

# To Be or Not to Be a Normative Power: The EU's Promotion of Human Rights and Democracy in Russia

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### **To Be or Not to Be a Normative Power: The EU's Promotion of Human Rights and Democracy in Russia**

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## Abstract

The 'Normative Power Europe' debate has been a leitmotif in the academic discourse for over a decade. Far from being obsolete, the topic is as relevant as when the term was first coined by Ian Manners in 2002.<sup>1</sup> 'To be or not to be a normative power' is certainly one of the existential dilemmas in the foreign policy of the European Union. This paper, however, intends to move beyond the black-and-white debate on whether the European Union is a normative power and to make it more nuanced by examining the factors that make it such. Contrary to the conventional perception that the European Union is a necessarily 'benign' force in the world, it assumes that it has aspirations to be a viable international actor. Consequently, it pursues different types of foreign policy behaviour with a varying degree of normativity in them. The paper addresses the question of under what conditions the European Union is a 'normative power'. The findings of the study demonstrate that the 'normative power' of the European Union is conditioned upon internal and external elements, engaged in a complex interaction with a decisive role played by the often neglected external elements.

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<sup>1</sup> I. Manners, "Normative Power Europe: A Contradiction in Terms?", *Journal of Common Market Studies*, vol. 40, no. 2, 2002.

## Introduction

*"If Europe is to be a credible player in the world,  
it requires more than just soft power."*

High Representative Catherine Ashton<sup>2</sup>

The debate on the power of normative action is as old as the hills. In European studies, the 'Normative Power Europe' (NPE) debate has already for one decade dominated the academic literature. Ian Manners' interpretation that the European Union (EU) exists as a *sui generis* actor and that this particular uniqueness 'predisposes it to act in a normative way'<sup>3</sup> has given a new direction to an already existing discussion on the nature of the EU's foreign policy and the debate has ever since revolved around varying scholarly interpretations about whether the EU is a normative power and to what extent. The objective of this study is to go beyond this *Gordian knot* and, assuming that indeed the EU exhibits different types of foreign policy behaviour, to identify the conditions under which the EU is a normative power. This will be done by critically examining a selected number of factors which *would* the nature of the EU foreign policy behaviour and juxtaposing them with the criteria for assessing normative power.

This paper suggests that like any other political actor, the EU has aspirations to be a viable global player with a proactive role in the international arena.<sup>4</sup> This is to say that the EU is not simply a 'force for good in the world' but rather an intelligent and reflexive 'force for good' because it does not indiscriminately apply a 'one-size-fits-all' normative approach but instead adapts it to the specificities of the partner, the nature of the relationship and the interests at stake. This explains why the EU exhibits different patterns of foreign policy behaviour with a varying degree of 'normativity' in them.

The hypothesis proposed in this paper is that the EU's decision to act as a normative power and its ability to do so depend on a *mélange* of internal and external factors that are engaged in a complex interaction. It should be borne in

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<sup>2</sup> European External Action Service, European Union @ United Nations, "Opening Address by EU HR Ashton at the European Defence Agency Annual Conference", 31 January 2012.

<sup>3</sup> Manners, "Normative Power Europe", *op.cit.*, p. 252.

<sup>4</sup> L. Aggestam, "Introduction: Ethical Power Europe?", *International Affairs*, vol. 84, no. 1, 2008, p. 1.

mind that the often neglected external elements have a special role to play. Therefore both, the inside-out and the outside-in perspectives are important to identify the conditions under which the EU acts as a normative power. In order to take the study out of the abstract realm and give it a more concrete underpinning, the analysis is conducted within the context of a specific case study, the EU human rights and democracy promotion policy in Russia. The selection of Russia as a case study is determined by the fact that, by demonstrating how the EU combines normative and traditional foreign policy elements, it proves that its normative power does not follow a linear trajectory. Depending on the point in time and the partner it interacts with, the Union exhibits different patterns of foreign policy behaviour with varying degrees of normativity.

Before commencing the analysis however, it might first prove instructive to define the main concepts. To begin with, in his study Kratochwil defines '*normative*' action as one governed by norms and subject to a 'moral point of view'.<sup>5</sup> This paper considers the concept in broader terms to refer not only to actions but also to intentions and outcome. From a theoretical perspective, '*normative*' is best understood by referring to constructivism, which concentrates on normative structures, cognitive processes and the role of identity.<sup>6</sup> When defining '*normative*', it is inevitable not to mention the rationalism vs. constructivism debate. The academic literature tends to qualify these two perspectives where rationalism focuses on strategic interests and material structures and constructivism on norms and social structures as two opposing sides of a spectrum. Fearon and Wendt, however, propose a more convincing interpretation – rather than constituting a zero-sum equation, the two coexist in a complex synthesis because neither constructivism rejects the role of material elements, nor rationalism fails to acknowledge the existence of norms.<sup>7</sup>

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<sup>5</sup> F.V. Kratochwil, *Norms, Rules, and Decisions: On the Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs*, Cambridge, Cambridge University Press, 1989, pp. 7-16.

<sup>6</sup> R. Price & C. Reus-Smit, "Dangerous Liaisons? Critical International Relations Theory and Social-constructivism", *Journal of International Relations*, vol. 4, no. 3, 1998, p. 259.

<sup>7</sup> J. Fearon & A. Wendt, "Rationalism v. Social-constructivism: A Skeptical View", in: W. Carlsnaes, T. Risse & B. Simmons (eds.), *Handbook of International Relations*, Thousand Oaks, CA, Sage Publications, 2002, p. 68.

Being an essentially contested concept, 'power' proves much more difficult to define. For the purpose of this study, Lukes' definition will be used, where power is defined as "a dispositional concept, identifying an ability or capacity" to cause effects.<sup>8</sup> The term NPE was first coined by Manners who explains it as "the ability to define what passes for 'normal' in world politics".<sup>9</sup> Nevertheless, this interpretation is often criticised for providing a too passive understanding of the concept by conditioning it only upon what the EU is, rather than what it says or does.<sup>10</sup> More persuasively, Tocci remarks that an actor cannot be classified as a power merely by the virtue of its existence; instead, she suggests, a genuine normative power is one that scores consistently across three key elements – normative declaratory objectives, normative means, and normative results.<sup>11</sup>

The structure of this paper will be organised around two groups of variables. The first group, referred to as conditioning factors, are: motivation; internal environment and capabilities; external perception; and international context. The first three factors are more internally-orientated and relate to elements such as identity, interests, Member States' positions and internal capacity, whereas the second two have an external dimension and refer to how the EU is perceived externally and the context in which it operates. The other group of variables, also called the assessment criteria for normative power, are inspired by Manners' tripartite analysis<sup>12</sup> but also by the indicators used by Niemann and Wekker in their study:<sup>13</sup> INTENT – referring to the genuineness of the EU's normative commitment and the nature of its objectives; ACTIONS – the practices through which it promotes norms; and IMPACT – the extent to which change is generated in third countries.

As table 1 demonstrates, all the conditioning factors (vertically) and assessment criteria (horizontally) are inextricably intertwined (as indicated in grey) and thus, cannot be analysed in isolation from the others. However, as Tocci remarks, there is a

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<sup>8</sup> S. Lukes, *Power: A Radical View*, Basingstoke, Palgrave Macmillan, 2005, 2<sup>nd</sup> ed., p. 109.

<sup>9</sup> Manners, "Normative Power Europe", *op.cit.*, p. 236.

<sup>10</sup> *Ibid.*, p. 252.

<sup>11</sup> N. Tocci, "Profiling Normative Foreign Policy: The European Union and Its Global Partners", in N. Tocci (ed.), *Who is a Normative Foreign Policy Actor?: The European Union and Its Global Partners*, Brussels, Centre for European Policy Studies, 2008, p. 1.

<sup>12</sup> I. Manners, "The Normative Ethics of the European Union", *International Affairs*, vol. 84, no. 1, 2008, pp. 65-80.

<sup>13</sup> A. Niemann & T. de Wekker, "Normative power Europe? EU Relations with Moldova", *European Integration Online Papers*, vol. 14, article 14, 2010, pp. 1-41.

stronger cause-and-effect relationship between a conditioning factor and a corresponding assessment criterion, where the latter is a direct result of the former (as indicated in black).<sup>14</sup> Hence, in this study they are grouped into three pairs based on the relationships indicated in Table 1: 1) The *motivation* of the EU determines the seriousness of its INTENT; 2) the *internal environment* and *capabilities* of the Union determine how it ACTS; 3) the way the third actor *perceives* the EU and the *international context* determine the IMPACT of its action.

Table 1: The Correlation between Conditioning Factors and Assessment Criteria

FIRST GROUP VARIABLES	SECOND GROUP VARIABLES			
	Assessment Criteria	INTENT	ACTION	IMPACT
	Conditioning Factors			
	Motivation			
	Internal Environment/ Capabilities			
	External Perception/ Context			

Source: Inspired by N. Tocci, quoted in A.S. Makarychev, "Rebranding Russia: Norms, Politics and Power", in N. Tocci (ed.), *Who is a Normative Foreign Policy Actor?: The European Union and Its Global Partners*, Brussels, Centre for European Policy Studies, 2008, p. 157.

## The Cause-and-Effect Relationship between Variables

The objective of this section is to identify the conditions under which the Union acts 'normatively' by examining the cause-effect relationship between the conditioning factors and the assessment criteria.

### *First Group of Variables – Motivation and INTENT*

The analysis of the first group of variables is organised around two elements. It starts with the nature of the EU's motivation with the intention to identify the driving forces in its relationship with Russia. Based on this, it then proceeds to evaluate the EU's normative intent by looking at three criteria for assessment.

<sup>14</sup> Quoted in A.S. Makarychev, "Rebranding Russia: Norms, Politics and Power", in N. Tocci (ed.), *Who is a Normative Foreign Policy Actor? The European Union and Its Global Partners*, Brussels, Centre for European Policy Studies, 2008, p. 160.



## Motivation

Russia can indeed serve as a laboratory for exploring the relationship between norms and interests. As Johnson and Robinson correctly remark, it is an example where strategic interests vital for the EU are at stake that determine the nature of the EU's motivation and, therefore, its commitments and goals towards Russia.<sup>15</sup> This goes in line with the argument that the EU's long-term objective, like that of other international actors, is to be a global player and, therefore, strategic interests play an important role in its considerations.<sup>16</sup>

On the other hand, Barysch perceptively remarks that prior to 2004, the EU had a much more normative intent towards Russia because its immediate instinct was to treat it similarly to other East European transition countries by offering closer ties conditioned upon Russia's progress in the area of economic and democratic reforms.<sup>17</sup> From a present day perspective, however, the EU's approach towards Russia resembles more what Wood classifies as a "pragmatic partnership of interests".<sup>18</sup> Barysch attributes this change to the significant differences in outlook, perception and approach between the EU and Russia that have emerged in the last years<sup>19</sup> but one can equally add the increasingly hostile domestic environment in which the EU promotes its norms.<sup>20</sup>

On this basis, we can assume that as a rational actor, the EU adapts its foreign policy approach accordingly and in case the partner clearly prioritises interests and seems reluctant to concentrate on more normative matters, it is highly likely that the angle of the EU's motivation will become more interest-driven. Nevertheless, this is not to argue that the EU's motivation is completely deprived of any normative characteristics. This study argues that while in the case of EU-Russia relations

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<sup>15</sup> D. Johnson & P. Robinson (eds.), *Perspectives on EU-Russia Relations*, London, Routledge, 2005, p. 2.

<sup>16</sup> S. Fernandes "EU Policies Towards Russia, 1999-2007: Realpolitik Intended", in N. Tocci (ed.), *Who is a Normative Foreign Policy Actor?: The European Union and Its Global Partners*, Brussels, Centre for European Policy Studies, 2008, p. 37.

<sup>17</sup> K. Barysch, *The EU and Russia: Strategic Partners or Squabbling Neighbours?*, London, Centre for European Reform, 2004, p. 4.

<sup>18</sup> S. Wood, "The European Union: A Normative or Normal Power?", *European Foreign Affairs Review*, vol. 14, no. 1, 2009, p. 125.

<sup>19</sup> Barysch, "The EU and Russia: Strategic Partners", *op.cit.*, p. 4.

<sup>20</sup> R. Youngs, "Russia and the Eastern Partnership", lecture, Bruges, College of Europe, 14 March 2013.

normative considerations are not the most decisive factor, they are still present at least at a declaratory level because, as constructivism suggests, they are part of the EU's identity and therefore are reflected in its foreign policy.

### *Intent*

This section intends to study the relationship between motivation and intent by examining the criteria that Niemann and Wekker use to evaluate the genuineness of the EU's normative intent, namely, the centrality of norms in its agenda vis-à-vis Russia, and the extent to which the EU's normative intentions are consistent and coherent.<sup>21</sup>

#### Centrality of norms

As already identified, the EU's motivation in its relations with Russia is primarily but not exclusively driven by strategic interests. Norms and values only play a marginal role; they are of a more symbolic, identity-related nature. It can be argued that this pattern is equally reflected in the EU's intent.

As Fernandes perceptively observes, EU statements are rife with normative rhetoric but the empirical evidence suggests different, more interest-driven objectives, mainly related to energy security and commercial interests.<sup>22</sup> A study of EU official documents verifies the validity of this statement. To mention recent examples, statements on human rights and democracy are regularly released, the statement by the EU High Representative (HR/VP) on the administrative fines against 'GOLOS',<sup>23</sup> on the situation of non-governmental organisations (NGOs) in Russia,<sup>24</sup> or on the Magnitsky case.<sup>25</sup> The inclusion of human rights on the agenda for the 30<sup>th</sup> EU-Russia Summit 2012 is yet another example.<sup>26</sup>

At first glance, the normative commitment appears a recurrent refrain in EU declarations but does it constitute a substantial part of the EU's goals vis-à-vis Russia?

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<sup>21</sup> Niemann & Wekker, *op.cit.*, pp. 7-8.

<sup>22</sup> Fernandes, *op.cit.*, p. 37.

<sup>23</sup> European Union, *Statement by the spokesperson of the High Representative Catherine Ashton on the Administrative Fines Against 'GOLOS'*, A 230/13, Brussels, 28 April 2013.

<sup>24</sup> European Union, *Statement by EU High Representative Catherine Ashton on the situation of NGOs in the Russian Federation*, 170/13, Brussels, 26 March 2013.

<sup>25</sup> European Union, *Statement by EU High Representative Catherine Ashton on the Magnitsky case in the Russian Federation*, A 154/13, Brussels.

<sup>26</sup> European Commission, *30<sup>th</sup> EU-Russia Summit*, Press Release, Brussels, 19 December 2012.

The Partnership and Cooperation Agreement (PCA) that has been the basis for cooperation between the EU and Russia since 1997 demonstrates a strong intent for human rights and democracy – support for “Russian efforts to consolidate its democracy” is among the stated objectives of the Agreement; “respect for democratic principles and human rights” is singled out as the first general principle and reference to human rights and democracy is observed throughout the whole document.<sup>27</sup> A new EU-Russia agreement has been negotiated since 2008 but given that the negotiations have not been concluded yet, the agreement will not constitute part of this analysis. The Commission Russia Country Strategy Paper 2007-2013 reiterates the importance of human rights and democracy in the context of EU-Russia relations but does not explicitly identify them as objectives in the same way it does the other strategic interests.<sup>28</sup> This confirms the assumption that earlier the EU had a much more normative intent towards Russia which gradually evolved into a more pragmatic approach, where interests have been taken to the front and normative goals have remained dead letter.<sup>29</sup>

## Consistency

For Manners, ‘consistency’ means “ensuring that the EU is not hypocritical in promoting norms which it does not itself comply with”.<sup>30</sup> Russia often criticises the EU for concentrating too narrowly on exporting its democratic standards while intentionally ignoring the internal challenges related to the quality of democracy of some of its own Member States. Russia argues that the EU promotes human rights and democracy while it itself is not really an example to follow. For instance, Russia has been increasingly vocal about what it considers violations of the basic human rights of the Russian-speaking population in the three Baltic states. It accuses the EU of depriving these minorities of basic political rights, enjoyed by the other citizens of the Baltic countries, which Russia contends goes directly against the very nature of the norms and values promoted by the Union.<sup>31</sup>

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<sup>27</sup> Council of the European Union, “Agreement on Partnership and Cooperation Establishing a Partnership between the European Communities and Their Member States, of One Part, and The Russian Federation, of the Other Part” *Official Journal of the European Communities*, L 327, 28 October 1997.

<sup>28</sup> European Commission, *Country Strategy Paper 2007-2013: Russian Federation*, Brussels, European Commission, 2007, p. 3.

<sup>29</sup> Fernandes, *op.cit.*, p. 37.

<sup>30</sup> Manners, “The Normative Ethics”, *op.cit.*, p. 76.

<sup>31</sup> Interview with a Russian diplomat, Permanent Mission of the Russian Federation to the EU, Brussels, 21 March 2013.

It should be considered that the lack of consistency does not directly affect the EU motivation or intent or prevent it from pursuing a normative foreign policy. It does, however, have an indirect impact because it certainly undermines the credibility of both the EU normative motivation and intent in the eyes of Russia, which in the long run is a discouragement or an excuse for it not to converge on the model promoted by the EU.

## Coherence

Coherence in this case is to be understood as “ensuring that the EU is not simply promoting its own norms, but that the normative principles that constitute it and its external actions are part of a more universalisable and holistic strategy”.<sup>32</sup> To put it in a theoretical framework, this aspect of coherence can be explained by referring to the universalism vs. cultural relativism debate. Universalism, on the one hand, is the interpretation that human rights are universal, not subject to cultural or religious specificities and should be applied indiscriminately.<sup>33</sup> Cultural relativism, on the other, suggests that, far from being universal, human rights are culturally dependent and neither they nor any moral principles can serve as a reference point for all cultures because such generalisations equal a denial of the existence of cultural particularities.<sup>34</sup>

The complexity of this debate is reflected in the case of the EU human rights and democracy promotion in Russia. From one perspective, all EU normative principles are referred to in multilateral treaties such as, *inter alia*, the United Nations Charter, the European Convention on Human Rights, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights<sup>35</sup>, which arguably confirms the universality of these norms. The question is whether these international agreements are a reliable criterion for determining universality or whether they are culturally relative to the Western understanding of norms.

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<sup>32</sup> Manners, “The Normative Ethics”, *op.cit.*, p. 76.

<sup>33</sup> *Ibid.*

<sup>34</sup> D. Ayton-Shenker, *The Challenge of Human Rights and Cultural Diversity*, background note, United Nations, March 1995.

<sup>35</sup> I. Manners, ‘The European Union as a Normative Power: A Response to Thomas Diez’, *Millennium: Journal of International Studies*, vol. 35, no. 1, 2006, p. 171.

The issue of the universality of democracy as promoted by the EU does not prove any easier. Although the Union claims it does not promote a single model of democracy but rather the principle of it,<sup>36</sup> it is still difficult to find evidence that the EU advocates any other model than the liberal democratic one.<sup>37</sup> Russia is clearly challenging this claim by putting forward its own model, 'sovereign democracy', which it presents as an ideological alternative to the European model. The ambiguous nature of the question on the universality of the human rights and democracy norms promoted by the EU raises doubts about the coherence of its human rights and democracy policy, which certainly makes it seem a less credible norm promoter.

This section has analysed the EU's motivation and the role it plays in determining how the EU's commitments are articulated and goals set. The following section takes to debate to the next level by delving into the internal characteristics of the EU and the action it pursues.

### ***Second Group of Variables - Internal Environment and Capabilities and ACTION***

This part examines the relationship between the internal environment and capabilities of the Union and the way they impact its choice of course of action. The section starts by analysing the nature of the EU's internal environment and capabilities. It then proceeds to examine the course of action by using as analytical framework Manners' six methods for diffusion of norms, namely contagion, informational diffusion, procedural diffusion, transference, overt diffusion, and cultural filter.<sup>38</sup>

#### *Internal Environment*

The internal environment of the Union should be understood as the positions and attitudes of the Member States that determine the internal dynamics of the EU. In the case of Russia, the internal context is predominantly characterised by divisions both among the Member States and between the EU and the Member States, which

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<sup>36</sup> M. Kurki, "How the EU can adopt a new type of democratic support", *FRIDE Working Paper*, no. 112, Madrid, Fride, March 2012, p. 3.

<sup>37</sup> A. Wetzel & J. Orbie, "With Map and Compass on Narrow Paths and through Shallow Waters: Discovering the Substance of EU Democracy Promotion", *European Foreign Affairs Review*, vol. 16, no. 5, 2011, p. 722.

<sup>38</sup> Manners, "Normative Power Europe", *op.cit.*, pp. 244-245.

as Biscop perceptively observes is correctly captured by the maxim 'divide and rule'.<sup>39</sup> That is to say that the EU often demonstrates how "by dividing itself, others rule".<sup>40</sup> Consequently, outsiders take advantage of and encourage such internal divisions in order to rule the EU group.<sup>41</sup> Russia is no exception; however reluctant to admit it, it is quite adept at playing off Member States against each other, and despite its declaratory statements that it would like to see the EU more united, the internal divisions quite well serve its strategic interests.<sup>42</sup>

The main reasons for the divisions among the Member States are divergent national interests, attitudes and approaches towards Russia. Due to their varying positions, some Member States still demonstrate a preference for conducting their bilateral relations with Russia instead of replacing them with a common EU approach. An EEAS official claims that despite the bilateral interests of its Member States, the EU has been much more united in its general understanding of how to deal with Russia in recent years.<sup>43</sup> Yet, internal divisions inevitably show through.

### *Internal Capabilities*

The nature of the EU's internal capabilities is equally important for determining what course of action the EU chooses to pursue and what means it employs to conduct its foreign policy. As Tocci explains, the ability and willingness to act 'normatively' is conditioned upon the levels of dependence and interdependence between partners.<sup>44</sup> In this relation, probably the most commonly referenced argument when it comes to EU-Russia relations is that the EU is still heavily dependent on Russia to guarantee its energy security.<sup>45</sup> This dependence arguably translates into an inability to bypass some of the cruder material elements of international

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<sup>39</sup> S. Biscop (ed.), "The Value of Power, the Power of Values: A Call for an EU Grand Strategy", *Egmont Paper*, no. 33, Brussels, Egmont, The Royal Institute for International Relations, 2009, p. 12.

<sup>40</sup> *Ibid.*

<sup>41</sup> C. Hill, "Convergence, Divergence and Dialectics: National Foreign Policies and the CFSP", in J. Zielonka, (ed.), *Paradoxes of European Foreign Policy*, The Hague, Kluwer Law International, 1998, p. 48.

<sup>42</sup> Interview with EEAS official 1, EEAS, Brussels, 21 March 2013.

<sup>43</sup> Interview with EEAS official 1, *op.cit.*

<sup>44</sup> Tocci, *op.cit.*, p. 19.

<sup>45</sup> M. Morini, R. Peruzzi & A. Poletti, "Eastern Giants: The EU in the Eyes of Russia and China", in S. Lucarelli & L. Fioramonti (eds.), *External Perceptions of the European Union as a Global Actor*, London, Routledge, 2010, p. 32.

affairs.<sup>46</sup> Hence, it explains the EU's reluctance to undertake a more critical stance on the human rights and democracy situation in Russia for the sake of maintaining good relations with a strategic partner.

It should, however, be borne in mind that this is not a unidirectional dependence but a mutual one.<sup>47</sup> The statistics demonstrate that Russia is as dependent on the EU or even more so<sup>48</sup> – whereas Russia is the EU's fourth largest trading partner, the EU is the first for Russia because it provides both a market for its gas and foreign direct investment.<sup>49</sup> Yet, this mutual dependence does not appear to provide the EU with leverage vis-à-vis Russia or with enough confidence to undertake more decisive actions. Self-sufficient and increasingly self-confident, Russia does not feel under obligation to accept the norms promoted by the EU.

### *Action*

Having analysed the EU internal environment and capabilities, this section intends to examine how these determine the course of action it undertakes and the means through which this action it is pursued.

### *Contagion*

The first diffusion mechanism, arguably scoring lowest in 'activeness', is contagion. Contagion, Whitehead explains, is a parsimonious approach because it does not require an analysis of the considerations or intents of the actor diffusing norms.<sup>50</sup> The reason is that contagion is a passive form of a norm-diffusion mechanism because it represents an unintentional dissemination of values. Therefore, contagion can be equated with Coombes' idea of leading by 'virtuous example', meaning that the EU serves as an attractive model by the virtue of its existence as an actor with a distinctive international identity.<sup>51</sup>

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<sup>46</sup> Wood, *op.cit.*, p. 116.

<sup>47</sup> Interview with a Russian diplomat, *op.cit.*

<sup>48</sup> Interview with EEAS official 1, *op.cit.*

<sup>49</sup> M. Emerson, "Introduction", in N. Arbatova *et al.*, *The Elephant and the Bear Try Again: Options for a New Agreement between the EU and Russia*, Brussels, Centre for European Policy Studies, 2006, p. 12.

<sup>50</sup> L. Whitehead, "Three International Dimension of Democratisation", in L. Whitehead (ed.), *The International Dimension of Democratisation Europe and the Americas*, Oxford, Oxford University Press, 2002, p. 5.

<sup>51</sup> Quoted in I. Manners, "Normative Power Europe", *op.cit.*, p. 244.

In the case of Russia the empirical evidence demonstrates that the contagion mechanism does not seem to have contributed to the diffusion of EU human rights and democracy standards in the country. Different factors can be identified that explain why the “model power” of the Union has failed.<sup>52</sup> To begin with, the effectiveness of the contagion mechanism does not depend on the agent, that is the EU, but on the willingness of the target country to voluntarily import the promoted norms and values. Russia, however, rather than trying to replicate the EU human rights and democracy standards, rejects the EU’s attempts to diffuse its norms.

The second element is that, as Börzel and Risse suggest, ideas are emulated when they resonate with the specific domestic conditions within the target country.<sup>53</sup> In addition, actors are likely to emulate ideas or standards in order to improve the existing system when they are dissatisfied with the status quo or the system is failing.<sup>54</sup> Russia, however, is not only satisfied with its own system but it also seems determined to preserve it and even considers the human rights and democracy model promoted by the EU a threat to its own system and interests. Given that the legitimacy of the promoted norms is a *conditio sine qua non* for contagion to take place,<sup>55</sup> perceiving them as being in confrontation with the domestic structure not only deprives them of legitimacy but it also means that they might be subject to political contestation.

### Informational Diffusion

Informational diffusion is a consequence of declaratory communications and policy initiatives.<sup>56</sup> This non-intrusive mechanism constitutes a bridge between the declaratory and the operational levels. In the context of Russia, evidence can be

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<sup>52</sup> A. Penketh, “Miliband: EU Must Be a Model Power, Not a Superpower”, *The Independent*, 16 November 2007.

<sup>53</sup> T.A. Börzel & T. Risse, “The Transformative Power of Europe: The European Union and the Diffusion of Ideas”, *Kolleg-Forscherguppe Working Paper*, no. 1, Berlin, Freie Universität Berlin, May 2009, p. 18.

<sup>54</sup> *Ibid.*

<sup>55</sup> A. Malamud, “The International Dimensions of Democratization: The Case of Argentina”, *Instituto Português de Relações Internacionais Working Paper 3*, Lisbon, Universidade Nova de Lisboa, p. 7.

<sup>56</sup> Manners, “Normative Power Europe”, *op.cit.*, p. 244.



found of attempts to diffuse norms through this mechanism, which has been ambiguous and the results have been mixed.

References to human rights and democracy figure prominently in the EU official communication documents, including the release of documents that address matters related to human rights and democracy, to mention the statement on behalf of the HR/VP on the outcome of the 2012 presidential elections in Russia<sup>57</sup> and the declaration by the HR/VP on violence against journalists in Russia.<sup>58</sup> Nevertheless, the aforementioned internal divisions within the Union have resulted in reluctance to adopt a more confrontational strategy to address human rights violation and the lack of democratic practices.

When it comes to policy initiatives, the Partnership for Modernisation launched in 2010 can be used as an example. Although this initiative is an instance of how the EU norms in general are disseminated through the informational diffusion mechanism, the example is not that illustrative of how human rights and democracy norms are diffused. Even though it incorporates various areas of cooperation its focus is by far not on human rights and democracy but rather on the rule of law.<sup>59</sup> Furthermore, although the perceptions of the EU and Russia converge on what the Partnership for Modernisation initiative should consist of, their approaches differ – while the EU puts the emphasis on the normative side of the initiative, Russia's main priority are the economic aspects of the partnership.<sup>60</sup>

### Procedural Diffusion

With procedural diffusion, the analysis moves further up the ladder of 'activeness'. Resting on operational action rather than passive diffusion, procedural diffusion takes place through the institutionalisation of the relationship between the

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<sup>57</sup> European Union, *Statement to the European Parliament on the Outcome of Presidential Elections in Russia on Behalf of HR Catherine Ashton Delivered by Danish Foreign Minister Villy Sovndal*, A 118/12, Brussels, 15 March 2012.

<sup>58</sup> European Union, *Declaration by the High Representative Catherine Ashton on Behalf of the European Union on Violence against Journalists in the Russian Federation*, 16310/1/10 REV 1, Brussels, 17 November 2010.

<sup>59</sup> EU-Russia Partnership for Modernisation, *Work Plan for Activities within the EU-Russia Partnership for Modernisation*, 2012.

<sup>60</sup> Interview with a Russian diplomat, *op.cit.*

EU and third parties.<sup>61</sup> As mentioned earlier, the 1997 PCA constitutes the legal basis for the cooperation between the EU and Russia and institutionalises their relationship.<sup>62</sup> Nevertheless, since the agreement has been analysed earlier, this part will concentrate on another dimension of the institutional aspect – the EU-Russia four ‘common spaces’ established “on the basis of common values and shared interests”.<sup>63</sup> Although a quite promising initiative at first glance, as Barysch perceptively observes, soon after its launch, it became clear that there were two divergent positions on how to fill the ‘common spaces’, which, however cynical it might sound, alludes to the Russian joke that the “defining characteristic of space is emptiness”.<sup>64</sup>

Human rights and democracy, together with the fundamental freedoms and the rule of law, figure prominently in the Common Space of Freedom, Security and Justice, and are consistently singled out as essential elements of the EU-Russia relations.<sup>65</sup> As Haukkala perspicaciously remarks, the preamble of the document on the fourth ‘common space’ stresses the significance of norms and values, *inter alia* human rights and democracy, as the foundation of the fourth ‘space’ but curiously not of the whole relationship.<sup>66</sup> The actual road map for the fourth ‘common space’ indeed concentrates on technical issues.<sup>67</sup>

The big puzzle is what accounts for the dual logic? Haukkala’s interpretation is that the EU intended to include fragments, namely the ones concerning norms and values, in the preamble for the whole road map package, which arguably was not an option for Russia.<sup>68</sup> However, as Emerson observes, the ‘common space’ in the field of justice and home affairs is the area where Russia is a *demandeur* since it is in

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<sup>61</sup> I. Manners, “The Symbolic Manifestation of the EU’s Normative Role in World Politics”, in O. Elgström & M. Smith, *The European Union’s Role in International Politics: Concepts and Analysis*, London, Routledge, 2006, p. 78.

<sup>62</sup> European External Action Service, EU Relations with Russia.

<sup>63</sup> European External Action Service, EU-Russia Common Spaces.

<sup>64</sup> Barysch, “The EU and Russia: Strategic Partners”, *op.cit.*, p. 14.

<sup>65</sup> European External Action Service, Freedom, Security and Justice.

<sup>66</sup> H. Haukkala, *The EU-Russia Strategic Partnership: The Limits of Post-Sovereignty in International Relations*, Abingdon, Routledge, 2011, p. 140.

<sup>67</sup> *Ibid.*

<sup>68</sup> *Ibid.*, pp. 140-141.

its utmost interest to attain visa-free movement of its citizens within the Union.<sup>69</sup> Hence, given EU's leverage in this area, Russia had no choice but to accept the inclusion of a preamble that explicitly spells out the norms and values promoted by the EU.<sup>70</sup>

The other point that will be explored in this section is the EU-Russia human rights dialogue which also provides the EU-Russia relations with an institutional foundation. Regular, six-monthly EU-Russia human rights consultations were established in 2005 with the objective of providing a forum for a substantial dialogue on human rights related issues. A study on the perspectives of the two partners reveals huge discrepancies. Contrary to considering it ineffective, Russia seems satisfied with the conduct of the biannual human rights consultations.<sup>71</sup>

The EU, however, sees it as great struggle to engage Russia in something in which it appears reluctant to participate. Despite the EU's numerous attempts to put the dialogue on the agenda, Russia demonstrates a complete lack of commitment.<sup>72</sup> Nevertheless, the picture is not as pessimistic as it might seem because the mere fact that the dialogue exists is already a notable achievement.<sup>73</sup> However, with human rights and democracy evolving in a negative direction, the situation in Russia clearly shows its limitations, explaining why the literature is dominated by the assessment that these consultations have been an 'empty shell'.<sup>74</sup>

## Transference

Transference is another diffusion mechanism, which represents the dissemination of norms through the transfer of material and immaterial assets or what Manners calls "the 'carrot and stickism' of financial rewards and economic sanctions".<sup>75</sup> The EU has been providing financial assistance to Russia since the 1990s with the objective of assisting the country with reform aimed at the transition towards

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<sup>69</sup> M. Emerson, "EU-Russia Four Common Spaces and the Proliferation of the Fuzzy", *Centre for European Policy Studies Policy Brief*, no. 71, Brussels, Centre for European Policy Studies, May 2005, p. 2.

<sup>70</sup> *Ibid.*

<sup>71</sup> Permanent Mission of the Russian Federation to the European Union, "О Konsultatsiah Rossia-Evrosoijuz po Pravam Cheloveka" О Консультациях Россия-Евросоюз по Правам Человека [Russia-EU Human Rights Consultations], 9 May 2011.

<sup>72</sup> Interview with EEAS official 1, *op.cit.*

<sup>73</sup> *Ibid.*

<sup>74</sup> Fernandes, *op.cit.*, p. 38.

<sup>75</sup> Manners, "Normative Power Europe", *op.cit.*, p. 245.

democracy and market economy. Financed under the European Initiative for Democracy and Human Rights, the EU has been equally providing support for civil society and NGO initiatives, whose objective is to enable the development of democratic practices and a healthy civil society, and to guarantee the protection of and respect for human rights.<sup>76</sup> Nevertheless, the empirical evidence demonstrates that this financial and technical assistance has not been particularly successful in contributing to the diffusion of the EU human rights and democracy norms to Russia.<sup>77</sup>

Several reasons can be identified that explain the EU's inability to use financial assistance as a mechanism to transmit norms to Russia. First of all, it is argued that the EU does not apply effectively political conditionality vis-à-vis Russia.<sup>78</sup> This reluctance to adopt a more assertive stance and to attach more restrictive conditionality to the provided financial assistance can be attributed to the internal divisions and the unwillingness of some MSs to agree on a more confrontational line.

Another important aspect is that, energy- and resource-rich, Russia is currently so strong and self-sufficient that it can be a donor itself<sup>79</sup> and therefore, EU's conditionality or potential suspension of financial assistance seem to be of little concern to Russia. Indeed, not only does Russia not need EU's financial assistance but it also does not want it since being regarded as a dependent partner is considered offensive for Russia's aspirations.<sup>80</sup> Russia's external actions signal that its *raison d'être* is to regain its lost-for-almost-quarter-of-a-century-now status of a great power. The assistance coming from the EU, Russia perceives as detrimental to this objective because it hurts its national pride.<sup>81</sup>

#### Overt Diffusion

Manners defines overt diffusion as the "result of physical presence of the EU in third states and international organisations".<sup>82</sup> For the purpose of this analysis,

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<sup>76</sup> European External Action Service, Freedom, Security and Justice, *op.cit.*

<sup>77</sup> Fernandes, *op.cit.*, p. 38.

<sup>78</sup> *Ibid.*, p. 39.

<sup>79</sup> European Commission, Directorate-General Development and Cooperation, *op.cit.*

<sup>80</sup> Barysch, "The EU and Russia: Strategic Partners", *op.cit.*, p. 11.

<sup>81</sup> Fernandes, *op.cit.*, p. 38.

<sup>82</sup> Manners, "Normative Power Europe", *op.cit.*, p. 245.

'physical presence' is limited to having an EU delegation in the third country and the presence of the EU in international organisations.

Russia is an important strategic partner for the EU and therefore, it is understandable that the EU is represented in the country through a Union Delegation.<sup>83</sup> Despite the Union Delegations being in contact with local actors on the ground, the reality is that evidence of any more specific activities, different from the general functions of the Delegations, is quite difficult to find. Interviews with EU officials familiar with the work of the Delegation confirm that its contribution is of a more supportive rather than proactive type.<sup>84</sup> The activities of the Delegation are mainly related to coordination and linked to what is being done in Brussels and if the efforts in Brussels do not generate a tangible impact, those of the Delegations are equally unlikely to do so.

The presence of the EU in international organisations is equally important to assess how effective the application of overt diffusion is. The example that will be used is the 2011 European-drafted UN resolution criticising Syria's reaction to anti-government protests. The resolution, drafted by France, in close cooperation with other MSs and enjoying the support of the Union as a whole, openly condemned the brutal crackdown on the legitimate uprising of protesters.<sup>85</sup> One of the principal EU norms, respect for human rights, was incorporated within the very basis of the resolution. Its inability to generate overt diffusion, however, is clearly exemplified by the Russian veto, which Amnesty International classified as a 'shocking betrayal'.<sup>86</sup> Apart from explicitly demonstrating the EU's incapacity to effectively disseminate its human rights and democracy standards through overt diffusion, it was also an unmistakable manifestation of Russia's vaulting ambitions to regain its 'great power' status, which instruct its foreign policy choices.<sup>87</sup>

## Cultural Filter

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<sup>83</sup> European External Action Service, EU Delegations.

<sup>84</sup> Interview with EEAS official 2, via e-mail, 1 May 2013.

<sup>85</sup> BBC News, Middle East, *China and Russia Veto UN Resolution Condemning Syria*, 5 October 2011.

<sup>86</sup> Amnesty International, News, *Blocking of Security Council Resolution on Syria a 'Shocking Betrayal'*, 5 October 2011.

<sup>87</sup> Interview with EEAS official 1, *op.cit.*

Kinnvall defines cultural filter as a diffusion mechanism that has its foundations in the correlation between the process of political or social learning as a result of transmission of norms and the construction of a political and social identity.<sup>88</sup> Therefore, it can be assumed that in terms of outcome, cultural filter is the mechanism that reaches deepest and creates a lasting impact since it implies that the norms disseminated pervade consistently within the political culture of the targeted country.

The question of whether the EU has succeeded in socialising Russia into a sustained adherence to human rights and democracy standards through the means of the cultural filter mechanism is one of the most commonly asked questions in the academic literature. The scholarship is more than explicit in its general conclusion that the EU has so far not been able to shape or transform the human rights and democracy practices in Russia.<sup>89</sup> The analysis of each and every diffusion mechanism clearly suggests that factors external to the EU play an important role in determining when norms are disseminated successfully. This argument, however, is strongest in the case of a cultural filter because its effectiveness rests primarily on how the diffusion of EU norms resonates and is accepted in the recipient country.

Kinnvall suggests that the diffusion of norms through the cultural filter mechanism can have three potential outcomes – learning, adaptation or rejection of norms.<sup>90</sup> It is first important to examine the defining characteristics of the Russian identity by comparing it to that of the EU. As correctly pointed out, one of the main differences lies in the very construction of both identities – Russia identifies itself in opposition to other geographical entities and has its identity deeply rooted in its glorious past;<sup>91</sup> the EU's identity, on the other hand, is built upon its opposition to its war-torn past.<sup>92</sup> This realisation already draws the contours of the discursive asymmetry between the EU and Russia. As Bova argues, an examination of the goals, values and principles that are characteristic of each of the two political cultures,

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<sup>88</sup> C. Kinnvall, *Cultural Diffusion and Political Learning: The Democratization of China*, Lund, Lund University Press, 1995, pp. 61-67.

<sup>89</sup> R. Tilley, "Normative Power Europe and Human Rights: A Critical Analysis", *POLIS Journal*, vol.7, University of Leeds, 2012, p. 461.

<sup>90</sup> Kinnvall, *op.cit.*, p. 67.

<sup>91</sup> Makarychev, *op.cit.*, p. 157.

<sup>92</sup> T. Diez, "Constructing the Self and Changing Others: Reconsidering 'Normative Power Europe'", *Millennium*, vol. 33, no. 3, 2005, p. 634.

demonstrates a large discrepancy.<sup>93</sup> As Almond and Verba suggest, the establishment of a democratic political system or respectively the adoption of democratic practices requires a political culture that is in compliance with such a model.<sup>94</sup> The inability of a political culture to support a democratic system results in a functional impossibility to consolidate it.<sup>95</sup>

This section has examined the main characteristics of the EU's internal environment and capabilities and the way they have constrained or enable its room for maneuver and determined the prioritisation of one course of action over another. The next part intends to evaluate whether the Union efforts to socialise Russia into converging on its norms have had a tangible impact.

### ***Third Group of Variables – External Perception and Context and IMPACT***

The final section constitutes an analysis of the external perception of the Union and its implications for the outcome of the EU's human rights and democracy policy. It commences by looking at the nature of Russia's perception of the EU and the external context, which will then be followed by an assessment of the impact of the EU's promotion of human rights and democracy in Russia. The analysis will be conducted by examining primary literature in the form of reports on the current human rights and democracy situation in Russia, from Russian and non-Russian sources and by comparing the findings to how the present situation is evaluated in secondary literature.

#### *External Perception*

In order to get the full picture of NPE, it is important to take into account the outside-in perspective as well, in this case, how Russia perceives the EU and its human rights and democracy promotion agenda. To begin with, Baranovsky, a Russian analyst, affirms that the attitude of Russia towards the EU does not follow a consistent trend as a result of considerable variations in the perceptions of the

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<sup>93</sup> R. Bova, "Russia and Europe after the Cold War: Cultural Convergence or Civilizational Clash?", in K. Engelbrekt & B. Nygren (eds.), *Russia and Europe: Building Bridges, Digging Trenches*, London, Routledge, 2010, p. 24.

<sup>94</sup> G.A. Almond & S. Verba, *The Civic Culture: Political Attitudes and Democracy in Five Nations*, Newbury Park, Sage, 1989, p. 3.

<sup>95</sup> *Ibid.*, p. 366.

different groups, the political and diplomatic elite, the business community, and the civil society.<sup>96</sup>

It should also be noted that the Russian attitude towards the Union is not a fixed constant but rather a variable evolving over time in synchrony with the changing global political architecture and the growing internal capacities of Russia. This change of attitude is illustrated by Lukyanov's observation that in the 1990s 'Europe' was the focal point for the post-communist transformation of Russia.<sup>97</sup> Presently, however, Russia is a fast-growing, self-sufficient country that has at its disposal the energy weapon, as a result of which, factors such as sovereignty and the pursuit of its *raison d'État* have taken priority over any normative considerations.<sup>98</sup> This *ipso facto* is not to say that Russian foreign policy does not have any normative underpinning but rather that it is characterised by a distinctive value basis when compared to that of the EU. Being aware of these normative differences, Russia increasingly sees the EU references to 'shared values' as not only irritating but also counter-productive.<sup>99</sup> It perceives EU human rights and democracy promotion as an attempt to teach Russia how to manage its own internal affairs, which, from a Russian point of view, undermines its national sovereignty.<sup>100</sup>

This argument indeed goes beyond the mere issue of interference in Russia's domestic affairs. It touches a thin chord in its national pride, the question of ego. The image of it being a *bon élève* in a process where the EU 'lectures' it on human rights and democracy does not go hand in hand with its ambitious aspirations to reassert its status as a global power. In this partnership it is not in Russia's interests to be a norm taker.<sup>101</sup>

On the one hand, Russia comprehends the EU's tendency to promote the norms on which it is founded as a consequence of its natural desire to interact with

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<sup>96</sup> V. Baranovsky, *Russia's Attitudes Towards the EU: Political Aspects*, Berlin, Institut für Europäische Politik, 2002, p. 169.

<sup>97</sup> Quoted in K. Barysch, *The EU and Russia: From Principle to Pragmatism?*, Centre for European Reform Policy Brief, London, Centre for European Reform, November 2006, p. 2.

<sup>98</sup> *Ibid.*

<sup>99</sup> Barysch, "The EU and Russia: Strategic Partners", *op.cit.*, p. 13.

<sup>100</sup> *Ibid.*

<sup>101</sup> Emerson, "Introduction", *op.cit.*, p. 12.



partners who play by the same rules and share the same values.<sup>102</sup> Yet, it remains critical of the EU's assumption that the values and standards underpinning its own integration process and resting on the surrender of national sovereignty might be exported universally, including to a state that values first and foremost its own sovereignty. Russia regards what it classifies as the EU's intention to *mould* it on its own image and likeness as a failure to acknowledge that Russia's political culture differs from its own.<sup>103</sup> Consequently, Russia has developed an alternative model to that promoted by the Union, which it courageously calls 'sovereign democracy' and affirms is more appropriate for its internal context because it better reflects its political and socio-cultural specificities.<sup>104</sup>

### *External Context*

Examining all the aspects of the external environment in which the EU operates is a task beyond the capabilities of this study. Therefore, the analysis will be limited to the neighbourhood region, which will allow drawing conclusions about how the interaction of the two actors in a common external context conditions the impact of EU's normative power.

Russia is a regional power in the neighbourhood with its own fundamentally distinctive interpretation of democracy and with its own view of regional order.<sup>105</sup> Thus, the EU human rights and democracy agenda finds itself in sharp competition with the norms Russia promotes in its attempt to construct itself as an ideological alternative to the Union.<sup>106</sup> Despite the fact that Russia's home-grown hybrid type of a semi-authoritarian, semi-capitalist 'sovereign democracy' model is predominantly considered unexportable; by its attempts to export the unexportable, Russia has managed to undermine the Union's democracy promotion agenda.<sup>107</sup> Furthermore, Russia quite tactically links the neighbourhood issue to the questions of national sovereignty. Some scholars not perceptively enough conclude that Russia sees the

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<sup>102</sup> Interview with a Russian diplomat, *op.cit.*

<sup>103</sup> Barysch, "The EU and Russia: Strategic Partners", *op.cit.*, p. 61.

<sup>104</sup> Fernandes, *op.cit.*, p. 39.

<sup>105</sup> E.J. Stewart, "Mind the Normative Gap? The EU in the South Caucasus", in R. Whitman (ed.), *Normative Power Europe: Empirical and Theoretical Perspectives*, London, Palgrave Macmillan, 2011, p. 79.

<sup>106</sup> *Ibid.*

<sup>107</sup> H. Haukkala, "The Russian Challenge to EU Normative Power: The Case of European Neighbourhood Policy", *The International Spectator: Italian Journal of International Affairs*, vol. 43, no. 2, 2008, p. 41.

EU as a competitor in its 'near abroad',<sup>108</sup> while well beyond that, EU officials are convinced that Russia thinks of the EU's policy towards the region as an unwelcome interference within its affairs.<sup>109</sup>

What is important for the purpose of this study is to establish the correlation between the interaction of the EU and Russia in a shared neighbourhood and the impact of the EU's normative action. First of all, the EU and Russia have very different approaches to the region – the EU has a value-driven approach with tough conditionality attached to it, which does not seem nearly as attractive as Russia's more traditional foreign policy approach disguised in 'normative camouflage', with many 'carrots' and practically no 'sticks'.<sup>110</sup> Thus, Russia's policy towards the neighbourhood in its present form prevents the EU's normative action from having a tangible and lasting impact, which undermines its ability to act as a normative power. In the same vein, Russia's attempts to conduct traditional foreign policy in a 'normative' manner by taking outside its borders a model that it might call 'democracy' but remains incompatible with that promoted by the EU opens up space for a more confrontational approach towards the EU model.<sup>111</sup>

### *Impact*

The study on the impact of the EU's human rights and democracy promotion policy on the Russian domestic reality will be conducted by drawing on the assessment of the current human rights and democracy situation in the country as outlined in the reports of Freedom House, Human Rights Watch, The Foreign and Commonwealth Office, The Centre for the Development of Democracy and Human Rights; and a policy paper by the EU-Russia Civil Society Forum.

The overall conclusion of all the reports is that the human rights and democracy situation in Russia has considerably deteriorated following the 2012 presidential elections. The most concerning elements identified by the reports in relation to the quality of the democracy in Russia are first and foremost undemocratic electoral practices, for example the tightly controlled 2012 presidential election that brought President Vladimir Putin back to power "after a four-year interlude"<sup>112</sup> and alleged

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<sup>108</sup> Barysch, "The EU and Russia: Strategic Partners", *op.cit.*, p. 64.

<sup>109</sup> Interview with EEAS official 1, *op.cit.*

<sup>110</sup> Haukkala, "The Russian Challenge", *op.cit.*, p. 37.

<sup>111</sup> *Ibid.*

<sup>112</sup> Freedom House, *Country Report: Russia*.

electoral fraud in the 2011 parliamentary elections.<sup>113</sup> Freedom House explicitly mentions that "Russia is not an electoral democracy",<sup>114</sup> whereas the conclusion of the OSCE election observation was that despite being properly conducted from a technical point of view, the 2012 presidential elections were characterised by restricted competition, lack of fairness and numerous irregularities.<sup>115</sup> Equally, political freedoms have been considerably restricted.

When it comes to the human rights situation, the picture does not seem any brighter. There are three major issues that the reports consistently refer to, notably, the introduction of a new law on NGOs, a new discriminative law against the lesbian, gay, bisexual and transgender community,<sup>116</sup> as well as the treatment of human rights defenders and the hostile environment in which they operate. These negative developments clearly limit the civil society freedoms and demonstrate that Russia drifts further away from the human rights model promoted by the EU. Based on this brief study of human rights and democracy developments in Russia, it can be concluded that the findings of these reports convey an unambiguous message: that the progress achieved under President Medvedev, however timid, has turned into a regression of an unprecedented magnitude in the past year and currently, there is no indication that this downward trend might change directions.<sup>117</sup>

However, it is important to consider what these findings tell us about the impact of the EU's attempts to promote human rights and democracy in the country. The analysis has so far demonstrated that the EU has adopted a strong normative rhetoric. Its objectives, although mainly driven by interests, are not completely deprived of normative considerations. The Union has to an extent tried to act normatively through diffusion mechanisms even though the evidence suggests that these attempts have been predominantly unsuccessful. When it comes to the severely limited normative impact, however, the picture seems more pessimistic.<sup>118</sup> The negative attitudes towards the EU human rights and democracy norms among

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<sup>113</sup> The Foreign Commonwealth Office, Human Rights and Democracy: The 2012 Foreign & Commonwealth Office Report, "Section IX: Human Rights in the Countries of Concern: Russia", London, April 2013, pp. 203-209.

<sup>114</sup> Freedom House, *op.cit.*

<sup>115</sup> The Foreign and Commonwealth Office, *op.cit.*

<sup>116</sup> *Ibid.*; Freedom House, *op.cit.*

<sup>117</sup> Human Rights Watch, *World Report*, "Russia", 2013, United States, p. 460.

<sup>118</sup> Tilley, *op.cit.*, p. 461.

the Russian political elite have created a hostile environment for the attempts of the Union to nurture democratic practices and human rights standards.<sup>119</sup> A step further, Russia has developed its own endogenous political model, which it sees as an embodiment of its legitimate right to have an interpretation of democracy that corresponds to its internal context. Hence, as long as Russia continues to follow this trend, the EU human rights and democracy policy towards it is unlikely to generate a discernible impact.

Nevertheless, there is some light at the end of the tunnel because it would be erroneous to conclude that the EU normative action has not had any impact whatsoever. On the one hand, the political elite demonstrate a negative attitude towards the EU's human rights and democracy agenda. On the other, however, a growing awareness is observed at societal level and even advocacy for the principles promoted by the EU. Despite being increasingly suppressed and severely limited, the work of local human rights and democracy promotion NGOs, as well as that of human rights defenders confirms this argument. Yet, this is still a slow process and one should not expect that a profound change will happen overnight because "anything worthwhile takes time".<sup>120</sup>

## Conclusion

In its interaction with third actors, the EU is often confronted with the question whether to be or not to be a normative power. The objective of this paper has been to identify the condition under which the EU is a normative power by examining a set of conditioning factors, namely motivation, internal environment and capabilities and external perception and context, and their interaction with the criteria for assessing normative power - intent, action and impact. The findings of the study have proved that the EU's ability and choice to be a normative power depend on closely interlinked internal and external factors with a special role played by the external ones.

This paper starts with the assumption that the EU has ambitions to be taken seriously and to play a more determining role in international politics, instead of

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<sup>119</sup> Stewart, *op.cit.*, p. 621.

<sup>120</sup> R. Cooper, quoted in C. Grant, *Is Europe Doomed to Fail as a Power?*, London, Centre for European Reform, 2009, p. 34.

being perceived as a “limp-wristed moral fairy”.<sup>121</sup> The analysis has confirmed this assumption by explicitly demonstrating that the EU does not always adopt normative foreign policy behaviour but has a tailor-made approach that reflects the specificities of the relationship with a given partner at a given point in time.

The paper has systematically examined NPE from two different perspectives – the ‘inside-out’ perspective, which concentrates on the EU’s declaratory commitment and stated objectives, the positions of its Member States, and its internal capacities; and the ‘outside-in’ perspective which focuses on the attitude of the recipient country towards the norms the Union promotes and the regional context in which it operates. The overall conclusion is that in the case of human rights and democracy promotion in Russia, the EU has adopted a more traditional foreign policy approach, yet not completely deprived of normative characteristics.

When it comes to the EU’s intent, the analysis has demonstrated that it is mainly conditioned upon the motivation of the Union. In the case of Russia, strategic interests undoubtedly play a crucial role in the articulation of the EU’s motivations towards Russia. However, being an integral part of the EU’s identity, and therefore foreign policy, normative considerations are to an extent also present and they are particularly visible in the articulation of the declaratory commitments but do not figure that prominently in the formulation of objectives vis-à-vis Russia. Doubts about the consistency and coherence of the promoted by the EU norms undermine the credibility of its normative agenda and raise questions about the seriousness of its normative intent.

Concerning the actions of the EU, evidence can be found of actions characterised by a different degree of commitment conducted through various diffusion mechanisms. Yet, the empirical analysis has shown that the EU’s attempts to disseminate its norms through these mechanisms have had a very limited success. This is often attributed to the internal divisions of the EU, which prevent it from developing a united position vis-à-vis Russia and to its dependence on Russia to ensure its energy security. Another reason is the fact that Russia increasingly sees the

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<sup>121</sup> A Western Expert on Russian Foreign Policy, quoted in K. Barysch, “The EU and Russia: Strategic Partners or Squabbling Neighbours?”, London, Centre for European Reform, 2004, p. 13.

Union's human rights and democracy promotion policy as an illegitimate intrusion into its internal affairs and as disrespect for its national sovereignty.

The impact of EU human rights and democracy promotion is mainly conditioned upon the perception of the recipient country and the external environment. Russia's attitude towards the human rights and democracy norms promoted by the EU is affected by its tendency to see them as a threat to its model of political development. The relative lack of success of the EU in socialising Russia into converging on its human rights and democracy standards can be accredited to its absolute unwillingness to make any progress towards EU norms. The fact that the human rights and democracy situation has deteriorated over the cthe last year proves that EU norm-promotion efforts have not had a discernible impact.

Finally, this study has explicitly demonstrated that the normative power of the EU is conditioned upon a complex network of factors interweaved in various ways. Nevertheless, we cannot fail to acknowledge the predominant role of external elements and especially the perception and attitude of the partner. This realisation leads to another important conclusion that although the EU is often accused of not being a genuine normative power, it is not solely to blame when one considers that its capacity to act as a normative power equally depends on the response of the partner country. Otherwise said, 'to be or not to be a normative power' is certainly one of the existential dilemmas in the EU foreign policy. Yet, one should bear in mind that it takes two to be a normative power – an agent that consistently follows through with normative commitments and pursues normative actions and a recipient that is willing and able to adopt the promoted norms and internalise them.

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