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Official communications of the European External Action Service with Russia: Crafting the image of normative power Europe

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Official communications of the European External Action Service with Russia: crafting the image of Normative Power Europe

Lyudmila Igumnova

November, 2018

Europa-Kolleg Hamburg
Institute for European Integration

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Editors:
Europa-Kolleg Hamburg
Institute for European Integration
Prof. Dr. Jörg Philipp Terhechte, Managing Director
Dr. Andreas Grimmel, Research Director
Windmühlenweg 27
22607 Hamburg, Germany
http://www.europa-kolleg-hamburg.de

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Official communications of the European External Action Service with Russia: crafting the image of Normative Power Europe

Lyudmila Igumnova*

Abstract

The paper explores Russia-related official statements and press releases of the European External Action Service (EEAS), as well as speeches of the European Union's two High Representatives for Foreign Affairs and Security Policy posted on the website of the service in the period of 2010-2017. The goal of the analysis is to distinguish the elements of normative, soft and transformative power in the EU's official communications with Moscow and to specify what type of power and influence the EU tries to exercise in Russia. Quantitative text analysis of the EEAS documents was carried out for this purpose. The results obtained demonstrate that the EEAS communications towards Russia are limited to a narrow range of problems; the principles of the rule of law, human rights and fundamental freedoms dominate in its dialogue with Moscow. Criticizing mainly violations of legal norms, the European External Action Service positions itself as a normative actor, promoting a normative agenda in the country. The elements of soft and transformative power are very scarcely represented. The problem of the EU's normative impact is beyond the scope of this paper.

Keywords:

European Union; Russia, European External Action Service; Russia-EU relations; Normative Power.

*Lyudmila Igumnova is an Associate Professor of the Department of Political Science at Irkutsk State University. Research for this paper was conducted during a visiting fellowship at the Institute for European Integration of the Europa-Kolleg Hamburg.

Contact information:
Lyudmila Igumnova
lyudmila.o.igumnova@gmail.com

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Lyudmila Igumnova

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Official communications of the European External Action Service with Russia: crafting the image of Normative Power Europe[1]

Lyudmila Igumnova

Introduction

The paper attempts to specify what kind of actor the European External Action Service appears in its official communications with Russia. Three overlapping theoretical concepts of soft (SP), normative (NP) and transformative power (TP) are the starting point of the analysis. The aim of the study is to distinguish the elements of these types of power in the dialog of the EEAS with Moscow. It is not intended to conduct the detailed analysis of the concepts in the present paper but to offer only their brief comparison in order to clarify the methodology of our research.

Normative power Europe concept developed by Ian Manners is of ideational nature distinct from material incentives. It emphasizes what the EU is primarily in the area of norms and values. The normative basis of the EU consists of such 'core' norms as peace, liberty, democracy, the rule of law and respect for human rights, as well as some 'minor' norms – social solidarity, anti-discrimination, sustainable development and good governance.[2] Viewing these norms as universal, Brussels as NP considers their promotion to be the main priority of the EU in interaction with third states.

Soft power concept formulated by Joseph Nye describes the ability of actors to achieve their goals in world politics and shape the policy of others through attraction.[3] As a broader concept SP takes into account different aspects of EU's influence: not only the attractiveness of European ideas, norms, values and policies, but also the effects of its cultural and economic appeal. It stresses what an actor might project in general and doesn't limit its role to the diffusion of norms. Soft and normative power have a wide geographical coverage, can be projected worldwide and address any third country.

British political scientist Mark Leonard formulated the idea of transformative power.[4] Within TP approach the Union does not only promote international norms, but fosters a broad range of political, economic and judicial reforms in third countries aiming their extensive transformation. The reforms contribute to democratization, the establishment of the rule of law, the introduction of a market economy etc. To possess TP means having a broad range of effective tools and leverage over the states under transformation. The EU's role and influence is particularly important within this approach. Brussels is deeply engaged in communications with the countries it plans to transform on a wide range of issues and implements a variety of

[1] This work was supported by the Erasmus+ Jean Monnet program of the European Union (project number: 564778-EPP-1-2015-1-RU-EPPJMO-CHAIR). The European Commission support for the production of this publication does not constitute an endorsement of the contents which reflects the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

[2] Manners I. Normative Power Europe: A Contradiction in Terms? // JCMS. 2002. Vol. 40. No 2. P. 235-258.

[3] Nye J. S. Soft Power: The Means to Success in World Politics. New York: Public Affairs, 2004.

[4] Leonard M. Why Europe will Run the 21st Century. New York: Public Affairs, 2006.

measures in support of reforms. This strategy is commonly applied to the candidate states. Like SP, TP takes into consideration the appeals of the European economic area.[5]

The paper is based on the analysis of official statements and press releases issued by the European External Action Service, as well as speeches of the High Representatives of the European Union for Foreign Affairs and Security Policy Catherine Ashton (serving 2009-2014) and Federica Mogherini (serving 2014-present) reporting on Russia. The author analyzes the content of documents addressed to Russia since the day the service was established in 2010 and up to the end of 2017.

It is not assumed, that these documents are sufficient to provide a comprehensive picture of EU's policy towards Russia. Nevertheless, besides reaching purely informational purposes, the EEAS statements shed light on the nature of Russia-EU relations and on the Union's official stance on various internal developments in Russia; contain evaluations of a number of facts and situations as they are perceived by the European diplomatic service; and raise a wide range of issues related to the situation in the country to be addressed by the Russian government. Finally, the analysis of the EEAS documents makes it possible to suggest what type of actor the service wants to be seen as in relations with Russia. Since the messages of the diplomatic service do not tell us much about the actual exercise of power by the EU over Russia, the purpose of the paper is to examine how the EU positions itself vis-à-vis Russia and what aspects of power it emphasizes in its communications with Moscow.

The paper consists of three main parts: the first one is the methods section, the second presents the pattern and content of the EEAS official communications with Russia, the last section shows the dynamics of communications and defines what kind of actor the EEAS appears in relations with Moscow.

Methodology

The approach and methodology of the research were borrowed from EU-STRAT Working Paper, which presents the structure of the European Union's official communications towards Belarus, Moldova and Ukraine.[6] A range of categories and subcategories related to the concepts of SP, NP and TP was distinguished within this study followed by the quantitative analysis of the EU documents. The researches aimed at identifying the elements of three types of power and establishing the share of each of them in the communications of Brussels with Minsk, Kishinev and Kiev. The working paper is based on the analysis of EU documents appeared on the websites of the EU Delegations in Belarus, Moldova and Ukraine for the period of February-March 2016. It defines EU's position in Belarus as NP, in Moldova and Ukraine – as TP.

By reason of specificity of EU's communications to Russia, some changes in the set of categories and subcategories were made in the present research. For example, abolition of death penalty is the issue discussed by Brussels with Eastern Partnership countries, but it is absent in communications of the EU to Russia. At the same time, the categories of the rule of

[5] Soft, Normative or Transformative Power: What Do the EU's Communications with Eastern Partners Reveal About its Influence? / A. Dimitrova [and others] // EU-STRAT Working Paper. 2016. № 1 (October). P. 10. URL: http://eu-strat.eu/wp-content/uploads/2017/04/EU-STRAT-Working-Paper-No.-1-1.pdf
[6] Ibid.

law and human rights comprise much larger number of subcategories in the messages the EU directs to Russia in the comparison with its communications to Belarus, Moldova and Ukraine. The list of categories and subcategories as used in the present research, as well the concepts to which each category relates can be seen in the table below.

Table 1. Categories and subcategories

Categories	**Subcategories**	**Concepts**
EU values		NP, SP, TP
Democracy		NP, SP, TP
	Democracy in general	
	Separation of powers	
	Political parties	
	Opposition	
	Elections	
Human rights and fundamental freedoms		NP, SP, TP
	Human rights and fundamental freedoms in general	
	Freedom of speech/expression	
	Freedom of assembly	
	Freedom of association	
	Freedom of movement	
	Freedom of religion or belief	
	Women's and children's rights	
	National minorities rights	
	LGBTI rights	
	Human rights defenders	
Rule of law		NP, SP, TP
	Rule of law in general	
	National law	
	Restrictive legislation	
	Legal process and the state of justice	
	Prosecution	
	International law	
	European law	
Civil society		NP, SP, TP
	Civil society in general	
	NGO	
Reforms		TP
	Reforms in general	
	Judicial reforms	
	Modernization (political, economic, social)	
	Harmonization with international and European standards	
	Anti-corruption measures	
Economy		SP, TP
	Economy in general	
	Trade	

	Business	
	Investment	
	Energy	
	Market	
Security and stability		SP, TP
	Security and stability in general	
	Conflict resolution and peace process	
	Disarmament and nuclear non-proliferation	
	Counter-terrorism	
Culture		SP, TP
Mobility and people-to-people contacts		SP, TP
Visa facilitation		SP, TP
Importance of mutual relations		SP, TP

A common feature that characterizes all three concepts is the attractiveness of ideas, values and norms,[7] therefore such categories as EU values, democracy, human rights and the rule of law are of great importance for the analysis of all three kinds of power. At the same time, these categories primarily correspond to the idea of normative power. The statements the EU directs to third countries as NP are often limited to these categories and does not cover diverse subjects.

Since soft power of the EU implies a broad understanding of attractiveness and is based not only on what the Union is but also on specific strategies intended to form third countries policies, a more complex combination of categories should be taken into account in the analysis of SP. References to a wider range of issues, such as culture, economy, security, visa facilitation, mobility, importance of cooperation in any field (along with content related to values and norms) are considered to be elements of soft power.[8]

The presence of references to reforms or harmonization of norms and standards in our analysis may indicate the intention of the EU to form the image of transformative power. The balance of various categories in the EU's statements is also an important criterion of TP. Acting as TP Brussels discusses the whole range of problems with third countries in any area of interaction. Thereby, along with reforms issues, all categories presented in the table can be considered as elements of TP. Any aspects of EU attractiveness in third countries foster their reform. Civil society plays an important role in democratic reforms.

A sentence is a unit of our content analysis. More than one category per sentence is often recorded. To demonstrate how the documents have been coded we provide an example of the statement by the EEAS spokesperson on the anti-corruption demonstrations across the Russian Federation dated 27th of March 2017:

Police operations in the Russian Federation today, attempting to disperse demonstrations and detaining hundreds of citizens, including opposition leader Alexey Navalny, prevented the exercise of basic freedoms of expression, association and peaceful assembly - which are fundamental rights enshrined in the Russian constitution. We call on the Russian authorities to abide fully by the international commitments it has made, including

[7] Ibid. P. 10.
[8] Ibid. P. 8-11.

in the Council of Europe and the OSCE, to uphold these rights, and to release without delay the peaceful demonstrators that have been detained.[9]

In the first sentence of the statement we have found codes related to opposition, freedom of expression, association and assembly, human rights in general and national law. In the second sentence there are codes related to international law, European law, human rights in general. The documents were coded and analyzed manually by two coders with a single instruction. The coders compared their interpretations and findings and agreed on the final result.

Having analyzed the EEAS documents directed to Russia (their structure, content, variety and frequency), we collected all categories and subcategories and established the share of each category in relation to the total number of categories. Finally, we assessed to what extent the elements of SP, NP and TP are represented in the documents and which of the concepts prevail in communications of the EU with Moscow.

Table 2. Number of documents analyzed

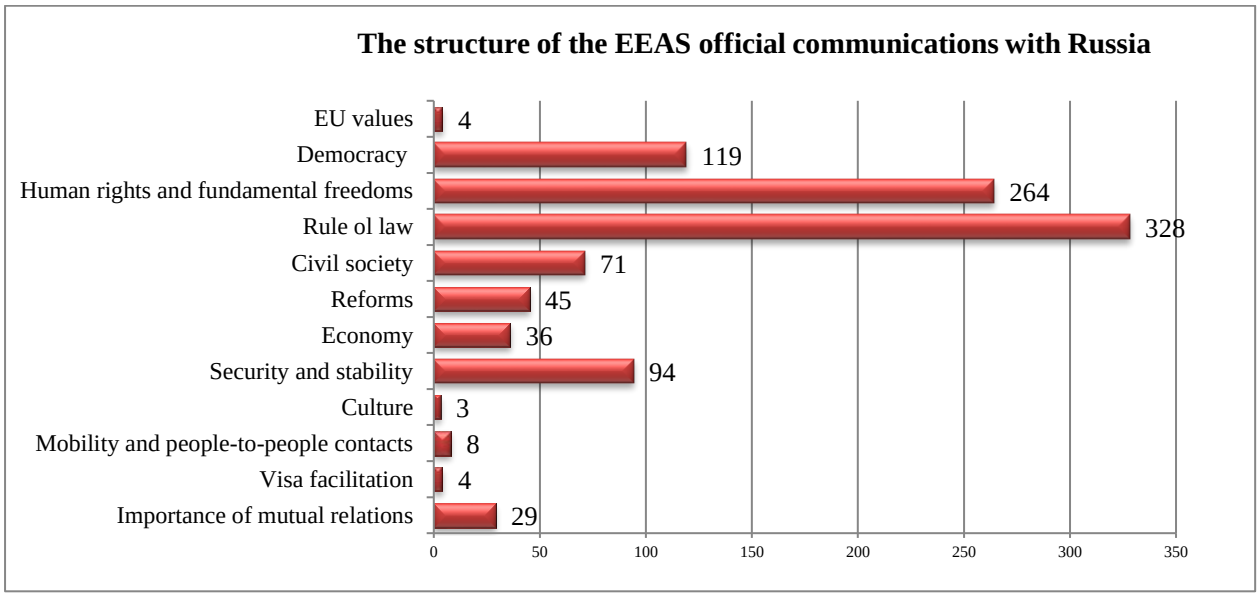
Year	EU documents
2010	12
2011	10
2012	12
2013	8
2014	9
2015	23
2016	15
2017	22
In total	**111**

The structure of the EEAS communications with Russia

The updates related to Russia on the website of the European External Action Service are quite frequent, but the documents content shows that the range of topics the EEAS discusses with Russia is not very broad. The categories are unevenly represented in EU's statements. The structure of communications is shown on the chart below where y-axis contains categories; x-axis comprises the number of mentions of these categories in the EEAS documents.

[9] Statement by the Spokesperson on the anti-corruption demonstrations across the Russian Federation. Brussels, 27.03.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage_en/23477/Statement%20by%20the%20Spokesperson%20on%20the%20anti-corruption%20demonstrations%20across%20the%20Russian%20Federation

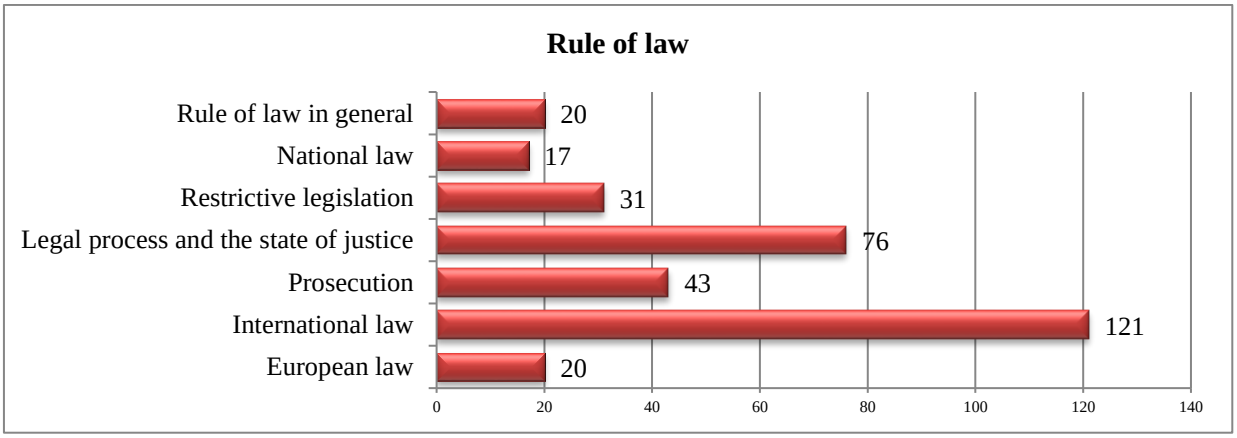
Chart 1.



The rule of law

The bulk of communications – 32 % refers to the rule of law. They come from many EEAS statements where the main emphases are placed on Russia's infringement of international law, unfair legal processes and deplorable state of justice in the country. These subcategories are followed by prosecution (mainly prosecution of political opponents) and restrictive legislation. The EEAS shows dissatisfaction with Russia's breaches of European and national law, above all the Constitution of the Russian Federation and the commitments made in the Council of Europe and the OSCE. The structure of communications within the rule of law category is on the chart below where y-axis contains subcategories within the rule of law category; x-axis contains the number of mentions of the subcategories in the EEAS documents.

Chart 2.



Communicating with Russia on the topic of international law, the EEAS expresses concern over a wide range of issues – from annexation of Crimea and Moscow's support of Abkhazia and South Ossetia to non-compliance with international human rights obligations. Restrictive legislation adopted in Russia, a large number of criminal trials and human rights violations are regarded by the EEAS to be in breach of international, European and national law.

The European External Action Service draws attention of Russian authorities to the endemic and systemic problems within the judicial system in the country. It points to the abundant body of facts relevant to the denial of citizen's right to fair trial, indicates to mistrial and irregularities in legal proceedings, condemns inhuman prison conditions and torture. The statements issued by the EEAS directly point to justice in Russia being politically motivated and abused.[10] The diplomatic service often refers to individual cases of criminal prosecutions and illegal detentions in Russia. The prime examples of charges discussed in the EEAS statements are those brought against Mikhail Khodorkovsky, the members of punk band Pussy Riot, Sergei Magnitsky, Aleksei Navalny, demonstrators involved in the Bolotnaya square events, Nadezhda Savchenko, Oleg Sentsov, Alexander Kolchenko, Eston Kohver, Ilmi Umerov and others.[11] Conviction of acts committed outside the internationally-recognized territory of Russia, i.e. in Crimea, is also considered as a violation of international law and basic standards of justice.[12] The EEAS closely followed the developments in criminal prosecution in these cases and qualified the Moscow court rulings as inconsistent, groundless, unproved, disproportioned and contrary to law. The trials are regarded to be of show character and to be targeted at fighting the opposition. High Representatives of the EU voice their support of all those convicted without considering them to be guilty of the alleged offences. Giving negative assessments of the state of justice in the country, the EEAS urges Russian authorities to observe due legal process.

Monitoring the legislative innovations in the Russian Federation, the European External Action Service commented on a number of laws enforced. Greatest attention was paid to the laws pertaining to non-governmental organizations ("Foreign Agents" and "Undesirable Organizations" Laws).[13] The Law on assemblies, meetings, demonstrations, marches and

[10] Statement by EU High Representative Catherine Ashton in the European Parliament on the Political Use of Justice in Russia. Strasbourg, 11.09.2012. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/132370.pdf etc.

[11] Statement by High Representative Catherine Ashton on Mikhail Khodorkovsky and Platon Lebedev Case. Brussels, 24.05.2011. URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/122199.pdf; Statement by EU High Representative Catherine Ashton on the Sentencing of "Pussy Riot" Punk Band Members in Russia. Brussels, 17.08.2012. URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/132192.pdf; Statement by the Spokesperson of EU High Representative Catherine Ashton on the Sentencing of Demonstrators Involved in the Bolotnaya Square Events. Brussels, 24.02.2014. URL: http://www.eeas.europa.eu/statements/docs/2014/140224_01_en.pdf etc.

[12] Statement by High Representative/Vice-President Mogherini on the sentencing by a Russian court of Ukrainian citizens O. Sentsov and O. Kolchenko. Brussels, 25.08.2015. URL: http://www.eeas.europa.eu/statements-eeas/2015/150825_01_en.htm

[13] Statement by the spokesperson of High Representative Catherine Ashton on the amendments to the Russian NGO law. Brussels, 10.07.2012. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/131655.pdf; Statement by the spokesperson on a new Russian law on "undesirable" non-governmental organisations. Brussels, 24.05.2015. URL: http://www.eeas.europa.eu/statements-eeas/2015/150524_02_en.htm

picketing was criticized for restricting opportunities for holding protest events.[14] The Law banning the propaganda of non-traditional sexual relationships to minors was considered to be discriminatory towards sexual minorities and contradictory to the spirit of the European Convention on Human Rights and Fundamental Freedoms.[15] Concern was expressed in connection with the Law on treason[16], the law allowing the registration of foreign media as "foreign agents",[17] the law softening punishment for domestic violence.[18] The legislative innovations of latest years in Russia, according to the EEAS, taken together, undermine civil activity in the country, expand the scope for prosecution, and strengthen the atmosphere of fear and suspiciousness.

Throughout the period under consideration, the European External Action Service welcomed a few positive changes in the area of justice in Russia, in particular, declaration of amnesties, granting of pardon and releases (M. Khodorkovsky, activists of the Bolotnaya square events, members of Pussy Riot, Greenpeace activists, E. Kohver). The overwhelming majority of the EEAS official statements show great concern with the current state of affairs in the sphere in question.

Human rights and fundamental freedoms

The second largest reference is to human rights and fundamental freedoms (26 %). Communicating to Russia on this topic Brussels refers to the general concept of human rights and fundamental freedoms most of all repeatedly voicing its negative attitude towards the measures aimed at suppressing them. Specifically it also addresses the freedoms of speech/expression, freedom of assembly, LGBTI rights. The EEAS voices its concern over the situation of human rights defenders. Some attention is paid to the rights of national minorities, freedom of association and others.

[14] Statement by the spokesperson of High Representative Catherine Ashton on right of assembly in Russia. Brussels, 12.06.2012. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/130847.pdf

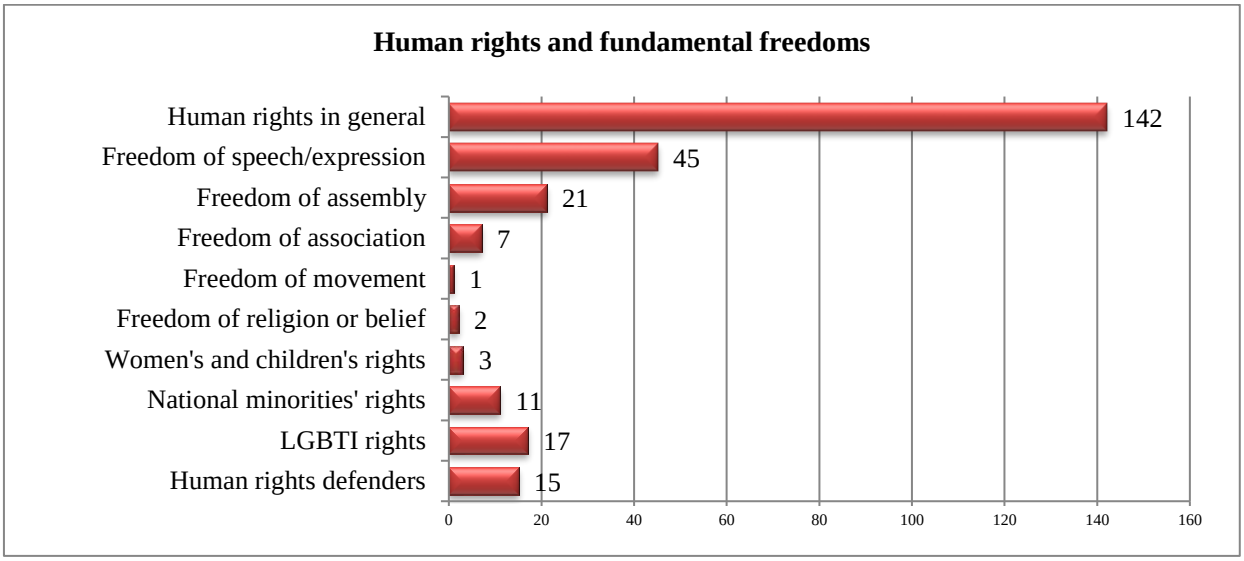
[15] Statement by the spokesperson of High Representative Catherine Ashton on LGBTI rights in Russia. Brussels, 20.06.2013. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/137541.pdf

[16] Statement by the spokesperson of High Representative on the new law on treason in Russia. Brussels, 25.10.2012. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/133204.pdf

[17] Statement by the Spokesperson on the Russian law allowing the registration of foreign media as "foreign agents". Brussels, 26.11.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/36222/statement-spokesperson-russian-law-allowing-registration-foreign-media-%E2%80%9Cforeign-agents%E2%80%9D_it

[18] Statement by the spokesperson on the adoption by the Russian Federation of legislation decriminalising some forms of domestic violence. Brussels, 08.02.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage_en/20258/On%20the%20adoption%20by%20the%20Russian%20Federation%20of%20legislation%20decriminalising%20some%20forms%20of%20domestic%20violence

Chart 3.



The statements of the European External Action Service convey intense concern with regard to the tightening state control over mass media and to the efforts being made for restricting certain types of content in the Internet. Measures of the kind are believed to be part of the policy aimed at pressuring dissent. The diplomatic service repeatedly highlights the dangers faced by independent journalists and human rights defenders in Russia,[19] particularly in the North Caucasus.[20] It condemns persecution, intimidation and violence against them and decisively urges Moscow to provide journalists and human rights defenders with an opportunity to freely exercise their activities and to ensure their security. Increasing demands to respect freedom of expression, freedom of assembly and association are being made in response to the adoption of restrictive laws or after detention of peaceful demonstrators in Russia.

The European Union calls on Russia to promote and protect the rights of LGBTI representatives and to prevent their persecution. LGBTI rights are considered by the EEAS in relation to the law banning the propaganda of nontraditional sexual relations. The High Representative identified possible negative consequences of the law for the state of human rights in Russia: the danger of stigmatization of particular individuals, development of discriminatory practice and discourse, increase in prejudice in the society, restrictions of the freedoms of expression, assembly and association for LGBTI individuals.[21] The EEAS

[19] Declaration by the High Representative Catherine Ashton on behalf of the European Union on violence against journalists in the Russian Federation. Brussels, 17.11.2010. URL: https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/cfsp/117735.pdf

[20] Declaration by the High Representative on behalf of the European Union on the situation of Human Rights Defenders in the North Caucasus. Brussels, 16.07.2010. URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/cfsp/115805.pdf; Statement by the spokesperson on recent human rights developments in Chechnya. Brussels, 17.12.2014. URL: http://www.eeas.europa.eu/statements-eeas/2014/141217_02_en.htm

[21] Statement by the spokesperson of High Representative Catherine Ashton on LGBTI rights in Russia. Brussels, 20.06.2013; Statement by the spokesperson of EU High Representative Catherine Ashton on LGBTI rights in Russia. Brussels, 30.01.2013. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/135082.pdf

immediately reacted to reports on organized campaign of gay men abduction, torture and murder in Chechnya and condemned attempts of Chechen Republic officials to justify these human rights abuses.[22]

The European External Action Service states the multitude of cases related to the worsening situation with national minorities rights, first of all, pointing to the persecution of Crimean Tatars. The statements of the EEAS provide examples of the Tatars' being intimidated and their rights and freedoms being restricted. The most serious attack on the Crimean Tatars' rights criticized by the EEAS was the Crimean Supreme Court's decision to forbid the activities of Mejlis as an "extremist organization".[23] The diplomatic service voiced alarm with respect to the closure of Crimean Tatars' media outlets, ban on their broadcasting in Crimea and attacks on Tatar journalists.[24]

The EEAS warns Russia of negative impact of decriminalization of some forms of domestic violence in the country and anticipates serious consequences for women, children and Russian society as a whole.[25] Freedom of religion is mentioned in the statements in connection with the persecution of Jehovah's Witnesses.[26] Particularly strong emphasis is put by the European External Action Service on human rights violations against foreign citizens in Russia (Ukrainian and Estonian).[27]

The diplomatic service welcomed positive changes in the area of human rights in Russia (such as Moscow's ratification of Protocol 14 to the European Convention on Human Rights) and paid tribute to the work done by Russian independent journalists and human rights defenders. In general, however, the EEAS argues that legal and human rights violations in Russia are not merely individual cases; rather, they are considered to be a trend.

Democracy

Democracy is the third most frequent reference represented by 12 % of all communicated categories. Along with the general concept of democracy addressed to by the

[22] Statement by the Spokesperson on the human rights abuses of gay men in Chechnya. Brussels, 06.04.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage_en/24323/Statement%20by%20the%20Spokesperson%20on%20the%20human%20rights%20abuses%20of%20gay%20men%20in%20Chechnya

[23] Statement by the Spokesperson on today's decision of the "Supreme Court" of Crimea to ban Mejlis activities. Brussels, 26.04.2016. URL: https://eeas.europa.eu/delegations/ethiopia/2864/statement-by-the-spokesperson-on-todays-decision-of-the-supreme-court-of-crimea-to-ban-mejlis-activities_en

[24] Statement by the spokesperson on the shutdown of Crimean Tatar ATR TV. Brussels, 01.04.2015. URL: http://www.eeas.europa.eu/statements-eeas/2015/150401_02_en.htm

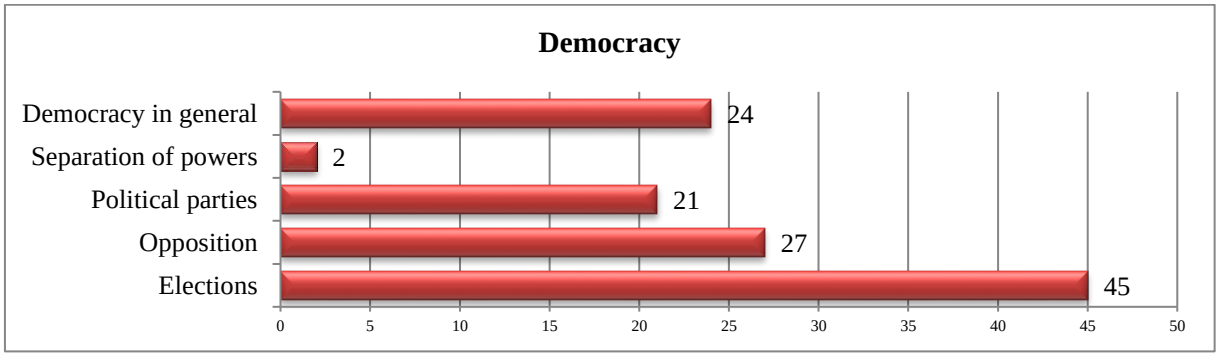
[25] Statement by the spokesperson on the adoption by the Russian Federation of legislation decriminalising some forms of domestic violence. Brussels, 08.02.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/20258/adoption-russian-federation-legislation-decriminalising-some-forms-domestic-violence_en

[26] Statement by the Spokesperson on the upheld ban of activities of Jehovah's Witnesses in Russia. Brussels, 18.07.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/30022/statement-spokesperson-upheld-ban-activities-jehovahs-witnesses-russia_en

[27] Statement by the High Representative/Vice-President Federica Mogherini calling for the release of Nadiya Savchenko. Brussels, 09.03.2016. URL: http://www.eeas.europa.eu/statements-eeas/2016/160309_01_en.htm; Statement by High Representative/Vice-President Mogherini on the sentencing by a Russian court of Ukrainian citizens O. Sentsov and O. Kolchenko. Brussels, 25.08.2015; Statement by the spokesperson on the abduction of the Estonian police officer. Brussels, 11.09.2014. URL: http://www.eeas.europa.eu/statements/docs/2014/140911_01_en.pdf

EEAS, elections problems in Russia, situation of the opposition and political parties in the country have drawn much criticism of Brussels.

Chart 4.



Relying on conclusions of the OSCE/ODIHR Election Observation Mission, the EEAS indicates a number of positive and negative impacts on electoral environment in Russia and country's state of democracy in general. Technical preparation and administration of elections are mentioned among positive sides. However the lack of separation between political party and state, tight control over media and civil society, the harassments of independent monitoring, restrictions to fundamental rights and freedoms, the legal framework shortcomings are noted among irregularities and procedural violations.[28] Some comments related to the degree of transparency of elections are made. The diplomatic service stresses the importance of long-term observation for evaluation of fair access to media.[29] Illegality of parliamentary and regional elections in Crimea was especially noted by the EEAS in 2016-2017.[30]

The EEAS and the High Representative point out difficulties the independent political parties in Russia and individuals face in registering for parliamentary and presidential elections, especially the cumbersome registration procedures and denial of registration.[31]

[28] Statement by EU High Representative Catherine Ashton on the Duma elections in the Russian Federation. Brussels, 06.12.2011. URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/126596.pdf; Speech of High Representative Catherine Ashton on the EU-Russia Summit. Strasbourg, 13.12.2011. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/126907.pdf; Statement by the spokesperson on the elections for the Duma in the Russian Federation. Brussels, 19.09.2016. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/10047/on-the-elections-for-the-duma-in-the-russian-federation-_en

[29] EU High Representative for Foreign Affairs and Security Policy and Vice President of the European Commission. Speech on Preparations for the Russian State Duma elections. Strasbourg, 06.07.2011. URL: http://europa.eu/rapid/press-release_SPEECH-11-507_en.htm

[30] Statement by the Spokesperson on the elections for the Duma in the Russian Federation Brussels, 19.09.2016; Statement by the Spokesperson on regional elections in Russia and their non-applicability to the territories of Ukraine, Brussels, 11.09.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/31919/statement-spokesperson-regional-elections-russia-and-their-non-applicability-territories_en

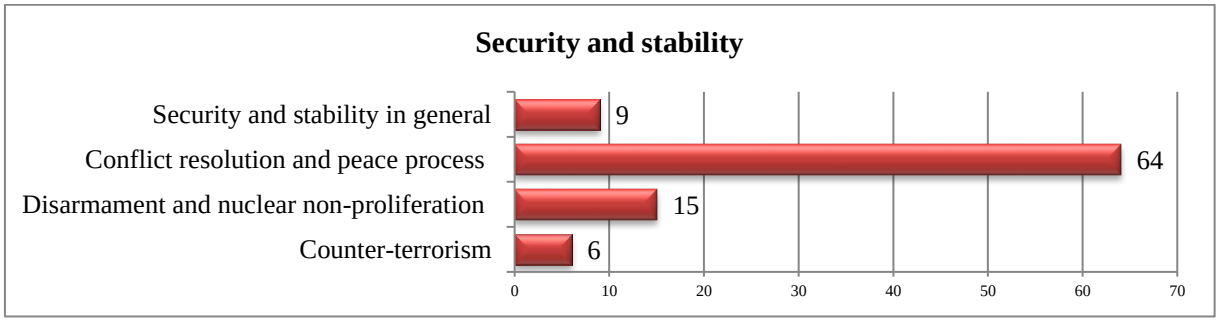
[31] Statement by the spokesperson of High Representative Catherine Ashton on party registration in Russia. Brussels, 22.06.2011. URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/foraff/122973.pdf; Speech of High Representative Catherine Ashton on the situation in Russia. European Parliament. Brussels, 01.02.2012. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/127779.pdf

Criticism of the EU in 2011 was caused by the refusal of the Russian Ministry of Justice to register the PARNAS Party.[32] While noting some encouraging steps in the development of Russia's democratic institutions in 2012 (softening of party registration rules and requirements for presidential candidates), C. Ashton ensured that much more had to be done to guarantee a genuine pluralistic parliamentary system.[33] The diplomatic service condemned the decision on non-admission of Aleksey Navalny to the presidential elections of 2018.[34]

References to opposition in the EEAS statements focus concern on intimidation and politically motivated prosecution of opposition leaders and activists. Alexey Navalny is most often mentioned as such a leader in connection with his arrests, trials, sentences and anti-corruption demonstrations organized by him. "People's Freedom Party-PARNAS" and its leaders are referred to in the statements as liberal opposition.

Security

The fourth reference in communications of the European External Action Service with Russia is to security and stability (9%).



Actual problems of global and regional security are regularly discussed by the EU High Representative and Russian Minister of Foreign Affairs during personal meetings and telephone conversations. Press releases issued by the EEAS only inform about the exchange of views between them on the situation in Syria, Libya, the Middle East, eastern Ukraine and other conflict zones and put emphasis on the need for peaceful conflict resolution. The subcategory of conflict resolution and peace process is followed by disarmament, nuclear non-proliferation and counter-terrorism. During personal meetings with Sergey Lavrov, the High Representative often addresses issues of mutual interest or mutual concern, while in the EEAS official statements, negative assessments of Russia's role in security sphere are given. According to the EEAS, Russia's activities are detrimental to the efforts to stabilize the

[32] Statement by the spokesperson of EU High Representative Catherine Ashton on detention of protesters in Russia. Brussels, 07.12.2011. URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/126622.pdf; Speech of High Representative Catherine Ashton on the EU-Russia Summit. Strasbourg, 13.12.2011.

[33] Statement by EU High Representative Catherine Ashton in the European Parliament on the political use of justice in Russia. Strasbourg, 11.09.2012.

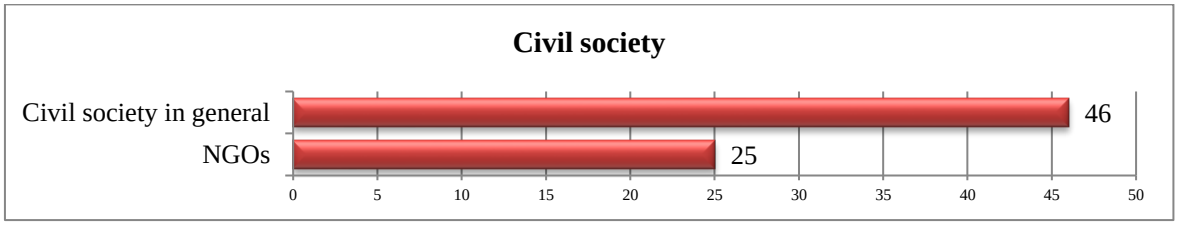
[34] Statement by the Spokesperson on the decision of the Russian Central Election Commission to bar Alexei Navalny from running in the 2018 Presidential election. Brussels, 26.12.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/37894/decision-russian-central-election-commission-bar-alexei-navalny-running-2018-presidential_en

situation in Georgia[35] and Ukraine[36]. Despite a general negative assessment of Russia's role, the European External Action Service welcomes the completion of the full destruction of the chemical weapons possessed by Russia in 2017.[37]

Civil society

The share of communications with a focus on civil society in relation to the total number of categories is 7 %. The messages the Union directs to Russia first of all deal with the idea of civil society in general. Many of them indicate constraints on civic engagement in the country and worsening situation for NGOs.

Chart 5.



In 2011-2013 the diplomatic service welcomed the political awakening of the Russian civil society resulted in a mass protest movement. At that time civil society in Russia was perceived to be ready for playing an active part in the development of political institutions in the country.[38] The High Representatives of the EU supported the movement "For Fair Elections" of early 2010s as well as anti-corruption protests in Russia of 2017, condemned the detention and prosecution of protesters, opposition leaders and other civil society activists.[39]

[35] Statement by High Representative/Vice-President Federica Mogherini on the announced signature of a "Treaty on Alliance and Integration" between the Russian Federation and Georgia's breakaway region of South Ossetia. Brussels, 17.03.2015. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/3300/statement-high-representativevice-president-federica-mogherini-announced-signature-treaty_en; Statement by High Representative Catherine Ashton on Russian plans on missile deployment in Abkhazia, Brussels, 13.08.2010. URL: http://www.europarl.europa.eu/meetdocs/2009_2014/documents/d-ru/dv/d_ru_20100916_09_/d_ru_20100916_09_en.pdf

[36] Statement by High Representative/Vice-President Federica Mogherini on the violation of the ceasefire in Debaltseve. Brussels, 18.02.2015. URL: https://eeas.europa.eu/headquarters/headQuarters-homepage_ru/3204/Statement%20by%20High%20Representative/Vice-President%20Federica%20Mogherini%20on%20the%20violation%20of%20the%20ceasefire%20in%20Debaltseve

[37] Statement by the Spokesperson on the destruction of the chemical weapons possessed by the Russian Federation. Brussels, 28.09.2017. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/32973/statement-spokesperson-destruction-chemical-weapons-possessed-russian-federation_en

[38] Speech of High Representative Catherine Ashton on the situation in Russia. Brussels, 01.02.2012 etc.

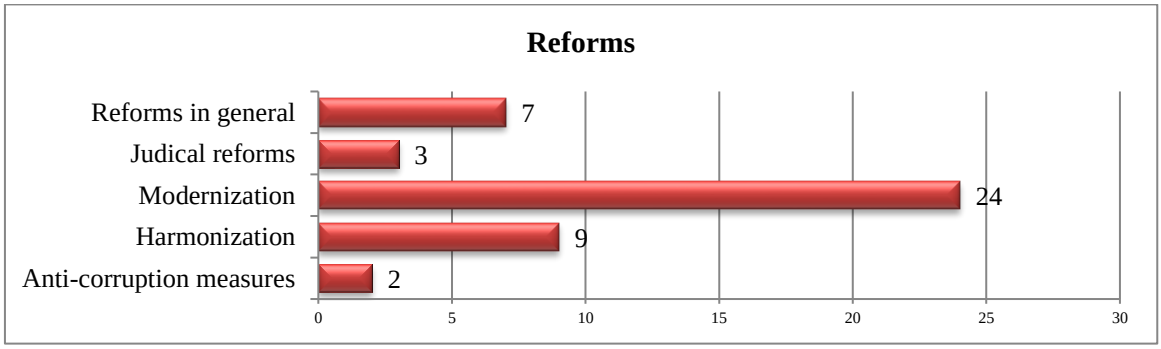
[39] Speech of High Representative Catherine Ashton on the EU-Russia Summit. Strasbourg, 13.12.2011; Speech of High Representative Catherine Ashton on the situation in Russia. Brussels, 01.02.2012; Statement by EU High Representative Catherine Ashton in the European Parliament on the political use of justice in Russia. Strasbourg, 11.09.2012; Statement by the Spokesperson on the anti-corruption demonstrations across the Russian Federation. Brussels, 27.03.2017.

The statements of the European diplomatic service periodically expresses concern over the constantly increasing number of NGOs referred to as foreign agents and undesirable organizations. Special attention was paid by the EEAS to the persecution of particular organizations: election monitoring association "Golos",[40] polling and sociological research organization the Levada Centre[41], one of the biggest and oldest NGOs networks – the Memorial International Society[42], the Sakharov Centre, the National Endowment for Democracy, the Open Society Foundations etc.[43] The EEAS stated with regret that the laws adopted in Russia stigmatize NGO, pose a threat to their existence, prevent Russian citizens from co-working with internationally acknowledged NGOs, suppress political opposition and undermine civil society. Sharply negative attitude towards the new terminology introduced in Russia regarding the NGOs was voiced by the High Representative.[44]

Other references

The research finds that the EEAS doesn't put much emphasis on reforms and economy in its communications with Moscow. The share of references to these categories is about 4 % and 3 % respectively. Only in 2011-2012 the EEAS paid some attention to modernization of the country, to the necessity of brining Russian legislation into compliance with international and European norms and standards (harmonization), as well as to the idea of reforms in general. Few documents refer to the necessity of conducting judicial reforms aimed at creating transparent, independent and reliable judicial system and the need of anticorruption measures.

Chart 6.



[40] Statement by the spokesperson of the High Representative Catherine Ashton on the administrative fines against "Golos". Brussels, 28.04.2013. URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/136958.pdf

[41] Statement by the spokesperson on the inclusion of the Levada Centre in the "Foreign Agents Registry" of the Russian Federation. Brussels, 06.09.2016. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/9497/inclusion-levada-centre-foreign-agents-registry-russian-federation_en

[42] Statement by the spokesperson on the "foreign agent" status of the Memorial International Society. Brussels, 16.12.2016. URL: https://eeas.europa.eu/headquarters/headquarters-homepage/17427/statement-spokesperson-foreign-agent-status-memorial-international-society_en

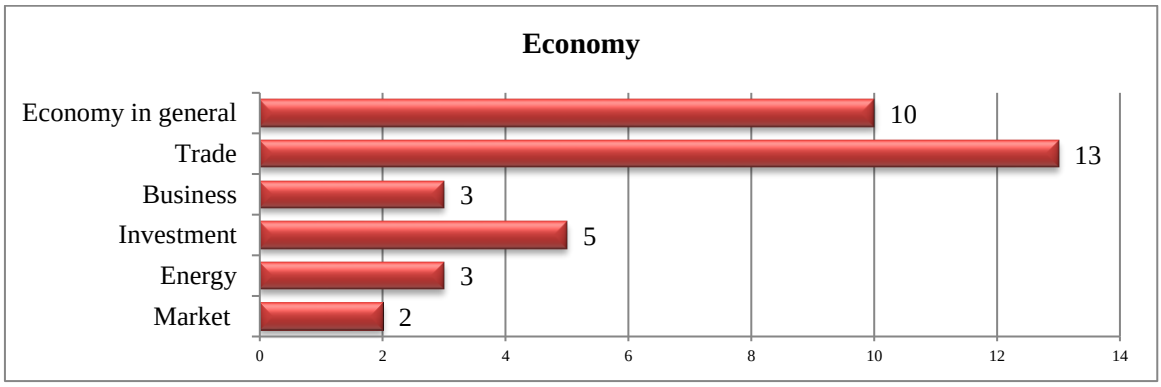
[43] Statement by the spokesperson on the listings under the Russian law on "undesirable organisations". Brussels, 03.12.2015. URL: http://www.eeas.europa.eu/statements-eeas/2015/151203_04_en.htm

[44] Statement by EU High Representative Catherine Ashton in the European Parliament on the political use of justice in Russia. Strasbourg, 11.09.2012.

EU diplomatic leaders accentuate a direct correlation between the idea of Russia's modernization and respect for democratic values, the rule of law and human rights as crucial precedents for the development of contemporary society. According to European diplomats, to successfully implement the genuine innovation and modernization processes in the country it is necessary to introduce a package of proper reforms to secure the rule of law, the development of democratic institutions and activating the civil society.[45] The statements of the diplomatic service reflect the disillusionment about the lack of systemic reforms.

In the economy domain the topics covered by the EEAS deal mainly with trade and economy in general. The documents contain very few mentions of investment, business and energy.

Chart 7.



Importance of mutual relations with Russia (in general, in all spheres) is shown only in 3 % of communications. Within this category European diplomats also insist that shared fundamental values and norms as well as formation of a law-governed state in Russia are indispensable elements of bilateral interaction and fruitful EU-Russia partnership.[46] The share of communications on such topics as mobility, visa facilitation, EU values and culture is less than 1 %.

Dynamics of communications of the EEAS with Russia

The research demonstrates that the set of topics the EEAS discussed with Russia was relatively varied in 2011-2012. C. Ashton in her speeches in 2011 paid some attention to reforms, economy, importance of cooperation, people-to-people contacts. In 2012 the emphasis in the EEAS communications with Russia were placed not only the rule of law and

[45] Statement by High Representative Catherine Ashton on Mikhail Khodorkovsky and Platon Lebedev case. Brussels, 24.05.2011; Statement by EU High Representative Catherine Ashton on the situation of NGOs in the Russian Federation. Brussels, 26.03.2013. URL: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/136573.pdf

[46] Statement by EU High Representative Catherine Ashton on the Khodorkovskii/Lebedev case. Brussels, 30.12.2010. URL: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/118699.pdf; Statement by EU High Representative Catherine Ashton on the sentencing of "Pussy Riot" punk band members in Russia. Brussels, 17.08.2012 etc.

human rights, but also on democracy, civil society, reforms, economy, visa facilitation, security and on the importance of mutual relations. Still, high activity of the diplomatic service in the spheres of the rule of law, human rights and democracy in 2012 was a response to unfair Duma elections in Russia in December 2011, adoption of several restrictive laws and judiciary problems. The following table shows the annual number of mentions of each category in the documents of the EEAS.

Table 3. Annual number of references to each category

	2010	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**
Rule of law	19	15	53	29	29	59	44	80
Human rights and fundamental freedoms	20	16	45	24	15	32	45	67
Democracy	2	48	38	3	1	5	5	17
Security and stability	4	5	12	0	5	25	4	39
Civil society	0	3	29	8	1	7	15	8
Reforms	2	16	25	2	0	0	0	0
Economy	0	7	29	0	0	0	0	0
Importance of mutual relations	3	9	7	0	0	0	0	10
Mobility and people-to-people contacts	0	5	1	0	0	0	0	2
Visa facilitation	0	1	3	0	0	0	0	0
EU values	0	2	2	0	0	0	0	0
Culture	0	2	0	0	0	0	0	1

Some positive changes were associated with Dmitry Medvedev period of the presidency. The speeches of C. Ashton in 2011-2012 show that the European diplomatic service still expected the barriers parting the EU and Russia to be gradually removed in various spheres, such as trade, travel, exchange, and others. The EU was being reliant on rapprochement of Russian and European citizens, on the increasing interest in close cooperation, and, as a result, on outlooks and values becoming closer.[47] Acknowledging that democratic institutions in Russia should be developed by the Russian people themselves, the EEAS at the same time emphasized the crucial role of the international framework in this process. The diplomatic service assured that it will support the country's striving for more open and dynamic society, encourage the internal political process targeted at establishing democratic institutions and will offer its assistance to all who share these goals. The EU remained ready to cooperate with Russia in the sphere of modernization and reforms, support its integration into the international rules-based system. Brussels recognized the importance of mutual relations with Russia despite Moscow's challenging character. At the same time, the High Representative warned of the danger of wasting the opportunities for modernization and democratization in consequence of the steps taken by the government.[48]

[47] Speech of High Representative Catherine Ashton on the EU-Russia Summit. Strasbourg, 13.12.2011.
[48] Speech of High Representative Catherine Ashton on the EU-Russia Summit. Strasbourg, 13.12.2011; Speech of High Representative Catherine Ashton on the situation in Russia. Brussels, 01.02.2012; Statement by EU

Due to the fact that Russia in the 2010s objectively moved away from democratic values, the overwhelming majority of documents justly manifest the most serious concern over the current situation in Russia. The EEAS has focused on criticizing the actions of the Russian authorities. The issues of economy, mobility, culture, visa facilitation and references to the importance of bilateral relations are poorly represented or absent in the EEAS communications with Russia since 2013. No single reference to reforms is found in the documents of 2014-2017. Because of the general worsening of human rights situation in the country and annexation of Crimea the EEAS accentuates Russia's violations of international law and human rights obligations in 2015-2017.

The EEAS was rather active in communications with Russia in 2015 (see the table 2). The number of statements Brussels addressed to Russia was the highest, but the set of topics discussed with Moscow was not broad. The documents put strong emphasis on NGOs situation, human rights violations against foreign citizens and national minorities on the Crimean peninsula.

The results of the content analysis of 2017 showing an increase in the number of references to the category of importance of mutual relations should not be overestimated. This was due to the working visits of F. Mogherini to Moscow and S. Lavrov to Brussels. Shortly after the end of official visits communications of the EEAS with Russia acquired normative character again.

Conclusion

The results obtained indicate that the EEAS communications towards Russia are limited to a narrow range of problems. Brussels does not get involved in diverse communications with Moscow in manifold areas. The categories are mainly restricted to the rule of law and human rights. The state of Russian judiciary, legislation and responsibility of Russia for the fulfillment of human rights obligations have become the issues the European External Action Service addresses most often in its dialog with Moscow. The content of the documents also confirms that the EU's relations with Russia are in deep crisis.

As legal norms and their violation are put by Brussels in the first place, we came to the conclusion that the European diplomatic service on behalf of the EU communicates to Russia as normative power. The elements of soft and transformative power are very scarcely represented.[49] During the period under consideration the EEAS have not made any explicit attempts to form the image of the EU as soft or transformative power and have not accentuated the aspects of SP and TP in its official communications with Russia.

We should be cautious comparing the content of EU's official communications to Eastern Partnership countries, analyzed in the framework of the EU-STRAT project, and the content of communications between the EEAS and Russia. In EU-STRAT working paper, the

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High Representative Catherine Ashton in the European Parliament on the political use of justice in Russia. Strasbourg, 11.09.2012.

[49] Some experts, however, believe that the EU evolved in relations with Russia from NP to SP in the 21st century, making its policy more instrumental, formulating clear political objectives and refusing to primarily rely on the power of its example (Павлова Е. Б., Романова Т. А. Нормативная сила: теория и современная практика России и ЕС // Полис. Политические исследования. 2017. № 1. С. 162-176).

documents posted on the websites of the EU Delegations in three countries (Belarus, Moldova and Ukraine) in February-March 2016 were examined. In our research, the documents of the European External Action Service in the period 2010-2017 were explored. There are some differences in the methodology of the first and second studies: the process of coding and calculation of the share of each category in relation to the total number of categories.

Nevertheless, we can still note that the paten of communications of the European Union with Russia reminds of a Belarusian example. In both cases we do not observe a wide range of engagement areas on the EU side; the EU's communications are limited to few topics with the dominance of normative agenda. The bulk of communications of the EU with Belarus (37 %) refers to rights. There are also some differences between Russian and Belarusian cases. Dealing with Belarus the EU covers more extensively the issues of EU values (13 %) and regional cooperation (9 %), while the rule of law is the 4th reference[50]. In general, however, the EU is behaving towards both Russia and Belarus as normative power.

The structure of the EU's communications to Russia differs dramatically from the one to Moldova, where Brussels plays as a more engaged actor with clear and strong emphasis on reforms (30 %), economy (17 %), and market (7 %). It allows the authors to assert that the EU presents itself as transformative power in communications with Moldova.[51] As was captured in official documents addressed to Ukraine, despite the EU's strong focus on normative issues – democracy (20 %), the rule of law (10 %) and rights (9 %), Brussels also pays attention to economy (10 %) and reforms (8 %).[52] In contrast to Russian and Belarusian cases, the EU communicates with Kishinev and Kiev on a wider range of issues.

The statements of the diplomatic service have not proved very effective. The communications of the EEAS with Moscow of normative character on their own do not have the power to achieve changes in the behavior of the Russian state. A major obstacle for exercising normative power Europe in Russia relates to the reception of the EU's ideas by Russian people. The EEAS messages to Russia do not reach most of the Russian citizens despite their translation into Russian by press service of the EU Delegation in Moscow. For the time being the EU has no mechanisms and instruments to realize its normative intentions in Russia's political context. The role of the EEAS is limited to criticizing the actions of the Russian authorities, expressing concern over the current situation in the country, or approval (in rare cases). The diplomatic service, through the statements published, is merely exerting moral pressure on Moscow and is drawing the extra attention of world leaders, general public and media to the problems of the rule of law and human rights in Russia.

[50] Soft, Normative or Transformative Power. P. 19.
[51] Ibid. P. 20.
[52] Ibid. P. 21.