutions were primarily symbolic (declaratory) and lacked effectiveness, which further supported the narrative that perceived Ukraine's Europeanisation as unproductive and criticised the EU's stance toward Russia as inconsistent and feeble (Ivashchenko-Stadnik et al., 2017, p. 38).



Chiefly because the institutional capacity of the recently established EEAS was lacking the “bandwidth” necessary “to stay on top of everything” (Ashton, 2023, p. 182), then-HR/VP Catherine Ashton was happy to accept, in mid-February 2014, the suggestion of then-German foreign minister Frank-Walter Steinmeier and then-Polish foreign minister Radek Sikorski, later on joined by the French counterpart, to go to Ukraine and help the revolutionary forces and the governing forces reach an agreement (Ashton, 2023, pp. 193–194). On February 21, 2014, such an agreement, brokered by the “Weimar triangle” mission of the three EU Member States’ foreign ministers, was signed by Viktor Yanukovych and the Euromaidan revolution representatives.

Russia’s hybrid incursion in Crimea, by military forces without insignia (the so-called ‘little green men’), the orchestrated sham ‘referendum’ and the following annexation of Ukrainian peninsula changed the EU’s ‘crisis’ engagement parameters. Already on March 3, 2014, the Council conclusions on Ukraine signalled a shift in the EU’s approach. The EU not only denounced the “clear violation of Ukrainian sovereignty and territorial integrity by acts of aggression by the Russian armed forces” but also urged Russia to promptly withdraw its armed forces back to their regular locations, including the Black Sea Fleet, and threatened Russia with consequences for bilateral EU-Russia relations in the event of the “absence of de-escalating steps by Russia” (Council of the EU, 2014). As none of the above de-escalation steps were made, in 2014, the EU’s first diplomatic sanctions, adopted at the extraordinary meeting of the European Council three days after, included the cancellation of the EU-Russia summit, the suspension of visa liberalisation talks and of the New Agreement, as well as further targeted measures, including in coordination with international players, such as, for instance, expulsion of Russia from the G8 meetings, which effectively rendered the new formation to become G7 (European Council, n.d.).

Soon *economic sanctions* followed. On June 23, 2014, the Council introduced restrictions on imports from Crimea and Sevastopol as a part of its non-recognition policy (Council of the EU, 2014, pp. 1–2). Starting from July 2014, the EU had been adopting economic sanctions to signal to Russia the non-acceptance of its ‘destabilising’ actions in Ukraine, targeting specific sectors such as finance, energy, defence, and trade in dual-use goods as well as imposing additional restrictions on economic cooperation (including Russia’s access to EIB and EBRD financing programmes). In September 2014, deeper sectoral sanctions followed. The EU’s unity in adopting such sanctions came about as surprising (Natorski & Pomorska, 2017, p. 62). This unexpected unity was observable as the European Council convened in five extraordinary meetings and as the Foreign Affairs Council discussed the situation in Ukraine in thirteen of its meetings (Natorski, 2020, p. 738).

While punishing Russia, the EU provided *financial support* to Ukraine. Russia’s annexation of Crimea prompted, in March 2014, a significant boost in economic and financial aid for Ukraine (provided under the EU budget, European Financial Institutions and other IFIs’ contributions), amounting to EUR 11 billion spanning 2014 to 2020 (European Commission, 2014).

Russia’s further expansion of the conflict to Ukraine’s Donbas region and escalation to an armed hybrid warfare triggered the expansion of the EU’s forms and intensity of engagement



in crisis management and conflict resolution. For instance, the novel *Geneva Format* emerged on April 17, 2014, when the representatives of the US, Ukraine, Russia, and the EU HR/VP met in Switzerland and announced steps to ease tensions in their Geneva declaration (Borger & Luhn, 2014). However, the brief, vague declaration didn't prevent escalation, not least as it favoured (reflected and protected) Russian interests, and thus failed to ensure disarmament (Davies, 2016, p. 735). Importantly, these were Russia and the US who dominated talks, limiting EU input and influence (Youngs, 2017, p. 136). Russia resisted EU involvement, considering Brussels a conflict party. The suspension of the G-8 and EU-Russia Summit in earlier in March 2014, coupled with Commission's sanctions preparation, were cited to challenge EU's impartiality.

The sudden escalation of the conflict a week later and European diplomats' confusion highlighted the EU's struggles in handling a violent hybrid conflict (Youngs, 2017, p. 136). In May 2014, Ukraine's military operation targeted separatist-led Sloviansk and Kramatorsk air base, thus nullifying the Geneva agreement. Thus, conflict escalations of May 2014 led to a return to (EU member) state-led diplomacy through the Normandy Format, firmly aligning with Russia's approach. Russia's Foreign Minister Sergey Lavrov indicated Russia's strong preference for dealing with powerful European states, like Germany and France, instead of the EU (Averre, 2016, p. 716).

Thus, the *Normandy Format (aka Normandy Four, or N4)* was established on June 6, 2014 as part of a Franco-German initiative on the 70th anniversary of the Normandy landings, when French President Hollande, German Chancellor Merkel, Russian President Putin, and Ukrainian President Poroshenko convened to discuss Ukraine. It was swiftly followed by the Trilateral Contact Group (TCG). These discussion platforms promptly replaced the original Geneva Format and quickly became institutionalised. The EU's marginalisation from these initiatives (Litra, 2017, pp. 18–20) can be attributed to the emergence of an alternative narrative that depicted the EU as a 'conflict party', alongside the ascendancy of a new and more credible format.

Soon after the N4's launch, the first *Trilateral Contact Group (TCG)* meeting on the eastern Ukraine situation took place, involving Ukraine, Russia, and the OSCE. In July 2014, the 'DNR' and 'LNR' joined TCG. These initial achievements culminated in the signing of the Minsk I Protocol in September 2014 within the TCG, receiving widespread international acclaim, not least for being much more specific and operationalisable/actionable than the Geneva agreement. In February 2015, Minsk II Protocol was signed at a higher political level (Elgström et al., 2018, p. 305). As a result, the Normandy Format became a recognisable "trademark" within a few months (Hollande, 2018). It furthermore marked a new beginning in the EU and Member States' joined-up action in that a format of such Member States-led 'lead groups' in EU foreign policy started to gain traction, also beyond Ukraine (Alcaro & Siddi, 2021).

Alongside the EU's support to Normandy Four and TCG operation, it forged closer ties with third actors, such as the OSCE, and provided support for their activities (Simakova, 2016; Sajdik, 2019). Unlike OSCE participating states, the EU did not contribute to the organisation's unified budget. Instead, it provided *extra-budgetary funds* via the *Instrument contributing to*



Stability and Peace (IcSP) (European Commission, 2019), including for the operational funding of the OSCE's special mission in Ukraine. The *OSCE Special Monitoring Mission (SMM) to Ukraine*, established on March 21, 2014 with unanimous OSCE agreement (and operational until March 31, 2022), had been a civilian mission reporting on security, incidents, and human rights in Eastern Ukraine (OSCE, n.d.).

Beyond the significant contributions to the OSCE's SMM, the *EU's humanitarian aid to Ukraine*, provided by the European Civil Protection and Humanitarian Aid Department (ECHO), encompassed both financial contributions and humanitarian assistance of sorts (Table 3; see also DG ECHO, 2023a).

Last but not least, the EU's first comprehensive and then, since 2016, integrated approaches to crisis/conflict management translated into the focused efforts to support *state and societal resilience-building* in Ukraine as well. Whereas the EU's support for local and grassroots-led mediation initiatives had been constrained (except for some action programmes under the IcSP, implemented in cooperation with EU Delegation to Ukraine, or peacebuilding-exploratory projects commissioned by EPLO, the European Peacebuilding Liaison Office), its involvement with Ukrainian and Ukraine-based CSOs/NGOs has been much more prominent.

Significantly, since late 2014, the EU has stepped up its efforts to strengthen the rule of law and institutional development in Ukraine. Operating, since July 1, 2015, through the *Advisory Mission to Ukraine (EUAM Ukraine)*, the EU offers strategic guidance and assistance for reforming the civilian security sector (civilian SSR). Although the EUAM Ukraine involves complex technical tasks, some argue that its deployment was motivated by the EU's strategic and geopolitical interests of balancing out Russia in Ukraine while reconciling the diverse interests of EU Member States in relation to Russia (Nováky, 2015, p. 246). It should be noted that the EUAM Ukraine has, furthermore, proven to be a flexible, responsive and expanding (at least, as regards the Mission's presence and operation in Ukraine's major regions) format of EU engagement (German & Tyushka, 2022, pp. 25–28).

The launch and implementation of the EU-Ukraine AA/DCFTA have been fraught not only with high geopolitical and security costs for Ukraine but also incurred high domestic costs, not least in view of the ambitious legislative and regulatory approximation agenda as well as structural and sectoral reform commitments. Even before the AA entered into force, already on April 14, 2014, the Council granted the first unilateral trade preferences to Ukraine, thereby reducing, or eliminating customs duties on goods from Ukraine (Council of the EU, 2014, p. 3).

Between 2014 and 2021, the EU provided over EUR 5 billion to Ukraine under its macro-financial assistance programme (MFA) to help the integrating country cope with the agenda. This is the largest contribution any partner country has received from the EU. Overall, since 2014 and until the beginning of the February 2022 full-scale war, grants and loans from the EU and EFIs (including EBRD and EIB) to support the reform process have totalled more than EUR 17 billion (European Council, 2021).

The challenges to the implementation of the EU-Ukraine AA/DCFTA amidst armed conflict in Ukraine's eastern regions and the country's overall reform programme had, furthermore,



prompted the EU to *institutional innovation*, namely the establishment of the *Support Group for Ukraine (SGUA)*. The SGUA became fully operational in autumn 2014 and comprised EU officials, seconded national experts, and special advisers, assisting Ukrainian policy-making agents and processes in implementing the AA/DCFTA agendas. Initial operation of the SGUA had seen many obstacles to effectiveness, including its only occasional presence on-site, in Ukraine, the lack of credibility vis-à-vis Ukrainian authorities and clarity on functions and functioning vis-à-vis varied EU institutions, including the initial unclear overlaps with EUAM activities (Ivashchenko-Stadnik et al., 2017, pp. 48–49).

It is no secret nor revelation that EU Member States hold distinct views on Russia and Ukraine. Varied perceptions of threats and differing approaches toward Russia, coupled with bilateral economic interests, including the level of Russian gas consumption (Dempsey, 2014), contributed to these differing visions within the EU regarding handling the conflict in eastern Ukraine and engaging Russia. Nonetheless, despite these divergences in perspectives, the EU managed to adopt the first round of *sanctions* against individuals and entities linked to the annexation of Crimea after the sham (illegal and illegitimate) Crimean 'referendum' (Yekelchik, 2015, p. 153). Subsequently, the EU Member States managed to reach consensus on further sanctions – in spite of their differing stances on the matter. This progression can be understood through various factors, including: (a) the pressure factor as the U.S. demonstrated active leadership and introduction of its own sanctions first (Matlary & Heier, 2016, p. 52); (b) the emotions factor which got particularly salient after Russia's downing of MH17 flight over the conflict area in Donbas in July 2014 (European Council, 2014) or the 2018 brinkmanship in the Azov Sea; and (c) the expectations factor as Ukraine repeatedly has been asking for EU's solidarity vis-à-vis Russian aggression and the Union, too, acknowledged Ukraine's sacrifice on its EU association and European integration path.

Whereas the EU Member States surprisingly achieved a notable level of cohesion on sanctions introduction, the semi-annual sanctions renewal procedures had become a challenge on their own, not least as, then, time and again, a number of EU Member States (Hungary, Italy, Greece, France, Czechia) favoured a roll-back or easing of sanctions whereas the other group of the so-called 'hard-liners' (UK, Sweden, Finland, Estonia, Latvia, Lithuania and Germany) advocated to the contrary.

Thus, in spite of long failing to classify or name the perpetrator of the "conflict in Donbas", the EU, nonetheless, had been engaging on many "fronts" and "strongly supporting efforts to come to a peaceful and sustainable solution to the conflict in eastern Ukraine", as the EEAS itself put it in early 2020 (EEAS, 2020). Yet, and in contrast with the OSCE, the EU had not assumed any formal institutional mediation role since the Geneva format was abandoned. Instead, an EU Member States-led effort materialised to this end, in particular the German-French Normandy Duo within the larger Normandy Four format had been, until February 2022, the key platform for conflict mediation and peace brokering.



2.3.2 EU's Response to the Russian Full-Scale War of Aggression Since February 24, 2022

Russia's February 24, 2022 attack on Ukraine triggered the shock of recognition of the massive full-scale war raging in Europe, which had an immense impact on the change of the EU's power posture and response. The EU was quick and determined to stand in solidarity with Ukraine from the moment of invasion, also having signalled its resolve on the eve of Russian aggression, right after the Kremlin's recognition of independence of the 'LNR/DNR' 'republics' on February 22, 2022. The EU's unprecedented response package included comprehensive economic assistance, humanitarian aid and civil protection measures, war refugee protection, as well as active and coercive (due to mobilised international pressure and far-reaching sanctions) diplomatic and military support measures, legal response and other lines of effort geared towards supporting Ukraine's defence and resilience.

Economic and financial assistance: The EU's *economic assistance* consists of not only of highly visible (for massive) macro-financial assistance packages, but also trade measures, other economic tools to support Ukraine's economy (such as EUR 1.8 billion assistance in budget and project support, or EU EUR 20 billion-worth 'solidarity lanes' since May 2022), humanitarian aid and civil protection support. Overall, the EU and Member States' *financial assistance* provided to Ukraine since late February 2022 and by early August 2023 amounted to over EUR 77 billion, including EUR 38.3 billion in economic assistance, EUR 17 billion in support for refugees within the EU, EUR 21.16 billion in military support and EUR 670 million disbursed to the EU civil protection mechanism (European Council, n.d.).

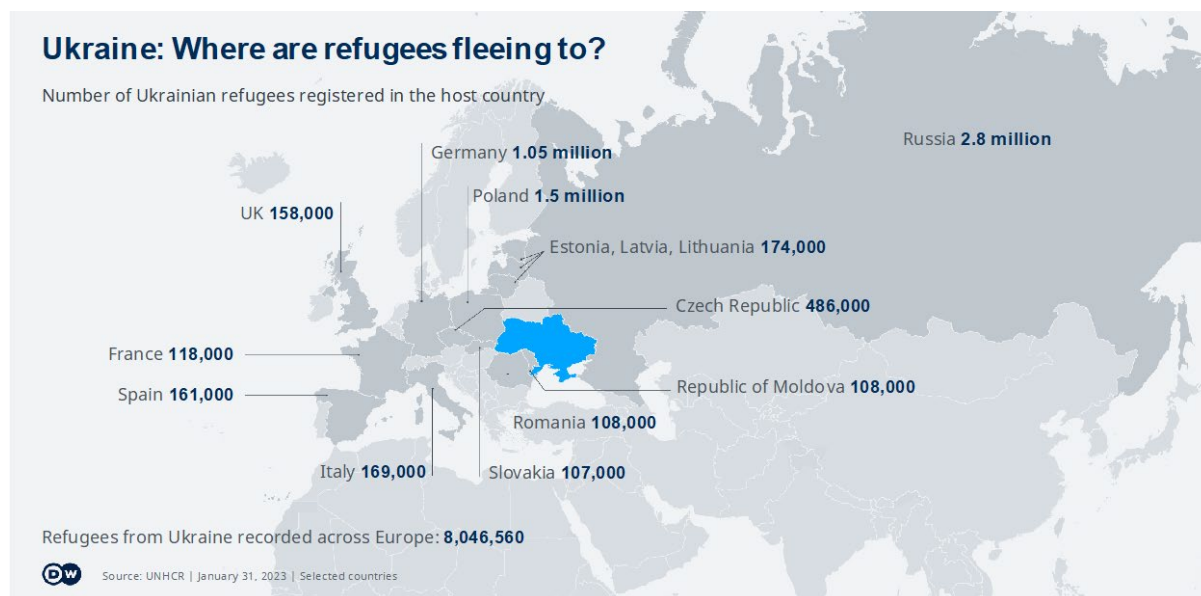
Humanitarian aid: The EU has been active in delivering humanitarian assistance to Ukraine since 2014. For the period of 2014–2021, the Commission alone allocated EUR 194 million in humanitarian aid; additionally, EU Member States pledged EUR 350 million; the EU's emergency and early recovery assistance to Ukraine amounted to EUR 1.7 billion in the mentioned period.

Russia's all-out military invasion on Ukraine in February 2022 has caused a massive humanitarian catastrophe, soon followed by an ecological one. The EU and *all* twenty-seven Member States, joined by partner countries like Norway, Turkey, North Macedonia, Iceland and Serbia, swiftly provided emergency assistance of sorts. Coordinated by the Commission, the EU Civil Protection Mechanism conducts the EU's largest civil protection operation to date (DG ECHO, 2023a). The EU's humanitarian assistance, too, saw an unprecedented increase in response to the Russian war-triggered humanitarian crisis: for over a year of the war's conduct – until June 2023 – the EU and Member States' joint humanitarian aid amounted to EUR 2.2 billion; this is complemented by the Commission's direct humanitarian assistance of EUR 685 million (EUR 485 million for 2022 and – so far – EUR 200 million in 2023) and further EUR 659 million of in-kind assistance and emergency operations via the EU Civil Protection Mechanism (DG ECHO, 2023a).



The scale and brutality of Russian aggression urged over 10 million of Ukrainians to leave the country and seek refuge abroad. Over 8 million of them fled to the EU, with Poland and Germany seeing the biggest inflow of Ukrainian refugees in total (see Figure 1 for detail).

Figure 1: Ukrainian War Refugees and their Rescue Destinations (February 2022 – January 2023)



Source: Prange (2023)

Considering the refugee costs (borne by May 31, 2023) in relation to a country's GDP, Poland (2.5%) has faced the biggest burden, closely followed by Czechia (1.5%), Bulgaria (1.4%), Slovakia (1.1%), Estonia (1.1%), Latvia (1.0%), Lithuania (0.7%) and Romania (0.6%) (Trebesch et al., 2023). On March 4, 2022, the EU Council unanimously decided to activate the Temporary Protection Directive (Council of the EU, 2022), aiming to promptly aid Ukrainians fleeing the war. This directive ensures temporary protection throughout the EU, encompassing rights such as residency, work opportunities, housing access, social welfare support, medical assistance, and essential sustenance for those seeking refuge from the war.

Military assistance: In a shift from the previously self-restrained posture vis-à-vis Russia and thus its engagement in the Donbas conflict, the EU and its Member States responded with unexpected and unprecedented military aid provided to Ukraine (see Table 3), including both the financing, purchase and/or delivery of both non-lethal as well as lethal aid.

A number of EU Member States have offered bilateral military assistance to Ukraine, encompassing both lethal and/or non-lethal military aid. Notably, the Kiel Institute for World Economy ranked, in 2022, Germany (EUR 3.57 billion), Poland (EUR 2.42 billion), and the Netherlands (EUR 2.36 billion) as the top three contributors in military assistance during the first year of the Russian war in Ukraine. Importantly, the GDP of the EU Member States is key in assessing their commitments: with a relation to a country's GDP taken into consideration,



Estonia (1.3%), Latvia (1.1%), Lithuania (1.0%), Poland (0.7%) and Slovakia (0.6%) had been the 'most committed' ones.

Overall, while, by February 2023, the value of cumulative commitments by Germany, France, Italy, Poland, Spain and the Netherlands outweighed – by three-fourths – that of the remaining EU Member States, the burden on Ukraine's closest neighbours – the EU's East-Central European Member States of Poland, Estonia, Latvia, Czechia, Lithuania, Slovakia and Bulgaria – became "exceptionally high" as their total bilateral commitments *and* refugee costs (in % of GDP) vividly showed (Wolf, 2023). Altogether, by February 2023, the EU and its Member States collectively provided already nearly EUR 12 billion in military support during this period (European Council, 2023, p. 3).

Predictably, the war dynamics and Ukraine's defence needs change – and so do the EU Member States' capacities to provide support both in financial terms and as regards the availability of weapons and ammunition. Still, the latest – July 2023 – edition of the "Ukraine Support Tracker" by the Kiel Institute for the World Economy ranks Germany (with a considerably – by 75% – increased pledge of EUR 7.5 billion), Poland (EUR 3 billion) and the Netherlands (EUR 2.48 billion) as the top three contributors of bilateral military aid, with Germany now being the second biggest contributor in absolute terms, that is outweighing even the EU institutional aid volume (Trebesch et al., 2023). However, it also points to a comparatively and generally lower level of new bilateral support commitments to Ukraine in spring 2023 compared to previous periods even in spite of *some* (like Germany's) larger support packages provided (Trebesch et al., 2023). Considering a share of GDP, Estonia (having spent, to date, 1.3% of its GDP on total aid to Ukraine) keeps championing the list of countries that considerably punch above their weight, with Latvia (1.1%), Lithuania (1.0%), Poland (0.7%) and Slovakia (0.6%) closing the top-five overperformers list.

In cumulative terms, EU institutions – with overall (military, humanitarian and financial) commitments of EUR 35.04 billion – remain the second largest aid provider, after the US (EUR 70.7 billion). Taken together, however, the EU *and* its Member States have pledged from January 24, 2022 till May 31, 2023 EUR 68.4 billion of overall aid, thus, again, standing quite on par with the US.⁶ The parity is also identifiable in the volume of financial commitments where the EU's (EUR 27.3 billion) and the US' (EUR 24.3 billion) commitments are nearly equal (Trebesch et al., 2023).

The EU Member States employ the *European Peace Facility (EPF)*, an off-budget instrument established in 2021, to provide military assistance to Ukraine. Importantly, prior to the break out of Russia's massive assault on Ukraine, in December 2021, the EU committed EUR 31 million under the EPF for *non-lethal* military aid, aiming to enhance the Ukrainian armed forces' logistics, cyber defence, and medical capabilities. However, following the war's onset, the EU

⁶ At the European Council's most recent summit on June 29–30, 2023, the EU leaders mentioned the total pledge of over EUR77 billion that the EU institutions and Member States altogether disbursed/earmarked for supporting Ukraine (European Council, 2023).



extended both non-lethal and – its first-ever – *lethal* military support through the EPF to a country under attack, marking a significant policy shift. So, right on the third day of invasion, on Sunday February 27, 2022, the EU agreed to provide under the EPF some EUR 500 million more to supply Ukrainian armed forces with arms.

After several budget revisions (boosts) following Russia's February 2022 invasion of Ukraine, ca. EUR 12 billion are now available under the EPF for the period of 2021–2027 (compared to the initial EUR 5.9 billion-worth EPF envelope), with EUR 5.6 billion having been already disbursed or earmarked for supporting Ukraine. European Council President Charles Michel affirmed unwavering EU support for Ukraine, vowing to stand by the nation “as long as it takes” (Michel, 2023a).

A novelty in itself, the EPF has also seen amendments to its rationale and scope as, since recently, the use of EPF funds for *joint ammunition procurement* has also been authorised. Such a novelty is a sign of the instrument's reasonable flexibility.

In May 2023, the Commission presented the Act in Support of Ammunition Production (ASAP), a measure designed to streamline “the prompt availability and provision of pertinent defence items within the Union” (European Commission, 2023). ASAP's primary goal is to assist the European defence sector in enhancing its research and manufacturing capabilities, in order to satisfy the demands of EU Member States as they replenish their supplies and continue to offer aid to Ukraine. The initiative is set to receive financial backing of up to EUR 500 million from the EU budget. The financial framework for legislation proposed by the Commission indicated that the funding for ASAP might come from EDIRPA (EUR 240 million), the EDF capability window (EUR 174 million), and the EDF research window (EUR 86 million). On June 1, 2023, the Parliament successfully concluded the initial stage of the legislative process by voting in favour of ASAP, thus paving the way for interinstitutional negotiations. Nonetheless, the forthcoming discussions with the Council are likely to centre on funding matters, given that Members of the European Parliament expressed their disappointment over ASAP relying on funds designated for other defence initiatives instead of having a dedicated funding source.

At the June 29–30, 2023 meeting of the European Council the EU leaders, joined by NATO's SG Jens Stoltenberg and (via teleconference) Ukraine's President Volodymyr Zelenskyy, eyed continued support for Ukraine and discussed the prospects of contributing (*jointly* at the Union's and Member States' levels) to *future security commitments* to ensure long-term stability in post-war Ukraine – a hitherto only hesitantly charted area of action (European Council, 2023). At the meeting the EU leaders also took stock of progress on the delivery and joint procurement of ammunition to Ukraine, which by March 2024 should amount to 1 million rounds of artillery ammunition supplied overall (European Council, 2023).

Alongside these recent considerations about EU's contribution to future security commitments vis-à-vis Ukraine, the EU and Member States have committed to boost the country's security and defences as the Russian war rages on. In a sharp contrast to the EU's previous scope of engagement, the Russian full-scale aggression triggered a historical (for: the first-ever) extension of the EU's military presence to its Eastern neighbourhood. The EU



Military Assistance Mission (EUMAM Ukraine), agreed in November 2022, represents another facet of military aid (EEAS, 2022). Originally, the EUMAM Ukraine was devised to train an initial 15 000 Ukrainian soldiers ideally by winter and 30 000 Ukrainian soldiers overall by end-2023⁷ (European Council, 2023, p. 3). Remarkably, this marks the first instance within the two-decade history of the EU's CSDP missions that a mission is conducted within the EU due to security concerns, rather than in the country where aid is directed.

The *activation of EU institutional involvement* also hardly remains unnoticed: along with the European Council and the Foreign Affairs Council, a more prominent role (than before 2022) has been played by the EU HR/VP, with the European Commission and the Court of Justice of the European Union (CJEU) discovering 'new' space for institutional action within the CSDP and the EP boldly stepping up its actorness in mobilising EU-level response and solidarity with Ukraine.

An incredible change has also seen the EU's *sanctions policy*, as the EU's restrictive measures became much more closely coordinated with other international actors (the US, UK, Canada, Japan, and the G7), much more frequent and comprehensive, as well as much more enforceable (though, problems with sanctions circumvention persist). In a surprise move and a notable shift from past practices, the EU managed to preliminarily agree on a sanction's package in advance, that is preceding Russia's February 2022 massive attack on Ukraine. At the EU foreign ministers' informal meeting in the 'Gymnich' format on January 13–14, 2022, both the continuation of talks with Russia (including in then already stalled Normandy Four format) and the strongly determined introduction of 'large-scale' sanctions in the event of any violation of Ukraine's territorial integrity were agreed. Thus, when Russia unleashed its all-out assault on Ukraine, the EU stood ready to swiftly react – including with massive sanctions.

In the early attempts, the Council-imposed sanctions disturbed and distracted – albeit not deterred – Russian expanding and ever-nastier aggressive war now being fought all across Ukraine's sovereign terrains. Started with travel bans, asset freezes and restricted Russian access to EU's financial and capital markets (first package of sanctions, adopted on February 23, 2022), the heavier – second – package of sanctions followed on February 24, 2022 as a reaction to the Kremlin's full-scale invasion of Ukraine and further restrictions for the Russian financial sector, its energy and transport sectors and exports of dual-use goods coupled with heavyweight individual sanctions against President Vladimir Putin and Foreign Minister Sergey Lavrov. By now, the EU has adopted eleven sanctions packages and is eyeing a twelfth already (Council of the EU, 2023). Not only have these been the largest in the history of the EU sanctions measures – Russia, too, set a world record of being the most-sanctioned country in the world (the bitter truth also is, that Russia is perhaps also one of the world's most sanctions-proof countries). Thereby, the nature and scope of the EU sanctions constantly expands and evolves, including, alongside financial restrictions, also sanctions directed at airspace & transport sector, energy, technology, industry, trade, media, other restrictive measures (asset

⁷ As of mid-2023, the EUMAM Ukraine had already trained 24 000 Ukrainian soldiers, thus allowing the EU to reach the 30 000-target well before the end of 2023.



freezes of individuals and entities, visa bans, export ban on luxury goods, limitations on EU 'golden passports' for Russians), etc. Thus, the EU and its 27 Member States have punished almost every imaginable sector of the Russian economy.

The rationale of EU sanctions, too, saw a change: whereas post-2014 Russia sanctions were chiefly meant to signal EU's non-recognition of Russia's annexation of Crimea and non-acceptance of its "destabilizing" actions in Donbas as well as to urge Russia to seek negotiated settlement, the EU's post-2022 sanctions are being intermittently introduced in order to "cripple Russia's war machine" (Von der Leyen, 2022b).

Still, while in general being more far-reaching (in terms of the sanctioned subjects and business activities) and harsher than they used to be before February 2022 (Portela & Kluge, 2022, p. 2), EU sanctions need to be made more fit for purpose. As the EU as well as other big sanctioning powers in international relations (the US, the UK, Canada, IMF) face the problem of sanctions evasions, including by means of circumventing sanctions via third states, criminalisation of sanctions evasions as well as due implementation and enforcement of such a wrongdoing need to be pursued more effectively. Herein, the evidently increased post-February 2022 role of the European Commission in devising EU sanctions and ensuring their implementation is an important step forward in institutional learning and adaptation. The appointment, in December 2022, of an International Special Envoy for the Implementation of EU Sanctions seeks to target the weaknesses of the implementation aspects of EU sanctions.

As the post-February 2022 phrase of Russian aggression in/against Ukraine has been particularly brutal and reckless in its nature (numerous distressing reports have revealed instances of crimes against humanity and war crimes committed in Ukraine), the EU and its Member States not only have repeatedly condemned Russia's indiscriminate assaults on civilians and civilian infrastructure, stressing the importance of upholding international humanitarian law, but also – for the first time – developed legal instruments for addressing Russian war crimes and punishing the perpetrators. The EU's *lawfare* (legal warfare) machinery now includes several instruments. For instance, in March 2022, in collaboration with partner countries, all EU Member States collectively referred the Ukrainian situation to the International Criminal Court (ICC). Alongside the ICC prosecutor's investigation, Ukraine's Prosecutor General and authorities from various Member States have initiated their own inquiries. Furthermore, the European Union Agency for Criminal Justice Cooperation (Eurojust) supported the setting up of a joint investigation team into alleged core international crimes committed in Ukraine. (European Council, n.d.).

On April 13, 2022, the EU Council amended the mandate of the EU Advisory Mission for Civilian Security Sector Reform in Ukraine (EUAM Ukraine) to provide support for investigation and prosecution of Russia's war crimes in Ukraine (Council of the EU, 2022). In a collective and partnerial endeavour, in May 2022, the EU, the US and the UK announced the creation of the Atrocity Crimes Advisory Group (ACAG), whose aim is to support the Prosecutor General's Office of Ukraine in its investigation and prosecution of conflict-related crimes. In July 2022, the EU decided to join Ukraine's "genocide case" against Russia at the International Court of Justice (ICJ) (EEAS, 2022), and in June 2023 received the ICJ's allowance therefor. The EU-



Ukraine summit on February 3, 2023 reaffirmed the EU's endorsement of establishing an International Centre for the Prosecution of the Crime of Aggression (ICPA) in The Hague (a hybrid tribunal), aiming to coordinate the investigation into the aggression against Ukraine and safeguard evidence for future trials.

The EU's post-2022 war response is marked by an increased cooperation and coordination with partners and allies – whether as regards the imposition and enforcement of sanctions, international diplomatic pressure and support mobilisation for Ukraine, legal punitive action against Russia or strategic affairs. In the latter aspect, the EU-NATO rapprochement is quite noticeable, also at the formal level (as the three Joint Declarations produced by now show) and a more institutionalised level (given that a new trilateral EU-NATO-Ukraine meeting format emerged in the wake of Russia's full-scale aggression). Arguably, the increased *EU-NATO cooperation and coordination* after February 2022 is driven by both the functional imperative as well as, more importantly, collective security imperative whereby only a joint EU-NATO effort would ensure deterrence and management of commonly faced threats (Romanyshyn, 2023). In Ukraine, NATO's low-profile engagement vividly contrasts with the EU's bold and even further strengthening involvement in both Ukraine's defensive effort and Russia containment. NATO's formal-institutional non-engagement in the Russia-Ukraine conflict should be seen, however, not only as a result of a missing consensus among the allies (an evidence thereof, too, was non-invitation of Ukraine to join NATO at the 2023 Vilnius summit), but also an effort in damage control: keeping NATO's public involvement low and informal assistance to Ukraine channelled via select allies credibly pre-empts Russia's legitimisation of its war of aggression against Ukraine as an allegedly 'defensive' fight against 'hostile and expanding' NATO, as much of Russia's weaponised domestic and international narrative has it.

Last but not least, improvements on the *strategic* side of *EU engagement* with Ukraine and Eastern European neighbourhood at large. In response to Ukraine's application for EU membership, submitted February 28, 2022 within days of Russian all-out military invasion, the European Council granted Ukraine an EU candidate status at its summit on June 23, 2022. As also Moldova had been granted an EU candidate status and Georgia's European aspirations got formally acknowledged at the June 2022 summit, this marked a significant shift in the EU's enlargement policy, which for years had suffered from hesitance and fatigue. This strategic decision also marked a shift in the EU's posture vis-à-vis its Eastern neighbourhood and Russia in particular.



Table 3: Goals, Forms and Dimensions of the EU's Engagement in Crisis and Conflict Resolution in/around Ukraine

EU's engagement: Goals, forms and dimensions		EU's Ukraine crisis/'crisis'/war response		
		<i>Ukraine crisis:</i> <i>Ukraine's Euromaidan Revolution (Nov 2013 – Feb 2014)</i>	<i>"Ukraine crisis":</i> <i>Russia's hybrid aggression and armed conflict in Ukraine's south-east (Feb 2014-Jan 2022)</i>	<i>Russia-Ukraine war:</i> <i>Russia's classical aggression and full-scale military invasion of Ukraine (Feb 2022 – onwards)</i>
EU goals	<i>officially declared</i>	ending violence; justice; democratic transition of power	political solution to the conflict; peaceful settlement; Ukraine's resilience	from political solution to Ukraine's (also military) victory and just peace
Strategic	<i>vis-à-vis Ukraine</i>	normative engagement; largely astrategic; responsive	hesitant; ambiguous	strategic support and enlargement
	<i>vis-à-vis Russia</i>	n/a; astrategic, interaction in/via neighbourhood instead	n/a; strategically lost → HR/VP Mogherini's 5 principles on engagement with Russia	HR/VP Borrell's 2021 Russia containment strategy ('push back – constrain – engage'); 2022 Strategic Compass → EU as a 'strategic adversary' Nov 2022 → revising relations with RU/isolation
	<i>on conflict/crisis management</i>	<i>comprehensive approach</i>	<i>comprehensive → integrated approach</i>	<i>reinforced integrated approach → a more joined-up action</i>
Diplomatic-institutional	<i>EP's parliamentary mediation and crisis diplomacy</i>	Cox-Kwaśniewski mission (2012-2014)	EP resolutions	EP's hyper-boosted discourse on security and defence matters, chiefly related to Russia's war on Ukraine; R. Metsola's heavy-weight parliamentary crisis diplomacy; MEPs calls for sanctions, EU actions, recognition of RU as a state sponsor of terrorism; MEPs calls for UA accession;
	<i>HR/VP mediation & crisis/shuttle diplomacy</i>	HR/VP Ashton initial crisis diplomacy → delegated to DE, PL & FR (Weimar Triangle); Geneva Format	lost; HR/VP Mogherini → 5 principles on engagement with Russia; HR/VP Borrell → geopolitical EEAS/learning language of power	HR/VP Borrell → one of the key impulse-generators, effort mobilization by EUIINST & EUMS, and on int'l stage; proposals for creative approaches and solutions
	<i>EUCO & EUCO President</i>	EUCO's conclusions: concerns	EUCO's conclusions: concerns, condemnations	EUCO's conclusions: condemnation, resolve in UA support and confronting RU; EUCO's capability pledge; Rapid Deployment Capacity; EU Strategic Compass; crisis diplomacy by Charles Michel (incl at UN; G7, G20)
	<i>Council</i>	sanctions (Yanukovych & Co.)	sanctions (Russia, for Crimea annex.); occasional invitation of UA FM (as well as MD & GEO FMs) to FAC	sanctions, 11 packages (vs Russia; potentially: secondary sanctions vs third states helping Russia circumvent the EU's restrictive measures); invitations of UA FM to FAC; delivery of non-lethal and lethal defence systems to UA; unprecedented financial support through EPF
	<i>COM & COM President</i>	n/a	SGUA	COM President Von der Leyen's hyper-active engagement; SGUA; Team Europe in Mariupol and Odesa; 'Solidarity lanes'; EU-UA AA lifting of tariffs; speedy processing of UA membership application docs; initiating legislation in the CSDP field (legislative proposals)



				on common defence procurement (EDIRPA) and ammunition production (ASAP)); novel format of the COM College + UA CBU ministers meeting (out of Brussels); COM's increased stake in devising and ensuring the implementation of sanctions; defence investment gap analysis (jointly with EDA)
Coercive economic & legal-institutional	<i>Sanctions</i>	sanctions (personal)	sanctions (personal and legal entities), incl. conditionality (Minsk II implem.)	(sharpened) sanctions, incl. vs third parties; Int'l Special Envoy for the Implementation of EU Sanctions
	<i>CJEU role</i>	sanctions review	sanctions review	review of legality of sanctions (facilitating EU's external action <i>plus</i> 'protecting the EU' [re. EU's band of RT and other Russian propaganda outlets]); after the criminalization of EU sanctions evasion → a new role?
	<i>other legal response</i>	n/a	n/a	temporary protection of UA refugees; lawfare (ICPA/hybrid tribunal vs RU; collective EUMS case at ICC; EU adhesion to UA case at ICJ; Joint EU-US-UK Atrocity Crimes Advisory Group (ACAG); RU crimes investigation support by Eurojust); 'legal Rammstein' (EU, UA + third actors)
Operational	<i>CSDP mission</i>	n/a	EUAM 2014 (civilian); contribution (budget, staff) to OSCE's SMM Ukraine	EUAM 2014+ (mandate extension) EUMAM 2022 (military)
Financial-economic	<i>TOTAL CONTRIB.</i>		EUR17 bln (2014-2021)	EUR77 bln (February 2022 – early August 2023)
	<i>MFA grants/loans</i>	n/a	EUR11 bln earmarked (2014-2021)	EUR38.3 billion economic assistance
	<i>Off-budget instruments incl. EPF</i>	n/a	EaP (coronavirus) solidarity package	EUR21.16 bln in overall military support, incl. under 'financial Rammstein' commitments (+ third actors: US, UK, Israel); EUR 12bln (2021-2027) made available under EPF, of which EUR5.6 bln has already been disbursed/earmarked for supporting UA incl. EUR1bln earmarked for EU joint ammunition procurement;
	<i>humanitarian aid</i>		EUR2.2 bln (2014-2021) EU&EUMS joint effort, incl. EUR194 mln by COM	EUR2.62 bln of EU&EUMS joint humanitarian aid, incl EUR685 mln by COM
	<i>- incl. by EUMS</i>		EUR350 mln (2014-2021)	EUR1.89 bln
	<i>emergency & recovery aid</i>		EUR1.7 bln (2014-2021)	EUR17 bln for support of UA refugees within EU; EUR670 mln to EU Civ.Protection Mechanism
	<i>DCFTA instruments</i>	n/a	EU unilateral abolition of tariffs/quotas	EU temporary abolition of tariffs (trade liberalization)
Joined-up action by EU member states	<i>EU MS lead groups & differentiated coop. formats</i>	Weimar Triangle (DE, PL, FR) → DE & PL in the lead	N4/Normandy Duo (DE & FR) in the lead L3/Lublin Triangle (PL, LT, UA)	PL+3BS in the lead; CEECs overall active (esp CZ) and so are Nordic EUMS; L3/Lublin Triangle; PL-UK-UA 'small alliance' Germany and France (after June 16, 2022)
	<i>(select) issue contestation</i>	Austria, Cyprus, Italy, Hungary, Greece, Spain and Slovakia (sanctions)	Hungary, Italy, Greece, France, Czechia (sanctions)	Austria, Germany, France, Spain (sanctions and war termination)
	<i>veto players</i>	Germany ('Russia first' & NS2)	Hungary; PL, 3BS, UK (vs DE's appeasement of RU & NS2)	Hungary ('Russia first') Germany and France (before June 16, 2022)

Source: own elaboration



2.4 Coherence, Sustainability and Effectiveness in Focus

The above three ‘episodes’ of EU engagement in crisis and conflict situations in Ukraine since 2013 vividly show that the EU’s approach, resolve and the sustainability of involvement not only saw evolution – they revolutionised, in fact (see Table 3 above). The EU’s rhetorical – and with it strategic – posture changed, the toolbox expanded, and the interplay between varied policies and institutions improved.

The *crisis/war surprise* factor played an important role in the EU’s response. While the outbreak of the protests-turned-revolution in Ukraine in reaction to then-president Viktor Yanukovich’s failure to sign the EU-Ukraine Association Agreement (AA) in Vilnius, in November 2013, were less of a surprise for the EU than the Ukrainian U-turn on the agreement itself, Russia’s swift and covert incursion in Crimea, in mid-February 2014, and the annexation of the Ukrainian peninsula were a genuine “strategic surprise for the EU of the most negative kind” (Meyer & Ikani, 2022, p. 129). It should be said, however, that such developments presented a significant surprise for other international actors, too, even if, for security analysts (both within state intelligence services, think tanks and academia), these were only partially unexpected events.

There were also lessons to be learnt about the coherence of EU inter-institutional action and across varied EU external-action policies and dimensions, as well as about the coherence among EU Member States in the first place.

EU’s *horizontal (inter-institutional and cross-policy) coherence* in the 2014–2021 period manifested some important flaws, especially the surprising under-politicisation and non-security approach to the EU’s extension of economic presence and power in its Eastern neighbourhood – oddly happening against the background of incremental discursive securitisation of the developments in the neighbouring countries. Looking back at the revolutionary and war-triggering developments in Ukraine, EU’s then-HR/VP Catherine Ashton (2023, p. 182) admitted that the EU should have “looked harder for trouble and examined more closely the politics as well as the economics” – and thus both the geopolitics and geoeconomics – of the Association Agreement with Ukraine, rather than just seeing it as yet another EU agreement in an arguably a-geopolitical region. A greater interaction between policies and institutions could not only have mitigated the ‘surprise’ effects of the Russian aggression but also provided for a more sustainable and forward-looking EU engagement. The EU’s overly symbolic post-2014 sanctions policy has even further been undermined by the increasing trade relations with Russia, chiefly in the energy sector, but also more generally. The EU’s institutional capacity to act was initially hampered by the constraining opportunity structure, namely Russia’s non-acceptance of the EU as a credible and impartial negotiator. The EU HR/VP’s short-lived institutional involvement in the 2014 Geneva Format was thus overshadowed by the subsequently established Normandy Format, led by France, Germany, the United States, and the Russian Federation. It should be said, however, that, while the EU ceased to participate in mediation and peace talks as an institutional actor, it sought alternative means to exert influence on the process. Thus, overall, the pre-2022 period shows a mixed record of EU horizontal coherence and capacity to act.



After February 24, 2022 much has changed in the EU's posture and performance as well as that of a number of EU Member States. Not only has the EU's and its Member States' response to the Russian war of aggression against Ukraine been swift, decisive and unprecedented; intra-EU dynamics – both (inter-)institutional and among Member States themselves – have also seen a changing balance. The EU's post-February 2022 engagement in Ukraine in the form of support of Ukraine's defence effort and overall solidarity undertakings (from political-diplomatic to humanitarian, financial, military and other assistance measures) has been unprecedentedly strong, comprehensive and intense as the detailed event records diligently show (European Parliament, 2023a; European Parliament, 2023b). The sanctions response – by the EU as well as the US, UK and other like-minded powers – was indeed far-reaching in size and scope, it was unprecedented. Importantly, after February 2022, EU sanctions became more comprehensive, coercive and enforceable than the post-2014 'generation' of EU restrictive measures against Russia. Moreover, EU trade ties with Russia were radically cut, including in the earlier tabooed energy sector. This serves as a reinforcement to sanctions effectiveness.

The EU's institutional capacity to act in a coordinated and coherent manner, too, saw a positive boost. The Commission's (auto-)increased role in defence and security matters falling under the EU's CSDP is hard to leave unnoticed. Its novel legislative proposals on common defence procurement (EDIRPA) and ammunition production (ASAP) inaugurated the new era of secondary law-making (and with it, the Commission's increased role) in the CSDP area. The boost of the EU's capacity to act *timely* and *instantly* is evident as well: swift and hard, the EU's initial response saw sanctions being prepared, for the first time, before the actual breach of international law was committed by Russia; it, furthermore, took the Commission some six weeks to develop EDIRPA and some two to three weeks to act on the ASAP proposal (Moser, 2023). The newfound unity within the European Council and the Council (even in spite of persisting lonely veto players like Hungary) has thus far enabled quick and decisive strategic and operational decision-making on how to engage with a belligerent Russia, sustain Ukraine's defence effort and keep an eye on broader regional dynamics, including in Belarus, Moldova, Georgia and along the Armenia-Azerbaijan contact line – that is all across the EU's EaP policy space.

Other EU institutions, too, got an unusual exposure and role(s) in the Union's war response. The CJEU, the ECB, and the EU agencies (such as EDA) all got a new role in facilitating EU external action in wartime and to protect the EU's own order, security and stability in various aspects. Also, the EU's launch of the EUMAM Ukraine CSDP mission presents effectively the case of a first-ever CSDP mission operated not outside but within the EU territory as, for the time being, Ukrainian military officers receive their training on Polish and German soil. Two more EU CSDP missions have been launched in Moldova and at the Armenia-Azerbaijan border. Thereby, the EU's presence in the Eastern neighbourhood got considerably strengthened in both political, institutional and now even politico-military terms. Thus, horizontal coherence across EU policies and institutions has evidently improved in a record-short period of time. Signs of a similar – though not necessarily comprehensive and



sustainable – improvement of vertical coherence are also identifiable in EU and its Member States' more coordinated and joined-up action.

The surprising – but fragile – unity that the EU Member States demonstrated when Russia annexed Crimea in 2014 was a promising sign of achievable, against all odds, *vertical coherence*. However, the margin of such coherence among EU Member States on the EU's response to the Russian aggression and its engagement in crisis/conflict management in Ukraine was quite narrow, as the following rounds of struggle with sanctions renewal showed. After all, the "Ukraine crisis" itself (as the EU's official parlance had it until February 2022) was not an equally salient issue to all 28/27 EU Member States (Ashton, 2023, p. 197). It was only after the downing, by Russia and Russian proxies in Ukraine's Donbas, of the MH17 airplane in July 2014 that the EU Member States – emotionally rather than strategically – stood united in punishing Russia. This united action stood in stark contrast not only to the EU's previous reaction to the Russian covert incursion in, and annexation of, Crimea but, significantly, even in contrast to its response to the Russian overt military invasion of Georgia in 2008.

Chiefly, the EU Member States' diverging historical ties and economic (foremost energy) interdependencies with Russia were responsible for Union-level constraints on both punitive response vis-à-vis Russia and overall Russia policy, where Germany and France have been key policy shapers while Poland and the Baltic states – key contesters, or veto players (Müller et al., 2023, pp. 67–68 (ENGAGE [Working Paper 25](#))).

Overall, in 2014–2021, the EU Member States' view on Russia, security and Russia as a security threat considerably differed, if not diverged. With the protraction and intensification of Russian hybrid war in Ukraine's east – in spite of the EU's, Ukraine's and international efforts to end the conflict – and, especially, after Russia's full-scale invasion of Ukraine on February 2022, the space for interpreting Russian belligerent behaviour as other than what it has been considerably shrunk. Moreover, the March 2022-inaugurated Strategic Compass pointed to a widely shared threat picture among EU Member States, including the largely converging view of Russia-as-a-threat.

Post-February 2022, both the EU nations and institutions have come to share a certain 'responsibility to act' in support of international law and justice, regional security order and the EU's own stability as well as the stability of the rules-based liberal order more generally – and thus in support of Ukraine. Even the EU's neutral Member States (that is Sweden, Finland and Austria; as well as non-EU Switzerland) have joined forces to stand up against Russia's unjust, unprovoked and unlawful act of aggression, thus stepping over their own taboos and dictums of neutrality. Other EU Member States, like Germany, too, had to see a number of domestic and foreign policy-related taboos fallen to be able to move along with the EU's institutional and other Member States' pace and direction of action – even if not in the driving seat this time, at least in the first months of the war: the key leaders and consensus-makers have been, post-February 2022, the Baltic states, Poland and the Nordic states, rather than traditional EU 'leader states' Germany and France.



The EU-wide resentment over the failure of the past Russia-courting policies, driven by the Franco-German tandem, and the Pyrrhic victory of the most Central and Eastern European countries' (CEEC) 'we told you so' moment provided for a new opening in East/West interactions among EU Member States and is fraught with establishing a new centre of gravity in EU's foreign, security and defence policymaking with an eye on non-/not-yet-EU Eastern Europe. Already now the shift of balance eastwards, to Poland, Czechia and the Baltic states of Estonia, Latvia and Lithuania, is becoming an internal political reality. Overall, CEECs have been much more involved in driving EU's war response: to a varying degree, and in varying configurations (also beyond the formally or informally established cooperation formats), CEECs have played a crucial role in intra-EU political and institutional mobilisation, military aid delivery (own contributions, logistical support and varied supplies facilitation) as well as humanitarian aid (including in the form of direct financial contributions and the hosting of large numbers of Ukrainian war refugees). Whilst Estonia, Latvia, Lithuania, Poland and Czechia have been amongst staunchest supporters, other CEECs (such as Romania, Bulgaria, Slovakia) have also committed their resources and capacities to a joined-up action – even if, at times, such contributions remained (for varied reasons) off the radars of public discussions or got revealed with a significant time lag.

French President Emmanuel Macron's apology to the EU's Eastern European Member States, as he admitted in early June 2023 that both France and Germany should have listened to their warnings about Russia, marked a moment of "strategic humility" (Abboud, 2023) as well as it legitimised the shift of the EU's centre of gravity eastwards.

With the exception of Hungary, which, on a number of occasions, made use of its veto (out of national sovereignty and security considerations, or as part of bargaining in an issue-linkage game, as it was the case on December 5, 2022 when Hungary vetoed the EU's proffered EUR 18 billion assistance package to Ukraine), the unity and coherence among EU Member States has been unprecedentedly exceptional and exemplary. Such unity, understandably, immensely impacted on the EU's action capacity and overall war response.

The EU's post-2022 boosted engagement rationale has, thus, arguably been driven by both the EU and EU Member States' sense of *moral responsibility to act* in defence of a democratising, Europeanising and gradually integrating Ukraine (as well as, more ontologically, in defence of the liberal rules-based international order at large) and the catalysed crystallisation of an over half-century long ritual of EU foreign policy cooperation, or "a key shared norm", that is a "*collective European responsibility to act*" in principle (Maurer et al., 2023, p. 221). While the strongly shared collective responsibility to act vastly mitigated the earlier incoherence among EU Member States as to whether and how to respond to the Russian aggression, an area where – new – divergence (or at least, deliberative contention) started to appear is how to end this war (Krastev & Leonard, 2022, p. 2).

In light of the above discussions of coherence and sustainability of EU and EU Member State-level engagement and the fact that the war has persisted and only further escalated since 2014, EU *effectiveness* does not appear to be high. Nuances matter, however. Seen as success



in its goal-attainment and positively perceived overall performance, the effectiveness of EU engagement in crisis/conflict resolution shows mixed record.

Having sought a democratic and political solution to the revolution-triggered Ukraine crisis, the EU had essentially managed to broker political agreement between the government and the revolutionary forces and thus help cease violence in the first place. That the crisis cascaded into the surprising annexation of Crimea and hybrid war in Ukraine's east is chiefly due to the – determining – role of external factor and actors, that is Russia – not because of domestic instability in Ukraine, which the EU had been targeting with its engagement. This is important to note. Still, the EU could have performed better at identifying the true nature and causes of the crisis which hardly ever was *just* Ukraine's 'domestic' issue. Addressing root causes and going deep with crisis resolution – not just fencing off against immediate (negative) effects – is of utmost importance for a sustainable crisis management and conflict resolution. As the EU's former HR/VP Catherine Ashton put it: “Sticking plaster’ on the problem is unlikely to have much effect” (Ashton, 2022, p. 357).

Throughout the 2014–2021, and in relation to the Russian hybrid war in Ukraine's Donbas, the EU had been seeking to achieve political and diplomatic solution and, towards this end, even compromised its institutional actorness (as it was Germany and France – and not the EU HR/VP – who were the key mediators with Russia and Ukraine). Since 2015, it, furthermore, tied the relief of sanctions to the implementation of the Minsk agreements, thus keeping sanctions in force (effective) in spite of EU Member States' divergences on the matter. The second Minsk protocol, brokered by Germany and France, in close coordination with the EU's HR/VP and EEAS, also brought some decrease in violence and hostilities, even if the ceasefire never translated into a weapons standstill. In spite of all the effort, the EU failed to achieve the goal of political solution to the conflict – due to the critical role of the constraining opportunity structure. At the same time, the EU's goals of advancing Ukraine's political association, economic integration, institutional capacity-building as well as those of enhancing Ukraine's state and societal resilience can largely be assessed positively, as there is all too little evidence that could speak to the contrary.

The achievement of the EU's recently stated goals, in relation and in response to the Russian 2022 aggression, is not yet possible. Though, the EU and Member States' strong engagement towards the declared aims gives a good promise of success, especially as both intra-EU and external opportunity structures have become more enabling. The EU's post-2022 engagement and performance, furthermore, have been positively perceived by now by Ukraine, other partners and allies (chiefly, the UK and the US), as well as EU citizens. Already within days after Russian 2022 invasion, Ukraine's Foreign Minister Dmytro Kuleba resentfully admitted that NATO “wasn't what [Ukrainians] thought it was” as, before the 2022 war, Ukrainians thought that the Alliance was “a powerful actor” whereas the EU was “a powerless and indecisive actor”; “the war had shown that it is all vice versa” – the EU is “strong and with a stamina” while NATO “can't decide on anything” (Kuleba, 2022). Ukrainian President and people, too, repeatedly express their gratitude and appreciation of the EU institutions' and its Member States' strong backing of Ukraine. The latest (spring 2023) Eurobarometer shows that 56% of



EU citizens are satisfied with the EU's response to the Russian invasion of Ukraine and 54% are satisfied with the response by their national government, thus speaking of an equally strong backing of both the nation-state and Union-level security actorness. The majority, 88% of EU citizens are in favour of providing humanitarian support to the people affected by the Russian war in Ukraine and 86% are in favour of welcoming into the EU people fleeing the war; 75% approve of financial support to Ukraine and 72% back economic sanctions on Russian government, companies and individuals (Eurobarometer, 2023). This provides a good basis for sustained strong involvement towards achieving the stated EU goals in the war's context, that is to help Ukraine end and win this war as well as to punish Russian aggression.

Overall, the EU's post-2022 war response has been surprisingly united, significant and both strategically and creatively sustained. Hereto count the massive iterated sanctions against Russia, a no less massive support of sorts – financial, humanitarian and even military aid – from both EU institutions and Member States, the pathbreaking deployment of the first military CSDP mission in the EU's eastern neighbourhood, granting of temporary protection to Ukrainian war refugees and, last but not least, granting Ukraine (as well as Moldova, with prospects for Georgia as well) EU candidate status, to name but a few key lines of EU effort and engagement. This appears to be a massive leap forward, even if one considers observable developments alone. Though, much remains under the radar of public eye and records⁸ (given the turbulence and scale of war-triggered developments). All in all, the EU has been engaged 'better' than expected. All of what the EU, its Member States and the mobilised broad international community have done and achieved seemed to be impossible over a year ago.

By and large, as the war evolves, so does the EU's actorness in security and defence matters – a true "moving target", as Costa and Barbé (2023) neatly put it. Thus, whereas the EU has been arguably *doing good* – at least *way better than expected* – in responding to the Russian all-out war of aggression against Ukraine since mid-February 2022, the intensifying and evolving nature of warfare and the conflict itself (that spills over to maritime standoffs, environmental and nuclear security compromising acts) has it that the EU should seek to both radically intensify, constantly modify and innovate its ways and means of engagement in Ukraine, vis-à-vis Russia, as well as vis-à-vis its own and Russia's allies in this war to be able to achieve its stated objectives and cement its new role in strategic and security affairs in the region.

2.5 Case Study Conclusions

When Russia invaded Ukraine again on February 24, 2022– massively-militarily and this time (more) anticipatedly – the European Union swiftly swung into action. This seriously boosted EU's capacity to (re)act stands in a stark contrast with the Union's hitherto demonstrated actorness qualities in Ukraine as well as elsewhere.

⁸ Recently leaked U.S. intelligence documents suggested that the EU has special forces on the ground in Ukraine as well as that arms transfers (expectedly) occur not only via disclosed routes (and countries: even Hungary may be letting arms through its air space), see Gallardo and Barigazzi (2023).



The EU's response to the Euromaidan revolution and the government-opposition conflict in Ukraine in late 2013 and until mid-February 2014 was a reflection of then a 'standard operating procedure' in crisis/conflict situations, with a narrow, bureaucratic and essentially a-geopolitical response to what has proven to be a major geopolitical crisis in Europe. While in its response to the Russian hybrid war waged against Ukraine since the early 2014 the European Union had been walking well-trodden paths, with all too little political resolve and both legal and political creativity in the use of existing CFSP/CSDP and ENP/EaP tools, the Russian all-out military invasion of Ukraine in February 2022 urged the EU to radically rethink its crisis/conflict response repertoire and thus to seriously step up EU-level and joined-up – with Member States and partners – engagement. Not only the creative use of the existing instruments and mechanisms has amplified the EU's crisis/conflict response toolbox, but also the newfound unity and sense of responsibility to act have provided a serious boost of the EU's capacity to act as a 'normal' (that is, no longer self-constrained to a normative actorness alone) and a growingly geopolitical (that is, ready to confront adversaries – and not only engage in dialogue and incentive-based interactions) power.

As a result, a number of taboos were broken by the EU and its Member States already in the first weeks of the war's outbreak. Among them, the fear of antagonising Russia, the hesitance of supplying lethal weapons or increasing military presence in the EU's Eastern neighbourhood, the enlargement fatigue, as well as a number of national taboos, including the 'Russia first' mantra worshipped for decades particularly faithfully by the leading EU powers like Germany and France. Even though it is still too early to speak of a paradigm change in EU foreign, security and defence policies, a shift in the EU's Russia and Ukraine policies, as well as in European defence matters, is remarkable. For it to be truly transformative, such shift needs to become strategic and sustainable, that is to stand the test of time, intra-EU cohesion imperatives as well as of challenges emanating from a changing regional and global security environment.

This is particularly pertinent and expected a dynamic that this massive Russian assault on Ukraine and both the regional and global security orders will have massive consequences no matter how it ends and particularly dire consequences if it *somehow* ends 'good' for Russia. In that regard, the EU should already be investing serious thought and effort in developing its deterrence capabilities (including geo-economic/sanctions-based deterrence, technological containment capacity, international coalition-building as well as the boosting of its own defence posture and military resolve). This is not only crucial for preventing the – next – Russian aggression but also to help the EU build a more credible and effective actorness profile in conflict prevention – an area of security actorness that has evidently remained dormant, at least as regards international conflicts.



3 Armenia-Azerbaijan War(s) over Nagorny Karabakh

3.1 War(s) over Nagorny Karabakh: On Conflict Evolution

Since 2021, the European Union has been the chief facilitator of negotiations between Armenia and Azerbaijan to find a resolution of their long-running conflict. In 2023 the EU deployed an observer mission, EUMA, to border areas of Armenia, following clashes with Azerbaijan. This is the first ever CSDP deployment to a country which is a member of the Russian-led security organisation, the Collective Treaty Security Organization.

This active engagement in the conflict by the EU marked a strong shift in profile and strategic approach, caused first by the '44-Day' war of 2020 between Armenia and Azerbaijan, and then by Russia's full-scale invasion of Ukraine in February 2022. However, the EU is constrained both by factors beyond its control (the actions of the parties to the conflict and Russia in particular) and by imperfect internal coordination, which undermine the coherence and sustainability of its engagement.

So, a new Azerbaijani military offensive against the remaining Armenians of Nagorny Karabakh in September 2023 showed the limitations of EU diplomacy in this region. It was again Russia which brokered a ceasefire and set the terms for future negotiations over the future of the Armenians of Karabakh.

The Armenia-Azerbaijan conflict dates back, in its modern form, to 1988 when the Armenian-majority autonomous region of Nagorny Karabakh tried to secede from Soviet Azerbaijan and join Soviet Armenia. With the collapse of the Soviet Union, the dispute deteriorated into a full-scale war, won at great cost by the Armenian side. Armenian military victory was consolidated by a ceasefire agreement in 1994. Armenian forces remained in control of not just Nagorny Karabakh, but (partially or fully) seven adjacent Azerbaijani regions, from which more than half a million Azerbaijanis had been displaced. At the same time Armenia suffered economically from the closure of its two longest borders with Azerbaijan and Turkey and the breakaway republic of Nagorny Karabakh did not receive international recognition (de Waal, 2013).

After the 1994 ceasefire negotiations were unsuccessful, the conflict remained unresolved until 2020, when Azerbaijan reversed the situation with a comprehensive military victory in a war that cost 7,000 lives on both sides. A Russian-brokered ceasefire agreement resulted in the deployment of a Russian peacekeeping force to Nagorny Karabakh and ensured the return of the occupied territories to Azerbaijani control.

When the first Karabakh conflict of 1991–1994 was fought, mediation was conducted by the Organization for Security and Cooperation in Europe (OSCE, until 1996 the CSCE), and specifically by Russia, the United States and certain European states. From 1997 the role was taken exclusively by the three co-chairs of the OSCE's so-called Minsk Group: Russia, the USA and France. From around 2008, Russia acted as the leading co-chair with the other two in a



more supporting role. De facto Russian foreign minister Sergei Lavrov became the only senior international official conducting serious business with either side in a very opaque process. Russia remained the only external actor with both the capacity and strategic commitment to the region, and with serious intentions to resolve the conflict – on its terms.

Societies remained polarised and resistant to ideas of change. From the late 2000s, already widespread disillusionment with conflict resolution efforts deepened further as each side continued to adopt maximalist positions. Both Baku and Yerevan engaged with the Minsk Process in a pro forma fashion. Azerbaijan built up its armed forces and threatened a military attack, while the Armenian side sought to consolidate facts on the ground and began to integrate occupied Azerbaijani regions into the Armenian-governed entity of Nagorny Karabakh. Laurence Broers wrote of the negotiation process:

Sophisticated formulas attempting to finesse the 'land for peace' equation were eclipsed by the devaluation of liberal-democratic norms and practices in Armenia and Azerbaijan, the accumulated effects of networked regime-building, and the revival of violence. The salience of these strategies transformed the meaning of mediation. Constrained from resolving and not mandated to directly arbitrate, mediation devolved to conflict management. Put simply, mediation became mitigation (Broers, 2019, p. 278).

Not having yet developed a strong foreign policy profile in the 1990s, the EU had no formal role in the Armenia-Azerbaijan negotiations. Up until 2020, the EU's default position was that it supported the Minsk Group's negotiations and that "[t]he OSCE remains a partner of choice and an indispensable forum" (Semneby, 2011).

Occasionally the recommendation was made that the EU should replace France as a mediator by becoming the third Minsk Group co-chair. In April 2012 the European Parliament adopted a resolution which recommended to the the Council, the Commission and the European External Action Service that they "consider the presence of the EU in the OSCE Minsk group as increasing the EU's involvement in the resolution of the conflict between Armenia and Azerbaijan" (European Parliament, 2012).

However, this recommendation was never taken up. France objected to the dilution of its role, while Russia also preferred a single state to be its partner rather than the multi-state EU. Armenia was also more comfortable with France and the United States as mediators, two countries with large Armenian diasporas, than with the EU in that role. In turn Azerbaijan was sceptical about an enhanced EU role following its active role in facilitating recognition of Kosovo's independence in 2008 (Popescu, 2020).

The 44-day war of 2020 precipitated the collapse of the OSCE Minsk Group. Russia unilaterally deployed a peacekeeping force to Nagorny Karabakh in November 2020. In June 2022 Russian foreign minister Sergei Lavrov declared the Minsk Group dead, putting the blame on France and the United States (Turskoy, 2022); Azerbaijan had already rejected the role of France as a mediator, due to Paris' support for Armenian positions on the conflict.



With the OSCE sidelined, in 2021 the two sides turned to the EU as a facilitator, specifically to EU Council president Charles Michel and EUSR for the South Caucasus Toivo Klaar. The EU had the advantage of lacking the ‘baggage’ of the Minsk Group or Russia in particular and of enjoying good working relations with both Baku and Yerevan. Between December 2021 and July 2023 Michel convened six high-level meetings between the Armenian and Azerbaijani leaders.

At the same time Russia continued its own mediation efforts. It maintained leverage by having deployed the only peacekeeping force on the ground in Karabakh in 2020 and having formed a trilateral governmental commission to oversee the unblocking of closed transport and communication routes. Russia was also highly critical of the EU’s peace initiative. It was reportedly the Russian peacekeeping force which negotiated the ceasefire and start of new negotiations in September 2023.

3.2 The EU’s Objectives and Strategies of Engagement

Since the three states of the South Caucasus achieved independence in 1991 there has been no consensus within the EU as to the overall strategic importance of the region, and correspondingly what priority should be given to resolving the Nagorny Karabakh conflict. For many European states and actors, the South Caucasus has always been a marginal region (some questioned whether the three countries should join the Eastern Partnership in 2009).

Mainstream foreign policy actors in the EU made the argument that conflict resolution should be at the top of the union’s agenda in the region. In a speech on the South Caucasus in Bled, Slovenia, in August 2006, European Commissioner for External Relations and European Neighbourhood Policy Benita Ferrero-Waldner said that “[r]esolving or at least de-escalating the conflicts must be the first priority” (Ferrero-Waldner, 2006).

However, this was not backed up by a proactive strategy. In practice the EU was mainly content with a “conflict management” strategy for the conflict, contrasting for example with the leading role it took in the Western Balkans. Many Member States have traditionally seen the South Caucasus through the prism of other agendas, in particular as a sub-set of relations with Russia, or through energy politics, following the building of oil and gas pipelines in the 2000s.

This second interpretation favoured Azerbaijan and Georgia, but not Armenia, and frequently produced ambitious claims on Azerbaijan’s significance for EU energy security (Paul & Rzayeva, 2011). The TANAP and TAP gas pipelines carry Azerbaijani gas via Turkey and the Adriatic Sea to Bulgaria, Greece and Italy. In July 2022, EU Commission president Ursula von der Leyen signed a new agreement pledging to double supplies to 20bcm a year by 2027. (Overall consumption was 360bcm in 2022 but fell in 2023). However, there were question marks as to whether that figure could be achieved due to the need to upgrade infrastructure (Foy & Sheppard, 2022).

With regard to the three conflicts in Abkhazia, South Ossetia and Nagorny Karabakh, prior to 2021, the EU’s strongest engagement came between 2003 and 2009 within the ENP



framework. In 2003 the EU appointed its first Special Representative (EUSR) to the South Caucasus (Heiki Talvitie) with a special mandate to work on the three conflicts.

Also in 2006, the second EUSR to the region, Peter Semneby, was appointed. The language in his mandate was changed, such that he was no longer asked to “assist the resolution of conflicts” but to “contribute to the resolution of conflicts”. Semneby himself said this linguistic change was small but important, calling it “a political signal that the conflicts are very high on the agenda”; he also suggested that the EU could contribute to or lead an eventual peacekeeping force in Karabakh (de Waal, 2006). However, the EUSR mainly worked on the Abkhazia and South Ossetia conflicts. Efforts by the EU to play a role in the Karabakh conflict were rebuffed. In 2007 Semneby announced plans to visit Karabakh but called off the trip at the last minute, after pressure from Azerbaijan, and without receiving backing from the Minsk Group co-chairs.

In 2011, in a valedictory statement to the OSCE, EUSR Semneby warned:

The deteriorating security situation in Nagorno-Karabakh represents the primary threat to regional stability and should be cause for serious concern. The EU must not repeat the mistakes it made in Georgia ahead of the August 2008 war when it under-delivered in the area of conflict prevention. It is clear that the current trajectory is a dangerous one. If there is violence, this would come at a major cost for the EU in particular given the strategic importance of the region (Semneby, 2011).

He concluded: “whilst continuing to support OSCE Minsk Group efforts to find a solution to the Nagorno Karabakh conflict, it is crucial that the EU adopts a much more assertive role regarding Nagorno Karabakh, not least given increased EU interests and engagement in the region, coupled with recently launched projects aimed at rebuilding confidence” (Semneby, 2011). The 2020 war eventually confirmed the validity of these warnings. However, this “assertive role” was not forthcoming until 2021 after the war had occurred.

3.3 EU Institutional Capacity and Forms of Engagement

The formation of the Eastern Partnership (EaP) in 2009 and of the EEAS in 2010, following the Lisbon Treaty, increased the EU’s overall engagement in Armenia and Azerbaijan and increased funding to the region. However, this did not translate into stronger engagement on the Armenia-Azerbaijan conflict. The EU’s approach was still marked by a lack of institutional coherence. One commentator criticised institutional rivalry inside the EU and “lack of integration between ENP and EaP on the one hand, and CFSP and ESDP on the other” as preventing the EU from forming a proactive strategy towards Armenia (Hoof, 2012).

The new institutional structures deepened bilateral cooperation between the EU and Armenia and Azerbaijan on many levels, shifting the agenda more onto domestic reform and energy issues. For example, the EU and Yerevan negotiated intensively on an Association Agreement, an effort that was eventually abandoned when Armenia was coerced to join Russia’s Eurasian Economic Union in September 2013.



Conflict resolution became less prominent. The formation of the EEAS spelled an end to the more autonomous EUSR position. In 2010 the EUSR Peter Semneby did not have his mandate renewed. His role was subsumed within the new post-Lisbon EEAS and his successors dealt less with the Karabakh conflict.

EU diplomatic leverage was employed more on domestic issues and less on pressuring the parties to the conflict into making the compromises necessary to achieve a peace settlement. As Laure Delcour and Kataryna Wolczuk noted, the language on conflict resolution in the EaP was weaker than before: “the Eastern Partnership implicitly waters down the initial ENP ambitions – that were reiterated by the European Commission in the mid-2000s’ strategic documents – of a direct contribution to conflict resolution” (Declour & Wolczuk, 2018). The 2015 ENP review subsequently noted that “protracted conflicts continue to hamper development in the region” (EEAS, 2015) but without further elaboration.

For their part both Armenia and Azerbaijan used the EaP as a platform to push their positions on the conflict. EaP summits became a battleground in which Azerbaijan insisted that the same language used about Georgia and Ukraine’s territorial integrity should also be applied to the Karabakh conflict, while Armenia insisted on language about self-determination. In 2017 the issuing of a final declaration at the EaP summit was delayed by disputes on these issues between Baku and Yerevan (Jozwiak, 2017). In the eventual 2017 summit declaration, the EU avoided mentioning any of the conflicts in the region. The wording of that declaration was ambiguous: “The European Union remains committed in its support to the territorial integrity, independence and sovereignty of all its partners” (European Council, 2017).

Effective engagement on the Karabakh conflict was also hindered by the differing and shifting positions of Member States towards Armenia and Azerbaijan. Some such as France and Cyprus were traditionally more favourable to Armenia, while Hungary and Italy had closer ties with Azerbaijan. Armenia’s institutional connections with Russia, as opposed to Azerbaijan’s more independent foreign policy, also weakened Armenia’s appeal among some Member States.

In this context the EU’s main intervention in the conflict resolution process during this period was as the chief funder of Track 2 initiatives and civil society work. Between 2010 and 2019 the EU funded the European Partnership for the Peaceful Settlement of the Conflict over Nagorno-Karabakh (EPNK), a consortium of five European NGOs (Conciliation Resources, Crisis Management Initiative, International Alert, the Kvinna till Kvinna Foundation and LINKS) and local partners in the region working on peacebuilding activities. In 2019–2020, EPNK was replaced by new programmes addressing the conflicts within the EU4Peace and EU4Dialogue projects.

Since the 2020 war the EU has taken the leading role in conflict resolution efforts. The diplomatic intervention, led by Charles Michel, is presented as ‘facilitation’ rather than ‘mediation’. Wherever possible, the EU encourages Baku and Yerevan to talk bilaterally, and does not insist on its direct participation (this contrasts with Moscow’s insistence that it be an active third-party mediator). The high-level talks are far from being a full or structured peace



process, however; since early 2023 they have been carried out in coordination with the United States, which has convened two meetings of the foreign ministers of Armenia and Azerbaijan working on a bilateral normalisation agreement.

In early 2023 the EU deployed a monitoring mission EUMA on Armenia's border with Azerbaijan with a two-year mandate and a projected full capacity of 100 monitors. This followed Azerbaijani military intervention inside Armenia proper in September 2022 in which several hundred people died. EU officials say it is the fastest ever deployed CSDP mission. Mission head Markus Ritter described the three tasks of the mission as being to support the EU peace process, to reassure Armenians in border communities and to foster cross-border confidence building (CivilNet, 2023).

The EU has also provided substantial post-conflict funding to the region. The largest part of this is EUR 20.8 million since 2020 in humanitarian aid, mainly for people displaced by the 2020 conflict (DG ECHO 2023b). The EU is the biggest funder for de-mining projects in Azerbaijan's recovered territories (EU Neighbours East, 2023). The EU is also a major player in infrastructure and transport projects that will improve connectivity in the region. Two major European investment banks are funders of Armenia's 556-km North-South highway, which was inaugurated in 2012 and has acquired extra importance for Armenia since several roads in southern Armenia became vulnerable to Azerbaijani forces in 2020. Charles Michel announced in July 2023 that the EU was prepared to contribute to the financing of a new rail connection between western Azerbaijan and the Azerbaijani exclave of Nakhchivan across Armenia (Michel, 2023b).

3.4 EU Performance: Evaluating Goal-Attainment and Lesson-Learning

As of this writing, after years of playing a secondary role, the EU has proved capable of stepping up to provide a sustained intervention in resolving the Armenia-Azerbaijan conflict, led by a highest-level EU official, Charles Michel. The EU also rapidly deployed a CSDP mission to Armenia. It continues to be the main funder of Track 2 initiatives and humanitarian aid to both countries.

Michel's negotiations are less than a full peace process. The process is constrained by the 'authoritarian conflict strategies' of the parties and of Azerbaijan in particular, in which only one person – the president – takes executive decisions. In the summer of 2023 Azerbaijan, the dominant party in the conflict, effectively blockaded the Armenians of Karabakh, having shut down unimpeded flow of traffic through the Lachin Corridor. Since 2020, it has periodically used force in both Karabakh and Armenia to pursue its goals. Lacking the presence on the ground and relationship with Baku enjoyed by Russia, the EU became more or less a bystander when fighting resumed in 2023.

In July 2023, Russia made it clear that it intends to challenge the EU-US negotiating process. On the same day that the Armenian and Azerbaijani leaders met in Brussels, the Russian



foreign minister issued a statement saying that it planned to convene a meeting of the Armenian and Azerbaijani foreign ministers – a replica of the two meetings in Washington – prior to signing a peace agreement in Moscow (Russian MFA, 2023). There is no scope for the EU to work to respect two of the five guiding principles set out by the 2009 Concept on Strengthening EU Mediation and Dialogue Capacities: “complementarity with basic principles of transitional justice and human rights”; and “promotion of women’s equal and full participation in the prevention and resolution of conflicts, including mediation processes.” (Bergmann, 2020).

There is also a lack of full coordination within the EU. In July 2022 Commission President Ursula von der Leyen travelled to Baku to negotiate a gas purchase agreement. In her public remarks she called Azerbaijan a “crucial partner” for the EU (Von der Leyen, 2022c). She did not mention the conflict with Armenia. Von der Leyen’s visit was reportedly not coordinated with the EEAS.

France also takes a different – more pro-Armenian – position than the rest of the EU. President Emmanuel Macron is repeatedly criticised by Azerbaijan. In June 2023 Macron even criticised Armenian Prime Minister Nikol Pashinyan for not sufficiently supporting the Karabakh Armenians: “I put more pressure on Aliyev than Pashinyan does. [...] The issue is Pashinyan. I am the only one who has a clear position and message on the Karabakh issue” (Macron, 2023).

3.5 Case Study Conclusions

In the period between the ceasefire of 1994, which ended the first Karabakh conflict, and the resumption of hostilities in 2020 the EU played at best a secondary role in supporting conflict resolution of the Armenia-Azerbaijan conflict. During this period one Armenian characterised the EU’s approach to the conflict as being one of “benign neglect” (Giragosian, 2013). Another expert referred to the EU’s “lowest common-denominator approach” (Hoof, 2012). Following the 2020 conflict and the demise of the OSCE-led negotiating process, the EU was invited to be the main facilitator of peace talks. It stepped up and convened several rounds of high-level talks – in tandem with the United States from 2023. The EU won the trust of both parties and substantial progress was made, without however a breakthrough being made. The threat of a return to conflict remained significant.

The constraints on the EU process were both external and internal. Azerbaijani president Ilham Aliyev continued hostile rhetoric against both Armenia and the Armenians of Karabakh, making it clear that he expected to see a peace agreement very much on his terms, and that he was ready to resort to force if this was not achieved. He did resort to force, despite EU messages, in September 2023. Russia also signalled its antipathy to the EU negotiations and said that it would continue to pursue a parallel process.

The EU process was also undermined by mixed messages from the Commission president implying support for Azerbaijan by failing to mention the conflict and by the French president giving outspoken support for Armenia. An even greater “pulling together” is required for the EU to do the maximum to facilitate a peace agreement between the two countries.



4 Israel-Palestine Conflict*

4.1 A Short Introduction to the Long-Lasting Conflict

The ongoing struggle in and over Palestine is an extension of European colonialism and contemporary policies. Whereas the rise of theological Christian Zionism was a response to biblical romanticism and Protestant eschatology, Jewish Zionism was mainly a response to Euro-racial reasoning. The 'Semitic' categorisation (which initially included Jews and Muslims) is one of these racial markers that evolved into anti-Semitism and persecution of the European Jewish population. Since the nineteenth century, Zionism replicated other Euro-settler-colonial projects and sought to establish an exclusively Jewish state in Palestine (Piterberg, 2008). European capitals supported this project for a mixture of colonial, racist/anti-Semitic and religious reasons. In particular, between 1917 and 1948, Britain colonised Palestine and formally and empirically committed itself to the establishment of a 'Jewish homeland' in Palestine without the consent of the indigenous population. In 1937, the colonial British Peel Commission proposed the two-solution formulae, which metamorphised into the UN Partition Plan ten years later (Quigley, 2022) and then into the miniature two-state solution during the so-called Oslo peace process in the early 1990s.

In 1948, Israel was established on 78 percent of Palestine after ethnically cleansing the majority of the Palestinian population, destroying their towns and villages and committing numerous massacres (Pappé, 2007; Morris, 2004). This is what Palestinians call an-Nakba (the Catastrophe), which is still ongoing in various forms. In 1967, Israel invaded the remaining parts of Palestine, which have since been known as the Occupied Palestinian Territories (OPT), and initiated extensive Jewish-only colonies/settlements and infrastructure projects there. The settler-colonisation/occupation of the OPT is illegal under international law, and the construction of settlements is classified as a war crime. Given the complex realities on the ground, academia and international organisations have increasingly employed the paradigms of settler-colonialism and apartheid to analyse the power relations in Palestine/Israel. These frameworks allow for a deeper understanding of the historical context and dynamics that have shaped the situation beyond generic notions such as 'conflict' or 'occupation'. They might also help predict and possibly prevent further ethnic cleansing (even genocide) while highlighting alternative visions.

* Disclaimer: The views and opinions expressed in this chapter ("Israel-Palestine conflict") are solely those of the chapter author (Emile Badarin) and do not necessarily reflect the individually or collectively shared views or positions of the current Working Paper co-authors (as listed on the title page), nor may they be attributed to, or associated with, the author's employer institution at the time of writing (College of Europe in Natolin), the ENGAGE Horizon 2020 Consortium and its members at large, or other associated parties, including the funder(s).



4.2 Europe's Involvement

For quite a long time the European Community (EC) refrained from initiating political dialogue with Palestinian representatives. Instead, its response to an-Nakba focused mainly on humanitarian support through various UN programmes and institutions, particularly the United Nations Relief and Works Agency (UNRWA) for Palestinian refugees. The EC severally restricted its political contacts with the Palestinian Liberation Organization (PLO), despite some Member States being more open to engagement. However, in the early 1970s, the Euro-Arab Dialogue Initiative offered an avenue for EU-Palestinian indirect contacts at technical and technocratic levels (Badarin, 2023b; Al-Dajani, 1980). The EC started to gradually pay attention to Palestinian political rights. In 1977, for instance, the EC declared its support for Palestinian “legitimate” rights and their “need for a homeland” (European Council, 1977, p. 2). And, in 1980, the EC reached a common position recognising the need to enable the Palestinian people to “exercise fully its right to self-determination” (European Community, 1980).

A significant milestone in the EU policy occurred in the early 1990s, when the EU became the main economic sponsor of the so-called Oslo peace process and its purported two-state solution, which aimed to resolve the Palestine/Israel ‘conflict’ by establishing a Palestinian state in the OPT alongside an Israeli state in the rest of Palestine. In this context, the EU adopted the two-state solution as a central objective of its Middle Eastern foreign policy. It quickly committed itself to and embarked on a state-building project in preparation for the envisioned Palestinian state. Furthermore, the EU intensified its diplomatic, economic and security (e.g., EUBAM, EUPOL COPPS programmes) engagement with the Palestinian Authority (PA) and other civil society actors. Moreover, in 1997, the EU-PA signed an Association Agreement, further solidifying its commitment to the two-state solution.

The EU’s engagement with the Palestinians has been shaped by the intersection of humanitarian and security considerations. It has approached the Palestine/Israel question through the prism of the Common Foreign and Security Policy (CFSP), thus placing a particular emphasis on geopolitics and security. In the process, the EU’s economic and diplomatic weight was invested in conflict management by exercising governance from a distance, and often employing a disciplinarian approach towards the weaker party, the Palestinians (Badarin 2021b). To this end, the PA was incorporated into various EU geopolitical and neo-colonial projects, including the Euro-Mediterranean Partnership (EMP), European Neighbourhood Policy (ENP) and the 2008 Union for the Mediterranean (UfM). These frameworks provide the institutional and legal umbrella for extensive EU interventions, including bilateral agreements, such as the Action Plan 2013, the Special Support Framework 2014–2016 and the European Joint Strategy in Support of Palestine 2017–2020. Moreover, EU security programmes (EUPOL COPPS) focused on disciplining and training the Palestinian security forces and developing criminal justice and the judiciary system based on imported European codes. While officially presented in the guise of technical assistance, critical research demonstrates how they serve the EU’s efforts to impose its geopolitics through social and economic engineering premised on securitisation, governmentality and disciplinary rationalities (Badarin, 2021; Tartir & Ejodus, 2018).



4.3 The EU's Interests, Objectives and (Half-Hearted) Engagement

The EU has consistently asserted that the establishment of a Palestinian state in the OPT is a primary objective. For instance, in 2016, the EU declared that it “is united” in its commitment to “achieving a two-state solution” that meets the Palestinian “aspirations for statehood and sovereignty, ends the occupation that began in 1967” (European Council, 2016). Alongside this central goal, it also embraced other derivative goals, such as the maintenance of “stability” and the “viability of the two-state solution” (European Commission, 2018a, p. 11). To further this commitment, the EU reviewed the modalities of its engagement in Palestine/Israel to ensure “efficiency” and “effectiveness” of its policies and tools to “advance the goal of a two-state solution” in 2018 (European Commission, 2018b).

While the EU has repeatedly affirmed its commitment to the two-state objective, there is indeed a significant discrepancy between these solemn declaratory statements and the actual policies put into practice. Scholars frequently attribute this gap to the internal complexities within the EU’s policy and decision-making processes. These complexities are believed to hinder the EU from reaching consensus and effectively exerting pressure on Israel to be held accountable for its illegal actions and to bring an end to the occupation in compliance with international law. In this context, the EU’s lack of political will to act is explained by highlighting internal competition between EU different institutions and Member States. For example, certain Member States, such as Germany or the Visegrád Group, have shown stark efforts to single out Israel and shield it from negative incentives or sanctions that the EU has imposed on other states, even in cases of less grievous violations of international law and human rights.

On the surface, this technical explanation might seem plausible. Yet it is a dubious and misleading account for two main reasons. First, there are several EU tools and fields that are unbound by the unanimity criterion. These include areas such as differentiation, Horizon Europe, the Erasmus programme, revaluation of bilateral relations, supporting ICC, recognition of Palestine, a boycott of settlement produce, withholding diplomatic support, and twinning and public administration projects. Together, these policy areas provide clear signals that the EU is serious about opposing the occupation and that it does not condone violations of international and humanitarian law and human rights, irrespective of the state involved. Second, the EU has chosen to unconditionally expand its relationship and cooperation with Israel on numerous occasions. For instance, when the EU imposed unprecedented sanctions on Russia for invading and occupying parts of Ukraine, it simultaneously decided to relaunch the EU-Israel Association Council and upgrade its economic and political ties with Israel just a few months after the Russian invasion (Council of the EU, 2022e). The EU willingly chose to overlook the Israeli occupation and violations of international and humanitarian law, including the “crime of apartheid”, as stated even by former European foreign ministers (LeMonde, 2022).

EU assertions that it lacks adequate policy tools or the capability to achieve its well-defined objectives in Palestine/Israel, as openly stated by the EU’s foreign policy chief, Josep Borrell,



does not stand any objective scrutiny. Borrell argued that the EU has “no capacity” to resolve the Israeli-Palestinian conflict because it has “no leverage” and “limited influence” (Borrell, 2021). The EU’s response to the ongoing conflict/war in Ukraine amply reveal the disingenuity and inconsistency of such claims. Meanwhile, the EU has demonstrated its capacity to act in Ukraine and impose unprecedented sanctions on a great power, yet it claims that it cannot do the same against Israel. This juxtaposition of political choices not only raises deep concerns about the EU’s sincerity but also entrenches its deceitfulness in the imagination of millions of people.

The notion of a two-solution has never been reconciled with the settler-colonial essence and practices of Israel and was therefore infeasible, as many critiques suggested a long time ago (Said, 1993; 2002; Massad, 2006). Successive Israeli leaders declared their opposition to the idea of an independent Palestinian state both discursively and in practice, evidenced by the deepening of settler-colonisation of the West Bank, including East Jerusalem, while besieging and frequently attacking the Gaza Strip militarily. In June 2023, the Israeli prime minister stated that Palestinian aspiration for statehood must be “crushed” (Netanyahu, 2023). The same message was expressed by Bezalel Smotrich (2023), Israel’s finance minister, in his detailed “Decisive Plan” to end the conflict.

It bears mentioning that the political, ideological and demographic fabric of Israeli society has shifted towards the maximalist, supremacist and ultra-right stands of Zionism. While religious nationalism has always been present in Israel, it has now risen to dominate political life in the country. The tangible consequences of this shift are evident in various forms of state-sponsored violence, including the acceleration of colonies/settlements expansion, de facto annexation of Area C of the West Bank and an upsurge in (armed) settlers’ violence against Palestinian civilians. Further, this ideological shift has been reflected in legislation, officially denying Palestinian self-determination (in Israeli Basic Laws, which function as the constitution) and openly calling for ethnic cleansing, population transfer and “wiping out” Palestinian towns (Aljazeera, 2003; Nation-State Law, 2018; B’Tselem, n.d.; Smotrich, 2023).

Beyond mere rhetorical and inconsequential statements of condemnation, the EU has witnessed the deepening of colonisation and state-sponsored violence without taking serious action to address the debilitating situation and human suffering. Failure to address these alarming developments may descend into even graver violence, including ethnic cleansing and genocidal policies. Moreover, the passing of a bill by the Israel parliament in July 2023 to limit the power of the Supreme Court (which had provided a degree of protection to Palestinian interests in some limited cases) and weaken the judiciary poses further risks, which are likely to exacerbate violence and instability.

The EU is well aware that its policies are out of touch with the concrete colonial reality. It recognises that neither its central objective of a two-state solution nor the derivative goals of security and stability are attainable (International Crisis Group, 2022). Therefore, we need not engage in futile critical evaluation of the EU’s policies, which has already been discussed, because critique is useful when there is hope and potential for change. Instead, the brief



analysis presented in this section is limited to addressing the three central capabilities of the EU to achieve its stated objective, which include economic, diplomatic and military tools.

The EU holds a powerful economic relationship with Israel. It is Israel's largest trade partner, accounting for approximately 30 percent of its trade activities. Israel also receives financial aid (about EUR 1.8 million yearly) from the European Neighbourhood Instrument for twinning and public administration projects (European Commission, n.d.). The EU-Israel Association Agreement, signed in 2000, conditions their mutual trade on Israel's commitment to respect human rights. Despite Israel's persistent military occupation and colonisation of Palestinian land and methodical violation of their human rights, crossing the "apartheid threshold" as documented by reputable organisations such as Human Rights Watch (Human Rights Watch, 2022), this trade and economic relationship continued to thrive.

This deep economic relationship offers the EU unprecedented leverage and capability to influence Israel to end the occupation and respect human rights and international law. Although the EU and most of its Member States oppose imposing economic or cultural sanctions on Israel, under the pretext that sanctions are counterproductive, they embraced sanctions in similar situations. Contrary to the EU claims, the current economic, cultural and political sanctions against Russia expose the non-value-based EU policy and the depth of double standards.

In addition to economic tools, the EU possesses exceptional diplomatic and political devices, as well as normative and legal standing and capacity to influence Israeli politics. The EU, along with its major Member States, has the capability to withdraw its diplomatic, legal and normative protective shield that has repeatedly allowed Israel and its leadership to evade accountability. One way to do this is by officially recognising Palestinian statehood, demand an end of the 16-year-old military blockade on the Gaza Strip, or supporting the International Criminal Court (ICC) in holding Israel and its leaders accountable for potential war crimes. It is ironic that the ICC, with the EU's full support, has swiftly issued an arrest warrant in the Russian case within just one year. However, several EU Member States have obstinately opposed and obstructed the Court's efforts to even investigate suspected Israeli war crimes (Badarin, 2022). Moreover, the EU could apply a no-contact policy towards any Israeli party or government that does not recognise Palestinian right to self-determination and does not renounce violence and terrorism against Palestinian civilians. Indeed, the EU has already applied a similar tool against Hamas since 2006 because it does not recognise Israel.

Finally, the EU, Member States and Israel have extensive military cooperation and trade. EU Member States supplied Israel with EUR 682 million (USD 830 million) worth of arms between 2015 and 2019 (CAAT, 2021). Suspending its military support to Israel until it abides by international law would send clear signals the EU is committed and ready to take action to attain its objectives and articulated values.

Given the ongoing assaults on Palestinian civilians in the West Bank by armed settlers, who are usually protected by the Israel army, and the recent weakening of the Israeli judiciary, the EU may need to consider providing the Palestinians with weapons or any other means for self-



defence. At the very least, the EU should classify violent settler movements as terrorist organisations. Taking cues from the EU's policies towards the war in Ukraine, the EU must extend support to Palestinian efforts to end the occupation by, at least, backing non-violent resistance such as the Palestinian Boycott, Divestment and Sanctions (BDS) movement. This would encourage non-violent forms of resistance, and encourage international solidarity to bring about justice and equality for all.

4.4 EU Current Policy and Overall Performance: An Assessment

In connection to the two-state solution, the EU adopted two derivative objectives: protecting the “viability” of the two-state solution and “stability” in the West Bank. However, it is widely acknowledged that the two-state solution is no longer viable because of the relentless Israeli construction of settler-colonial infrastructure and demographic realities on the ground, which, by all measures, do not appear to be temporary.

Generally, the EU's purported state-building projects are predicated on the political and spatial rationality of the Oslo peace process. As a result, they have been territorially restricted to the so-called Area A and B of the West Bank, leaving East Jerusalem and Area C (approximately 60 percent of the West Bank) open to expanding Israeli colonisation and de facto annexation.

This supposedly temporary geographical division has confined Palestinians into incontinent Bantustan-like enclaves, and in effect rendered the two-state solution impossible. Indeed, no Palestinian state could be established without Area C and East Jerusalem. Since 2011, the EU devised small interventions in these areas, following recommendations from several EU Heads of Missions. The European Joint Strategy for Supporting Palestine 2017–2020 also emphasised the importance of building Palestinian “resilience” in Area C, East Jerusalem and Gaza (European Union, 2017).

As I argued elsewhere, these interventions are driven by colonial and racist rationality. Rather than dealing with the origin of violence, which is settler-colonialism, these interventions were coordinated with the occupier and were driven by security calculations, focusing mainly on taming and disciplining Palestinian youth in an attempt to prevent them from resorting to “violence” and becoming “radicalised” (Badarin, 2021a; 2021b; European Commission, 2019c).

The EU is fully cognizant of the realities on the ground and the nonviability of the two-state solution. Therefore, it resorted to another derivative objective of preserving “stability”, “status quo” and “service delivery” (European Union, 2017). This is misleading as it seeks to preserve the “status quo in one direction” (Badarin, 2021b, p. 75); namely, achieving stability at the expense of the Palestinians by upholding the current colonial-friendly repressive structures and mechanisms, including the authoritarian PA, PA-Israel security coordination and criminalising resistance movements.

Shoring up the PA financially and politically to prevent its collapse has been a key EU strategy. This monetary and political capital pays for subcontracting the PA as a provider of social and



security services on behalf of the colonial power. Thus, by funding the PA, the EU relieves the occupying power of the cost of its occupation and responsibilities under international law to cater for the well-being of the occupied population. At the same time, in pursuit of 'stability', the EU classifies Palestinian anti-colonial resistance as terrorism and conditions its financial support to any Palestinian government on their recognition and collaboration with Israel. This approach of stability perpetuates a form of stability that inflicts multiple layers of oppression on the Palestinians. On one hand, Palestinians face direct Israeli colonial subjugation, and EU-sponsored PA authoritarian rule and security collaboration with the occupier on the other.

While ostensibly maintaining the two-state solution proforma, the EU's derivative objectives can be seen as a gradual disowning of its commitments to Palestinian statehood. In this context, it is worth emphasising the revival of ideological, racist and colonial tropes in the EU's discourse. As far as Palestine is concerned, this revival is particularly evident in the language of the President of the European Commission Ursula von der Leyen, who echoed settler-colonial Zionist mythologies labelling Palestine as "the promised land" and a "desert" that Zionism made "bloom" (Badarin, 2023a). Although historians have debunked these claims, it is concerning that such colonial and racist ideologies and mythologies are still employed by the top layer of the EU's policymakers. This perpetuation is worrisome because it is the very discourse that has historically been used to justify settler-colonialism and the dispossession of the Palestinians, as well as other indigenous peoples elsewhere.

4.5 Case Study Conclusions

The EU has both the capacity and policy tools to act in Palestine, just as it has done in similar conflicts involving military occupation, apartheid or serial violations of international law and human rights. As it demonstrated during the Russian occupation of parts of Ukraine, the EU has displayed a capacity to move beyond mere statements of condemnation and take concrete actions against Israeli occupation, which flagrantly violates international law and undermines the security and stability of the region. Furthermore, just as the EU possesses the capability to respond in a united and determined manner by imposing sanctions on a major world power like Russia, it can employ the same tools to hold Israel accountable and provide adequate humanitarian, financial and military aid to support the Palestinians in defending themselves against Israeli military and settler violence in the West Bank and Gaza.

Those familiar with anti-colonial struggles and resistance understand that perceived stability in Palestine/Israel is illusory. Numerous EU politicians recognise that the two-state solution has served as a convenient facade for the EU to evade confronting the stark reality of apartheid. With the evolving and changing international environment and the rise of alternative powers, the Palestinians are likely to seek and potentially find support from new players. As a key sponsor of the Oslo process, the EU should have the courage to acknowledge that the two-state solution is dead and assume responsibility for its policies over the last three decades, which have directly or indirectly contributed to a profounder settler-colonisation of the OPT before it is too late.



5 Libya 'Crises': From Revolution to Internationalised Conflict

5.1 Setting the Scene: The Evolution of the Libyan Crisis, 2011-2023

Arguably, the Libyan crisis has its roots in the events related to the Libyan uprising in 2011. Amid a wave of popular uprisings that initially started in Tunisia in December 2010 and very quickly swept virtually across the entire Middle East and North Africa, also the autocratic regime of Muammar al-Qaddafi, in power since 1969, became increasingly exposed as of mid-February 2011 to hitherto unseen mass protests and publicly voiced demands for the resignation of Qaddafi himself. First limited to Benghazi and the eastern region of Cyrenaica, protests quickly spread to other parts of Libya, including the capital of Tripoli and, due to the Qaddafi clan's determination to hold on to power at all cost and resort to the indiscriminate use of force, transformed into a country-wide armed rebellion and eventually a full-blown civil war. Over the course of nine months, Libyan rebel groups, aided by UN Security Council Resolution 1973 (2011), which had imposed a wide range of sanctions on the Libyan regime, including a no-fly zone upheld by a NATO-led alliance of 19 countries, increasingly succeeded in taking control of strategic areas and key regime positions and on October 20, 2011 killed Qaddafi in his home town, the city of Sirte (Buera, 2015).

Whilst formally this marked the end of Libya's first civil war, in the years that followed, the Transitional National Council (TNC), the self-declared representative of the Libyan opposition which had formed already in March 2011, and subsequently the Government of National Accord (GNA), established in December 2015 in the framework of the UN-brokered Libyan Political Agreement (LPA), as well as the Government of National Unity (GNU), formed in March 2021, did not, however, manage to sustainably pacify and stabilise the country and consolidate democratic rule. As a consequence, new hostilities broke out in 2014, followed by an internationalised war, waging between April 2019 and June 2020, pushing Libya into a lawless space where – to date – regular outbursts of violence among the many rival factions have the potential to escalate into a wider conflict again at any point in time. In particular two reasons help understand why Libya has become a failed state (Colombo & Varvelli, 2020).

First, after the Qaddafi regime had fallen, the TNC, and to a large extent also the GNA, failed to establish a fully functioning government, generate legitimacy across the main tribal groups and thus have the exclusive monopoly on the use of force. As a matter of fact, until the formation of the GNU in March 2021, Libya featured two competing governments, i.e. the Tripoli-based and internationally recognised GNA and the Tobruk-based administration, supported by the Libyan National (LNA) and Field Marshall Khalifa Haftar and his sons. In turn, the year-long failure to agree on one central governing authority has been a function of two interrelated factors. The first one is the fact that, in particular in the immediate years after the downfall of Qaddafi and as the TNC was about to operate already extremely weak central state



institutions, hundreds of armed militias formed mainly along ethnic and tribal, but also political and economic lines and turned against the transitional government and subsequently the GNA. The central authorities never succeeded in either pursuing security sector reform or in demobilising, de-arming and reintegrating these factions – many of which have also been fighting one another – into a central command structure. The second factor revolves around the fact that a large number of these groups is supported and propped up by powerful members of the local political and economic elite and have little to no interest in surrendering to a central authority as this would, *strictu sensu*, imply the end of their existence. By the same token, local elites have been exploiting these groups as proxies and engage them in various pacts and even formal and informal power-sharing arrangements, mainly with a view to consolidate power and generate redistributive dynamics and thus political and financial gains from Libya's oil and gas rent.

The second reason that explains why Libya continues to boast an extremely dangerous mix of violence, fragmentation, division, corruption, patronage and nepotism even twelve years after the ousting of the Qaddafi regime and why it has even been home to a “global civil war” (Megerisi, 2019) is the role of external actors. Ever since Libya experienced its revolutionary moment in 2011, outside actors, competing with each other over local and regional influence and to some extent Libyan hydrocarbon resources, have displayed significant determination to push Libyan domestic developments into directions that best fit their multiple interests by using, *inter alia*, financial sponsorship, religious authority, coercion and military force, repeatedly disregarding the UN arms embargo (Mezran & Varvelli, 2017). Whilst pitting local militias against one another, external actors, broadly speaking, have been either supporting the General National Congress (GNC) and its central government in Tripoli or the Tobruk-based House of Representatives, its associated authorities and thus Haftar, thereby further cementing the country's historic East-West division (Vandewalle, 2012). Qatar and Turkey have been particularly instrumental in siding with authorities in Tripoli, turning a blind eye to dysfunctional governance structures whilst cultivating Islamist movements. Qatar, still influential, has downgraded its role in recent years whereas Turkey remains the most relevant external actor that opposes Haftar, the LNA and, by extension, countries such as Egypt, Saudi Arabia and to some extent the United Arab Emirates (UAE) and Russia, the latter of which is currently present with approximately 2.000 mercenaries and personnel (Uniacke, 2022). Competitive struggles on the local and national level are further aggravated by the fact that also EU Member States such as France, Italy and – more recently – Greece – have been pursuing strategic interests that, more often than not, have been at odds with each other and both local and regional actors.

As a result of this explosive mix of political, security and economic challenges, Libya suffers from a complex and protracted humanitarian crisis which in the past has already generated negative spill-overs for the EU and its Member States and continues to do so. According to the United Nations, in late 2022, 526.000 Libyans required humanitarian assistance, and half of these lack access to basic infrastructure such as sanitation, hygiene services and water. In addition, Libya is home to ca. 160.000 internally displaced persons and approximately 650.000 migrants and refugees, the majority of who regard Libya simply as a transit country on their



way to Europe (UNICEF, 2022). These numbers, in conjunction with the increased risk of military escalation due to regional rivalry and rising foreign military investment, demonstrate the enormous salience that the Libyan crisis has for the EU's own security. At the same time, though, it is precisely the presence and determination of highly resourceful, determined and interventionist external actors that do not shy away from violating international law that significantly constrain any truly impactful role of the EU.

5.2 The Conflict in Libya and EU Interests and Objectives of Engagement

The EU's objectives and interests as far as Libya and the Libyan crisis are concerned are embedded in the EU's European Neighbourhood Policy (ENP) (Schumacher et. al., 2018) but also go beyond the latter and, not least due to individual EU Member States' strategic political, economic and security interests, are thus Libya-specific. Originating in the notion of geographic proximity and reflecting the EU's ambition to be a transformative power (Börzel, 2017) vis-à-vis the 16 countries in its southern and eastern neighbourhood (including Libya), the ENP formally aims at fostering stability, security and prosperity. Explicitly stating that "the most urgent challenge in many parts of the neighbourhood is stabilisation" (European Commission & High Representative of the Union for Foreign Affairs and Security Policy, 2015, p. 3), the ENP Review of 2015 does not only highlight the "promotion of good governance, democracy, rule of law and human rights" (ibid., p. 5) as a key objective, but also puts a strong emphasis on "crisis management and response" (ibid., p. 14) and the tackling of "cross-cutting migration related security challenges, such as smuggling of migrants, trafficking in human beings, social cohesion and border protection/management" (ibid., p. 13). Whilst the 2015 ENP Review does not explicitly single out Libya in this context, it is clear that these parts do refer as much to Libya as they do to Syria. In contrast, the Renewed Partnership with the Southern Neighbourhood of February 2021 goes further by stipulating that it is a "priority" to find a "sustainable and inclusive political solution to the long-lasting crisis in Libya" (European Commission & High Representative for Foreign Affairs and Security Policy, 2021, p. 13), finally acknowledging in concrete terms the salience of the crisis in the wider EU-southern neighbourhood setting. As such, the objectives set out in the 2015 ENP Review and the 2021 Renewed Partnership serve as umbrella goals which, throughout the years, have become significantly more accentuated and finetuned by the European External Action Service (EEAS). Table 4 provides an overview of these objectives.



Table 4: EU Objectives Towards Libya

Broad objectives	Specification
Political objectives	<ul style="list-style-type: none"> • Restoring peace and stability across Libya • Supporting and actively engaging in the UN-led Berlin Process for Libya • Supporting the Libyan Political Dialogue Forum (LPDF) and a Libyan-led political process • Building institutional capacity to prepare and deliver legislative and presidential elections • Upholding restrictive measures (arms embargo, incl. dual use goods and equipment used for internal repression, asset freezes, travel bans) against spoilers of the political process in Libya • Supporting Libya to develop a sustainable and transparent way to manage oil revenues
Economic objectives	<ul style="list-style-type: none"> • Fostering bilateral trade • Supporting Libya’s economic integration in the Mediterranean region • Resuming negotiations leading to a framework agreement once conditions allow
Objectives related to development cooperation and humanitarian assistance	<ul style="list-style-type: none"> • Upholding humanitarian assistance • Strengthening civil society, human rights, free media, democratic governance, health services, COVID-19 response, entrepreneurship, youth empowerment, gender equality • Protecting vulnerable groups • Protecting survivors of sexual and gender-based violence • Supporting education in emergencies • Promoting respect for international humanitarian law and human rights law • Coordinating humanitarian response
Migration-related objectives	<ul style="list-style-type: none"> • Protecting migrants, refugees and internally displaced persons • Supporting Libyan communities hosting high no. of migrants and refugees • Facilitating access to basic services, supporting host communities by providing employment opportunities • Improving conditions for migrants and refugees at disembarkation points and in detention centres • Assisting voluntary returns of stranded migrants to their countries of origin and supporting the evacuation of those in need of international protection
Cross-cutting objectives	<ul style="list-style-type: none"> • Providing for civilian capacity-building, assistance and crisis management mission in the field of security sector reform (with a focus on police, criminal justice, border security, migration) in the framework of the EU Border Assistance Mission in Libya (EUBAM) • Supporting the implementation of the UN arms embargo and upholding the UN oil regime for Libya, and contributing to the disruption of human smuggling/ trafficking networks in the framework of the EUNAVFOR MED IRINI Mission

Source: EEAS (2021)



5.3 The Conflict in Libya and the EU's Capacity to Act

Though the EU's initial response to "Libya's Arab Spring" (Sadiki, 2012) in 2011 was, more often than not, marked by intra- and inter-institutional inconsistencies (Schumacher, 2015, p. 565) – a development that motivated members of the US administration to state that "Europe was not pulling its weight" (Nethery, 2011, p. 11) – the EU has in fact engaged itself in Libya virtually from the start of the Libyan uprising in February 2011 in multiple ways and on various levels. Remarkably, though, throughout the past 12 years, it has not succeeded in institutionalising relations with Libya by concluding an Association Agreement. This is, however, not necessarily the EU's fault but rather is owed to Libya's ongoing internal power struggles, the country's highly fragile governance structures and thus the absence of a reliable and fully legitimate partner. Table 5 provides a broad overview of EU crisis-management activities in relation to the EU's official objectives between 2011 and 2023.

Table 5: EU and EU Member States' Crisis Management Activities in Libya, 2011–2023

Broad Objectives	Objective-Oriented Engagement: Union- and Member State-Level Activities
Political objectives	<ul style="list-style-type: none"> • Adopts restrictive measures, 2011- • Joins Libya Contact Group, 2011 • Initiates EUFOR Libya, 2011 • Opens EU Liaison Office in Benghazi and EU Delegation in Tripoli, 2011 • Appoints EUSR for the Southern Mediterranean region, 2011 • Contributes to UN Support Mission in Libya (UNSMIL), 2011- • Establishes EU Liaison and Planning Cell, 2015 • Contributes to Libyan Political Agreement (Skhirat Agreement), 2015 • Recognizes, together with the US, the Government of National Unity, 2015 • Joins the Libya Quartet, 2017 • Participates in the international Paris conference on Libya, 2018 • Participates in the international Palermo conference on Libya, 2018 • Provides EUR9.3 million to support Libyan political and reconciliation process, 2018- • Cooperates with Libyan Central Committee for Municipal Council Elections (CCMCE), 2018- • Commits and contributes to Berlin Process, 2020 • Supports the Libyan Political Dialogue Forum, 2020 • Participates in the Paris International Conference on Libya, 2021 • Contributes to UN-facilitated Ceasefire Monitoring Mechanism, 2021
Economic objectives	<ul style="list-style-type: none"> • Seeks to actively contribute to Libya's economic development, 2012- • Provides competitiveness enhancement support for small and medium-sized enterprises, 2014- • Creates and trains small and medium-sized enterprises providing financial and non-financial services, 2014- • Acts as Co-Chair of the Economic Working Group of the Berlin Process, 2019



Objectives related to development cooperation and humanitarian assistance	<ul style="list-style-type: none"> • Extends Erasmus+ to Libya, 2014 • Provides EUR98 million on democratic governance, economic development, health, civil society and youth through ENI, 2014-2020 • Provides EUR42 million on democratic governance, rule of law, private sector development, economic policies, health, environment, climate change through NDICI – Global Europe, 2021-2022 • Allocates EUR84.3 million in humanitarian assistance, 2011-2023
Migration-related objectives	<ul style="list-style-type: none"> • Adopts the Joint Valletta Action Plan on migration governance, 2015 • Supports Libya through Emergency Trust Fund for Africa (EUTF for Africa) (protection & assistance of migrants, refugees, IDP's, support for affected municipalities, integrated border management), EUR465 million, 2015-2021 • Launches the Regional Development and Protection Programme North Africa, 2016- • Sponsors the Italy-Libya Memorandum of Understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and on reinforcing the borders between the State of Libya and the Italian Republic, 2017 • Concludes the EU-Libya Migration Agreement, 2017 • Co-creates the Joint African Union-EU-United Nations Taskforce on migration and protection issues in Libya, 2017 • Launches (through the European Commission) an EU Action Plan on the Central Mediterranean to address migration challenges, 2022 • Launches together with African partners two Team Europe Initiatives (TEI) focusing on the Atlantic/Western Mediterranean and Central Mediterranean migratory routes, 2022
Cross-cutting objectives	<ul style="list-style-type: none"> • Opens EUBAM in Libya, 2013 • Launches EUNAVFOR Med Operation Sophia, 2015 • Launches EUNAVFOR MED IRINI, 2020 • Opens EU Libyan Border Guard Training Center, 2023 • Uses 'Special Measures' line to implement bilateral cooperation "EU Libya Expertise, Analysis and Deployment" (EULEAD) (demining, emergency trauma care, COVID-19 response, fight against disinformation), 2019-

Source: own elaboration

As is demonstrated by Table 5, the EU has indeed displayed actorness vis-à-vis the Libyan crisis throughout the last twelve years in relation to virtually all of its official objectives. What is particularly noteworthy is the fact that it has been particularly active with respect to its political and security goals, being physically present on the ground as well as in the framework of all relevant international conflict management and resolution efforts. That its role goes beyond being merely a nominal actor is reflected not just by the fact that, together with the Member States, it has established itself as the most important humanitarian assistance provider and has been part of all initiatives launched by other international organisations, such as the United Nations, the African Union and the League of Arab Nations. What is more, it has, on



occasions displayed also actorness in the field of conflict mediation, such as in December 2015 when together with the United Nations it convinced the main opposing parties to sign the Libyan Political Agreement which led to the establishment of the Presidency Council and the GNA.

Table 6: Examples of Bilateral Activities and Policy Entrepreneurship by Selected EU Member States

EU Member State	Lines of Effort and Forms of Engagement
France	<ul style="list-style-type: none"> • Repeated bilateral meetings between French President Macron and Libyan Field Marshall Haftar and members of the GNA, 2016- • Paris International Conference on Libya, 2018 • Delivery of Javelin anti-tank missiles to the LNA, 2019 • Retreat from NATO Operation Sea Guardian off the coast of Libya due to alleged confrontation with Turkish military vessels, 2020 • Paris International Conference for Libya, 2021 • Agreement between France and UNDP to strengthen Libyan High National Elections Commission (HNEC), 2022 • Agreement to restore France-Libya academic cooperation, 2023
Italy	<ul style="list-style-type: none"> • Repeated meetings between Libyan and Italian prime ministers, 2015- • Italy-Libya Memorandum of Understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and on reinforcing the borders between the State of Libya and the Italian Republic, 2017 • Palermo International Conference, 2018 • Conclusion of agreements on cooperation, energy, and migration, 2023
Germany	<ul style="list-style-type: none"> • Cooperation with the GNU on municipal development and decentralization, and health care, 2020 • Berlin Process on Libya – Berlin Conference I (2020) and II (2021)
Greece	<ul style="list-style-type: none"> • Expulsion of Libya’s Ambassador to Greece, following the signing of the Libya-Turkey Memorandum of Understanding on exclusive economic zones in the Mediterranean, 2019 • Repeated bilateral meetings between Greek Foreign Minister Dendias and Libyan Field Marshall Haftar, 2019- • Participation in the Paris International Conference for Libya, 2021 • Meeting between Greek Prime Minister Mitsotakis and GNU Prime Minister Dbeibeh in Tripoli, 2021 • Last-minute cancellation of meeting between Greek Foreign Minister Dendias and Chairman of the Libyan Presidential Council al-Menfi, 2022 • Public condemnation of the Libya-Turkey Memorandum of Understanding on exclusive economic zones in the Mediterranean, 2022

Source: own elaboration



At the same time, though, this cannot conceal the fact that, to date, the EU lacks a “genuinely proactive approach” (Cristiani, 2020, p. 2) towards the crisis, is largely dependent on other external actors – in particular Turkey, Russia, and the UAE – which have much more sway over local actors and do not shy away from utilising coercive, i.e. military means, and is even fragmented internally, given the strategic interests and positions as well as the policy entrepreneurship by individual Member States such as France and Italy and to some extent Greece and Germany (see Table 6 above).

5.4 Coherence, Effectiveness and Sustainability of the EU's Engagement

Even though – as said further above – the EU has been playing an important role in the framework of international attempts to resolve the Libyan crisis and, in the absence of a tangible role by the United States, proved occasionally instrumental in mediating between the main warring parties whilst shouldering the bulk of international humanitarian aid, its engagement has neither been coherent and effective nor sustainable.

The EU literally from the start of its engagement in a post-Qaddafi Libya suffered from considerable vertical incoherence problems, given France’s open support for General Haftar and the LNA. Whilst the EU as such has been supporting the Tripoli-based authorities, France has been more or less openly supportive – even in military terms (Zoubir, 2020) – of General Haftar and the LNA, even though formally it continued to recognise the GNA. Claiming that it is simply fighting Islamist terrorism and containing growing insecurity at Europe’s doorstep, and, therefore, has to pursue a more pragmatic and transactional policy, this has put France in direct opposition to the EU and the vast majority of EU Member States, none of which, except for Italy (Dodman, 2018), ever openly criticised Paris for this unilateral and contradictory approach. As subsequent Italian governments, motivated by economic interests and the desire to contain migrant routes, have been openly trying to prop up whoever is holding office in Tripoli, this schism has put the two at odds with each other and, more importantly, undermined any potential for a coherent, unified, credible and effective EU conflict/crisis management policy vis-à-vis Libya.

In recent years, this unintended consequence has been further aggravated by the fact that Greece, in response to the GNA’s conclusion of a Memorandum of Understanding with Turkey in November 2019 over the delimitation of a proposed maritime boundary between the two countries and their Exclusive Economic Zones in the Mediterranean, has increasingly sided with France and other regional spoilers such as Egypt and the UAE, thereby deepening fragmentation within the EU and contributing to, on one hand, the consolidation of vertical coherence problems in EU external action vis-à-vis Libya and the prolongation of the Libyan crisis (Capsaskis, 2023) on the other hand. Moreover, Germany, which for many years had turned a blind eye to the Libyan crisis, naively believing that maintaining the status quo represents crisis management (Nouripour, 2021), suddenly emerged in 2019 as yet another EU Member State that, by initiating together with the United Nations the Berlin Process on Libya, displayed individual policy entrepreneurship at the expense of a common EU role and



thus greater sustainability of EU action. It is first and foremost these divisions among EU Member States and the corresponding ineffectiveness of EU crisis management efforts that are being regarded by local actors in Libya as a “destabilising factor contributing to the protracted conflict in the country” (Eljarh, 2020, p. 80).

Surely, the Berlin Process has led to the Libyan Political Dialogue Forum – endorsed by UN Security Council Resolution 2510 (2020) – and eventually the formation of the GNU. But the EU itself did at no point move beyond the role of cheerleader of the process. Also, it turned out to be rather powerless and without any influence over the conflict parties’ unwillingness to organise legislative elections by December 2021, respect the UN arms embargo and ensure the withdrawal of all foreign fighters from Libyan territory, as was stipulated by the Berlin I and Berlin II Conference Conclusions, respectively (Reliefweb, 2020; 2021). Strictly speaking, and in conjunction with the fact that Operation IRINI is considered to be a failure even by the EU’s Military Committee itself (Rettman & Nielsen, 2023), this means that, to date, none of its official objectives and goals in relation to the Libyan crisis have been achieved – a development that, in at least in part, has been acknowledged by the EU’s High Representative for Foreign Affairs and Security Policy, Josep Borrell (Assad, 2020). What is more, throughout the years, the EU has come under heavy criticism from international human rights organisations for its “cruel migration policies” (Amnesty International, 2018) and complicity in “Libya Migrant abuse” (Salah, 2023), practices that, in fact, are part and parcel of the EU’s erratic crisis management policy towards Libya, or rather absence thereof. Thus, any claims that the EU’s role in Libya has been coherent, effective and even sustainable would not just be highly exaggerated but, in fact, totally unfounded.

5.5 Case Study Conclusions

Libya’s Arab Spring of 2011 generated unique opportunity structures for the post-Lisbon EU to put its newly acquired actorness in the field of crisis management and resolution to the test in a country that is geographically close to its external borders and with which several of its Member States share important historical legacies. Thirteen years later, though, it has become apparent that EU effectiveness in advancing peace, democracy and prosperity in Libya has been by and large a misnomer. Whilst it seems exaggerated to claim that “European influence has dwindled by the hour” (Kausch, 2020), the extent to which internal fragmentation, incoherence and thus disunity have contributed to this sobering conclusion cannot be overrated. In conjunction with the belief that an approach revolving around damage control and the pursuit of soft power (Akamo & Thomas, 2022), coupled with highly restrictive and inhumane migration policies, can yield true influence on the ground as well as vis-à-vis many of the highly resourceful external actors present in Libya, this has at best proved to seriously hamper EU conflict and crisis management in Libya and, at worst, rendered the EU an insignificant conflict resolution actor in the eyes of many local and regional actors.



6 Conclusion

This working paper set out to analyse the instances of the EU's engagement in conflict and crisis situations in its immediate Eastern and Southern neighbourhoods, a constituent part of the two decades-old European Neighbourhood Policy framework. As the only international organisation that "has" its own "neighbours" and a "neighbourhood policy", the EU is ought to arguably pursue a distinct rationale and scope of engagement in crisis and conflict situations in this immediate neighbourhood than elsewhere in the world. After all, the EU's neighbourhood policy, with its many nexuses (including the internal-external security nexus as well as the neighbourhood-enlargement nexus), cannot but impact on how the EU perceives the nearby third countries and the region more generally, both domestic and regional developments, as well as it impacts on how it formulates its objectives and tailors its engagement.

The four diverse case studies analysed within this working paper, two from the EU's southern neighbourhood (the Israel-Palestine conflict and the Libyan cascading crises) and two from its Eastern neighbourhood (the protracted war between Armenia and Azerbaijan over Nagorno-Karabakh and Ukraine's dynamically evolving crisis-conflict-war with Russia), were sampled to contrast the varying patterns of EU engagement in crisis management and conflict resolution under distinct parameters, including the crisis/conflict's nature, duration, the character of the third powers' involvement as well as the level and ambition of EU's bilateral relations with each of the neighbouring states. The analytical focus of the four case studies chiefly revolved around the *rationale* of EU and member state-level engagement in crisis management and conflict resolution (that is, interests, goals and strategies pursued), its joined-up capacities and capabilities to address such situations (that is, EU institutional and joined-up capacity to act) as well as the resulting *effects* (with particular attention paid to the dimensions of coherence and sustainability dimensions as well as effectiveness, that is EU goal-attainment).

Notably, and despite some similarities across the cases, our analysis shows that the EU's engagement has been substantially distinct in all four conflict and crisis situations, albeit the recurring repertoire of 'standard' EU response forms and tools might deceptively point to a context-insensitive EU engagement. Quite to the contrary, contexts and nuances have shown to matter as they can be regarded as responsible for the varying rationale and scope of EU engagement in each case, including commitment at both EU and member-state levels.

Thus, *first*, the *selectivity of EU engagement* in conflict and crisis situations in its ENP neighbourhood is chiefly driven by the interplay of *three key factors: proximity, severity and salience*. First and foremost, while all ENP neighbours are the EU's most proximate countries, some are (purely geographically) closer than others, and thus, the risk of affecting the EU's own security (if not the risk of a crisis/conflict spillover) is bigger. Moreover, politico-institutional proximity plays a role: the scope and dynamic of bilateral ties between the EU and a neighbour state, including future prospects and ambitions for such a relationship, considerably determine the depth, breadth and sustainability of the EU's engagement. The Ukraine case study vividly contrasts with the remaining three.



As for the severity factor, the EU's decision and determination to engage in a conflict or crisis situation in its neighbourhood appears to be driven by the nature and scale of atrocities and those affected thereby. At first glance, this puts the "normative power" EU on a colliding course with its core values and value-driven foreign policy, where every life and kind of human rights should matter. On the other hand, and in connection with the EU's transformation into a geopolitical – and thus a "normal" – actor, evidence from the four diverse case studies here suggests that the EU's (more) substantial and resource-intensive tools (such as CSDP missions, substantial financial and humanitarian aid, sanctions, state- and capacity-building programmes) are deployed where mass killings, including of civilians, intensive armed struggle and massive infrastructure destructions occur. In this regard, the EU's multifaceted engagement in Libya (where 526.000 Libyans required humanitarian assistance, including 160.000 IDPs, and ca. 650.000 refugees further exacerbated the toll of the Libyan civil war and the internationalised conflict fought for the past decade) and Ukraine (where Russia's continued war and territorial annexations triggered a regional security crisis, massive civilian and military casualties in Ukraine, humanitarian and ecological catastrophes, including nearly 11 million of refugees, over 8 million of which fled to EU countries) confirm the case.

Finally, and related to the above, the salience of a conflict or crisis situation, that is, an importance that the EU attaches thereto in view of the multiple risks each specific conflict or crisis poses for the EU's own security and stability, highly matters. Risks of regional and EU-bound crisis or conflict spill-over, such as massive refugee flows (whether from Libya or Ukraine), impact the EU's resolve and involvement in crisis resolution and conflict management. The risk of conflict escalation, especially military escalation, appears to directly and highly correlate with the radical step-up of the EU's crisis response, as Ukraine's case vividly shows. Plausibly, the EU's (r)evolutionised rationale and scope of engagement in response to the Russian full-scale war of aggression against Ukraine since February 2022 can also be explained by another highly salient stake – the future of the rules-based international order, which the EU defends along with helping Ukraine to defend its freedom, sovereignty and territorial integrity. Inherently, proximity, severity and salience factors conflate and result in confounding effects, obscuring the possibility of determining which of the three is decisive in triggering and tailoring EU crisis or conflict response.

Secondly, and as also pondered in the preceding analyses within this working package, *opportunity structures*, as an *intervening factor*, significantly co-shape the patterns of EU engagement in crisis and conflict situations in its neighbourhoods. Except for the case of the Armenia-Azerbaijan conflict, opportunity structures have proven to substantially hinder, rather than enable, the ambitions and form(at)s of EU engagement. Distinct stages of crisis or conflict evolution across four case studies saw the EU's efforts to adapt to the constraining external opportunity structures – and, thus, to limit the ambitions of involvement, as in the case of Russia-Ukraine conflict in 2014–2021, or rely on member state-led formats of engagement, as it has been the case in all four case studies. Instances of the EU's self-restrained and nominal ('placebo') engagement are also identifiable, for instance, in the case of the Azeri-Armenian wars before 2020 or the Israel-Palestine conflict that has lasted the past seven decades.



Thirdly and lastly, the dimensions of *coherence, sustainability and effectiveness of EU engagement* manifest unequally across the four cases, with some – somewhat awkward – similarities. Issues with horizontal coherence (cross-policy and EU inter-institutional coordination and action) and vertical coherence (contending interests of select Member States) were identified in all case studies. With the exception of Ukraine’s case, the sustainability of the EU’s engagement in other situations shows a mixed result. EU effectiveness does not appear to be high in any of the cases analysed, not least as not in all cases the EU has been able to formulate specific and attainable goals.



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