

CHAPTER II

POLARIZATION IN THE EUROPEAN UNION

This chapter will discuss the polarization in the European Union and will be divided into two parts. The first part will contain general information on how sanctions are made in the EU: why does the EU impose sanctions, what are the steps the EU bodies have to undergo in order to produce the suitable sanctions for a certain issue, how many types of sanctions does the EU have and some examples of sanctions, particularly sanctions that are imposed to Russia as a result of Ukraine-Russia conflict, will be provided on the end of this section. The second part of the chapter will focus on polarization, specifically internal polarization, between the EU member states caused by the sanctions which will then be used to identify which sanctions create friction between the member states.

2.1. Sanctions

2.1.1. Generating Sanctions

The European Union puts effort into uniting and integrating all the member states of the Union by making decisions that are impactful not only to its citizens but also to the Union in general. The EU is so concerned with internal matters that almost everything is regulated so that no member states feel like they are inferior or superior to the other. However, the EU also focuses on external matters if world peace is destructed. Promoting peace, its values, and the well-being of its citizens are a part of the Union's goal, so if something that would hinder the EU to achieve its goals happens, the EU would not hesitate to intervene, especially when it comes to violating a certain value that the EU adheres to – the European values.

The European Union, through the Lisbon Treaty effective since December 1, 2009, created the European Values to ensure that every member state of the European Union could promote the “European way of life” to the world. There are six fundamental values: human dignity, freedom, democracy, equality, rule of law, and human rights. These values

are to be held in high regard at all times that it becomes the basis of how the EU acts internally and externally. So, if a state, entity, or individual violates those values and causes instability to world peace, the EU would not hesitate to take proper action. Sometimes, a direct speech condemning a certain action might be enough, but if the conflict tenses, the EU could grant sanctions to constrain the state, entity, or individual to stop the action that is violating the EU's values as well as to instigate a change of behavior from the state, entity or individual, that way the instability of the world peace could be revived.

Sanctions, otherwise known as restrictive measures, are an important and frequently used tool in the European Union's foreign policy (Riegert, 2021). The EU uses sanctions as an instrument to advance its democratization and human rights (Anthony, 2002). To generate sanctions, the EU must turn to a framework designed especially for its foreign affairs, the Common Foreign and Security Policy (CFSP). The CFSP, the base for EU's external relations, is a set of foreign policies agreed by the EU member states that mostly deals with preventing and handling crises as well as peacebuilding (German Federal Foreign Office, n.d.). Consequently, the CFSP agenda is often unpredictable as it depends on the current situation of the world. The European Council, being a key institution in the EU, plays a significant role in this process as it is responsible for determining the Union's agenda. When an agenda is set, the council will set general guidelines for the Common Foreign and Security Policy and that includes defense strategies.

The sanction-making process follows a simpler step than the decision-making process, although both similarly require the work of various bodies in the EU. In the EU decision-making process, the most significant players are the Council of Ministers, the Parliament, and the Commission as the body who makes and takes proposal requests as well as to monitor the implementation of the decisions agreed by the Union in the

member states or other bodies. In the sanction making process, however, there are similar bodies that play a significant role to make sure the sanction making process flows smoothly, but there are also additional players that play a significant role as well, like the Committee of Permanent Representatives (COREPER) and Working Party of Foreign Relations Counsellors (RELEX).

The process of sanction-making begins when the High Representative for Foreign Affairs and Security Policy and any member states with the support of the EU Commission takes initiative to make a sanction proposal. The High Representative for Foreign Affairs, who is also the Vice President of the European Commission, heads the European External Action Service (EAAS) to implement the Union's framework designed specifically for foreign affairs – the Common Foreign and Security Policy (CFSP). Once the proposal is announced by the Political and Security Committee (PCS) and scrutinized by the competent geographical working groups of the Council where the member states' delegates negotiate and decide by consensus who is to be listed and on the basis of what statement of reasons. Once a decision is made, approval by the Committee of the Permanent Representatives II (COREPER II) and the Council is needed. Prior to asking for approval by the COREPER II and the Council, EU member states must negotiate specific and concrete terms of every restrictive measure with the Foreign Relations Counsellors Working Group (RELEX). European External Action Services (EAAS) also enters the picture by making suggestions about what measures are better, who are the targets, and presenting the draft to be negotiated with RELEX.

Once the negotiations are done, the decision for imposing the what, who, when, and where of the sanctions are adopted by the Council by unanimity. Unlike the decision-making process, the role of the Council is deemed important than the Commission's – though it does not erase the fact that the Commission still holds an important role as the body who makes

proposals – because the approval of the Council is needed for the sanctions to be enforced and the Commission exists to enforce economic and financial sanctions, so technically all the bodies are still in an equal position.

Sanctions are aimed to target governments of non-EU countries, entities, groups or organizations, and individuals, which is why the EU has various types of sanctions depending on the issue. In cases of international sanctions, some sanctions overlap other policies and sanction regimes, these sanctions are either combined or co-exist as a way to reach the maximum effectivity of the sanctions to show the seriousness of the issue and instigate a change of behavior from the target (Biersteker & Portela, 2015).

There are three types of sanctions in the EU that are combined or co-exist with other sanction regimes: the EU as an implementer of UN sanctions, mixed “supplementary” sanctions, and autonomous sanctions. On the first type of sanction, as an implementer of UN sanctions, it is important to shed light on the fact that both the UN and EU have similarities in the fact that all sanctions must be implemented by all member states. In the UN, all sanction measures are written in the UN charter and in the EU, through a Council decision under the CFSP and a regulation. In this case, all measures the EU has taken are directly implanted in the UN sanctions, or in other words, the EU will implement the sanctions adopted by the UN Security Council (UNSC). Examples from this type of EU sanctions are the sanctions given to Lebanon and the Central African Republic (CAR).

The second type of sanctions is mixed or supplementary sanctions, where the EU gives additional measures to further strengthen the UN sanctions and is mostly based on UNSC resolutions. Examples of this type of sanctions are the sanctions that are given to Iran and Libya. Last but not least, the last type of sanction is the autonomous sanction, where the EU could generate their own sanctions by initiative in cases where there is an absence of UN sanctions. The sanctions are made if the EU notices a decline in world peace and a violation of its goals or values that the EU adheres to,

as was stated at the beginning of this chapter. Examples of this type of sanctions are the sanctions given to Russia and Myanmar/Burma.

Additionally, the EU also creates sanctions targeting a specific policy and area, depending on how serious the situation is. When the sanction is aimed at a specific policy, the EU sanctions could target issues such as terrorism, human rights violations, the annexation of foreign territory, and many more. However, when it comes to sanctions that target specific areas, the EU sanctions could cover both broad and narrow areas. A sanction that targets a broad area would be a diplomatic sanction, where the sanctions are used to politically disengage from the targeted country and are tantamount to isolating or delegitimizing regimes (Maller, 2010). A narrower and possibly impactful sanction would be arms embargoes and economic sanctions. Arms embargoes are used to terminate the use of arms and military equipment by people who are likely to use them to pressure certain people or aggression against a foreign country. This sanction is implemented in two ways: prohibiting the marketing of all arms and military equipment and prohibiting the financing or giving assistance to the production of the equipment. The economic sanctions may be linked to all other sanctions because ultimately when any of the sanctions are applied, the economy of the targeted country would be at risk of declining. This simply means that imposing economic or financial sanctions might be the most effective choice the EU could grant to its targets considering the economic significance the EU holds.

CFSP sanctions would not have existed had it not been for the signing of the Maastricht Treaty in 1992. It was through the Maastricht Treaty that the Common Foreign and Security Policy was set and created a balance of power between the member states and the EU. Prior to the signing of the Treaty, EU institutions could only implement UN sanctions while the member states could impose their own versions of sanctions. Before the treaty, there were no shared rules member states must follow when it comes

to sanctions, causing the member states to become divided and stagnate the decision-making process between the institutions (Papadopoulos, 2012). After the signing of the treaty, member states have limited ability to impose individual sanctions. Today, when implementing the sanctions, the EU could decide if they want to follow a UN measure, a mixed sanction regime (where the EU applies its measures in addition to the UN measures), or a completely autonomous sanction. There are more autonomous sanctions produced since the EU could do it on their own terms, based on the values they see fit.

As a case in point, the EU managed to issue a restrictive measure – arms embargoes – specifically used for limiting the usage of weapons as well as banning trade activity between the EU and the state that is targeted. Arms embargoes are a restrictive measure applied to prohibit the use of weapons or “dual-use technology”. Its purpose is to terminate the use of arms and military equipment by people who are likely to use it to pressurize a certain group or does aggression in a foreign country or even in their own country.

An example of a country the EU imposed its arms embargoes restrictive measures to is Belarus, where the Union continues to prolong its restrictive measures that have been implemented since 2004, 2006, 2011, and most recently, 2020. The arms embargo restrictive measures were given in light of the 2020 Belarusian presidential election, where President Alexander Lukashenko was re-elected yet again for his sixth term in office, which sparked protests not only by the people of Belarus but also by Lukashenko’s opposition, Sviatlana Tsikhanouskaya who accused Lukashenko of election fraud. The election results were met with mixed responses from the international world – mostly negative – especially in the eyes of the EU who refuses to recognize the results as it was neither free nor fair. The election results were also met with negative responses by the people of Belarus, which caused protests to happen. The peaceful protests

gained international attention when state authorities responded with violence, causing two deaths, many injuries, and many people to be detained, which was later known that the people who are detained were tortured, sexually abused, and raped (Zlobina, 2020).

This clearly violates the EU's European Values, which is why the EU introduced the arms embargo restrictive measures targeting authorities and people who support Lukashenko's regime who are responsible for internal repression of peaceful protesters, opposition members, and journalists. The restrictive measure prohibits the trading of arms and equipment that could be "used for internal repression". The EU is not a new player when it comes to giving restrictive measures to Belarus. Belarus has seen EU restrictive measures since as early as 2004, but the arms embargo restrictive measure was implemented in 2006 and 2011, following the presidential election results which re-elected Lukashenko for the fourth and fifth term at the time. As time goes, the EU tried to ease the restrictive measures towards Belarus, seeking better relations with Lukashenko, and was careful not to provoke intervention from Russia, but the cycle is always repeated every time presidential elections are in full swing (Emmott, 2020). EU's restrictive measures towards Belarus are the most significant autonomous sanction since it has been prolonged for many years and will probably continue to be so if the situation is always the same.

The EU, as with other organizations, introduces many kinds of sanctions and it is not always directed generally but it could also be directed to individuals who have shown misconduct. Among the many kinds of restrictive measures directed to individuals, the EU uses asset freeze, usually combined with travel bans, to make a person or an entity dispossess their economic resources to frustrate the target (Champigny, et al., 2016). Asset freezing is usually used for people or entities that pose the threat of terrorism. In this case, the EU implements an asset freeze and travel ban restrictive measure in light of the 2020 presidential elections in Belarus. The

asset freeze and travel ban restrictive measures were introduced by rounds in the EU: the first round included 40 individuals, the second round 14 individuals including the President, Aleksander Lukashenko and his son Viktor Lukashenko, who is the President's son as well as the national security adviser and lastly, 36 people were subject to the asset freeze and travel ban on the third round making a total of 90 people. The restrictive measures were targeted towards high-level officials who are responsible for the repression of peaceful demonstrators, opposition members, and journalists as well as the people who were responsible for election results falsification.

The asset freeze is also effective towards economic actors, businessmen, and any actors who show support towards the Lukashenko regime. Before the asset freezes were given as a result of the chaotic Belarusian presidential election, the EU has already implemented an asset freeze and travel ban in 2004 to the people who are directly responsible for the unresolved disappearances of four people: Yuri Zakharenko, former Minister of Interior who disappeared on May 1999; Victor Gonchar, former Vice-President of the Parliament of Belarus and Anatoly Krasovski, a businessman, both disappeared on September 1999 and Dmitri Zavadski, a cameraman for a Russian TV channel ORT who disappeared on July 2000 (Committee on Legal Affairs and Human Rights, 2004). The people who are responsible for the disappearances and later the death of Zakharenko, Gonchar, and Krasovski are those who are hand-picked in the Rapid Response Unit (SOBR) of the Belarusian military. The individuals who are listed on the asset freeze and travel bans regarding this incident was based on a report of a special investigator, Christos Pourgourides, who was the member of the Council of Europe's General Assembly representing the Cypriot Conservatives, who describes the SOBR as a "death squad led by Pavlichenko" and believes that the president of Belarus, Aleksander Lukashenko, was also directly involved in the kidnapping and assassination of the people (Trippe & Sotnik, 2019). It is known that the mission was

verbally commanded by Dmitri Pavlichenko, who was the lieutenant colonel as well as the founder of the SOBR. Additionally, all the people who are listed on the asset freeze and travel ban restrictive measure are subject to restrictions on admission, where in respect to the Council Decision 2012/642/CFSP, are prevented to enter or transit through the territories of the EU member states.

When asset freeze, restrictions on admission (travel ban), and arms embargoes are not enough to halt the target's actions, the EU could opt for financial or economic sanctions to give all the more effect to the target so that the target would know that their actions come at a cost. Imposing financial restrictive measures might be the most effective decision the EU makes considering the EU's economic significance as well as the huge impact it would have on the target's economic condition. The impact could be worse since financial and economic restrictive measures must be applied by everyone, ranging from the member states to businesses.

Several countries have felt EU's financial and economic sanctions, but amongst them all, Syria is one of the countries the EU imposed restrictive measures upon rapidly – it took the EU less than a year to implement all the restrictive measures the EU has ever made towards Syria, mainly targeting the Syrian government which has been chaotic under Bashar al-Assad's regime. There are many forms of financial sanctions given to Russia, ranging from the prohibition of assistance by the European Investment Bank to the ban on oil and petroleum products from Syria to a ban on cargo-only flights and export of certain goods like luxury products, gold, diamonds, and precious metals. Additionally, member states are not allowed to be in a committed relationship with Syria to prevent from giving loans or financial assistance to Syria (Portela, 2012). These autonomous restrictive measures given by the EU to Syria has impacted the country in some way, however, the EU's decisions of imposing a financial restrictive measure is a disadvantage to the ordinary citizens who are seeking to rebuild

their lives in the country since the government (mainly Bashar al-Assad) shows no interest of leaving office.

Another form of restrictive measure the EU implements through the CFSP is the inspection of vessels or cargo to and from a certain state to make sure it does not carry the prohibited items decided by the EU. The EU implements this restrictive measure to a few countries, Libya in particular, because of the grave condition of the state at the time. As a result, military vehicles and equipment, paramilitary equipment, and all other equipment in general that could be used for internal repression in Libya are not allowed to enter the member state's territory and if it is discovered that the vessel, aircraft or cargo carries the prohibited items, it would be immediately confiscated by the EU member states. Furthermore, the EU also implements vigilance as a restrictive measure, in light of the dire situation in Libya. This means that all EU member states, including their citizens and companies, are required to practice vigilance when doing business with Libya to make sure to prevent conflict from happening to the EU as well as to not contribute to the situation in Libya.

2.1.2. The Dimension of EU Sanctions to Russia

One state that caught the attention of the European Union is Russia because of its actions towards Ukraine. As was stated in the first chapter, Russia and Ukraine have not been on good terms since 2013, but practically Ukraine has never lived in peace since it officially became independent from the Soviet Union in 1991 because Russia was not in favor of Ukraine's independence. The conflict between the two states began when Ukraine seemed to be on the verge of signing an Association Agreement with the European Union, which caused Russia to take action by changing its customs on imports from Ukraine resulting in the rates of Ukraine's exports to drop (Interfax Ukraine, 2013). This conflict became one of the biggest events in Ukrainian history, now known as Euromaidan, as it is a time where the Ukrainian people gathered in Ukraine's capital, Kyiv, to protest. The

peaceful demonstrations turned into three months of confrontation between civilians and Special Forces. As a result, dozens of people were killed and a thousand others injured during the event in the city's central, where Euromaidan got its name from, *Maidan Nezalezhnosti* or Independence Square.

The initial cause of the deadly protest started when Ukraine's pro-Russia President Viktor Yanukovich's abrupt decision to end talks about Ukraine-European Union Association Agreement. The Association Agreement has been in talks since 2007, far before Viktor Yanukovich was elected as president, where the EU and Ukraine had agreed to a new enhanced agreement to replace the Partnership and Cooperation Agreement. It was during the EU-Ukraine Summit in 2008 that both parties decided to name the new agreement to Association Agreement. The signing of the Association Agreement would mean a closer partnership between Ukraine and the EU and would help to make Ukraine satisfy EU standards that would then help Ukraine's accession to the Union. Things took a left turn after Viktor Yanukovich was elected as president in 2010 and even worse in 2011, when Yulia Tymoshenko, his opposition during the election as well as the Prime Minister of Ukraine at the time was arrested for abuse of office. Following the incident, the EU refused to continue talks regarding the Association Agreement with Ukraine unless it stated that there was a deterioration of democracy and law enforcement, which includes the imprisonment case of Yulia Tymoshenko and Yuriy Lutsenko (Kyiv Post, 2012). President Viktor Yanukovich urged the parliament to adopt laws so that Ukraine would meet European Union's criteria, however, the Communist Party of Ukraine was pessimistic about the Association Agreement and did not believe that Ukraine would negotiate well nor commit to the agreement (Kyiv Post, 2015). This led to Yanukovich refusing to sign the agreement with the EU and opted to have better relations with Russia instead, this incident is the fuel to the fire of the protests which then led to the collapse of the government and Yanukovich's fall.

Yanukovych was welcomed in Russia, but this point in time marked the deterioration of relations between Ukraine and Russia and as if that was not enough, Russia annexed Crimea in 2014, a peninsula that is part of Ukraine but the majority of the residents are ethnically Russian.

Crimea is formally a part of Ukraine since the 1950s, but it is an autonomous republic that has its own parliament and constitution. The majority of the people living in Crimea are Russian, which is why the language used in the area is Russian. Crimea has always maintained strong ties with Russia and even participated in the election when pro-Russian Viktor Yanukovych was the candidate. It was only after the protests in Kyiv that is followed by the downfall of Yanukovych that the people of Crimea made it clear that it wanted Russia's assistance instead of Ukraine's through a referendum that was seen as illegal by both the EU and the US, even Crimeans loyal to Kyiv boycotted the referendum. Since then, Crimea does not implement Ukrainian laws and instead uses Russian laws.

The annexation of Crimea was done earlier in the same year, 2014, by a group of soldiers without insignia and wore Russia's combat uniform. This group of soldiers was given the name 'little green men' by the Crimeans. Ukraine had suspected that it was Russia who was behind this, but Russia's president, Vladimir Putin, denied that it was Russia's soldiers. However, weeks later, Putin admitted that the 'little green men' were in fact Russia's soldiers and even praised them for successfully annexing Crimea (Pifer, 2018). Moreover, Putin justifies the act of annexing Crimea as a way to protect ethnic Russians threatened by violence from Kyiv. Crimea and Kyiv's relationship is mostly troubled because Crimea is an autonomous republic that identifies itself as Russian more than Ukrainian since the majority of the citizens residing there are Russian.

As if annexing Crimea was not enough, Russia showed support to the separatist movement in Donbas by providing the people of Donetsk and Luhansk with the weapons needed for the movement to be successful. In the

same year, specifically in July 2014, a Malaysian Airlines flight MH17 flight was shot down near the Donetsk area, where the separatist movement that was backed by Russia was in full swing. The flight was en route from Amsterdam to Kuala Lumpur, carrying 298 people – all of whom are dead instantly as it is believed that the plane broke mid-air before crashing on a sunflower field in Eastern Ukraine (BBC, 2019). Many suspected that it was Russia who is directly responsible for this incident, however, some also believed the possibility that it was the rebels who fired the missile but it was highly unlikely since the rebels in the conflicted area would not have had the expertise to target the airplane which could hardly be seen from below.

As the investigation commenced, in 2015, it was confirmed that the plane had been hit by a *Buk* missile, making Russia a number one suspect as the plane was shot down near a territory full of Russia's soldiers as well as a place with casualties that is resulted from the separatist movement. Russia, as always, denied involvement in the incident, however, a Dutch-led international investigation team found that the missile “originated from the 53rd Anti-Aircraft Missile Brigade from Kursk in the Russian Federation” (Birnbaum, 2018). Though it is proven that Russia is involved one way or another in the downing of MH17, it continues to deny that it was indeed their wrongdoing but in 2019, the Dutch-led international investigation team named four people – of which three are Russians and one Ukrainian – who organized the shooting of MH17. Sergey Dubinsky, Oleg Pulatov, Igor Girkin, and Leonid Kharchenko are to face trial in the Netherlands, but none were present at the time of hearing and the possibility of getting the four people to be present at court would be a challenge since Russia does not extradite its citizens and has always questioned the legitimacy of the investigation (AlJazeera, 2020).

Russia's actions towards Ukraine are condemned by many countries, especially the European Union since it clearly violates European Values, especially human rights and democratic values. Now, Ukraine is

important to the EU as much as it is important to Russia, but it would not have been the same had the crisis happened 20-25 years earlier, the member states did not see the importance of making Ukraine a priority considering its distance from the EU and also it is placed within close proximity to Russia but even then the EU and Ukraine had relations, though it was based on the Partnership and Cooperation Agreement of 1998. When the EU saw changes coming from Ukraine through Orange Revolution in 2004, it gave Ukraine another chance (Mankoff, 2010). Ukraine was allowed to access the EU's internal market under the European Neighborhood Policy as well as the Eastern Partnership Initiative (EaP). This is where the EU considers Ukraine a priority partner, as Ukraine is one of the six countries that is included in the EaP. Things took a turn when Viktor Yanukovich was president, making the EU less confident about keeping good relations with Ukraine, nonetheless, the EU continues to encourage Ukraine to follow EU's standards but at the time it was challenging as Yanukovich was pro-Russia and would much rather satisfy Russia than the EU. When deciding whether or not to give Ukraine a chance, the EU member states' decision relied on historical experience, national interests as well as the geographical position of Ukraine that led to a division between all the member states.

In general, the EU believed that Ukraine would gradually become a well-governed democracy that would then make it possible for Ukraine to be a part of the EU, but the member states have a different train of thought on this matter. One bloc wanted the EU to sign the Association Agreement with Ukraine, despite being under a pro-Russia president at the time to avoid Ukraine getting under the hands of Russia and become a part of the Eurasian Customs Union. Another bloc agreed that the signing of the Association Agreement between EU-Ukraine should still be done but only under the condition that Ukraine meets all of the EU's standards. The third bloc has mainly the same decisions as the second bloc, only this time it was emphasized that it was hesitant about keeping close relations with Ukraine as it is not a stable, well-governed country and was still near Russia and

being friendly towards a state that is close to Russia could be a threat to the EU, specifically EU integration (Shumylo-Tapiola, 2013).

For the EU, the issue about Ukraine is not so much about the state itself, but more about the EU enlargements and Russia. That being said, it does not erase the fact that Ukraine is still a significant partner for the EU and as an example, Ukraine's participation in the 5+2 talks that includes Moldova, Transdnistria, OSCE, Russia, Ukraine, UE, and the US to settle down a conflict between Moldova and the internationally recognized as part of Moldova breakaway region, Transnistria, was proof that Ukraine is capable of working together with the EU. So even though Ukraine caused a debate between the EU member states at first, eventually Ukraine proved itself worthy of EU's attention, and when the crisis happened, the EU stepped in by adopting a package of restrictive measures towards Russia in 2014 and is still in force until now because as European Council President Herman Van Rompuy said, "We want a solution in full respect of international law and the territorial integrity of countries. The situation must de-escalate – and failure by Russia to do so will have serious consequences on our bilateral relationship."

Since Russia annexed Crimea in 2014 and left Ukraine in a state of chaos, the EU as a whole has agreed to condemn its actions and imposes sanctions in hopes Russia would change its behavior towards Ukraine. Carrying that optimism, a goal to promote peace and protecting Ukraine as the EU's priority partner, the EU introduced a variety of sanctions ranging from arms embargoes to diplomatic sanctions.

Arms embargoes are used to terminate the use of arms and military equipment by people who are likely to use it for the sole purpose of pressurizing certain people or does aggression against a foreign country. This sanction is implemented in two ways, by prohibiting the marketing of all arms and military equipment and also by prohibiting the financing or giving assistance to the production of the equipment. An arms embargo may

be used to limit the actions of a state that could cause conflict or violence on others and it could also be a strong signal of disapproval of a certain actor's behavior. As a fact, in a region called Donbas, pro-Russian separatists from Donetsk and Luhansk self-declared independence from Ukraine. Russia, being more advanced in terms of military strength than Ukraine used heavy weaponry to back separatist forces in Eastern Ukraine to maintain their independence, causing thousands to die and a thousand others injured.

The implementation of the arms embargo in Russia means that the EU member states are prohibited to be involved in the supplying of arms and services to Russian militaries unless there are contracts that are signed before August 1, 2014. Furthermore, transporting or financing arms and dual-use goods that will be used by Russia are also prohibited, including exported items, which will be re-exported from Russia to another country. The same rules are applied to imported items. In addition to a ban on the arms trade, a total of nine companies that produce military arms are also prohibited (shown in figure 2.1.).

Table 2.1: List of Russian Companies Prohibited by the EU

NAME	DATE OF DESIGNATION
JSC Sirius (Optoelectronics for civil and military purposes)	08.09.2014
OJSC Stankoinstrument (Mechanical engineering for civil and military purposes)	08.09.2014
OAO JSC Chemcomposite (Materials for civil and military purposes)	08.09.2014
JSC Kalashnikov (Small arms)	08.09.2014
JSC Tula Arms Plant (Weapons systems)	08.09.2014
NPK Technologii Maschinostrojenija (Ammunition)	08.09.2014
OAO Wysokotoschnye Kompleksi (Anti-aircraft and anti-tank systems)	08.09.2014
OAO Almaz Antey (State-owned enterprise; arms, ammunition research)	08.09.2014
OAO NPO Bazalt (State-owned enterprise, production of machinery for the production of arms and ammunition)	08.09.2014

Source: EU Sanctions Map Category: Russia

Imposing economic or financial sanctions might be the most effective choice the EU could grant to its target considering the economic significance the EU holds. The economic sanctions may be linked to all other sanctions because ultimately when any of the sanctions are applied, the economy of the targeted country would be at risk of deteriorating in numbers. Unlike the other restrictive measures, the economic and financial restrictive measures must be applied by everyone, be it EU nationals or non-EU nationals as well as others who operate businesses outside of the EU but are based in one of the EU member states.

The economic and financial restrictive measures given to Russia target the sectors of finance, energy, defense, and dual-use goods. First, the effect on the finance sector is in the form of a ban on lending money to state-owned banks (shown in figure 2.2.), making Russian businesses difficult to access loans from other countries and hinder investments. The EU prohibits the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD) to lend money to Russia.

At the time or near the time the sanction was imposed, Russia's economy was in a slump because there was a 75% drop in the price of crude oil (Russell, 2018). The decline in the price of crude oil and the EU and US sanctions at the time were highly impactful to Russia's economic condition. The effect on the defense and dual-use goods sector is somewhat linked to the arms embargo because it focuses on banning the arms trade with Russia and other related entities that produce military equipment. Lastly, in the energy sector, there is a ban on extractive technologies used by Russian companies and limiting the scope of the work of other energy-related exports by requiring special approval from the EU. The economic and financial restrictive measures "hurts" Russia the most because it gave a huge impact on Russia's economy in such a short time as it coincided with a drop in crude oil prices and a decline in the Rouble, the country's currency (Dreyer & Popescu, 2014).

The economic and financial restrictive measures are effective until January 31, 2021, but it is due to be renewed every 6 months if the Minsk agreements are implemented. The Minsk agreement was made as a guide to ending the chaos happening in Eastern Ukraine. Other than issuing sanctions, the European Union also facilitated dialogues and even aligned the sanctions with the Minsk agreement, or also known as the Minsk Protocol. The first Minsk Protocol was signed in September 2014 to put an end to the war that is happening in Donbas, a region in the eastern part of Ukraine. The agreement was short-lived because it was only implemented up until January 2015. However, a second Minsk Protocol was signed in February 2015 to revive the first Minsk Protocol, with the optimism of it being successfully implemented, but until 2019, the existence of the two protocols did not significantly change anything than just less intensity and fewer casualties (Peters & Shapkina, 2019).

Table 2.2: List of Russian Banks Subject to EU's Financial Restrictive Measures

NAME	DATE OF DESIGNATION
Sberbank	31.07.2014
VTB Bank	31.07.2014
Gazprombank	31.07.2014
Vnesheconombank (VEB)	31.07.2014
Rosselkhozbank	31.07.2014

Source: EU Sanctions Map Category: Russia

Table 2.3: List of Russian Aerospace, Machine and Oil Companies Subject to EU's Financial Restrictive Measures

NAME	DATE OF DESIGNATION
OPK Obromprom	08.09.2014
United Aircraft Corporation	08.09.2014
Uralvagonzavod	08.09.2014
Rosneft	08.09.2014
Transneft	08.09.2014
Gazprom Neft	08.09.2014

Source: EU Sanctions Map Category: Russia

There are also restrictions on business transactions in the conflict zones in Ukraine, Crimea, and Sevastopol, where the EU bans the import and export of goods from the territory as well as a ban on tourism services in Crimea and Sevastopol. In contrast to the economic and individual sanctions, this restrictive measure is renewed every year to not cause the economy of Crimea and Sevastopol to strike down rapidly.

Diplomatic sanctions are sanctions used to politically disengage from the targeted country and are tantamount to isolating or delegitimizing regimes (Maller, 2010). In the case of Russia, the EU implemented diplomatic sanctions as soon as it was decided. At the time, the EU had two agendas with Russia: a bilateral summit and a G8 meeting. The bilateral summit which was supposed to be held to talk about visas and new agreements between the EU and Russia was canceled. Moreover, the G8 meeting that was supposed to be held in Sochi, Russia was canceled, instead, it became a G7 forum consisting only of Canada, France, Germany, Italy, Japan, United Kingdom, United States, and the EU and was held in Brussels

and it has remained that way for now. Although Russia was temporarily suspended from the G8 meetings as a result of the illegal annexation of Crimea, it has no intention to re-join the bloc and instead seeks participation in G20. In addition to the cancellation of the G8 summit, the Organization for Economic Co-operation and Development (OECD) halted Russia's accession to the organization and instead focuses more on OECD-Ukraine cooperation to put into use OECD's expertise in the challenges the Ukraine faces (OECD, 2014).

Asset freezes are used to make a person or an entity dispossess their economic resources to frustrate the target (Champigny, et al., 2016). Asset freezing is usually used for people or entities that pose the threat of terrorism. The rapid development of the internet that provides convenience and accessibility resulted in the "global village" phenomena, which puts individuals and companies at advantage since purchasing and moving goods could be done easily. This freedom of accessibility and convenience is what makes it necessary for global coordination against the financing of terrorism and the participation of entities such as banks.

The EU's asset freeze and travel restrictions are effective to 177 individuals and 48 entities because of their threat to Ukraine's territorial integrity, sovereignty, and independence. As a result, the individual's assets that are EU based are frozen and there is no access given to these funds and on top of that, the individuals that are sanctioned are not allowed to travel to the EU. Similar to the economic and financial restrictions, asset freezes and travel restrictions are renewed every six months, with the current one expiring on March 15, 2021.

Imposing a number of sanctions to a state that would not back down is a challenge, but it is even harder when the internal condition of the decision-making bodies are polarized because the sanction will, in some way or another, also affect the member states that are close to Russia. This is why, even though imposing sanctions is a unanimous decision between

member states through the Council of Ministers, polarization could happen because apparently not all member states approve of giving sanctions to Russia for different reasons.

2.2. Overview of Polarization in the EU

Polarization is the act of dividing something, especially something that contains different people or opinions, into two completely opposing groups. The possibility of polarization happening in an organization or anywhere for that matter depends on the composition of the organization or the entity. A more heterogeneous organization has more possibility of being polarized than a homogeneous organization. The more the heads, the more efforts must be put to unite one another to prevent polarization from happening. The EU has already proven this point true, ever since the enlargements that led to the total of 28 member states, there is more effort in integrating the member states together by making uniform regulations, making sure all member states have representatives in the body, making sure all member states have their fair share and experience in being the president of the Council and many more. Even though the Union has put that much effort in preventing polarization from happening, polarization is inevitable in such a heterogeneous environment because every member states have their own interests and want to contribute to the EU in their own way. Though the EU is polarized, this might not be the case when it comes to each member state since the ones responsible for making rules is the state itself, so the rules and decisions made are tailored to the liking of the states.

Heterogeneity is mainly the reason for the occurrence of polarization, especially since the EU has enlarged and became an organization of 28 member states and most probably still counting because more countries are eager to join the union. A more heterogeneous organization has more possibility to become polarized, as was stated in the previous paragraph. Polarization is bound to happen in a heterogeneous environment and throughout the years, the EU has seen and had to overcome many challenges that threaten their unity. The threat comes in the form of disintegration that results from many different things, one of them dissatisfaction,

because some member states may feel excluded. In sum, it could be said that the EU is not new to seeing its member states polarizing because of a certain issue, and the polarization in the Russia-Ukraine conflict will certainly not be the last time the member states will be polarized. Similarly, the EU is also not new to efforts in integrating all of the member states so that there is one regulation and laws all member states must comply and that will help in ensuring all the member states are equal.

Polarization could also happen because of an unequal distribution of power. While it is expected that all member states work together to gain a unanimous decision on a certain issue, the reality is that there are states that have more influence in the EU. States with abundant resources like the United Kingdom, France, and Germany – sometimes known as the Big Three – are more known because the EU is not their only playground, they are also active participants in other international organizations. The Big Three makes other member states overlooked not just because of their influence in the EU but also because of their power – mostly economic power – which gives them the freedom to actively participate anytime they can. While the ‘Big Three’ could make the most out of their membership in the EU, other member states like Greece, Cyprus, and Italy have shown dissatisfaction towards the EU because their interests are not taken into account as much as the bigger states.

For Cyprus, one of the member states who has a dispute with Turkey that dates back to the 1970s, their dissatisfaction with the EU lies in the fact that the EU does not help in providing a solution to the dispute between the two states. The issue seems to be overlooked with other bigger issues probably because Cyprus is a small state that lies far from the center of the EU ‘powerhouses’ that is located mostly in the north of Europe. In another case, Greece, which is one of the member states who was hit hardest by the financial crisis that also affected Cyprus, is dissatisfied with the way the EU handles the crisis. Despite giving bailouts together with the IMF, the EU did not help them solve the crisis, instead, it made the situation worse because the bailouts and the austerity measures go hand in hand. As a result,

Greece's debt increased, the condition of their citizens is worse and they have yet to recover from the crisis to this day. These are just some examples of the stark differences of the experiences faced by the smaller and less significant EU member states. These stories prove that no matter how much effort the EU puts into integrating the member states if the spotlight is still given to the more influential member states while neglecting the interests of other member states, the effort would go to waste. Instead of seeing an integrated EU where all the member states are equal, the EU would see a disintegration that comes from the imbalances of satisfaction which would cause the particular member states to become less attached and finds less reason to comply with the EU's rules and regulations.

Polarization is not a new thing in the EU. In fact, the phenomena of polarization can be found even before the EU was inception in the form of a Pan-European movement. The Pan-European movement, which came to life in the 1920s, brought the idea of a unified European State and one example of the movement was the making of a United States of Europe (USE) or otherwise known as the Federal States of Europe (FSE). The existence of the FSE is not only beneficial to the citizens in the region, but also to Europe because it would be seen as an entity and it allows the EU to have more political power, thus having more influence in the international world. Moreover, the FSE was hoped to diminish the 'tension' between North and South Europe to make the citizens feel as though they are united. That was how the motto of the EU, *In Variate Concordia*, meaning "United in Diversity", came to life. Although there were many who supports the formation of the FSE, there were others who did not agree with the movement, one example is the United Kingdom. From Britain's point of view, the formation of the FSE means there would be laws and regulations that must be implemented, and not all member states will want to conform to a 'universal' regulation and law simply because not all member states have similar preferences and condition. If there are a variety of regulations that must be complied with but are not suitable for all the member states, the economic conditions of these countries will be hampered and eventually, the growth in the region will not match the expectations of the leaders. In other words, it could be said that forcing member states to integrate while there

are differences in the condition of the member states is counterproductive because eventually the member states who does not feel like they fit in the EU's rules and regulations will gradually disengage and that would cause disintegration because the member states no longer want to make an effort in following the EU's rules and regulations.

Various issues have caused polarization in the member states of the EU, one example is the Schengen Crisis that happened due to the influx of refugees and migrants since the mid-2010s. The Schengen Area is composed of 26 European countries – mostly EU member states with a few non-EU European countries – that does not implement restrictions on their borders, which is an advantage for European citizens and tourists alike because it allows them to move freely within the area without using passport or visa. The case, however, is very different for refugees and migrants as they could not just cross borders without identification because they would be counted as illegal.

Since the Arab Spring erupted in the mid-2010s, many refugees were searching for a better place to live. One example is Syria, where the war started in 2011, causing Syrians to be displaced. Some moved to other parts of the country, but others fled abroad. They were accommodated in neighboring countries but as the years pass by and there were no signs of the war coming to an end, they diversified their route and made their way to Europe, to live in Europe. At first, the people used a land route from Turkey to Bulgaria, but Bulgaria built a fence, forcing the refugees to look for another way and that is through the Aegean Sea to Greek Islands. Some North Africans also migrated to Italy. As the destination for thousands of refugees, Greece and Italy have to carry the burden to accommodate the refugees while at the same time making sure that their citizen's needs are well met. The EU had seen this coming but only took action after an incident where 800 people drowned off the coast of Libya on the way to Europe. The European Commission (EC) made a proposal called the European Agenda of Migration that results in a relocation scheme that was introduced to ease the burden from Greece and Italy. The relocation scheme is used to distribute people who need international

protection to all member states. The decision was made by majority vote, but Hungary, Slovakia, Czech Republic, and Romania voted against the decision, Finland abstained and the UK and Denmark opted out but agreed to participate in resettlement and aid assistance.

The implementation of the decision – the relocation scheme – polarized the member states. From here, it is apparent that it is not only the EU who was underprepared to accommodate the massive amount of refugees, but also the member states. This could be proven through the relocation scheme, where the member states who do not clearly state their objection to the decision took in the refugees to their states, with Germany, France, and the Netherlands being the top three member states with the most amount of relocated refugees. On the other hand, the member states who have an objection, who opposes the relocation, took in little to no refugees. Three EU member states, Poland, Hungary, and the Czech Republic broke EU laws by refusing to take their share of asylum seekers in 2015 (Zalan, 2020). For Poland and Hungary, the main reason was to protect their people from outsiders, so as to not create chaos in their states (Cienski, 2017). The member states are polarized in this matter because on one hand, they want to uphold the European values that include human rights, and people who are seeking refuge for better lives is a human rights issue. On the other hand, however, some member states seem to be concerned with the fact that agreeing to relocate refugees to their own states could create an internal disorder because their citizens might not accept people from different cultures due to anti-immigrant sentiments and the rise of xenophobia and the refugees would have to adapt to the new environment in the particular member state.

Another example of an issue that has been a challenge for the member states to get a unified stance on is the Israel-Palestine Conflict that has been ongoing since the 1940s. This particular issue is complex because both Israel and Palestine have their own defense forces that cause casualties and although the EU claims that the amount of casualties is unacceptable, the responses of each member state are different. As a matter of fact, out of 28 member states, only a few member states

recognizes Palestine and are critical of Israel (Herszeshhorn & Momtaz, 2021). Countries like Sweden, Belgium, Ireland, and Luxembourg are known as member states that are most critical of Israel. On the other hand, countries in Eastern Europe like Hungary, Romania, Bulgaria, and the Czech Republic place their support towards Israel more than Palestine. Cyprus and Malta used to place their support of Palestine, before entering the EU, but their position shifted after they became part of the EU. Cyprus' shift in their stances on the conflict is due to their tension with Turkey, which has been ongoing since the 1970s. France tends to claim that they are neutral on the situation, but the reality is that they side more with Israel mainly because they are concerned with Israel's internal security that is threatened because of Hamas.

From the few examples, it could be said that the stark difference in numbers between EU member states who supports Palestine and those who support Israel is due to the fact that Israel and Europe share more similarities in general than Palestine and Europe. In fact, the Jewish religion has been a part of the European culture in many fields – art, history, and literature to name a few – and the existence of the Jewish culture also marks the fact that Europe is a multicultural region (Terpan, 2010). This leads to the fact that the EU and Israel enjoy a generally positive relationship economically although politically it is strained because of the Palestine-Israel conflict. Nonetheless, the EU and Israel have reached a high level of development in relations, proven by the fact that Israel is a part of the European Neighborhood Policy (ENP), the Euro-Mediterranean Partnership, and the Union for the Mediterranean. The relationship between the two entities, Israel and the EU, is set by the 1995 Association Agreement.

Over the years, the EU has been trying to find a solution that benefits both Israel and Palestine and also how best to put an end to the attack by terrorist organizations on Israel. That being said, the EU finds itself in a bind in the sense that it cannot take a unified stance on Israel because of two reasons: the fact that there are a violation of human rights issues and Israel's security. For reason number one, the conflict between Israel and Palestine has resulted in both states having their

own defense forces who has their own ammunitions, and every time both states attack each other, there are a number of casualties, usually resulting in the death of children and destruction of houses on the Palestinian side. For reason number two, Israel demands strong support from the EU (and Europe in general) because their internal territory is being bombed by Hamas and it threatens their territory. Israel does not want the EU to take a balanced response because the situation is not at all balanced (Herszeshorn & Momtaz, 2021). Israel has said that they will not stop until they put an end to Hamas' attack on Israel's territory.

In line with the EU's disability to take a unified stance on the Palestine-Israel issue, there is a growing distrust between Israelis and Palestinians alike (Landale, 2019). For the Israelis, EU's funding is not lent adequately and sometimes it ends up in the hands of the Palestinian terrorist organizations and that is highly alarming for the people. In contrast with the Israelis, Palestinians find that the EU is not fully committed to giving actual solutions to the conflict, especially on the two-state solution. If the EU is committed to a two-state solution as they claim to be, the member states have to start by recognizing Palestine, which is not the case for many EU member states. Some member states have gone to defend only Israel's rights while neglecting the rights of the Palestinians.

As seen above, in such a heterogeneous environment, polarization is bound to happen because each member states has their own interests, conditions, and backgrounds that impacts the way they perceive certain issues and even though the EU has put an effort in preventing polarization from happening, as long as the EU consists of many heads, polarization is inevitable. Polarization has also been found in the case of the Russia-Ukraine conflict, in this case, member states of the EU are having different stances, interests, and even moral dimensions in perceiving and considering their policies towards the issue. In the next section of this research, further detail of such polarization will be elaborated. There, information about three divisions within the EU member states pertaining to their respective stances will be explained. As the research investigates, the polarization can be manifested as those member states fully supporting the EU restrictive measures against Russia,

countries disfavoured that approach, and countries who are not necessarily falling under either category.

2.2.1. Polarization in the EU towards Russia-Ukraine Conflict

When the EU was aware of Russia's actions towards Ukraine, it immediately held an extraordinary meeting with the Foreign Affairs Council to discuss the situation as well as to determine the steps that must be taken to show its support towards Ukraine. Since the beginning of the implementation of the restrictive measures towards Russia, the EU has always shown unity in its actions because it is in the EU's interest to support Ukraine, to promote peace, and making sure Russia understands the signal – that is, to stop the escalation of the conflict in Ukraine.

There were no signs of polarization at first, but as time passes, polarization began to surface in the form of blocs, one that agrees with the sanctions and another one that does not agree with the imposing of the sanctions as it affects the internal condition of the member states. The blocs became apparent because the restrictive measures are always prolonged because Russia refuses to back down from the conflict. Russia fought back by bringing its own counter-sanctions to the EU in the form of travel bans towards 89 EU politicians and military leaders and the blocking of imports of agro-food products, indicating that they are not afraid of the restrictive measures and will not surrender anytime soon.

The fight between the two entities never stopped, and each time the EU prolonged their restrictive measures towards Russia, the more hostile Russia becomes. Until 2019, where there were signs that the major players of the European Union – Germany and France – were ready to normalize its relations with Russia despite the sanctions given to Russia by the EU. This was proven by French President Emmanuel Macron's suggestion to have Russia at the G7 conference in 2020, where he said, "I think it's much more appropriate to have Russia in. If somebody would make that motion, I would certainly be disposed to think about it very favorably" (Atwood & Klein,

2019). There is, however, a condition that Macron set out in order to bring back Russia to the G7 conferences and that is to terminate Russia's annexation of Crimea. Macron's statement is what caused the division of the member states to happen, as some member states agree with normalizing its relations with Russia and some others do not agree because there were worries that if the sanctions are lifted, Russia would block Ukraine's road to join NATO and EU. Two blocs were formed: on one side there are Italy, Spain, Austria, Greece, and Cyprus – EU member states that are in favor of lifting the sanctions given to Russia for economic reasons, and on the other side there are Baltic states like Poland and Romania who are worried that lifting Russia's sanctions would make Russia even more ruthless towards Ukraine.

While some restrictive measures have impacted Russia, some other restrictive measures are not as effective as the EU thought they would be and therefore, the change of behavior the EU hoped to get from Russia was not fulfilled. On top of that, the EU in general still depends on Russia for energy resources like gas and solid fossil fuels as well as crude oil so it could not completely stay away from Russia even if they have created boundaries by giving restrictive measures to Russia. As a result of ineffective restrictive measures and dependency towards Russia, some states are bound to break the 'rules' of the EU and seek for their own interest and respond to the Ukraine crisis accordingly, thus creating polarization and differences in the approach to Russia and Ukraine.

In this section, as shown in table 2.3., all 28 member states have been put into a category that describes how each member state responded to the restrictive measures given to Russia as a result of the illegal annexation of Crimea. The information is gathered based on how dependent the particular member state is to Russia, how were their reactions towards the annexation of Crimea and what are their response towards the referendum in Crimea that was seen as illegal by both the EU and the US and if there are other

contributing factors that shapes their response to the restrictive measures given by the EU to Russia.

The formation of the category are divided into three: member states who are in favor of the restrictive measures given to Russia (e.g. Baltic States, Poland, United Kingdom), member states who are not in favor of the restrictive measures (e.g., Greece, Cyprus, Italy), and lastly, member states who are ambivalent (e.g. Germany, France, Czech Republic). Being in favor of the restrictive measures means the particular member state shows full support to Ukraine by condemning Russia’s actions – annexing Crimea, supporting the separatist movements in Eastern Ukraine by facilitating the people with weapons as well as not recognizing the results of the referendum made by the pro-Russia Crimean people – in Eastern Ukraine in general. On the other hand, the member states who oppose the restrictive measures given to Russia for any reason at all are categorized as not in favor of the restrictive measures. Lastly, in contrast to the two categories that have visibly clear stances on the issue, there are member states who make up the ambivalent category since they support Ukraine and EU stances towards Russia but still manages to be on good terms with Russia because of historical background, dependency or wants to be ‘balanced’ in the way the respond to the issue.

Table 2.4: List of EU-28 Member States' Stances on the Restrictive Measures Given to Russia

GROUP	COUNTRY	MEMBERSHIP	OTHER INFORMATION
In Favor	Estonia	NATO, UN, Non-Permanent Member of the UNSC	
	Latvia	NATO, UN	
	Lithuania	UN	

	Poland	NATO, UN	
	United Kingdom	NATO, UN, Permanent Member of the UNSC	
	Denmark	NATO, UN	
	Sweden	UN	
	Croatia	NATO, UN	
	Romania	NATO, UN	
	Ireland	UN	
	Finland	UN	
	Netherlands	NATO, UN	Founders of the EU
	Belgium	NATO, UN	
	Malta	UN	
Not In Favor	Luxembourg	NATO, UN	Founders of the EU
	Italy	NATO, UN	
	Slovenia	NATO, UN	
	Slovakia	NATO, UN	
	Greece	NATO, UN	
	Austria	UN	
	Cyprus	UN	
	Bulgaria	NATO, UN	

	Hungary	NATO, UN	
The Third Category / Miscellaneous	Germany	NATO, UN	Founders of the EU
	France	NATO, UN, Permanent Member of the UNSC	
	Spain	NATO, UN	
	Portugal	NATO, UN	
	Czech Republic	NATO, UN	