UNIVERSITY OF TWENTE.

Bachelor Thesis

Power Politics in EU Foreign Policy Explaining the EU's Approach to Economic Sanctions with Integration Theories: A Case Study

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Abstract

This thesis answers the research question "How do integration theories explain whose interest drive EU economic sanctions' scope in different situational contexts?". The research process is guided by taking into account the institutional architecture of the EU's Common Foreign and Security Policy, which focuses on unanimity of the Member States in the Council and a limited role of the Parliament and the Commission. The three hypotheses each relate to one integration theory. The first hypothesis explains a liberal intergovernmentalist framework, in which Member States succeed to influence policy outcomes along their interest in economic profit. Similarly, the second hypothesis concerning postfunctionalism explains Member States' success in influencing outcomes, though because of the politicisation of values. Last, neofunctionalism assumes a dominant role of the EU's supranational institutions instead of the Member States in the sanctions process. To test the hypothesis, the thesis relies on official statements and documents and public news articles. The thesis concludes that along the CFSP's constitutional structure, liberal intergovernmentalism determines the final design of sanctions. By this, the economic interest of some Member States (liberal intergovernmentalism) counters politicised values of other Member States (postfunctionalism). The EU's supranational institutions do not have a significantly important role.

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List of Abbreviations

BMEIA	Bundesministerium Europäische und internationale Angelegenheiten
CFSP	Common Foreign and Security Policy
EC	European Commission
EEAS	European External Action Service
EP	European Parliament
EU	European Union
HR/VP	High Representative of the Union for Foreign Affairs and Security Policy
NATO	North Atlantic Treaty Organisation
OSCE	Organisation for Security and Cooperation in Europe
SWIFT	Society for Worldwide Interbank Financial Telecommunication
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
UK	United Kingdom
UN	United Nations
UNSC	United Nations Security Council
US	United States of America

Introduction

In 2022, the European continent faces its first war between two states in decades. Following a denial of Ukraine's autonomy, Russia invaded Ukraine on February 24, 2022. In response to the aggressions, the European Union (EU) reacted fast, imposing six sanctions packages in relation to the conflict until June 2022 (Schwirtz, Varenikova & Gladstone, 2022; Wintour, 2022; Council of the European Union, 2022a). Similar approaches were already taken before. This thesis covers three cases. Next to economic sanctions against Russia in 2022, also the sanctions against Iran around 2012 in response to proliferation activities and citizen oppression analysed. Also, sanctions against Russia after the annexation of Crimea in 2014 are analysed.

In the EU, sanctions, or 'restrictive measures' in EU-speak, form part of the Common Foreign and Security Policy (CFSP), which is predominantly under the political control of the Member States (Wessel, 2020). In practice, the decision to impose sanctions against another jurisdiction is taken by unanimity, thus every Member State needs to approve them. This is done typically by the Foreign Affairs Council, where the foreign ministers of the Member States are represented (Wessel, 2020). It is chaired by the EU High Representative for Foreign Affairs (HR/VP), who also acts as Vice President of the European Commission (EC) and heads the European External Action Service (EEAS) (Article 18 Treaty on European Union, TEU; EEAS, 2021). Through these positions, the HR/VP mainly acts as a mediator between Member States in foreign policy and representative of the EU (Alcaro & Siddi, 2021; EEAS, 2021). The European Parliament (EP) on the other hand, has merely the right to remain informed about ongoing processes in the CFSP (Article 215 Treaty on the Functioning of the European Union, TFEU).

In all three cases, the EU imposed economic and non-economic sanctions against the aggressor state. Sanctions, and economic sanctions in particular, are measures by which the sending state or jurisdiction "disrupt[s] economic exchange with the target state, unless the target acquiesces to an articulated demand" (Drezner, 2003, p. 643). This relates both to product imports and exports, but also to financial transactions (Meissner, 2022). In the EU, the most frequently imposed economic sanctions are asset freezes against individuals that have the power to influence their domestic government's policies and actions (Giumelli, Hoffmann & Ksiazczakova, 2021). Sanctions against individual persons are referred to as 'targeted' or also 'smart' sanctions, an approach the EU officially adopted following international trends in the UN (Council of the European Union, 2004; Giumelli et al, 2021). The aim of sanctions is to change the target's approach in a conflict, eventually getting it to resolve the conflict through engaging in negotiation (Bergmann & Niemann, 2018). Sanctions are used to put substantial pressure on the target. With this approach, the sender avoids an undesired direct military engagement (Felbermayr, Morgan, Syropoulos & Yotov, 2021). It is therefore implicit, that the interrelation of sanctions and of negotiations form a substantial part to understand the EU's foreign crisis management.

The degree to which the European Union can enact policies which were originally under the jurisdiction of the Member States is referred to as the integration process. Since the late 1990's, Andrew Moravcsik defends the position that the European Union's policies reflect intergovernmentalism. Primarily, the preferences of the Member States dominate the policy process, while those of the supranational institutions of the European Union, hence, the EP and the EC play only a limited, non-significant role (Moravcsik, 1994; Moravcsik, 2003). According to the liberal intergovernmentalist theory, which he founded, Member States are motivated by domestic economic interests to use their power in influencing policy outcomes (Buonanno & Nugent, 2021). Another intergovernmentalist theory, postfunctionalism, explains integration and policy outcomes by the "increased politicisation of the integration process" when a country's identity is concerned (Braun, 2020, p. 925). It therefore assigns ideological, cultural motivations to Member States' actions instead of an economic ones.

Contrary to the theories which argue for a Member State-focused approach, neofunctionalism lays a focus on the importance of the EP and the EC. Under the assumption that further integration brings economic benefit, Member States increasingly transfer powers to the EU's supranational institutions, which develop their own dynamic to become increasingly independent from the Member

States (Bergmann & Niemann, 2018). The Council accepts the proposals they make (Bergmann, 2019). Still, as foreign policy is a sensitive field, Member States only transferred few powers to the EU and the actual capacity of the EP and EC to act in this realm is limited and the capacity of the EP and EC to act in this realm is limited to them (Wessel, 2020).

Despite the EU having the competence to impose sanctions since the Maastricht Treaty in 1992, literature on the involvement of the different EU institutions and the influence of different actors applied to practice is scarce (Riddervold, 2016). Though the legal architecture of the EU Treaties assigns clear roles to each institution, their influence on design decisions has barely undergone a comprehensive evaluation (Meissner, 2022). By testing the sanctions process against three prominent integration theories on three cases, this thesis thus contributes to contextualise the discussion of the extent to which integration theories can explain the EU's foreign policy. The choice for the cases comes from both their relevance and their variety. Sanctions against Russia in both cases were imposed after illegal invasion/annexation of foreign territory. In the Iran case on the other hand, the EU reacted to a situation which is geographically further away and is related to proliferation and violation of human rights instead of military aggression. Next to this, the thesis adds to the societal understanding of which factors and motivations determine the EU's works in practice in the field of foreign policy. As after two years of covid-related news foreign relations get into the focus of society, a decent understanding of the reasons why sanctions are designed in a specific way contributes to a deeper understanding of the occurring situation. The two cases against Russia enable a perspective on how the EU reacts if Member States fear a foreign invasion themselves. The choice of cases thus builds a solid framework for future events. Should other cases than the ones presented here arise in upcoming years, this thesis provides a foundation for considering which policy the EU might adapt and why.

Research Question

To study the descripted phenomena, a further specification of the thesis' aim is needed. Therefore, the overall research question is: "How do integration theories explain whose interests drive EU economic sanctions' scope in different situational contexts?". The answer to this question is consulted by three sub-questions:

- SQ1: How does the CFSP's institutional architecture determine sanctions packages?
- SQ2: Which actors are dominant in the sanction process?
- SQ3: What are the motivations of Member States for having a particular stance on proposed sanctions?

The overall research question lays out the general framework for the structure of this thesis. The aim of this thesis is to answer the research question by testing the integration theories liberal intergovernmentalism, postfunctionalism and neofunctionalism in three cases, aiming to draw a generalised conclusion of the EU's sanctions processes. To consult the overall research question, three sub-questions are formulated. The first sub-question relates to the constitutional architecture of the CFSP and to the degree it influences the behaviour of actors in the sanctions process. Considering the consensus basis in the Council, indications point towards an intergovernmentalist dynamic at this point. Building on this, the second sub-question asks which actors are dominant in the sanctions process. The influential powers of the Member States in varying context provide an idea of who shapes the EU's foreign policy. Finally, the motivations of Member States are used to differentiate between the two rational theories (liberal intergovernmentalism and neofunctionalism) and postfunctionalism. Together, the three sub-questions form a decent basis to consult the overall research question by testing all considered integration theories.

The remainder of this thesis is structured as follows: At first, the theoretical framework of the EU's approach to sanctions is laid out. Guided by literature on European foreign and legal studies, relevant aspects of the EU's legislative structure are investigated. Still concerning relevant theory, the foreign affairs dimensions of liberal intergovernmentalism, postfunctionalism and neofunctionalism are evaluated. Following this, the analysis' research design is explained. The three cases are analysed afterwards. Based on the insights, a conclusion is drawn.

Theory

Sanctions in the CFSP

Sanctions, or 'restriction measures' in official EU language, can be defined as an "interruption or reduction [...] of economic and financial relations with one or more third countries" (Article 215 TFEU) "[until] the target acquiesces to an articulated demand" (Drezner, 2003, p. 643). In general, economic sanctions can be seen as an alternative to military force, trying to get the target to participate in negotiations to resolve the conflict (Felbermayr et al, 2021; Bergmann & Niemann, 2018). As after the imposition of sanctions the sending jurisdiction does not have direct influence on the outcomes of the sanctions, their effectiveness is debated in the scientific community (Felbermayr et al, 2021; Drezner, 2003; Meissner, 2022). Still, as they are used to help the sending jurisdiction to put economic pressure on the target state, they play an increasingly important role in the foreign action of the EU (Felbermayr et al, 2021; Giumelli et al, 2021). A strict implementation of sanctions is therefore key to success in negotiations (Ghodsi & Karamelikli, 2022).

Economic sanctions are contrasted from other types by their way of interrupting regular economic relations between the EU and the target. Next to export and import bans, they include financial restrictions as well as restrictions on products that can be used dually for civilian and military purposes (Meissner, 2022). Comprehensive sanctions can impact the target's whole economy and can lead to supply shortages both in the target and the EU (Tsakiris, 2015). In contrast, travel bans, and arms embargoes are among the non-economic sanctions (Meissner, 2022). Though it is possible for the EU to apply limited sanctions focusing on few aspects only, including multiple instruments increases the strength of sanctions and therefore the chances of success (Giumelli et al, 2021). Frequently, the EU focuses on sanctioning individual persons and companies by travel bans and asset freezes (Giumelli et al, 2021). By relying on targeted (or 'smart') sanctions, the EU aims to influence the targeted government's policy into a desired direction without harming the general population (Council of the European Union, 2004; Felbermayr et al, 2021; Meissner, 2022). A special case is the possibility for the EU to ban financial transactions with banks in a target state. As the Belgium-based company provides a global communication channel between almost all banks and financial institutions, a so-called "SWIFT-kick" leads to a practical exclusion from the world's financial markets for affected banks (Arnold, 2016; Majd, 2018). This however can lead to severe effects on the economy of a targeted state (Maid, 2018).

There are three types of sanctions that the EU imposes. The first transposes binding sanctions decided on by the United Nations Security Council into EU law (Biersteker & Portela, 2015). These acts are therefore automatically embedded in EU law. Next to that, the EU can extend UNSC sanctions by going beyond their aim (Biersteker & Portela, 2015). Finally, the EU can impose autonomous sanctions, for example where the UNSC was unable to reach an agreement (Biersteker & Portela, 2015). Often, they are also imposed after other states such as the US took similar measures (Biersteker & Portela, 2015). Sanctions need to be renewed every year to continue, unless the Council decides to lift them by unanimity when the target complies with the demands or the EU capitulates (Giumelli et al, 2021; Felbermayr et al, 2021).

Sanctions are part of the EU's Common Foreign and Security Policy. In the legislative architecture of the EU, the CFSP is in the TEU instead of the TFEU, where the majority of policy fields can be found. This constitutional setting marks the uniqueness of the CFSP. To Member States, foreign policy is a sensitive field, and they are reluctant to transfer much power to the EU (Wessel, 2020). Consequently, the CFSP is based on the adoption of decisions which are not binding, though they commit member states to it with limited freedom to adapt (Article 28(2), TEU; Wessel, 2020). The decision to impose sanctions is taken by unanimity, giving every Member State the power to veto if they do not agree with certain provisions (Article 24 TEU). As Member States have an interest to protect their economies from negative effects these sanctions bring, bargaining results on a lowest common denominator consensus (Lohmann, 2021; Bendiek, Kempin & von Ondarza, 2018). Member States can only agree on sanctions to a certain degree until one Member State perceives further tightening of sanctions as not appropriate. After the decision to impose sanctions, an implementing regulation needs to be adopted, which is decided by Qualified Majority Voting after a proposal by the HR/VP and the EC (Article 215 TFEU). Though this opens the opportunity for Member States to vote

against a sanction package in the final procedure, it is unlikely that the previous commitment is abandoned (Portela, 2015). After sanctions are decided, Member States are obligated to act along the EU's policy and conform with them under the principles of loyalty and solidarity (Article 24(3) TEU; Article 29 TEU).

The role of the other EU institutions, namely the EP, the Court of Justice of the European Union (CJEU) and the EC is limited. The European External Action Service (EEAS), created with the Lisbon Treaty, is responsible for the execution of the CFSP and sanctions, taking this task over from the Council (Council Decision 2010/427/EU; Kuijper, 2018). Sanctions are prepared and their implementation monitored by the Commission's Directorate-General for Financial Stability, Financial Services and Capital Markets Union (European Commission, n.d.). Contrary to the Commission's role in other policy areas, it does not have the power to act independently (Kuijper, 2018). Its head, the High Representative / Vice President of the Commission (HR/VP) chairs the Foreign Affairs Council, though does not have many powers. Still, the HR/VP can engage in foreign policy in a mediator role in the EU (Alcaro & Siddi, 2021). This mediating role facilitates also the HR/VP's other mandate, that of being responsible for negotiations with third countries, also related to sanctions (Amadio Vicere, 2020). Next to assisting in the preparations of sanctions, it also facilitates the communication between the Council and the Commission (Wessel, 2020). The HR/VP's actions in the three cases must therefore be considered in light of this background. Due to the CFSP's exclusive reliance on non-legal acts, the EP does not have power other than the right to be informed about EU restrictive measures (Article 215 TFEU). The CJEU's only powers in CFSP relate to the monitoring of compliance and to review the legality of measures against individuals (Article 24 TEU; Article 275 TFEU).

Liberal Intergovernmentalism and the CFSP

Liberal intergovernmentalism is one of the two intergovernmentalist theories that are considered in this thesis. This means, that according to this theoretical framework EU policies follow the interests of the Member States. Liberal intergovernmentalism perceives policy integration as a consequence of Member States' interest to advance their economies, by which they apply a rational self-interested approach (Buonanno & Nugent, 2021). Policies are not enacted because of the intrinsic desire to act supranationally, but rather because acting on a higher level is perceived to be necessary and benefitting for the Member States (Treib, Bähr & Falkner, 2011; Bergmann & Niemann, 2013). In this approach, the Member States with the greatest bargaining power in the Council can determine the outcome of a vote (Grech, 2021; Bergmann & Niemann, 2013). According to liberal intergovernmentalism, strengthening the Member States is the goal of policy integration (Bergmann & Niemann, 2013).

Following this logic, the intergovernmentalist theoretical framework distinguishes between 'high' and 'low' politics. While economy-focused areas of integration such as those concerning the internal market are regarded as low politics, high politics are those that concern nation states' sovereign interests, such as foreign affairs (Helwig & Strob, n.d.). When it comes to high politics and foreign affairs, Member States are reluctant to transfer significant powers to supranational organisations or come to consensual decisions that have an impact on Member States' economies (Wessel, 2020). Indeed, a potential economic loss resulting from sanctions is a main reason for a Member State to have a specific position on sanctions (Giumelli, 2017). Consequentially, bargaining procedures in the Council lead to trade-offs being made until a lowest common denominator is reached (Haroche, 2020; Hooghe & Marks, 2018). As Member States allow integration only if it brings them economic advantage, gridlocks, and ineffectiveness instead of spillover processes shape foreign policies (Moravcsik, 2018; Helwig & Strob, n.d.). Member States agree on a minimum amount of integration to satisfy their national interests, which leads to incomplete policy outcomes, especially in foreign policy (Bergmann & Müller, 2021; Buonanno & Nugent, 2021). The EC's only significant involvement is in the implementation process (Buonanno & Nugent, 2021). The EEAS and the HR are expected to act as agents of the Council (Helwig & Strob, n.d.). As such, they are "denied any significant independent entrepreneurship and are subject to amendment by member governments" (Bergmann & Niemann, 2013, p. 7).

It can be expected that liberal intergovernmentalism can thrive under the first sub-question, as the CFSP's structure provides chances for single Member States to determine policy by their voting behaviour. The Member States which use their powers most significantly can be identified as being dominant under the second sub-question. Under the third sub-question, liberal intergovernmentalism's focus on economics can be differentiated from postfunctionalism, which is covered in the following section.

Postfunctionalism and the CFSP

The second integration theory that assumes an intergovernmentalist focus on Member States is postfunctionalism. For the purpose of this thesis, the postfunctionalist theory is used as a way to analyse the motivational approach of actors to act in specific way. This relates to the original postfunctional approach to explain outcomes by politicisation of values such as Euroscepticism (Schimmelfennig, 2018). The thesis applies this to foreign policy, with Member States taking the place of political parties as actors in EU politics (Schimmelfennig, 2018; Hooghe & Marks, 2018). Like liberal intergovernmentalism, postfunctionalism assumes that specific actors can capture policy processes, though in postfunctionalist theory they do this to promote their politicised values and identity instead of economic interest (Schimmelfennig, 2018; Braun, 2020; de Wilde, 2021). Considering the implications for the EU's foreign policy, a common position towards a conflict and for the decision of sanctions can only be reached if the values and identities of Member States to the EU's the values and identities of the Member States, the outcome disadvantages the Member States that push for strong sanctions (Grech, 2021).

A cooperation in this regard is the so-called Visegrad group, consisting of Poland, Hungary, the Czech Republic and Slovakia. As a regional sub-group promoting "cultural coherence" (International Visegrad Fund, n.d.), it emphasised their common goal of preventing immigrants from entering the EU, as the migration crisis "touched a nerve of exclusive national identity by contemplating the intermixing of culturally dissimilar populations" (Hooghe & Marks, 2018, p. 11). By this, progress in response to the crisis was captured by the group (Braun, 2020).

Regarding the research question, postfunctionalism assumes a focus on the Member States such as liberal intergovernmentalism (sub-questions 1 and 2). However, it is not those Member States that have an economic interest in sanctions that determine progress, but those Member States that have their position for politicised values and their identities to be the most dominant (sub-question 3).

Neofunctionalism and the CFSP

Neofunctionalism is based on the idea that spillovers lead to an increased importance of supranational institutions. The dimensions of power transfer happen at an organisational level, at which the decision-making power over policies is transferred to the EU. Supranational institutions are the result of integration processes that develop their own dynamic (Bergmann & Niemann, 2013). Similar to the assumptions of liberal intergovernmentalism, these processes are started by Member States' rational economic self-interest (Bergmann & Niemann, 2013). Because of the CFSP's legal processes and the legally limited role of institutions other than the Council, studies of neofunctionalism in foreign policy focus on way the EC (e.g., Riddervold, 2016; Haroche, 2020) or the EP (e.g., Huff, 2015; Rosen & Raube, 2018) circumvent legal restrictions and build on informal power to influence policy outcomes.

In political spillovers, Member States transfer parts of their autonomy to delegate power to the EU because solutions to transnational problems can better or only be addressed by the integration of competences (Pierson, 1996; Bergmann & Niemann, 2013). While policies at the national level remain important, both political actors and interest groups shift their focus to the European level (Kuhn, 2019; Niemann & Ioannou, 2015). Meanwhile, the created organisations gain independence and eventually become autonomous actors in cultivated spillovers (Niemann & Ioannou, 2015). This process is supported by functional spillovers, through which decision-making powers over policies are transferred because of their interdependencies (Niemann & Ioannou, 2015). This is also the case for the CFSP (Wessel, 2016). The integration process is therefore described as a series of unintended consequences of policies that are imposed to answer to previous ones (Niemann, 2021). During the

migration crisis of 2015, functional pressures and the HRs and the EEAS' efforts let to progresses in integration (Bergmann & Müller, 2021). This illustrates the possibility for the EC to act independently also in foreign relations (Bergmann & Müller, 2021; Riddervold, 2016). Still, many aspects of the integration process are seen as unintended and decisions are "stumbled" upon (Niemann, 2021, p. 122). Along neofunctionalist lines, it can for example be argued that over time a supranationally oriented EEAS can take over tasks of the Council Secretariat to ensure a coherent foreign policy (Helwig & Strob, n.d.). The Council would accept the proposals it receives from the EC and the EEAS. Lastly, cultivated spillover capture the increasing importance of supranational organisations. Gaining their role from integration processes, they gain powers making them increasingly independent (Bergmann & Niemann, 2013; Niemann & Ioannou, 2015). Consequently, "they tend to take on a life of their own and are difficult to control by those who created them" (Bergmann & Niemann, 2013, p. 5). Majone (1994) argues that it was due to the EC's leadership that the internal market developed. Thereby, the EC's staff acts as policy entrepreneurs, encountering different voices to provide the EC with an open-minded perspective (Majone, 1994). This contrasts with the administrative apparatus of nation states, that tend to favour conservativism and security (Majone, 1994).

In neofunctional thinking, answers to the research questions consider the importance of supranational institutions like the EC, the HR/VP and the EEAS. Because the CFSP structure constraints their powers, communication channels would be used to informally practice policy-determining influence over processes. Like in liberal intergovernmentalism, the goal would be to profit the economy and not to act based on politicised values.

Hypotheses

H1: If powerful states push for sanctions because they would profit from them economically, while other states oppose them because of economic losses, this outcome can, under consideration of the bargaining power of the affected states, be explained by a liberal intergovernmentalist framework.

H2: If states dominate the sanctions packages' outcome that follow a specific policy because of their national identity, a postfunctional framework is used to explain the outcome.

H3: A dominance of supranational institutions in the EU's sanctions processes relative to their CFSP-related institutional powers is explained by a robust neofunctional framework.

In the analysis, the cases are first tested against the two intergovernmentalist theories and then turn to neofunctionalism. Here, the motivations of Member States to act outside the EU institutional framework and not working towards a EU-level consensus are analysed. If Member States base their actions on economic motivations, this would indicate either a neofunctionalist or a liberal intergovernmentalist framework. Their approach of involving EU institutions or not would then determine neofunctionalism (EU institutions within their legal possibilities) or liberal intergovernmentlism (no involvement of EU institutions, largely autonomous acting). Another dimension is the power of single Member States. Should it be possible for Member States with the most power to push through their preferred policy, either a liberal intergovernmentalist framework, powerful Member States would succeed in promoting their policies because of their economic interests, they would do so based on ideological values in a postfunctionalist framework.

Methods

Research Design

To answer the research question and to test the hypotheses, the thesis builds on a holistic multi-case study design. Following academic standards, the three cases will be analysed separately (Yin, 2018). The insights of the cases are used to inform a theory of the foreign affairs dimensions of integration theories. The thesis covers three cases. The first case is the EU's sanction approach to proliferation in Iran. Though tensions of the EU with Iran date back to the late 1990's, the analysis will consider the date after the implementation of the Lisbon Treaty, which came with shifts in the legislative structure of the EU's foreign policy. Second, sanctions against Russia from Russia's annexation of Crimea in 2014 until the rise of tensions in the conflict in February 2022 are analysed. Contrary to the first case, this case analysis the EU's answer to an actual military conflict with the breach of international law, but also a geographically close one. The final case develops from the second one, as the EU's sanctions against Russia in light of its invasion of Ukraine reached new magnitudes in light of the severity of the conflict.

Method of Data Collection

The analysis relies on various types of documents. On the one hand, sources are consulted that give insights into the approach that the EU and its Member States took in the sanctions processes (subquestions 1 and 2). The approach taken by actors is indicated by reports indicating that they would fall outside the line, for example in initiatives to profile themselves as taking on a position they deem as more significant to the other actors (sub-question 1). Because of their analytical approach, both academic research papers as well as public media sources (newspaper articles and videos) are used to answer this question. The same sources are used to categorise the actors along their influence on the sanction processes (sub-question 2). In addition, official documents such as press releases by Member State governments or the EU's institutions are used to back up the analysis of the different actors' approaches. Sources of the same kind are used to answer sub-question 3. Approaching answering this question, a special importance is given to documents which investigate actors' approaches critically, meaning academic research papers, think tank sources, as well as news paper articles. This is because national actors give insights into their motivation behind specific actions not often, especially not in the sensitive field of foreign relations and geopolitics.

Method of Data Analysis

In the analyses of the cases each start out with an introduction to their historical background. This helps to grasp the sanctions package, and reasons for the imposition of sanctions in a broader context. Afterwards, the intergovernmental dimensions of the sanctions processes are analysed, followed by an analysis of the neofunctional dimensions of the sanctions. This design helps to test the hypotheses one after the other. By first analysing Member States' efforts to influence sanctions outcomes, a tendency towards liberal intergovernmentalism or postfunctionalism can be identified. As along the CFSP policy-making processes as discussed above the EU's supranational institutions have less power they will be analysed afterwards. Here, it will be analysed if they took attempts to influence the policy-making process and if so, how they did it and to what extent they were successful.

The analysis is assisted by the software atlas.ti. For each of the cases, as well as for each Member State and EU institution codes were created. Next to these, codes for concepts related to sanctions design (e.g., 'reasons for sanctions, also design'; 'comprehensive sanctions') were created. The analysis is based running various codes against one another, providing a clear overview on relevant data to be used for the analysis.

Analyses

EU Sanctions against Iran *Background*

Until the end of the last century, Western countries had well-established economic relations with Iran, mostly in the energy sector (Gonzáles del Miño, & Hernández Martínez, 2020). As the Iranian intention to build a nuclear weapon became known, tensions increased (Hedges, 1995). Since 2003, Western countries, at the forefront the E3 (Germany, France, United Kingdom) pushed for negotiations with Iran to decrease the Iranian threat. This resulted in the signing of the Joint Comprehensive Plan of Action (JCPOA) in 2015, which among other identified criteria for a limitation of uranium enrichment (Meier & Zamirirad, 2015).

The Sanctions Package

When the EU perceived the Iranian proliferation as threatening global security and the government continued to oppress its own people, imposing stricter sanctions was deemed necessary in the EU (Meissner, 2022). The first sanctions followed the UN Resolution 1696 in 2007, targeting both trade and the Iranian financial sector (UNSC, 2006; Ghodsi & Karamelikli, 2022). These sanctions took more substance in January 2012, when an oil embargo and additional financial restrictions were imposed (Council Decision 2012/35/CFSP). Financial sanctions led to a ban of all banking transactions, meaning a 'SWIFT kick' with severe consequences for the Iranian economy (Council Regulation (EU) No 267/2012; SWIFT, 2012; Majd, 2018). Strong sanctions, aimed at getting Iran to the negotiation table were comparable to those of the US (Szabo, 2016; Ghodsi & Karamelikli, 2022). Eventually, these sanctions are argued to have been the main contributing factor to the conclusion of the JCPOA (Pomeroy, 2022). The comprehensiveness of sanctions contradicting the EU's standards raised concerns on the supply of medical goods in Iran as procedures for exemptions were bureaucratically complicated (Council of the European Union, 2004; Portela, 2016; Nicoullaud, 2013).

For the Iranian government, the regained access to the global financial system was a main priority in the negotiation process, as highlighted by the Iranian foreign minister (Hashem, 2015). Following the implementation of the JCPOA, nuclear-related sanctions were lifted in 2016 (Ghodsi & Karamelikli, 2022). Still, many EU firms faced difficulties of entering the Iranian market because of US pressures (Lohmann, 2015).

Intergovernmentalism in the Sanctions Process against Iran

In the sanctions process against Iran, mostly, though not only, economic interests can be identified. The oil embargo against Iran was mainly opposed by Southern Member States that rely on Iranian oil. In early 2012, Greece imported half its oil from Iran and substitutes in other Arabic states needed to be found if sanctions against Iran would be imposed (Doniti & Zhdannikov, 2012). Though Gulf states were willing to meet the demand by increasing supply, it remained a question how long it would take for contracts to take effect (Rettman, 2012a). Similar problems were faced by Spain and Italy (Rettman, 2012a). Indeed, reports indicate that the Greek reluctance was welcomed by other Member States that did not want to oppose an oil embargo publicly (Rettman, 2011). Greece's slow approach was countered by France wanting a fast procedure, while the affected states wanted a buffer of one year. Finally, the compromise of Denmark and the EEAS (July 1) was accepted (Rettman, 2012a; Council Decision 2012/35/CFSP). Notable is that this first step towards a consensus was only reached after Greece went from closure to openness on an oil embargo, while "seek[ing] other ways to ensure [...] the oil market operates smoothly" (unnamed official in Rettman, 2012b). As oil supplies were not ensured yet, the Greek government's opened approach can only be explained by a half-year long period for adaption and assistance in finding alternative suppliers. However, this is an assumption not based on primary or secondary sources.

An example in which a Member State succeeded in shaping sanctions in its own interest is the Swedish influence on an embargo on telecommunications equipment. Contrary to Greece, the Swedish government did not oppose, but even welcomed an oil embargo as it would barely affect the Swedish economy, according to its foreign minister (Bildt, 2012). An original Commission proposal to include trade in telecommunications equipment in the sanctions package was opposed by Sweden, officially on humanitarian grounds (Rettman, 2012c). The official declaration needs to be put into the context of

previous developments of the Swedish telecommunications industry. In late 2012, Swedish company Ericsson intended to continue operating on a project with Iran that was concluded in 2008, serving a long-term time frame (Stecklow, 2012). Finally, the sanctions did not include an embargo on telecommunications equipment, which can be seen as a clear case of a liberal intergovernmentalist touch the Swedish actions add to the sanctions regime.

Based on violations against international law by Iranian proliferation, many Member States argued for tighter economic sanctions if further breaches of trust should be observed. Despite the economic interest of the government-owned petroleum company OMV in Iran, the Austrian government developed a frame of the west loosing patience with Iran early on (Huber, 2011; Bundesministerium Europäische und Internationale Angelegenheiten, BMEIA, 2009). If Iran would not answer to negotiation offers, this would result in a "clear reaction" from Western countries (BMEIA, 2009).

Despite general alignment with the EU's policy of leaving high-level diplomacy to the HR/VP, the Austrian government defected from this policy reminding the Iranian government to comply with international demands during meetings in Vienna (Alcaro & Siddi, 2021; Raabe, 2010; BMEIA, 2013). On a following visit, foreign minister Spindelegger intended to leave communication channels open, while implementing existing sanctions strictly (Der Standard, 2011). The question remains, what the Austrian government's interests were to organise these meetings. With the E3 and the HR/VP, a well-functioning and by the international community legitimised communications team was already in place (Alcaro & Siddi, 2021). Though both the reinforcement of economic relations after a possible lift of sanctions and compliance with international law value-based argumentations seem logical, these assumptions cannot be verified.

The involvement of France, the UK and Germany as lead negotiators can be explained by their engagement in the UNSC and/or powerful role in EU politics. Together they formed the E3 coalition. Even though some opposed the E3's access to classified strategic information, no EU Member States could convince the E3 that the inclusion of another negotiator would add value to the negotiations (Pop, 2010; Alcaro & Siddi, 2021). Instead, the E3 profiled themselves as the main actors in the sanctioning and negotiation process. By building up exclusive communication channels, the E3 thus undermined the general interest of other Member States to influence negotiation outcomes (Alcaro & Siddi, 2021). While the negotiations towards the JCPOA are not directly part of the sanctions process, they do determine the EU's future approach, considering that finally, the conclusion of the JCPOA would lead to lifting nuclear-related sanctions (European Council, n.d.). In a joint statement after the imposition of the comprehensive oil embargo the leaders of the E3 emphasised their intention of not harming the Iranian people, thus showing unity in their own approach while violating the EU's sanctions principles consciously (Cameron, Merkel & Sarkozy, 2012; Council of the European Union, 2004).

Being one of Iran's biggest trading partners, the leading role in negotiations came at the expense of Germany's economic interests (Huber, 2011). While the French government aimed to impose strong sanctions, the UK and Germany aimed to make an agreement with Iran as attractive to Iran as possible, while leaving open the possibility to impose sanctions to counter possible Iranian aggressions, as described by the French foreign minister (Fabius, 2016). This condition is best explained by liberal intergovernmental theory. While sanctions were indeed imposed, the reengagement in economic relations was similarly important as stopping Iranian proliferation.

Neofunctionalism in the Sanctions Process against Iran

As Hypothesis 2 states, "a dominance of supranational institutions in the EU's sanctions processes relative to their CFSP-related institutional powers is explained by a robust neofunctional framework". In this section, the approach of the HR/VP, the EEAS and the EC is analysed. Of the EU institutions, the HR/VP can be argued to be the leading actor within the EU institutional framework. Importantly, it was the involvement of the HR/VP that gave the E3 the internal legitimacy to negotiate on behalf of the EU (Alcaro & Siddi, 2021). In the E3+3 coalition, the HR/VP supplemented the national actors by acting as a co-negotiator with the Iranian government. In this, the HR/VP could

extent her power resulting her being the only high-level negotiator to represent the EU on official Tehran visits (Alcaro & Siddi, 2021). This was supplemented by the "skilled performance" and leadership of the HR/VP and the EEAS, which was perceived as playing a significant role in bringing negotiations further, as the German foreign minister asserts (Westerwelle, 2013). In this position, the HR/VP cooperated much with the EC, which is responsible for drafting sanctions (Helwig & Rüger, 2014). On internal issues, it was also the EEAS' effort that led to an agreement on July 1 as the starting date of an oil embargo against Iran, mediating between Greece and France on both ends (Rettman, 2012a). In these regards, a tendency towards neofunctionalism can be observed. Still, while the HR/VP played a major role in the negotiations, she did not meet the expectations of smaller Member States to lead negotiation beyond background work (Helwig & Rüger, 2014). Also, the HR/VP's contribution to build the negotiation outside the EU's framework does not sufficiently support to contribute to a neofunctionalist assumption.

EU Sanctions against Russia 2014 *Background*

After Ukraine's independence from the Soviet Republic, the country had a Western-leaning attitude, though the identity of Ukrainian citizens was approached liberally, leaving the question of personal affiliation up to the person (Umland, 2022). When the Euromaidan revolution started in 2013, many people joined protests against the pro-Russian government. Militarising pro-Russian forces in Ukraine, Russia soon invaded the Crimea peninsula illegally. Also, a civil war started in Eastern Ukraine where pro-Russian militant groups fought against the Ukrainian army after a government change (Silva II & Selden, 2020). These developments were supported by Russian propaganda campaigns (Umland, 2022).

In March 2014, the United Nations passed a resolution in which 100 countries spoke out against the annexation of Crimea (Umland, 2022; United Nations, 2014). With support of the OSCE, negotiations for peace in Ukraine were conducted between Russia, Ukraine, Germany and France. As the resulting Minsk agreement failed to restore Ukraine's control over occupied territories in Crimea and Eastern Ukraine, the negotiations are seen as unsuccessful (Umland, 2022).

The Sanctions Package

Following the Russian aggressions against Ukraine, the EU started to freeze assets of Russian officials (Foreign Affairs Council, 2014). To manage the crisis, also travel bans, trade restrictions and financial restrictions were passed, though the EU did not include diplomatic sanctions or arms embargoes in its sanction packages (Giumelli et al, 2021). The sanctions' target group was composed of public officials and businessmen to stop them from supporting pro-Russian rebel groups and disincentivise others from supporting the Russian aggressions (Giumelli, 2015). The goal of the sanctions and the condition for lifting sanctions was the implementation of the Minsk II agreement (Portela, Pospieszna, Skrzyczynska & Walentek, 2021).

In the following years, existing measures were updated on a regular basis while on various occasions new persons were added to the list of sanctioned individuals. These were either related with business activities in the occupied regions or involved in regionals elections, which are seen as illegal by the European Union.

Meanwhile, negotiations were conducted in the so-called Normandy format, involving Germany, France and the conflict parties Russia and Ukraine (Alcaro & Siddi, 2021). Other powerful member states such as the United Kingdom or Italy did not participate in the negotiations (Sjursen & Rosen, 2017; Alcaro & Siddi, 2021). The OSCE as an international organisation played an important role in the negotiations of the Minsk Protocol (Minsk I) in September 2014 (Alcaro & Siddi, 2021). Minsk I provided mostly humanitarian aspects, ensuring aid, and organising prisoner exchanges, but also laid out rules for use of weapons in the conflict (Reuters, 2022a). After violations from both Ukraine and Russia, the Protocol was never fully implemented (Reuters, 2022a). With the failure of lasting peace in response to Minsk I, Germany and France took over as lead negotiators, eventually leading to the implementation of Minsk II (Alcaro & Siddi, 2021; Reuters, 2022a). Different to the negotiations of Minsk I, those leading to Minsk II involved direct talks among the heads of government (Klijn, 2022). Next to building a framework for future work between Russia, Ukraine and the OSCE in the Trilateral Contact Group, the provisions of Minsk II mostly relate to military restrictions, aiming to stop the conflict definitely (Reuters, 2022a). Following the signing, fighting decreased and the OSCE patrols the frontlines (Lister, 2022). The agreement was however never fully implemented, as Russia insists that it took no official part in the conflict and is therefore not bound to the agreement (Reuters, 2022a; Lister, 2022). For Russia, this was possible because the document never refers to Russia or Russian troops directly (Klijn, 2022). After the first imposition of sanctions, it was again France and Germany that pushed for the continuation of sanctions (Portela et al, 2021).

Postfunctionalism

The intergovernmentalist actors in the sanctions process against Russia can be categorised into three camps. On the one hand, the Baltic states and Poland are the most supportive advocates for strong sanctions. On the other side, southern Member States and Hungary are against strong sanctions. In the middle, we find France and Germany, acting as mediators and negotiators with Russia and Ukraine.

Since their independence from the USSR, the Baltic states (Estonia, Latvia, and Lithuania) delinked their economy from Russia, a process with various technical hurdles along the way (Lamoureaux, 2014). When the Baltic states accessed the EU in 2004, there were hopes that they would leave behind traumas and fears of the past and would maybe even function as a mediator between Russia and the EU (Raik, 2016; Koiv, 2013). Instead, the Baltic states face pressures from Russia occasionally, for example when Russia pressured the Baltics not to join the US in a small-scale military operation in 2002 (Glasser, 2002). Further political disputes define their relationship, also regarding trade agreements with Russia (Gardner, 2008). Still, all the three Baltic states are economically dependent on Russia, each deriving 15% or more of their GDP from trade with Russia (Silva II & Selden, 2020).

In the sanctions process against Russia, it was therefore not economic interest that marked the Baltic states' position, but one of fear of military aggressions based on historical and cultural backgrounds (Lamoureaux, 2014; Czulno, 2022). For the Baltic states, the fear of a Russian invasion also finds its origin in culture-political issues. Especially Estonia and Latvia have large Russianspeaking minority groups (Saytas & Krutaine, 2014). Meanwhile however, symbolic policies were designed in a way to profit ethnic Baltics over ethnic Russian (Lamoureaux, 2014), while as early as 2009, Russian military training included operations aimed to cut off the Baltic states from Continental Europe (Kaas, 2009). Baltic warnings of a possible Russian threat were only taken serious and legitimate with the Russian aggressions against Ukraine in 2014 (Raik, 2016; Tunney, 2016; Czulno, 2022). Economic interests did not play a determining factor in position. Even before the sanctions, it took Lithuania 18 months to be convinced to approve a trade agreement with Russia (Gardner, 2008). Rather, their shared identity of being possible subjects to Russian aggressions let the countries stick together. When in 2015 the EC intended to intensify relations with Russia again and suggestions came up to design sanctions flexibly, the Polish and Lithuanian foreign ministers condemned this, referring to the implementation of the first Minsk agreement as a condition for economic relations to be strengthened (European Commission, 2015: International Crisis Group, 2020: Rettman, 2015a: Makszimov, 2020).

Like the Baltic states, also Poland feared Russian aggression, a perception which was only taken legitimate when the Ukraine conflict began (Raik, 2016, Czulno, 2022). Reflecting public opinion and interests of security, Prime Minister Tusk took ambitious efforts to push for strong sanctions against Russia (Portela et al, 2021). Next to sanctions, Poland also had ambitions to participate in negotiations with Russia. When protests at the Euromaidan began in late 2013, Poland took part in mediation attempts between the Ukrainian government and protesters (Alcaro & Siddi, 2021). Despite efforts of the Polish government, it did not participate in negotiations with Russia, stemming from Russia's unwillingness to negotiate with a state it perceived as having an anti-Russian bias (Alcaro & Siddi, 2021). In response, German officials coordinated their approach with the Polish foreign ministry, thus trying to maintain a decent level of cooperation outside the Normandy framework, which was increasingly criticised by Polish officials after a government change in 2015

(Alcaro & Siddi, 2021). Meanwhile, the economic relations between Russia and Poland were still strong until 2017. While companies continue to export goods, fossil fuels are imported from Russia. Business associations take this as an opportunity to lobby against strict sanctions (Portela et al, 2021).

In light of the Russian aggressions, Member States that were previously emphasising a moderate approach to Russia found it difficult to maintain this position (Czulno, 2022). In response, the Baltics and Poland won the UK and Sweden as sympathisers to support them in the European Council (Sjursen & Rosen, 2017; Reuters, 2017). The position of the UK in the sanctions against Russia is one of ambiguity. Despite being one of the EU's most powerful Member States of the time and participating in the negotiations towards the JCPOA, the UK did not participate in negotiations with Russia, which was perceived to be as a consequence of a previous spy attack against the UK (Sjursen & Rosen, 2017). While supporting sanctions, the United Kingdom has strong economic links with Russia especially in the financial sector in London which the UK sought to protect (Sjursen & Rosen, 2017; Watt, 2014). Foreign minister Hague refers to sanctions as a "price worth paying", putting values of security for allied EU Member States above economic interest (BBC News, 2014a). This comes indeed at the expense of the London financial centre, which was severely hit by the SWIFT kick of Russian banks (Waterfield, 2014).

The motivation of the Baltic states and Poland is in line to their security concerns and longestablished anti-Russian attitudes. Their approach and motivation thus mirror postfunctionalism. Similarly, for its approach of aligning the Baltic states and Poland instead of focusing on the own economic profit and thereby weakening or vetoing sanctions, the UK's approach can be categorised as mirroring a postfunctionalist framework. This does not come because of the promotion of a specific identity though, but more because of aligning with Member States that are postfunctional in their approach and motivation.

Liberal Intergovernmentalism

Largely matching the argument of a Russian government-sponsored thinktank, Italy, Greece and Hungary advocated against strong sanctions against Russia (Orenstein & Keleman, 2017). Most negative was the Hungarian government. Hungarian Prime Minister Orban stressed his country's partnership attitude towards Russia. Highlighting the importance of partnership with Russia, he referred to imposing sanctions against Russia with "shooting oneself in the foot" (BBC News, 2014b) and that sanctions would reflect a western anti-Russian bias without rational reasons (Rettman, 2016; Byrne, 2017). Similarly, the foreign minister of Hungary stresses the advantages of an economic cooperation (NOL, 2016). Though there is no direct connection drawn by officials, the EU stopped to impose new sanctions in 2016, only extending existing ones (Council of the European Union, 2016a; Council of the European Union, 2016b). The reason for this can be seen in Hungary's economic dependency on Russia. Especially in the energy sector, this dependency often determines political positions (Deak & Weiner, 2020).

In this Russian-friendly approach, Hungary departed from the position of other Visegrad states, thereby departing from a postfunctional approach and letting economic interest in liberal intergovernmentalist logic determine its way. Though remaining in this group, Hungarian efforts led to a softening of formulations drafted by Polish representatives condemning a Russian infiltration of the Czech intelligence services and stressing the unity of Europe (Kancelaria Prezesa Rady Ministrów, 2021; Zachová & Jakubowska, 2021). Such tendencies are described as a deviation of European values, observed mostly in central and eastern European countries (Nitoiu, 2016). With this example we can see that the Visegrad coalition does not seem to have sustained in the relations with Russia. By deviating from postfunctionalism, the Hungarian approach can therefore be qualified as liberal intergovernmental.

Due to the effects of the financial crisis in Greece, the trade with Russia was not extensive at the beginning of the sanctions processes (Aleksandrova, 2020). Similarly, Giumelli (2017) argues that Greece did not have a valid economic reason to oppose sanctions against Russia. Instead, diplomats qualified Greece to be capable to hold Germany hostage in threatening to veto upcoming sanctions if Germany would not come forward in relieving Greece off its sovereign debt in 2015, thus being

motivated by self-interest only (Rettman, 2015b). Noticeable is then why the new Greek government agreed on imposing new sanctions just afterwards (Pop & Rettman, 2015). Meanwhile, Greece expressed concerns about a lack of efficient communication among the EU partners and was therefore reluctant to an official EU statement that criticise Russia for its aggressions (Pop & Rettman, 2015). Indeed, particularly the role of Germany in coming forward to fellow Member States by providing a decent communication channel was valued by actors such as Poland (Natorski & Pomorka, 2017; Czulno, 2022).

Sanctions against Russia were also perceived as a threat to the domestic economy by the Italian government (Giumelli, 2017). In December 2015, the Italian foreign minister insisted that the negative perception against Russia had become "the mainstream view supported by all member states" (Rettman, 2015c). The Italian opposition to sanctions against Russia is based on long-term cooperation with Russia in various areas (Siddi, 2019). However, Italy never went so far as to veto sanctions even after a government change in order not to damage relations with fellow EU Member States and the US (Siddi, 2019). Instead, efforts behind the scenes are determining Italy's approach to soften sanctions (Siddi, 2019). Though these assumptions are not fit to explain the Italian motivations beyond a general interest in economic profit, a liberal intergovernmentalist framework can be assigned to this part of the case.

The Normandy coalition and Neofunctionalism

To this point, we find a liberal intergovernmentalist motivation of Member States that oppose sanctions, and postfunctionalist motivations of Member States that want to apply stronger sanctions. The intergovernmental structure is maintained by the two most powerful countries, France and Germany, being the only actors to take part in the negotiations. Contrary to the first case, the German and French coalition in the negotiations towards Minsk II were not supported by the HR/VP. By this, they lacked the key partner which brought their coalition with Iran the internal legitimacy to conduct negotiations outside the CFSP framework (Alcaro & Siddi, 2021). The argument to not include the HR/VP or any other actor in the negotiation was that a change of participants in the negotiations was thus strongly avoided and cannot be seen as a theory which describes the case significantly.

Notable is then, why it is almost exclusively Germany that is referred to when it comes to mediation efforts in the EU and France plays only a minor role. One of the few instances in which France profiled itself as a mediator inside the EU was in a joint declaration with the Latvian and Lithuanian government on future cooperation for the promotion of democracy and against misinformation which was argued as an informal message condemning Russia (Ministère de l'Europe et des Affaires Étrangères, 2020; Stewart, 2020). Germany on the contrary, which was previously often perceived as an agent of Russia, developed to become a strong internal mediator (Forsberg, 2016; Czulno, 2022). This perception was shared also by mistrusting Member States as Poland (Czulno, 2022). In this position, Germany even accepted strong economic losses and hinder the acceptance of sanctions propositions by others (Portela et al, 2021; Forsberg, 2016). This focus on communication even led to a decrease of mistrust in eastern Member States (Natorski & Pomorka, 2017; Czulno, 2022). Though this approach cannot be classified as neofunctional (see above), the German motivation was also neither of economic nor value-based nature. Instead, the German's approach can only be explained along an intergovernmentalist framework outside the theories discussed in this thesis.

EU Sanctions against Russia 2022 Background

After political tensions in the eastern Ukraine conflict decreased with media coverage, Russian threats to invade Ukraine increased with a speech by Russian president Putin that denied Ukrainian sovereignty (Schwirtz, Varenikova & Gladstone, 2022). In the run-up to a direct invasion of Ukraine on February 24, Russia positioned troops along its border with Ukraine after dropping a US offer to end the conflict (Wintour, 2022; Eurotopics, 2022). Before the start of military aggressions on February 24, the EU did not impose sanctions in hope that the threats would not be put into practice (Tourki, 2021). In contrast to the other two cases, this one is still at the relative beginning and

negotiations for a conflict resolution are not covered extensively by public discourse at the time of writing (June 2022). Though different positions can be categorised along the integration theories, no clear negotiation and mediation groups have developed yet.

The Sanctions Packages

The EU's first three sanctions packages against Russia after the invasion of eastern Ukraine were decided on in a matter of several days only (Council of the European Union, 2022a; b; c). They included an embargo on trade and ban of investments to and from the invaded oblasts Donetsk and Luhansk (Council of the European Union, 2022a; b). Next to this, financial restrictions and asset freezes to the Russian government and other persons were included (Council of the European Union, 2022a; b). Seven Russian banks were banned from SWIFT from mid-March on (Council of the European Union, 2022c; d). Later, more banks would be excluded and also an embargo on coal among others was decided (Council of the European Union, 2022f). In the fourth sanctions package, the Russian energy sector faced first sanctions, though an embargo was only decided on in the sixth package, going into effect December 2022 to February 2023, while exempting countries that are heavily dependent on Russian oil (Council of the European Union, 2022g). These exceptions are realised by only banning oil imports by sea, leaving pipeline trade open (European Commission, 2022a). Furthermore, three further Russian banks, among them the Sberbank, were excluded from SWIFT and asset freezes were imposed for 83 additional persons and entities (Council of the European Union, 2022g).

Postfunctionalism

The Lithuanian and Polish heads of government already called for sanctions in December 2021 as signs indicated that Russia placed troops near the Ukrainian border (Krzysztoszek, 2021). Following their long opposition to Russia, the Baltic states and Poland favoured strong sanctions also in the aftermath of the attacks on Ukraine. Despite their geographical proximity, the Baltic states and Poland have confidence to withhold Russian pressures, for example by referring mainly to their NATO membership (Donges, 2022; Kancelaria Prezesa Rady Ministrów, 2022; Kallas, 2022). Still, the Lithuanian government called out an emergency situation, allowing it to deploy military close to the Russian border (Donges, 2022). Estonian Prime Minister Kallas says that "Ukrainians fight not only for Ukraine, but also for Europe" (Finke & Kolbe, 2022), indicating identity-related links between the two countries.

Slow progress in the European Council was criticised by the leaders of all four states. Polish prime minister Morawiecki suggests full isolation of Russia and far-reaching trade restrictions (Morawiecki, 2022). While first suggesting only to exclude banks from SWIFT that were active in the energy sector and thereby help to sponsor the war, he soon adopted a position in which all Russian banks should be excluded form SWIFT (Bleninsop, 2022; Morawiecki, 2022). Alongside that, the Baltic governments promoted an energy embargo to get Russia to the negotiation table (Eurotopics.com & AFP, 2022; Finke & Kolbe 2022). Further, the governments of Estonia, Latvia, Lithuania, and Slovakia came forward with ambitious proposals. The main assumption is that "if Russia does not stop military aggression against Ukraine, there should be no economic ties remaining between EU and Russia at all" (Joint Statement by Estonia, Latvia, Lithuania, and Slovakia, n.d.). For Slovakia, this cut comes despite expectations of solidarity for it being hit hard by the oil embargo in the sixth sanctions package (Reuters, 2022b). The most ambitious proposal is the suggestion that confiscated asset of Russian individuals should be used to benefit the rebuilding of Ukraine (Joint Statement by Estonia, Latvia, Lithuania, and Slovakia, n.d.). This approach can be categorised as an ambitious postfunctional proposal.

New to this case is that other Member States also adopt a postfunctional attitude which developed as a response to the violation of international law by Russia in the present Ukraine conflict. Though many remain reluctant to sanctions against Russia, this can be seen as a blunt to keep a buffer for future sanctions. For example, the Austrian foreign ministers Schallenberg emphasised that sanctions need to mirror the degree of aggression of the target (BMEIA, 2022). Further, he emphasised that Austria is largely dependent on Russian gas, which makes up about 80% of the imports (Linsinger, 2022). Simultaneously, he stresses that sanctions would be a fitting tool to hurt Russia,

which would also be dependent on exporting to the EU (Der Standard, 2022). A following step would be to look for other suppliers (Linsinger, 2022). Still, the Austrian government was generally open to the application of sanctions (Wiener Zeitung, 2022). Austria is next Finland, Bulgaria, Hungary and Germany also one of the Member States that rely on Russian gas, blocking an embargo (Tidey, 2022). This dependency stands in opposition to the otherwise ambitious approach, which can also be seen in other Member States.

Already before, German economic relations with Russia were subject to discussions, mostly related to the Nord Stream gas pipelines. Pre-war, Germany imported 55% of its natural gas supplies from Russia (Holz, Sogalla, von Hirschhausen & Kemfert, 2022). Answering to internal and external pressure and referring to values of international law, the construction of the Nord Stream 2 pipeline was stopped when Russia built up political tensions leading to the war (Scholz, 2022a). With this approach, also Germany left its liberal intergovernmentalist perspective and joined the postfunctionalist approach of fellow Member States. He further welcomed the preparation of sanctions on the basis of international law being breached and ensures the Baltics and Poland that they are supported in their fear of aggressions (Scholz, 2022b). Together with Austria, Germany was also against excluding Russian banks from SWIFT in the first sanctions package to have strategic delay (Tagesschau, 2022a; Reuters, 2022c). In the beginning, Germany was against a gas, oil and coal embargo, fearing it would destabilise energy provision and prices (Habeck, 2022; Tagesschau, 2022b). The hesitations in the government can be explained by deviating opinions in the government on how fast an oil and gas embargo would be feasible (Tagesschau, 2022c). Meanwhile, the focus lies on becoming independent from Russian energy (Küstner, 2022). This happens while taking into account, that energy transfer could also be blocked as a forthcoming action by Russia (Holz et al, 2022).

Liberal Intergovernmentalism

With the beginning of aggressions against Ukraine, Hungary was the only EU Member State that openly opposed strict sanctions per se (hirado.hu, 2022). By its focus on neutrality, the Prime Minister emphasised that Hungarians "should not pay the price for the war" (Hungarian Prime Minister, 2022). To Hungary, the energy sector is important and should not be included in the sanctions (Hungarian Prime Minister, 2022), thus laying an emphasis on the importance that the Hungarian economy plays in determining the national position. Especially since his election campaign, Prime Minister Orban did not try to find a consensus on Russia and focused on Hungarian interests. This position also explains the extensive foot dragging of Hungary, being the only Member State blocking an oil embargo unless exceptions were granted (Abnett, Strupczewski & Melander, 2022). According to Orban, a common EU declaration established the consensus that every Member State's energy mix is considered in further sanctions (Orban, 2022). A proposal which does not meet Hungary's economic demands was referred to as a nuclear bomb to the Hungarian economy (Orban, 2022). This reflects the approach to the sixth sanctions package: While the initial proposal of the Commission was to phase out Russian oil over six months, the Hungarian government communicated that a exemptions would change its position (Guarascio & Chalmers, 2022). In exchange, Hungary demanded payments from recovery fund which were held back because of legal procedures against Hungary as a condition to lift the veto on oil embargo (Lazaro, 2022). It is unclear, whether these demands were met by the European Union.

Small steps to Hungary's isolation from the EU community on the position can also be seen when taking diplomatic efforts into account. Orban did not join fellow Visegrad states to Kyiv, observers refer to a possible breaking up of the cooperation (Serdült & Arato, 2022). Still, the Polish government did not distance itself from Hungary, though especially the stability of their relations was triggered following the declaration on the spy attack on the Czech Republic analysed above (Michalik, 2022; Zachová & Jakubowska, 2021).

Further exceptions to the oil embargo in the sixth sanctions package were granted to other Member States with Russian dependencies. Among them are Bulgaria, Slovakia and the Czech Republic, which were granted either temporary or definite exceptions (Herszenhorn, Barigazzi & Moens, 2022; Reuters, 2022d). To meet the demands of these four Member States, the sanctions only included oil transported by sea, leaving the import of oil by pipeline open (Raddatz, 2022; European Commission, 2022b).

Neofunctionalism

With the begin of the conflict, the EC was fast to come forward with a proposal for sanctions, following a direct Council decision (Council of the European Union, 2022a; Tagesschau, 2022d). While only intending to change Russia's policy on Ukraine and avert from aggressions, economic and financial sanctions were already identified as the EU's best instruments to condemn Russian aggressions before the conflict began (Tagesschau, 2022; von der Leyen, 2022a). It was also the EC which provided the Council with information on which hard measures would be most feasible in restricting Russia (Borrell, 2022). Contrary to the view of Hungarian prime minister Orban, the EC's president said that the consensus found with the European Council was that the EU would decrease its energy dependency on Russia (von der Leyen, 2022b). This would include a "complete import ban on all Russian oil, seaborn and pipeline, crude and refined" (von der Leyen, 2022b). In contrast, Hungarian prime minister Orban perceived the agreement as a commitment to take every Member State's energy mix into account, justifying his blockage of the sixth sanctions package for several weeks until a compromise exempting Hungary from the implementation was found (Orban, 2022; Herszenhorn et al, 2022). The Commission's harsh policy against Russian aggressions can also be is further underlined by its initiative to finance weapons for Ukraine (Tagesschau, 2022f). Meanwhile though, the initiative to use frozen assets to rebuild Ukraine was by individual Member States, as stated above.

Discussion and Conclusion

This study tests the design of sanctions against theories of European integration. The thesis aims to answer the following research question: "How do integration theories explain whose interests drive EU economic sanctions' scope in different situational contexts?". Guided by the three subquestions, this section seeks to answer the research question.

First Sub-question

The first sub-question is: "How does the CFSP's institutional architecture determine sanctions packages?". Considering that the EU's institutional framework provides the possibility for Member States to veto sanctions, Member States for which the sanctions packages go too far are vetoing them or threaten to do it. This can best be seen for example in the Greek opposition to an oil embargo in the Iran case. Also, Hungary's opposition to an oil embargo in the Russia 2022 case provides a similar situation. Their ambitions led to conclusion of sanctions based on the minimum consensus that could be found, the lowest common denominator. This is an intergovernmentalist approach, which determines the outcome of final design of sanctions. The European Commission, the EEAS and the Parliament did not influence the sanctions packages significantly. Though the EC drafts sanctions packages, the imposed sanctions are determined by the Member States. This aligns their institutional powers in foreign affairs under the CFSP. Therefore, neofunctionalism cannot be assumed when considering the CFSP's institutional architecture in the applied sanctions processes.

Second Sub-question

Regarding the second sub-question, "Which actors are dominant in the sanction process?", I find that the actors that determine the policy design and the negotiation process with the target the most, were similar in the three cases, building around France and Germany as the EU's biggest economic powers. In the first case (Iran), this could be seen in their involvement in the E3+3, with the UK and the three non-EU permanent UNSC members along their side. Though the HR/VP was also part of the negotiation team and even giving the E3 the legitimacy to act representative of the EU, this situation is case-specific and does not indicate that the HR/VP is required for legitimacy to be provided as can be seen in the second case (Russia 2014). The third case does not provide enough data at the time of writing to consider negotiations formations and processes. In the first two cases, France and Germany facilitated the building of a profoundly intergovernmentalist structure in the sanctions process.

Next to the negotiating actors, intergovernmentalism can also be found in the forces that support and oppose sanctions. Regarding the Member States that oppose sanctions, mainly southern Member States are found, while northern Member States tend to support sanctions the most. Based on their opposition to sanctions, Greece and Hungary were the ones that profile themselves as important actors in the sanctions processes. Among both countries it is common that finally, they gave in to pressures to impose sanctions as the oil embargoes they blocked were essential in archiving the sanctions goals. That all Member States must finally give consensus to at least a part of proposed sanctions would be a misperception, which is exemplified by the Swedish success in excluding a telecommunications embargo in the sanctions against Iran. Therefore, not only the mere existence of sanctions needs to be recognised, but also what importance these sanctions have in the overall context. In this example, an oil embargo is more important in coercing the target than an embargo on telecommunications. Contrary, the Baltic states and Poland actively favoured sanctions in the two cases against Russia. The first case against Iran does not feature active Member State involvement in favour of sanctions other than the negotiation powers to the same extent as in the last two cases. In all cases, it was the Member States' individual effort to force the Council to decide on a specific position. This came out primarily by sanctions balancing the position of Member States that were for and those that were against strong sanctions. As covered before, also the involvement of the EU's supranational institutions was limited. Therefore, an intergovernmentalist framework is assumed for Member States' dominance in the CFSP.

Third Sub-question

The third sub-question, "What are the motivations of Member States for having a particular stance on proposed sanctions" is answered. Along the cases, trends and general tendencies regarding

the motivations of Member States' approaches to sanctions can be seen. States that are against sanctions emphasise the loss that sanctions would give to their economies, which is mostly visible when oil embargoes are discussed. States that are against sanctions emphasise the loss their economies would face, which is mostly visible when oil embargoes are discussed. While in the Iranian case and Russia 2022 an agreement was only reached after extensive discussions in the Council, the Russia 2014 case was marked by Greek and Hungarian economic relations with Russia in other, also mostly energy-related areas. Also, Sweden had economic reasons to lobby against a telecommunications embargo in the Iran case. It can therefore be said that in general, liberal intergovernmentalist reasons drive Member States to oppose the sanctions by vetoing them or working towards an exclusion of certain measures. Similarly, sanctions against Iran were primarily based on strategic considerations to condemn the Iranian aggressions. Also, human rights played a minor role.

An odd one out is the approach of the negotiators, France and Germany. Though they are the main negotiators in the cases of Iran and Russia 2014, their motivation for mediation, negotiation and also their push for sanctions cannot be explained easily when considering the integration theories. Unlike the Baltic states and Poland, they did not fear an invasion by Russia. Unlike Hungary and Greece, they managed to put possible economic loss aside and focused on condemning aggressions. For their approach, this thesis therefore does not give a comprehensive explanation.

Overall Research Question

Based on the answers to the three sub-questions, the overall research question "How do integration theories explain whose interests drive EU economic sanctions' scope in different situational contexts?" is sought to be answered in this section. As could be seen under the subquestions, the only integration theory which can explain EU economic sanctions against a third country properly is liberal intergovernmentalism. While postfunctionalism can help explain the process how actors push for sanctions and why, the outcome depends on how far single Member States are willing to accept possible economic loss to their economy. Still, the integration theories fail to explain some aspects of the sanctions processes. Most importantly, they do not explain the sacrifice of Germany to actively work towards sanctions while bearing high economic costs. In the negotiating coalitions, the motivations and goals beyond conflict resolution are also not clear. This can only be explained by the perception that the importance of imposing sanctions outweighs the estimated costs of them. When thinking about EU sanctions, we must therefore account for some actors' willingness to act outside their national interest and in the perceived interest of acting for the benefit of the EU. Neofunctionalism is not able to explain the scope of economic sanctions in the analysed cases. Though especially the HR/VP plays an important role in negotiations, it cannot be qualified as acting as an independent agent beyond institutional powers. This theory needs to be further tested, by focusing more intensively on the HR/VP and the work of the Commission and the EEAS.

Limitations

This thesis is subject to several limitations, which mostly relate to the quantity, type and origin of sources that are studied. Considering the importance that motivation plays in answering the research question in light of the integration theories, the research process was marked by drawbacks when only few valuable data could be found. The sources that contributed the most to answering this critical question were published as online news articles on sites related to news to the EU, Euobserver.com and Euractiv. Also, articles by national news agencies and Reuters played an essential part. This limitation was countered by few academic articles considering the EU's foreign policy. most important were those that analysed the role of lead groups in foreign policy (e.g., Alcaro & Siddi, 2021; Orenstein & Keleman, 2017; Fabius, 2016; Czulno, 2022), the role of the Commission and the EEAS (e.g., Helwig & Rüger, 2014) as well as sanctions in general (e.g., Meissner, 2022; Giumelli, 2017; Giumelli et al, 2021). The latter sources were exclusively limited to the first two cases, as academic publications on the current conflict cannot contribute to the purpose of this study.

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