

# CARNEGIE

P A P E R S

**E.U.–RUSSIA  
RELATIONS:  
Interests and  
Values—  
A European  
Perspective**

*Rolf Schuette*

**RUSSIAN AND  
EURASIAN PROGRAM**



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## CONTENTS

Preface . . . . .	v
<b>The Structure and Main Areas of E.U.–Russia Cooperation . . . . .</b>	<b>1</b>
The E.U.’s Russia Policy as a Mixture of Union and Member States’ Policies . . . . .	1
The Structure of E.U.–Russia Cooperation . . . . .	2
Four Basic Areas of Cooperation: The Four Common Spaces . . . . .	3
<b>The “Common Values” within the Framework of E.U.–Russia Relations . . . . .</b>	<b>12</b>
Principal Goals . . . . .	12
The Development of the Concept of Common Values . . . . .	13
Recent Developments . . . . .	24
<b>The Specific Character of E.U.–Russia Relations . . . . .</b>	<b>26</b>
Issues Directly Related to Geographical Proximity. . . . .	26
Effects of the Establishment of a Dense Legal and Institutional Framework . . . . .	27
The E.U.’s Search for “Common European Values” . . . . .	27
<b>Conclusions and Recommendations . . . . .</b>	<b>28</b>
<b>Bibliography . . . . .</b>	<b>31</b>



## PREFACE

. . . [T]he present Russian leadership is breaking away from the core democratic values of the Euro-Atlantic community. All too often in the past, the West has remained silent and restrained its criticism in the belief that President Putin's steps in the wrong direction were temporary and the hope that Russia would soon return to a democratic and pro-Western path. . . . The leaders of the West must recognize that our current strategy towards Russia is failing. Our policies have failed to contribute to the democratic Russia we wished for and the people of this great country deserve after all the suffering they have endured. It is time for us to rethink how and to what extent we engage with Putin's Russia and to put ourselves unambiguously on the side of democratic forces in Russia.

— Excerpt from “Open Letter to the Heads of State and Government of the European Union and NATO” by 115 prominent European and American politicians and foreign policy experts, September 28, 2004

The European Union and the Russian Federation acknowledge the opportunities to further strengthen their strategic partnership offered by the enlargement of the E.U. We reaffirm our commitment in this regard to establish the four common spaces agreed at the St. Petersburg Summit in May 2003. The interdependence of the E.U. and Russia, stemming from our proximity and increasing political, economic and cultural ties, will reach new levels with the enlargement of the E.U.

— Excerpt from the “Joint Statement on E.U. Enlargement and E.U.–Russia Relations,” Brussels, April 27, 2004

Statements like these are good examples of the opposing views that Europeans (and the West in general) hold of Russia and its relations with the West. Western media, many Russia scholars, politicians who are not in power, and much of the public see President Vladimir Putin moving Russia further away from democracy, human rights, and the rule of law as they are understood in the West. The critics may disagree about whether today's Russia can be described as a “managed democracy,” an “authoritarian state,” or a “new totalitarian state.” But they all agree that the political system President Putin has designed and erected during the past few years no longer has much in common with western democracy. Many of the critics conclude that the European Union and the United States cannot develop a partnership, let alone a “strategic partnership,” with Russia, as long as there is such an evident lack of “common values.”

By contrast, European and American governments show no sign of substantially curtailing their cooperation with Russia or with its president. Many government leaders may share some of

the critics' concerns about domestic developments in Russia, and even raise them in confidential meetings with their Russian counterparts and occasionally even in public. But they do not see Russia's departure from democratic values as a compelling reason to discontinue the attempt to deepen the dialogue and the relationship between their countries and Russia. As far as the European Union is concerned, the relationship with Russia is to be developed into a "strategic partnership." Toward this end, the E.U. and Russia have decided to develop the "four common spaces." Future cooperation is to be organized in the framework of a common economic space; a common space of freedom, security, and justice; a common space of external security; and a common space of research and education, including cultural aspects. The concrete details of this partnership are currently being discussed and negotiated between the E.U. and Russia.

This paper looks at E.U.—Russia relations from a European and not a Russian perspective. Its main focus is to look at the question of how the issue of "common values" has figured in this relationship, especially when compared with the importance of other major issues. Therefore, the paper's first section addresses the question of who formulates the E.U.'s policy vis-à-vis Russia, and then outlines the basic structure and the four main areas of E.U.—Russia cooperation. The paper's second section is devoted to the question of the relative importance of "common values" within this multifaceted relationship.

The third and final section of the paper concludes by looking at the reasons that the E.U. and the West in general have had so little success in exporting democracy to Russia. This section also offers recommendations for a realistic policy toward Russia. It argues that such a policy would have to take into account the manifold interests the E.U. and Russia share. But it also suggests that the relations between the two sides can hardly be called a "strategic partnership" if they leave no room for a critical dialogue about contentious issues and about the "common European values."

## **THE STRUCTURE AND MAIN AREAS OF E.U.–RUSSIA COOPERATION**

### **The E.U.'s Russia Policy as a Mixture of Union and Member States' Policies**

Russia easily comes first in the time and energy that the E.U. has devoted to developing relations with outside partners, both in the economic field and regarding the political dialogue within the context of the E.U.'s Common Foreign and Security Policy (CFSP) and European Security and Defense Policy (ESDP). Russia has been the subject of many fundamental policy documents, policy implementation instruments, and internal discussions during the past decade. The density and frequency of the bilateral dialogue between Russia and the E.U. are unique.

E.U. policy toward Russia has reflected, however, the unique character of the E.U. as a supranational entity. It has combined policies from the union itself (the Commission; the presidency; the troika of presidency, Commission, and high representative for the CFSP; and the European Parliament) with policies from member states. Ideally, the policies of the union and its member states have been harmonious. The achievement of this goal was one of the main driving forces that led the E.U. to adopt a Common Strategy on Russia in 1999. A lack of harmony triggered a major review of the E.U.'s policy vis-à-vis Russia in early 2004. But a fully coordinated and coherent E.U. policy regarding Russia was not always achieved. The common positions on Russia adopted by the E.U. as a whole sometimes only describe the smallest common denominator. The big member states (especially Germany, France, Italy, and—earlier—the United Kingdom) and the immediate neighbors of Russia in the E.U. formulate their own positions. They feed them into the E.U. debate and actively engage in the formulation of E.U. policies. They try to influence and mobilize a Commission that also has to take account of the views and national interests of twenty-five member states and appears to be slow on occasion. Furthermore, member states with particular interests do not hesitate to take up with Russia bilaterally issues that the union as a whole could or should address. These include bilateral agreements on visa facilitation, bilateral dialogues on security and terrorism, individual approaches to the question of Russian minorities inside the E.U., and the Iraq war.

The commissioner-designate for external relations in the new E.U. Commission and former foreign minister of Austria, Benita Ferrero-Waldner, remarked on these divisions in her European Parliament nomination hearings on October 5, 2004. She said that pursuing a cohesive European policy with regard to Russia was, of course, not easy when member states had divergent positions. Against this background, she promised: “But we must see to it that we speak with one voice.”

Russia has or pretends to have difficulty understanding the complex structure of the E.U. It prefers bilateral relations and dialogue and tends to view the European Commission with suspicion. It plays on the dual character of the E.U. as the union and its member states. Russia sometimes

tries to exploit differences of opinion between the member states by using its special relations with individual E.U. leaders to advance its national interests inside the E.U. (and NATO).

### The Structure of E.U.–Russia Cooperation

Geographical proximity and a complex common history have created both opportunities and problems for the development of E.U.–Russia relations since the collapse of the Soviet Union. Thus, they are the main driving force behind a multifaceted E.U.–Russia agenda. To cope with this complexity, a great number of documents have been drafted and an elaborate bilateral dialogue structure has been put in place.

E.U.–Russia cooperation is based on a number of documents (box 1), which differ as far as their legal status and their political value are concerned. The most important texts governing the relationship are the Partnership and Cooperation Agreement (PCA), the statements adopted by E.U.–Russia summits, and, most recently, the agreements on the four common spaces (which are not yet finalized). These documents were negotiated with and agreed to by the Russian government; thus, they are “common” to the E.U. and Russia.

#### Box 1. Major Conceptual Documents for E.U.–Russia Cooperation

- Partnership and Cooperation Agreement (PCA), signed in 1994, in force since 1997, extended to the new E.U. member states in 2004 (The relevant protocol was ratified by both houses of the Russian parliament in October 2004; as a bilateral agreement, the PCA remains the legal base and broad framework for current and future E.U.–Russia relations.)
- Common Strategy on Russia, adopted by the E.U. in 1999, expired in 2004
- Russian Medium-Term Strategy on E.U. relations, adopted by Russia in 1999
- Joint statements of E.U.–Russia summits
- Technical Assistance for Commonwealth of Independent States program (since 1991)
- Draft Proposals for Four Common Spaces (the concept was adopted by the Saint Petersburg summit in 2003, and is currently under discussion between the E.U. and Russia)
- Internal E.U. policy papers

Other documents were developed inside the E.U. Foremost among these was a “Common Strategy” (CS), which was adopted by the E.U. in 1999 and expired in 2004. It was a unilateral, but public, E.U. document designed primarily to improve the coherence between the European Union and its member states’ policies vis-à-vis Russia. Russia responded to this internal E.U. document with its own “Medium-Term Strategy” (MTS) for the development of relations with the E.U. In addition, the E.U. has expressed its views on Russia in numerous public statements and comments of the E.U. Council of Ministers or the E.U. presidency.

A third category of Russia-related E.U. documents is neither negotiated with Moscow nor public but serves the purpose of E.U. internal stock taking concerning this relationship. The most recent

exercises of this type took place at the beginning of 2004—after the “problematic” E.U.–Russia summit in Rome—and then again in the fall of 2004—after the Beslan terrorist hostage taking.

But the documents are not the only opportunities for the E.U. and Russia to formulate and express their views on each other and on developing their relations. A very dense institutional framework, created mainly by or as a consequence of the PCA, gives ample additional room for both sides to express themselves and communicate with each other (box 2).

### **Box 2. Institutional Framework for E.U.–Russia Relations**

In the framework of the PCA:

- E.U.–Russia summits (Russian president–E.U. troika, since 1998, twice a year, thirteen so far)
- Permanent Partnership Council (PPC) as a clearinghouse for all issues, as successor of the Cooperation Council (ministerial level, troika format, so far once a year, now more frequent meetings and different formations possible)
- Cooperation Committee (European Commission, senior official level)
- Subcommittees (Commission)

Political dialogue, during:

- E.U.–Russia summits
- PPC meetings
- Ministerial meetings (twice a year)
- Political directors’ meetings (four times a year)
- Experts’ meetings (ten formats, twice a year, troika format, Common Foreign and Security Policy formations)
- Political and Security Committee: Russian ambassador (monthly), in Brussels

### **Four Basic Areas of Cooperation: The Four Common Spaces**

E.U.–Russia cooperation has seen a gradual expansion of activities that also reflects the internal development of the E.U. from an economic community to a political union that rests on the three pillars of economic cooperation, common foreign and security policy, and cooperation in security and home affairs. This gradually expanded activity is now to be reviewed and systematically organized through the “four common spaces”: (1) a common economic space; (2) a common space of freedom, security, and justice; (3) a common space of external security; and (4) a common space of research and education, including cultural aspects. Road maps to fill these spaces with concrete contents are to be worked out.

The history of the four common spaces concept is an example of how E.U.—Russia relations are made. Germany and France conceived the idea. They introduced it to the E.U. presidency, the Commission, to the other E.U. member states, and to Russia. It was then formally adopted by the E.U.—Russia summit in Saint Petersburg in May 2003. But after the general concept was introduced and adopted at the highest level, most of the substantial work on the E.U. side had and still has to be accomplished by the Commission and the Council Secretariat rather than by individual member states.

The work on this new approach in E.U.—Russia relations represents a stock taking of what has been done and accomplished so far, as well as a basis for future work. The very structure of the concept also provides an appropriate guideline for showing how and where E.U.—Russia cooperation has developed since its beginnings in the early years after the breakup of the Soviet Union. At writing, it is not yet clear whether the concept of the four common spaces and the development of four road maps for each of the spaces can be adopted as planned.

### *First-Pillar Issues: “The Common Economic Space”*

Just as was the case with the E.U. itself, the initial cooperation between the E.U. and Russia—even before the PCA—focused mainly on economic and trade issues (box 3). The E.U. has always declared that one of its primary objectives is to eliminate all obstacles for bilateral trade and investment and to assist the development of a Russian market economy through the approximation of legislation, a stable legal framework, and the harmonization of technical standards (for example, through the program of Technical Assistance for the Commonwealth of Independent States, or TACIS). In the future, the E.U. wants to see these relations develop into economic integration through increased and diversified trade, new investment opportunities, and common transport, telecommunications, and energy networks.

Russia’s primary objective has always been to get E.U. support for the Russian economy’s modernization and integration into the global economy, including through World Trade Organization (WTO) membership, and to get market access for its products. President Putin envisages the modernization of Russia’s economy as essential to Russia’s regaining its position as an internationally respected power (if not a world power or superpower). In this respect, pursuing Russia’s economic modernization may be even more important than maintaining its stockpile of nuclear weapons or its veto power on the UN Security Council. However, Putin seems to know that a quick modernization of Russia is not possible without cooperation from the economically and technologically advanced West—and particularly from the E.U., which is Russia’s most important trading and investment partner. The range and intensity of the dialogue indicate a high degree of economic interdependence between the E.U. and Russia. This economic complementarity is based on underlying facts pertaining to trade and investment and to energy.

In the realm of trade and investment, the E.U., which was enlarged in 2004 to encompass twenty-five member states, is by far Russia’s largest trading partner, investor, and source of technology and know-how. Today, the E.U. accounts for more than 50 percent of overall Russian trade in goods (by contrast, United States–Russia trade is only about 10 percent of E.U.—Russia trade; Germany’s trade alone with Russia is three times higher than United States–Russia trade). Even though it accounts for only 5 percent of the E.U.’s overall foreign trade, Russia is the E.U.’s

### Box 3. Major Economic Issues for E.U.–Russia Cooperation

The major issues discussed included:

- Trade: Most-favored-nation status for Russia (no quantitative limitations for Russian exports except certain steel products)
- Obstacles for E.U. exports to Russia; the E.U.'s goal was to eliminate trade barriers through regulatory convergence, simplification of customs procedures, and control of customs fraud
- E.U. meat exports and veterinary certificates (important bilateral topic in 2004)
- Aviation matters (Trans-Siberian overflight payments)
- Fisheries agreement, pharmaceutical agreement, and veterinary agreement
- Integrated transport networks
- Financial stabilization in Russia (after 1998 crisis), control of capital flight
- European Investment Bank–Russia Framework Agreement
- Training of young managers
- Industrialists' Roundtable, European Business Club in Moscow
- Russian World Trade Organization (WTO) membership: Agreement concluded on bilateral issues for Russian access to WTO in May 2004; for example, on Russian tariff levels, services, trade-related energy questions (including domestic industrial gas prices), Siberian overflight charges until 2013
- Consequences of E.U. enlargement, E.U. goal: timely extension of the PCA to new E.U. member states; Russian concerns about possible negative consequences, mainly in the trade field (A protocol extending the PCA to ten new E.U. member states was signed in April 2004; it included agreement on Russian concerns: exports of aluminum and steel, antidumping, veterinary certificates, agricultural products, nuclear materials, transit of goods to Kaliningrad, no E.U. limits to imports of fossil fuels and electricity from Russia, recognition of long-term energy contracts, phasing out of noisy aircraft, facilitated visa issuance between Russia and acceding states maintained, visa-free travel as long-term perspective, readmission agreement, and indirect reference—protection of human rights and minorities—to the situation of Russian minorities in Baltic States.)

Two special working groups for top priority issues were established:

- High-Level Group to elaborate the concept of a Common European Economic Space—after several preliminary reports—agreed on a concept paper / final report in November 2003 (a “blueprint for economic integration”); this concept serves as a basis for a broader Common Economic Space as an open and integrated market
- Energy dialogue (including possible ratification of an energy charter, which Russia has always opposed); goal: strategic partnership in the energy field (supply, investment, technology transfer, transport infrastructure, production sharing agreements, electricity imports, energy technologies, and nuclear safety); distortions in Russian energy sector; a joint statement and progress reports on energy dialogue were adopted (fourth report in November 2003)

fifth largest trading partner. But for many of the new E.U. member states, Russia is the second largest trading partner, and there are also sizable Russian investments in these states. Russia is also an important and promising market with high growth potential for such key E.U. economic sectors as automobiles and is an investment destination for energy and retail companies. However, despite current complementarity and interdependence, both sides want to further expand their cooperation by diversifying Russian exports into the E.U., which are now very heavily dependent on energy.

In the field of energy, bilateral relations have reached the highest degree of interdependence. The E.U. is by far the most important importer of Russian energy, whereas energy exports make up 55 percent of Russia's export earnings. Russia covers approximately 20 percent of the E.U.'s needs for imported fuel, both gas and oil. It has even higher rates in the case of some old E.U. member states, such as Germany, and very high rates in the case of many of the new E.U. member states. Russia's importance for covering E.U. energy needs will remain very high; imports may grow further even if—according to some estimates—Russia's relative importance as a source for covering E.U. energy needs decreases. With energy resources becoming scarce, the E.U. may find itself competing with China, Japan, the United States, and other countries for Russian energy exports. Though building and modernizing pipelines and other transport infrastructure should lead to increased Russian energy exports to the E.U. and a further growth of interdependence, Russia's interests as an energy producer may diverge from those of the E.U. as an energy importer. How to balance these interests while increasing cooperation and interdependence may become an increasingly important issue in the bilateral dialogue.

The development of energy, transport, and telecommunication infrastructure networks is another essential element in bringing the E.U. and Russia ever closer and is therefore a primary goal for bilateral cooperation.

***The Environment.*** The E.U. has always emphasized environmental issues in its dialogue with Russia (box 4). This is because of the geographical proximity of the two partners, which makes environmental hazards originating in Russia a real threat to the E.U. One need only think of Chernobyl, nuclear safety, nuclear waste, and spent fuel; the safety of energy transport by pipeline,

### **Box 4. E.U.–Russia Environmental Questions Discussed Thus Far**

- Nuclear waste: Spent nuclear fuel and nuclear waste in Northwest Russia, TACIS Nuclear Safety Program (signed in May 2003); later, general nuclear waste problem within Northern Dimension Environmental Partnership, including action plan, including nuclear safety, management of irradiated waste and fuels
- Climate change: Kyoto Protocol on Climate Change (the E.U. paid constant and very high-level attention to Russian ratification of the protocol; after years of debate, the Russian cabinet on September 30, 2004, endorsed the protocol, which was then ratified with very large majorities by both houses of the Russian parliament in October 2004), European Investment Bank lending for selected environmental projects
- Pollution in the Baltic Sea / transport safety: wastewater projects, preventing maritime accidents and subsequent pollution (phasing out single-hull vessels)

sea, and rail; the marine environment and pollution of the Baltic Sea; Kaliningrad; and climate change and the Kyoto Protocol on Climate Change.

***Kaliningrad.*** The issues relating to the Russian exclave of Kaliningrad (which since E.U. enlargement has become an E.U. enclave) epitomize E.U.–Russia relations (box 5). Questions on Kaliningrad have therefore been discussed in terms of all three E.U. pillars.

#### **Box 5. Issues on Kaliningrad for the E.U. and Russia**

The E.U.–Russia discussions on Kaliningrad have referred to, for example, the economic development of the region, the transit of people and goods and communication in general between the Russian mainland and Kaliningrad, a feasibility study for high-speed train connections, energy, fisheries, the environment, transborder cooperation, and illegal transborder movements. A special Cooperation Committee on relevant issues met in May 2002. In 2002, transit questions were probably the major issue in the E.U.–Russia dialogue (a visa and transit package was finally agreed to in November 2002; this led to a relatively smooth functioning of the transit system for people; discussions on the transit of goods remain high on the bilateral agenda in 2004).

#### ***Political Dialogue: “The Common Space of External Security”***

The political dialogue between the E.U. and Russia—just like the dialogue on trade and economic matters—is based on the relevant provisions in the PCA. It takes place in the framework of the E.U.’s second pillar, the Common Foreign and Security Policy—which replaced the European Political Cooperation agreement—and the European Security and Defense Policy. According to the PCA, the objective of this dialogue is to “bring about an increasing convergence of positions on international issues of mutual concern, thus increasing security and stability.”

In practice, the E.U. has always pursued two vectors in this political dialogue: dialogue with Russia on international issues, including regional conflicts (box 6); and dialogue on the domestic situation in Russia itself, that is, on questions of the “common European values,” such as democracy, human rights, and the rule of law, and how they have been implemented or not in Russia.

Despite earlier disagreement over dealing with the Federal Republic of Yugoslavia (including Kosovo), the E.U. and Russia over the years have found it relatively easy to basically agree on most international questions. They have generally agreed about how to deal with regional conflicts, such as the one in the Middle East, and how to meet new global challenges and threats (for example, the fight against international terrorism, and disarmament and the nonproliferation of weapons of mass destruction). Agreement was easier when the questions discussed were distant. A genuine dialogue became more difficult when one or both sides was directly involved (as in the case of regional frozen conflicts in countries belonging to the Commonwealth of Independent States, or CIS; the situation in Belarus; and the Russian minorities in the Baltic States). When Russia felt under severe criticism

### **Box 6. International Issues Discussed by the E.U. and Russia**

Dialogue and cooperation on acute international and regional conflicts, including frozen conflicts in Europe and beyond, and the situation in third countries:

- Balkans: Kosovo, Macedonia, and Bosnia and Herzegovina
- Middle East peace process (including participation in the “Quartet”)
- Regional conflicts in CIS countries, especially Southern Caucasus, Moldova/Transnistria
- Korean Peninsula
- India-Pakistan Relations (joint statement in May 2002)

Development of CFSP/ESDP, including the role of multilateral organizations:

- Crisis management in Europe; role of the UN and the OSCE
- Development of the ESDP (possibility of Russian participation in future crisis management operations), general Joint Declaration on Strengthening Dialogue and Cooperation on Political and Security Matters in Europe (October 2000), Joint Statement (October 2001), and joint declaration on further practical steps in developing political dialogue and cooperation on crisis management and security matters (May 2002)
- Russian participation in E.U. Police Mission in Bosnia and Herzegovina; discussions on the use of Russian long-haul aircraft for E.U.-led crisis management operations; civil protection (search and rescue operations, disasters, terrorists acts)

New international challenges:

- New common challenges and threats (extremism, terrorism, organized crime, trafficking of drugs, human beings, weapons, money laundering); connection between international terrorism and transnational organized crime, illicit drugs, money laundering, illegal arms trafficking and illegal movements of nuclear, chemical, biological, and other materials; enhancement of coordination efforts (also covered in Justice and Home Affairs cooperation)
- Joint statement on international terrorism (October 2001) and joint statement on the fight against terrorism at E.U.–Russia summit in November 2002
- Drug production and drug trafficking (especially from Afghanistan, high on President Putin’s agenda)
- Nonproliferation, disarmament, arms reduction and control; weapons of mass destruction
- Destruction of chemical weapons and disposition of weapons-grade plutonium in Russia; E.U. Joint Action

Regional and international organizations:

- Regional Cooperation in Council of the Baltic Sea States and Barents Euro-Arctic Council

from the E.U. (such as concerning the situation in Chechnya and other domestic developments; and also regarding the fulfillment of its Istanbul commitments to the Organization for Security and Cooperation in Europe, or OSCE, to withdraw troops and weapons from CIS countries), there often was no agreement at all or, at best, only an exchange of positions.

Although the E.U. was rather discouraged by the Russian unwillingness to discuss issues relating to Russia's "near abroad," the E.U. is convinced that it must pursue an intensive dialogue with Russia not only on global issues and distant conflicts but also on joint approaches in the field of crisis management and on further possibilities for cooperation in the ESDP sphere. It is the E.U.'s view that both sides should have an interest and feel a responsibility to create stability and build security in their immediate neighborhood. The E.U. is convinced that both sides would benefit from such cooperation. Whether and how the two sides will treat controversial questions is seen by the E.U. as an important test for the "strategic partnership."

A refusal from either side to discuss a question of concern for the other side (be it the situation in Chechnya or Belarus, the state of democracy in Russia, or Russian minorities in E.U. member states) could cast doubt upon the very concept of the four common spaces or the political dialogue in general. This would be even more the case if the two sides were not able to accept that they have a "common neighborhood," in which they both have legitimate interests. Geography and history should motivate the two sides to discuss and cooperate on the resolution of regional and frozen conflicts, as in Moldova/Transnistria or the Southern Caucasus, possibly including international organizations such as the OSCE and the UN in this process. If thinking in terms of zero-sum games or *chasse gardée*, of competition instead of cooperation, prevails in the political field, it would be difficult to speak of a "strategic partnership," irrespective of what has been achieved in economic and trade cooperation, in energy complementarity, or in the fight against global threats.

### *Security and Home Affairs: "The Common Space of Freedom, Security, and Justice"*

The political dialogue between the E.U. and Russia has also focused on the domestic situation in Russia itself, that is, on the question of the "common European values" (box 7). The second section of this paper contains a detailed discussion of how these issues have been dealt with in the E.U.–Russia dialogue in recent years. The E.U. would like to retain the values-related issues as a part of the future dialogue with Russia and wants to take them up in the context of the "common space of freedom, security, and justice," which would refer the matter partly to the third pillar of E.U. cooperation.

The E.U. hopes to convince Russia that the common space of freedom, security, and justice encompasses two sets of topics: on the one hand, cooperation in security, justice, and home affairs; on the other hand, the "common European values." The E.U. proposal binds together topics that have been discussed under different agenda items in the past but are closely interrelated, in the E.U. view—yet not necessarily so, in the Russian view.

For the E.U., the idea of developing a common space of freedom is related to the question of common values as the very basis for a "strategic partnership" between the E.U. and Russia. Questions such as the rule of law (including its application in an effective judicial system), human rights (with an emphasis on Chechnya), and fundamental freedoms (especially concerning free and independent media) have always been of major concern for the E.U. in its political dialogue with

### **Box 7. E.U.–Russia Political Issues**

Major issues discussed over the years in the political dialogue have included:

- A “strategic partnership” to be based on common values (democracy, human rights, the rule of law, and a market economy), and Russia’s “European vocation”
- Particular attention given to civil society, independent and pluralistic media, and freedom of speech
- Compliance with UN, OSCE, and Council of Europe commitments
- The Northern Caucasus (Chechnya): situation, political solution, human rights, social and economic rehabilitation, the territorial integrity of Russia, E.U. humanitarian assistance, the presence of international organizations (OSCE, Council of Europe), and the fight against international terrorism
- Terrorist acts in Russia (for example, hostage takings in Moscow and Beslan)
- Internal developments in the E.U.: enlargement, the Convention, and Russian minorities in the Baltic States

Russia. In general, Russia has been and still is reluctant to discuss such issues with the E.U. and to incorporate them into the concept of the common spaces.

Conversely, both the E.U. and Russia have shared a great interest in discussing those questions that are to form the second element of the planned common spaces, that is, matters concerning cooperation in security and justice (box 8). But even here, there are major obstacles to be surmounted, such as the coupling of the Russian wish for visa facilitation and eventually visa-free travel and the E.U.’s concern for border security and the conclusion of a readmission agreement.

### *The Common Space of Research and Education, Including Cultural Aspects*

The E.U. wishes to expand its traditional cooperation with Russia in research, science, and technology (box 9). The E.U. would like to include more issues related to the fields of education (mainly higher and university education) and cultural exchange by including more Russians in the respective E.U. programs. The E.U. also sees this as a way to promote a common European identity and to strengthen Russian civil society, the “common European values,” and the freedom of expression and free media.

### **Box 8. E.U.–Russia Questions on Security and Justice**

The dialogue with Russia regarding Justice and Home Affairs has so far concentrated on the following topics:

- Cooperation in fighting international organized crime and other illegal activities (money laundering, trafficking in women / human beings, arms, drugs, stolen vehicles; illegal migration and smuggling of illegal migrants; corruption)
- Police cooperation between Russian law-enforcement agencies and Europol (agreement signed in 2003); relations between Eurojust and Russian offices
- Action plan on organized crime (priority: combating trafficking in human beings, drugs, stolen vehicles)
- Action plan on the protection of property rights in Russia
- Cooperation in consular and visa matters: facilitating travel and contacts (visa-free travel as a long-term goal—as one of President Putin’s priorities in Russia’s relations with the E.U.; visa facilitation through a better use of existing flexibilities within the E.U.’s Schengen Agreement; existing bilateral agreements in this field signed between Germany, France, Italy, and Russia)
- Measures against illegal migration and immigration, discussion on a readmission agreement and border management; for E.U.: balance between more freedom for bona fide travelers and security of borders against illegal crossings; E.U. strives for back-to-back negotiations on readmission and visa facilitation (2004)
- Judicial training of Russian legal experts in the E.U.
- Transit of persons and goods to and from Kaliningrad (see above)
- Fighting international terrorism (legal aspects), covered also in the political dialogue (see above)

Note: For the E.U., these issues belong to the third pillar of E.U. integration, cooperation in Justice and Home Affairs. Because this cooperation takes place outside the decision-making procedures of the European Communities and on the basis of collaboration between individual E.U. countries, ministerial meetings with Russia in this field take place in a “fifteen countries plus one” format (now twenty-five plus one); the first was held in April 2002.

### **Box 9. E.U.–Russia Scientific and Technological Cooperation**

- Agreement on Scientific and Technological Cooperation (international scientific competitiveness), renewal in 2003; action plan between the E.U. Commission and Russia in 2002; six Research and Development Framework Programs
- Cooperation agreement in thermonuclear fusion
- Support for International Science and Technology Center in Moscow
- Partnership between the European Space Agency and Rosaviakosmos
- Satellite navigation: GALILEO/GLONASS
- Possible Russian participation in the Bologna Process and Erasmus Mundi Program

## **THE “COMMON VALUES” WITHIN THE FRAMEWORK OF E.U.–RUSSIA RELATIONS**

The E.U. has always attached a high importance to how domestic developments inside Russia measure up to the “common values” of democracy, human rights, and the rule of law. This section seeks to explain how the E.U. has dealt with this criterion of “common values” in its dialogue with Russia in recent years and how this effort has affected the overall framework of the relationship.

### **Principal Goals**

The first section of this paper showed that the relationship between the E.U. and Russia over the years has come to encompass a great number of fields for cooperation. All major E.U. documents on Russia contain an extensive catalogue of objectives that the E.U. wants to achieve when developing its relationship with that country. They can take the form of very broad general goals, such as the establishment of a “strategic partnership” (a concept that first appeared in the CS of the E.U. in 1999 and was accepted in Russia’s MTS the same year). They can be itemized in long lists of common objectives in specific fields of cooperation (as is the case for the 112 articles of the PCA, which together with their annexes are 178 pages long). They can be systematically organized, as in the concept of the “four spaces.” In terms of substance, these objectives touch upon—in a more or less specific way—all possible areas related to all three pillars of the E.U.’s cooperation. The PCA, as the earliest of the more important documents (and as still today the legal framework for cooperation), concentrates on trade and economic affairs while including a provision for political dialogue. The CS contains all kinds of objectives without clear priorities (and is therefore sometimes characterized as a Christmas tree with many different ornaments). By contrast, the concept of the four common spaces is the first thorough attempt to identify a rational, long-term strategy for E.U.–Russian cooperation.

Although the earlier documents may be different from the later ones in size and contents, they all share one thing: One part of the document identifies fields in which the E.U. and Russia have common interests. These fields are described in terms either of furthering bilateral relations in the narrow sense of the word (for instance, in trade, science and technology, energy, or the environment) or of meeting common challenges that have an impact on stability and security in Europe and

beyond. Thus, this part of each document can be seen in the light of “common interests” or “common objectives.”

Another part of each document (especially the documents adopted by the E.U. unilaterally) refer to a completely different set of E.U. objectives: On the basis of the concept of shared European values, they express the E.U.’s hope of turning Russia into a state, economy, and society on the European or western model.

This dualism between interests and values may also reflect the dualism at the very core of the European Union itself. On the one hand, the E.U. sees itself as a community of interest between its member states (especially as far as economic issues are concerned). On the other hand, the E.U. has always seen itself as a community of shared values.

## **The Development of the Concept of Common Values**

### *The Partnership and Cooperation Agreement*

The PCA—in its preamble paragraphs—already speaks of the “common values” that the E.U. and Russia share, of their “commitment . . . to strengthening the political and economic freedoms which constitute the very basis of their partnership” as well as of their firm commitment to implementing all the principles and provisions of the OSCE documents. The parties state explicitly that they are “convinced of the paramount importance of the rule of law and respect for human rights, particularly those of minorities, the establishment of a multiparty system with free and democratic elections and economic liberalization aimed at setting up a market economy.” Furthermore, both sides underline that “the full implementation of partnership presupposes the continuation and accomplishment of Russia’s political and economic reforms.” These general commitments are restated in the operative part of the text. Article 1 of the PCA defines the objectives of the partnership, namely: the setting up of a political dialogue; the promotion of trade, investment, and harmonious economic relations; providing a basis for economic, social, financial, and cultural cooperation; the promotion of joint interests; the gradual integration between Russia and a wider area of cooperation in Europe; and the creation of conditions for the establishment of a free trade area.

However, article 1 of the PCA also includes the following two objectives: “to strengthen political and economic freedoms” and “to support Russian efforts to consolidate its democracy and to develop its economy and to complete the transition into a market economy.” Article 2 is even more explicit: “Respect for democratic principles and human rights as defined in particular in the Helsinki Final Act and the Charter of Paris for a New Europe, underpins the internal and external policies of the Parties and constitutes an essential element of partnership and of this Agreement.” Later on, the PCA foresees the development of a regular political dialogue that should lead to the rapprochement between the E.U. and Russia and “support the political and economic changes underway in Russia.”

The PCA with Russia was the first of such agreements to be negotiated by the E.U. with the former Soviet republics. It came into force on December 1, 1997. The PCAs with Ukraine and Moldova followed in 1998, and those with three Caucasus and three Central Asian states in 1999. As far as the question of values is concerned, all these PCAs—with minor adjustments—contained the same principles and objectives that the E.U. and Russia had agreed upon. It is therefore fair to say that the E.U. expected all post-Soviet states, including the Russian Federation, to develop into

full-fledged democracies and market economies with the assistance of the E.U. And the partner governments, with Russia being the first, subscribed to these objectives—at least on paper.

### *Partnership and Cooperation Agreements and Europe Agreements*

The PCAs were negotiated at about the same time as the Europe Agreements (EAs) with those postcommunist countries in Central and Eastern Europe that were to belong to the group of ten countries that became E.U. member states in 2004. Though sharing many similarities in the statement of common values, the PCA with Russia differs from the EA with Poland in significant ways. The EA with Poland recognizes “the significant achievements of the Polish people in the process of fast transition to a new political and economic order based on the rule of law and human rights, including the legal and economic framework for a market economy and a multiparty system with free and democratic elections.” In the PCA with Russia, the partners only declare as an objective to strengthen political and economic freedoms and to support Russia’s efforts to consolidate its democracy, to develop its economy, and to complete its transition into a market economy. More important, the references to common values in the case of Poland are set into the context of the “European integration” of that country, of “the final objective of Poland . . . to become a member of the Community,” while in the case of Russia only a “partnership is hereby established.” Although it was never clearly spelled out what “partnership” means, it is obvious that it did not mean membership in or full integration into the E.U., as was the case for Poland and the other countries with EAs.

Thus, in the early 1990s, the E.U. expected all its eastern neighbors—both the former Warsaw Pact countries as well as the former Soviet republics that had become “newly independent states”—to develop internally on the basis of existing common values and OSCE norms on the path of democracy, the rule of law, human rights, and a market economy. During this period, the idea of democracy building was booming not only in Europe but also in the United States. The West did not make clear distinctions between different countries and groups of countries in the East. The idea of “postcommunist transition” referred to both former Soviet republics and to countries in Central and Eastern Europe, although these two groups were characterized less by common features than by striking differences in history, mentality, immersion in western traditions, and experiences with and assessment of communism.

Nevertheless, the E.U. managed to have all these countries accept the concept of common values and their codification in legally binding agreements. In turn, the E.U. was ready to offer its assistance for achieving these goals through material aid in the framework of its TACIS program for the CIS countries, as well as its program named Poland and Hungary, Aid for Reconstruction of Economies (PHARE), for the future accession countries. However, while Russia and the other CIS countries were only offered a “partnership,” the countries to the east of the E.U. that signed EAs (Poland, Hungary, Romania, Bulgaria, Czech Republic, Slovakia, Estonia, Latvia, Lithuania, and Slovenia between 1991 and 1996) clearly saw “accession” to the E.U. as the their longer-term aim. The establishment of respect for democracy, the rule of law, human rights, and the protection of minorities became an explicit precondition for their prospective membership in the E.U. In turn, achieving these goals was a major rationale for the E.U.’s eastern enlargement policy, as expressed in the declaration of the Copenhagen European Council of June 1993 (known as the “Copenhagen criteria”). Thus, “accession” entailed stricter obligations, and was formulated as a

clear political conditionality (for example, “Poland shall work towards fulfilling the necessary conditions”). The E.U. also puts great expectations on its “partner” Russia, writing that “respect for democratic principles and human rights . . . constitutes an essential element of partnership and of this Agreement.” Even if only a “partner,” Russia was expected to become like a West European democracy. But it was not offered the prospect of becoming a full-fledged member of the family of western European democracies. In the early and middle 1990s, Russia was ready to accept this approach and signed and ratified a legally binding agreement with these provisions.

### *Technical Assistance to Support E.U. Goals*

In 1991, the E.U. launched the TACIS program, which provides grant-financed technical assistance to all the former Soviet republics with the exception of the three Baltic states. The main goal of TACIS is to contribute to the transition of the CIS countries toward a market economy, democracy, and the rule of law. Later, individual TACIS programs were geared toward the implementation of the objectives contained in the PCAs.

Under TACIS, more than €2.6 billion have been allocated to Russia between 1991 and 2004. TACIS thus became one of the leading programs supporting transition in Russia. In addition, other more focused programs (such as the European Initiative for Democracy and Human Rights) have also been used to support these objectives. Within the TACIS framework, the E.U. Commission has adopted Country Strategy Papers, the most recent one for Russia from 2002 to 2006. TACIS has always addressed a rather wide range of subjects—including legal and administrative reform, regional policy, judicial reform, development of civil society, deregulation, social reform, and municipal services. But it has also meant—at least from an E.U. perspective—to contribute to Russia’s transformation not only into a market economy but also into a western or European democracy. In this respect, the TACIS program for Russia was meant to provide material support for the achievement of the lofty ideals that the E.U. has been so interested in having Russia adopt.

In the “Country Strategy Paper 2002–2006 on Russia,” which was adopted by the E.U. Commission in December 2001, the E.U. once again states its dual objectives toward Russia. The paper stipulates that “the E.U.’s cooperation objectives with the Russian Federation are to foster respect of democratic principles and human rights, as well as the transition towards a market economy.” Conversely, the document refers to the E.U.’s interest in Russia’s becoming a “prosperous market for E.U. exports and investment and reliable source of energy supply” as well as “a predictable and cooperative partner for security on the European continent.”

### *The Common Strategy of the E.U. on Russia*

In the late 1990s, the E.U. felt the need to strengthen the visibility and effectiveness of its CFSP, as well as the coordination between the activities of the union and its member states in the formulation of foreign policy. These efforts led to a number of innovations adopted in the Amsterdam Treaty. Article 13 of the Treaty on European Union envisages a new instrument, the “common strategy,” which is to define the overall policy guidelines of the E.U. toward a particular third country. Decided by the European Council (of the heads of state and government of the E.U. member states) on a recommendation by the Council (of E.U. foreign ministers), the CS differs from the PCA not only in substance and orientation but also insofar as it is an internal E.U. document, not negotiated or

agreed upon with the respective partner country. In this regard, a CS can define in much clearer terms the objectives that the E.U. would like to pursue with regard to a third country—like Russia.

The CS on Russia was the first such document. It was adopted by the Cologne European Council in June 1999. A CS on Ukraine followed next and was adopted in December 1999. The main driving force behind the effort was not the stated need to better coordinate union and member states' policies toward Russia, but to test the efficiency of new E.U. mechanisms in developing and activating a new CFSP instrument. As such, the contents of the CS were not the primary focus. This had far-reaching consequences. The drafting of the document quickly turned into an exercise typical of many E.U. drafting processes: After informal and formal working groups had decided on some general principles to be codified in the CS, the individual players (especially the member states) pushed for the inclusion of specific topics. The result of the efforts has been described by several analysts as a Christmas tree with a trunk of general principles and a great number of decorations on the branches. Thus, the whole CS was turned into a collection of more or less specific goals and objectives, codified in a largely incoherent nine-page document. Because of its lack of coherence and focus, the CS never acquired much practical value in formulating the E.U.'s policy toward Russia. The CS was also weakened by the fact that, as an internal document adopted by the E.U., it carried no obligation for the Russian partner. As a result, the E.U. let the CS expire in 2004 and wants to replace it with the four common spaces, a concept negotiated with Russia (just like the PCA).

Nevertheless, a closer look at the CS reveals what the E.U. expected from Russia. Under the heading "Vision of the E.U. for Its Partnership with Russia," the CS states that "a stable, democratic and prosperous Russia, firmly anchored in a united Europe free of new dividing lines, is essential to lasting peace on the continent." It goes even further by claiming that "the issues which the whole continent faces can be resolved only through ever closer cooperation between Russia and the European Union." This cooperation is to be based "on the foundations of shared values enshrined in the common heritage of European civilisation." The concept of a "reinforced relationship" or "strategic partnership . . . based on shared democratic values" reappears in the text. The E.U. identifies two "clear strategic goals" toward Russia: first, "a stable, open and pluralistic democracy in Russia, governed by the rule of law and underpinning a prosperous market economy benefiting alike all the people of Russia and the European Union"; second, "maintaining European stability, promoting global security and responding to the common challenges of the continent through intensified cooperation with Russia." There is a clear duality in the E.U.'s approach: to spur Russia toward the very principles that guided the E.U. or western democracies and to cooperate with Russia in meeting common challenges from the outside world.

This dual approach becomes even clearer when the operative part of the CS is analyzed. Four "principal objectives" are identified in four chapters: (1) consolidation of democracy, the rule of law, and public institutions in Russia; (2) integration of Russia into a common European economic and social space; (3) cooperation to strengthen stability and security in Europe and beyond; and (4) common challenges on the European continent.

Chapter 1 of the CS speaks of transparent public institutions as a prerequisite for democracy and the rule of law as well as for economic and social development. The E.U. declares that it is ready to strengthen these institutions. Particular attention is given to executive, legislative, and judicial bodies; police; institutions "which are essential for the operation of the economy"; and regional and local administrations. Furthermore, the E.U. declares that the "emergence of civil society in all

areas is indispensable for the consolidation of democracy in Russia.” That is why the E.U. is willing to support that process by developing direct exchanges between civil society actors in the E.U. and Russia.

In a later section of the CS titled “Areas of Action,” the E.U. specifies in more detail what it intends to do to support these general goals. Before doing so, the CS once again states in no uncertain terms (and in somewhat condescending language) the E.U.’s basic assumption: “To enhance democracy, institution-building and the rule of law in Russia, which is a prerequisite for the development of a market economy, the Union will undertake efforts to . . . strengthen the rule of law and public institutions . . . and . . . to strengthen civil society.” The catalogue of the specific measures foreseen to do so contains a great number of more or less concrete offers of cooperation and support, but it does not appear very coherent.

All in all, these statements leave an ambivalent and contradictory impression: Russia is viewed by the E.U. as an important partner for solving bilateral and international questions to the benefit of both sides, but somehow it is assumed that it can do so only after a successful internal transformation according to the high E.U. standards. This approach does not give a convincing answer to the question whether a “strategic partnership” can function and develop when the two “partners” find themselves on two very different levels of “maturity.”

### *Russia’s Medium-Term Strategy for Relations with the European Union*

Russia responded to the E.U.’s CS with its own “Medium-Term Strategy.” It was adopted in June 1999—at the same time as the CS. Thus, the Russian government underlined the great importance it attached to E.U.–Russia relations. The MTS was officially introduced to the E.U. during the E.U.–Russia summit in Helsinki in October 1999 by Vladimir Putin, who was Russia’s prime minister at that time.

In the MTS, Russia aims at the “development and strengthening of a strategic partnership,” but—just like the E.U.—fails to describe in clear terms what “strategic” means. It does underline, however, that the relations should be based on treaty relations “without an officially stated objective of Russia’s accession to or association with the E.U.” Furthermore, the document states: “As a world power situated on two continents, Russia should retain its freedom to determine and implement its domestic and foreign policies, its status and advantages of an Euro-Asian state and the largest country of the CIS, independence of its position and activities at international organizations.”

The Russian MTS takes up many issues from the E.U.’s CS. It emphasizes developing dialogue and cooperation in the fields of security policy as well as in many specific areas of the economy. These include trade, investment, finances, infrastructure projects, science and technology, property rights, transboundary contacts, and law enforcement. But there is no reference to the “common values” on which the E.U. wants to base its relations with Russia. The only reference to these lofty principles is a short and not very clear remark in which the E.U. is called upon “to promote the development of a socially oriented market economy of Russia based on the fair competition principles and further construction of a democratic rule-of-law state.” In the preamble, the authors promise to “maintain the socially oriented reforms in Russia.” But there is no reference to democracy, human rights, or the rule of law in the long operative part of the text, which contains a long and detailed list of potential fields of intensified cooperation, mainly Russian requests for action on the side of the

E.U. The language is that of a self-assured power, even a “world power,” which is ready to develop its bilateral relations with the E.U. in many fields, to engage in a strategic partnership on equal footing with the E.U. and has high expectations in terms of what the E.U. could and should do to achieve these goals. But Russia is not ready to base this relationship on the shared values of European civilization that, for the E.U., are the basis of this relationship.

In conclusion, the E.U. in its CS seeks to transform Russia into a state that resembles an E.U. member or accession state. Russia in its MTS seeks no membership in or association with the E.U., but it sees itself as a completely independent world power that wants no interference in its foreign or domestic affairs from the E.U. Irrespective of this fundamental difference in approach, both sides in their strategies call for the development of a “strategic partnership” but fail to clarify what the partnership should be based upon—only common interests or also common values.

### *The E.U.–Russia Summits*

The PCA took effect in 1997. It not only laid down the general principles of E.U.–Russia cooperation, but it also established the institutional framework for the bilateral relations between the E.U. and Russia. The E.U. dialogue with Russia over the past few years has become more frequent, multilayered, and intensive than any other dialogue the E.U. entertains with a third party, thus underlining the importance of E.U.–Russia relations. At the highest level, two annual summit meetings were agreed upon. The E.U. is represented in them by the “troika” of the presidency—at the level of head of state or government—the high representative for the CFSP—Javier Solana—and the president of the Commission—in recent years, Romano Prodi. Russia is represented by its president. In an exceptional case—like the summit held in Saint Petersburg in May 2003, which coincided with the 300th anniversary of that city—the E.U. was represented not only by the “troika” but also by the heads of state and government of all E.U. member and accession states. A meeting with a similar format had taken place in Stockholm in March 2001, in addition to the regular summits.

There have been thirteen E.U.–Russia summits so far—the most recent one in Moscow in May 2004. The next is scheduled for November 2004 in The Hague. Most, but not all, of these summits adopted joint statements on the most important topics discussed during the summit meetings. In a number of cases, the joint statements have been accompanied by more detailed additional declarations on specific issues. In a few cases, these texts have been a substitute for a general joint statement.

Although established under the PCA, the summits not only reflect issues dealt with in the PCA but also address all aspects of the relations between the E.U. and Russia. The respective summit joint statements are therefore one of the best sources for understanding what issues dominated the “strategic partnership” at a given time and how the emphasis has moved from one field to another over the years.

As far as questions referring to the domestic situation in Russia are concerned, the statements are of a varying degree of concreteness. All joint statements include references to the “common values” that the E.U. and Russia share. The relevant parts of the texts are variations of the words found in the PCA or the CS. However, in most cases, the references are not concrete and are relatively short (especially when compared with the overall length of the texts of the joint statements and their annexes and the ever-growing number of issues discussed during the summit meetings).

At the first summit meetings after the ratification of the PCA, when Yeltsin was still the Russian president, the joint statements are particularly short and vague as far as the references to the “common values” are concerned. Thus, the Vienna summit in October 1998 simply states: “In our common view, the orientation of Russia towards democratic values, and deep economic reforms with an appropriate emphasis on the social dimension will provide a solid basis for fostering the development of a strong, balanced and mutually beneficial partnership.” In the subsequent summit, in Moscow in February 1999, not even this kind of phrase was kept. President Boris Yeltsin simply “informed about the efforts being made . . . to stabilize the financial, economic and social situation on the basis of market principles, taking into account social needs and preserving democratic orientation.” The E.U. seems to have had no further questions or concerns regarding such domestic matters but was preoccupied with the financial and economic fallout of the 1998 crisis in Russia.

After the adoption of the CS and the MTS in 1999, these documents (along with the PCA) were used as a source for references to the “common values” as the alleged foundation for what by now had become a “strategic partnership.” The fourth summit in Helsinki in October 1999 was the first that Putin, who was then prime minister, attended. It explicitly refers to the two strategy documents. “They are based on common values such as respect of the principles of democracy and human rights, the rule of law and market economy and share the common objectives of enhancing political stability and economic prosperity in Europe.” A very vague reference to the newly flared-up conflict in Chechnya was included at a later stage in the text: “The European Union and the Russian Federation exchanged views on the situation in the Northern Caucasus.”

In relation to Chechnya and terrorism, the most controversial issue at the summits has been the second conflict in Chechnya. The E.U. regards the Russian behavior in this conflict as a most important measuring stick for Russian compliance with its adherence to the “common values” in general and to international human rights standards in particular. The issue of Chechnya, also in the context of the fight against international terrorism, has been of the highest importance for both the E.U. and for Russia and President Putin personally. The formulation of the references to this issue in the summit statements has therefore been a very delicate and difficult endeavor.

At the fifth summit, in Moscow in May 2000, the first at which Putin participated as elected president, the two sides became more specific about what “common values” really mean (or could mean) and what was at stake in Chechnya. The E.U. and Russia repeated the standard phrase of a partnership “founded on the principles of democracy, respect for human rights, the rule of law and market economy.” Putin is described as having informed his European partners about internal developments in Russia and his policy priorities and the “European vocation” of Russia. The E.U. “for its part reaffirmed its support for the policy of reforms by the new Russian leadership.” The CS and MTS were now to “create a framework for a constructive dialogue on issues where there is a difference of views or disagreement.” To prove this point, the joint statement says: “The E.U. expressed its well known concerns about the situation in Chechnya” and took note of Putin’s information on this issue. The E.U. then “welcomed the intention of the Russian leadership to reach a political solution,” acknowledged the improved access for humanitarian organizations, and requested better working conditions for them. Later in the text, the OSCE is praised for making a “significant contribution to developing a secure, stable and prosperous region devoted to common democratic standards and a high level of respect for human rights and the rule of law.”

The sixth summit, in Paris in October 2000, repeated what now had become a more or less standard phrase about democracy, human rights, the rule of law, and a market economy as the foundations of the strategic partnership between the E.U. and Russia. Most of the following summits contain this text or slight variations of it. In Paris, the two sides were upbeat in stating that “the policy of reforms instituted in Russia heralds the beginning of a new stage in its development” and that the E.U. was ready “to support the institutional, economic and social reforms, with a view to strengthening the rule of law and meeting democratic requirements of a modern economy and society.” This is the pure credo of the E.U. accepted by the Russian partner. President Putin also accepted the following sentence: “With regard to Chechnya, we agreed upon the need to seek a political solution as a matter of urgency, with due regard for the sovereignty and territorial integrity of the Russian Federation.” This phrase about the Chechen conflict also became a standard formula that several later statements drew upon.

The most substantial joint statement about values was during the seventh summit, which took place in Moscow in May 2001, when Sweden held the E.U. presidency. It not only includes the standard phrases but also introduces two new wrinkles. With the Russian state increasing its influence over the media, it states that “a strong civil society is necessary in a modern democratic state. The continued development of independent media is a cornerstone of democratic societies. Freedom of speech and pluralism in the media are essential democratic principles and core values for a genuine E.U.—Russia partnership.”

Furthermore, the E.U. expressed its continuing worries about the Chechen conflict, but more concretely than before. Not only was the need for a political solution repeated, but the Russian side is quoted as having informed its E.U. interlocutors about efforts in the administrative field in “securing the rights of citizens” and about social rehabilitation. The work of the Council of Europe experts is noted, an early return of the OSCE Assistance Group is requested, and Russia declares its readiness to cooperate with the E.U. in connection with programs of humanitarian assistance to Chechnya. Later in the text, a whole paragraph is devoted to the “fundamental importance of effective and independent legal institutions as a prerequisite for confidence in the legal system and the rule of law.” Thus, the joint statement reflects what is expressed at the end of the document. The summit was characterized “by an open and constructive dialogue on all issues,” and a “long-term strategic partnership, based on common values” was reaffirmed.

Never before and never since has the E.U. been able to formulate so concretely so many of its questions and concerns about domestic developments in Russia in a summit document. Never again was Russia willing to accept the E.U.’s hint of a contradiction between the “common values” it has committed itself to and the reality on the ground, whether in Chechnya or with respect to the freedom of the media or the rule of law.

The eighth summit, held in Brussels in November 2001—shortly after the September 11 attacks in the United States and in the wake of President Putin’s solidarity with the United States—understandably focused on the question of international terrorism. The statement retained some very general remarks about democratic principles and human rights, the rule of law, civil society, and media pluralism, as well as about the necessity to comply with commitments entered into at the UN, OSCE, and Council of Europe. President Putin informed the E.U. participants about the situation in Chechnya, and the E.U. “expressed its support for the Russian authorities’ efforts to reach a political settlement.” But this sentence was immediately followed by a phrase that put the Chechnya

issue in a context where Russia has always seen it: “We have reiterated our commitment to the fight against international terrorism.”

However, a separate statement on international terrorism adopted at the summit did not explicitly endorse this Russian view. Paragraphs bearing on the Chechnya question read: “We are determined to protect our citizens from acts of terrorism, while safeguarding the rule of law, individual liberties and the right to equitable justice.” But the next paragraph also says: “Russia and the European Union, each in its own territory and with due regard for the rule of law and for democratic principles, will show no leniency towards any persons or organizations involved in terrorist activities.” One may wonder what meaning these phrases had when applied to the Chechen question, considering the differences in the E.U. and Russian views on who counts as a terrorist, and on what the rule of law and democratic principles really entail as obligations of the state.

By the time of the ninth summit, in Moscow in May 2002, Putin’s Russia was viewed as a reliable ally of the West in the fight against international terrorism. The joint statement contained very short standard phrases on common values and no reference whatsoever to Chechnya. The European concern about media freedom in Russia was, in a somewhat odd way, coupled with the new issue of the treatment of minorities for which the two sides probably had different examples in their mind. The statement reads: “The defence of freedom of expression and the fight against xenophobia and discrimination on ethnic, religious or any other grounds, are fundamental elements.” While the E.U. was thinking of the increasing state control of the electronic media and the growing number of xenophobic attacks and cases of discrimination against people of Caucasian origin in Russia, the Russian side obviously had in mind a problem that, from now on, became a standard feature in the E.U.–Russia dialogue: the situation of the Russian minorities in the Baltic countries.

The tenth E.U.–Russia summit, in November 2002, was moved from the E.U. presidency’s capital of Copenhagen to Brussels. In the wake of the Moscow hostage drama, the Russian side strongly objected to the fact that Copenhagen was the venue for a congress of Chechens in exile. The summit did not adopt a general joint statement at all, but only three thematic statements on the fight against terrorism, the Middle East, and Kaliningrad. Several comments in the European press harshly criticized the results of the summit. The critics assumed that Chechnya was not mentioned in a summit statement because the E.U. was determined to finally reach an agreement on the Kaliningrad transit. E.U. external relations commissioner Christopher Patten felt an obligation to make a special statement to the European Parliament the day after the summit. He said that the situation in Chechnya had been discussed during this summit, even in an “extremely vigorous exchange”—as had been the case in all of the ten summits so far. Patten commended “the Danish Presidency for the vigour and intelligence with which they have raised concerns about Chechnya while condemning out of hand terrorism.”

The eleventh E.U.–Russia summit, in Saint Petersburg in May 2003 (in which all heads of state and government of the E.U. member and accession states participated), was held under a special motto: “300th anniversary of Saint Petersburg—celebrating three centuries of common European history and culture.” This motto would suggest a promise of a thorough stock taking of “common European values,” but this was not reflected in the summit documents. Although the summit was opening new dimensions for a further intensification of E.U.–Russia relations by introducing the concept of the four common spaces, it had even less to say about the “common values” than

had previous summit documents. It did not go beyond reconfirming “our commitment to further strengthen our strategic partnership on the basis of common values, which we pledged to respect.” Concrete concerns raised in previous statements were not taken up. But at least the E.U. was able—after a lengthy debate with the Russian side—to have a substantial paragraph on Chechnya included in the text—and that was formulated in a creative, but objective, way. The recent referendum in Chechnya was taken note of, but without qualification, and the document expressed “the hope that the recently started political process as well as the economic and social reconstruction will lead to the restoration of the rule of law, thus promoting the protection of human rights and to a genuine reconciliation in Chechnya.” To balance this, the following phrase was added: “We condemned any kind of violence, in particular terrorist acts, which could endanger the prospects for a political solution.” Another old E.U. request could also be included in the text: “We agreed that international organisations could make a substantial contribution in close co-operation with Russian authorities.”

The twelfth E.U.–Russia summit, in Rome in November 2003 under the Italian E.U. presidency, was the low point in statements about common values. Just as in Saint Petersburg, the joint statement does not even contain the usual catchwords such as democracy, human rights, or the rule of law—let alone media freedom. For the first time ever since joint summit statements were adopted, there is no reference whatsoever to the conflict in Chechnya. The Rome document does not explain what it means “to reinforce the strategic partnership between the E.U. and Russia, on the basis of common values.” It looks like this phrase had become a pure verbal expression with no concrete contents.

This was the approach taken by the Italian presidency and reinforced by Prime Minister Silvio Berlusconi’s public statements on the issue of Chechnya at a joint press conference with President Putin—statements that left Putin with nothing more to add. This approach created strong discomfort and even protest within the E.U. Many partners felt that the E.U. could not be silent about internal developments in Russia, including Chechnya. The governments of E.U. member states felt a need for increased coordination between the overall union’s policy and the member states’ individual policies toward Russia (a need which, a few years earlier, had also been a reason for drawing up the E.U.’s CS on Russia). They criticized the lack of coordination before and during the Rome summit between the presidency, member states, and the Commission, thus sending conflicting signals to the Russian side. Against this background, the European Council of Heads of State and Government in December 2003 requested the Council of Ministers and the Commission to draw up an assessment report about E.U.–Russia relations. The main goal of this exercise was to send clear, unambiguous, and coordinated messages to Russia.

### *The Communication of the E.U. Commission on Relations with Russia*

To meet this request, a comprehensive “Communication from the Commission to the Council and the European Parliament on Relations with Russia” was presented in February 2004. This document contains a sober analysis of the actual state of affairs between the E.U. and Russia and makes some proposals on how the E.U. could better coordinate its positions and give them a greater impact. The communication refers to the Saint Petersburg summit as defining the E.U.’s principal objectives in its relations with Russia, namely, the creation of the four common spaces. The E.U. is to “build a genuine strategic partnership” with Russia, which is its largest neighbor, a key actor at the global level and in the UN Security Council, and a major source of energy supplies for the E.U., as well as a large market with considerable growth potential.

The communication also emphasizes the need for joint positions on issues affecting the security, stability, and well-being of Europe as a whole—such as the environment, migration, health, crime, and research. Converging positions on issues such as effective multilateralism, the Middle East peace process, combating international terrorism, and the proliferation of weapons of mass destruction are seen as good reasons for cooperation between the E.U. and Russia. However, the document also cites potential divergence on issues such as the ratification of the Kyoto Protocol on Climate Change, Siberian overflight rights, the extension of the PCA to the acceding countries, a veterinary agreement, export certification, and a more assertive Russian stance toward E.U. acceding and newly independent states.

The communication also addresses recent developments in Russia. It notes that while in President Putin's four years in power more stability was achieved in Russia, this period "also witnessed a weakening of the values to which the E.U. and Russia (as a member of the Council of Europe and OSCE) are committed." The Duma elections in December 2003, the events in Chechnya, and the selective application of the law (a reference to the Khodorkovsky/YUKOS case) are singled out as raising "questions about Russia's commitment and ability to uphold core universal and European values and pursue democratic reforms." Insofar as the purpose of the document is to devise measures "aimed at strengthening the strategic partnership between the E.U. and Russia and the respect for the values on which it is based," the E.U. concludes that it must send clear, unambiguous messages to Russia. The E.U. is convinced that it is able—via engagement—to "promote a fully functioning rules-based system in Russia" that will uphold democracy and the core European values to which Russia is committed as a member of OSCE and the Council of Europe. According to the document, the "Russian convergence with universal and European values will to a large extent determine the nature and quality of our partnership."

Later, the document says that under a policy of "engagement," the "E.U. can influence developments in Russia if it is ready to take up difficult issues with Russia in a clear and forthright manner." The E.U. "as a whole" (that means the union and its member states, a cautious reminder to the latter) "should confirm that shared European values remain the basis for deepening relations." The text mentions concerns about the "discriminatory application of the law" (a reference to the Khodorkovsky/YUKOS case) and the "non-respect of human rights" (a reference to Chechnya) that would have to be raised "coherently" with Russia. People-to-people contacts are seen as another way to "promote European values."

In its conclusions, the Commission communication recommends to the Council that (among other goals) the E.U. "underline that such a partnership must be founded on shared values and common interests. This implies discussing frankly Russian practices that run counter to universal and European values, such as democracy, human rights in Chechnya, media freedom and some environmental issues."

Thus, the document says clearly where Russian behavior has not complied with the allegedly "shared values," and it commits the E.U. to denouncing it. However, it is interesting to note that the document introduces a few, but telling, departures from what earlier texts had said about common values. It does not refer to the PCA as a binding bilateral agreement, to the two strategy documents, or to the numerous bilateral joint summit statements, but instead to Russia's obligations as a member of the OSCE or the Council of Europe, that is, to international organizations outside the E.U. Furthermore, Russia is called upon to respect only "core" European values.

The General Affairs and External Relations Council of E.U. foreign ministers had a thorough discussion and assessed all aspects of E.U.—Russia relations on February 23, 2004. The assessment report drawn up by the Commission and recommendations to strengthen the partnership were adopted. The Council reaffirmed the E.U.’s determination to build a “genuine strategic partnership with Russia based on equal rights and obligations, mutual trust and an open and frank dialogue.” The (by now) standard formula of “common values” as a foundation of the relationship (still very prominent in the Commission’s communication described just above) was abandoned. The ministers formulated their goals in a more modest way: “This partnership will encourage the respect for common values and the balanced and reciprocal promotion of interests within the framework of the PCA, including as this is enhanced by the development of the four common spaces.” The E.U. added that it has a strong interest in an “open, stable and democratic Russia, continuing reforms, implementing mutual and international commitments, and committed to resolving differences and building common understandings.” This formula is quite different from many earlier ones when the E.U.—at least in words—formulated its hopes and demands toward Russia as a precondition for developing the strategic partnership. Now, the partnership is seen as a means to achieve those goals.

Against this background, the first E.U.—Russia summit after the Commission had presented its assessment paper and after the Council had had a thorough discussion of E.U.—Russia relations did not place great emphasis on the question of “common values.” The most recent thirteenth summit, in Moscow in May 2004, did not produce any joint document in which this formerly important question was tackled. With strong disagreement about if and how delicate questions about domestic developments in Russia should be tackled, it was decided that no joint statement at all would be produced. Instead, the E.U. and Russia concentrated on important practical issues that had dominated the bilateral agenda in the months before the summit—the consequences of E.U. enlargement that came into effect on May 1, 2004, as well as the Russian accession to the WTO. A few days after the summit, the E.U. and Russia agreed on a “Joint Statement on E.U. Enlargement and E.U.—Russia Relations.” Although this would have been a proper occasion to restate some of the fundamentals of this relationship and some of the value-related concerns of the E.U., this document failed to do so.

Instead, the statement took up Russian concerns about the enlargement and gave satisfactory answers to them. These included Russian concerns about the “domestic situation” in the Baltic countries of Estonia and Latvia. Although they are not mentioned by name, the text reads that the E.U. and Russia “welcome E.U. membership as a firm guarantee for the protection of human rights and the protection of persons belonging to minorities. Both sides underline their commitment to the protection of human rights and the protection of persons belonging to minorities.” Everybody, at least in Russia, reads this as a reference to the Russian minorities in the Baltic states. And the difficult negotiations that preceded the adoption of this formula make it quite clear that Russia had only this issue in mind. But the protection of human rights is also an issue in Russia itself, not only in Chechnya. However, this concern of the E.U. was stated more clearly in earlier documents that the E.U. was able to agree on with Russia.

### Recent Developments

Domestic developments in Russia in 2003–2004 increased the E.U.’s concern about the Russian leadership’s commitment to the “common European values.” But this is not reflected in the

documents adopted by the E.U. and Russia jointly, only in internal E.U. documents. Questions and criticism referred to the parliamentary and presidential elections in Russia, which did not meet international standards and led to a further concentration of power in the hands of the Kremlin and its supporters in the State Duma; the continuing human rights violations in Chechnya, and the lack of a credible political process there; the application of the principles of rule of law and due process, especially in the Khodorkovsky /YUKOS case; a further reduction in media pluralism and freedom; the general tendency to silence or neutralize all real or potential opposition forces by a continuous process of concentration of power in the Kremlin; and an abandonment of the principle of a democracy based on checks and balances.

In the fall of 2004, European and western criticism of President Putin's policies reached a new high. The critics saw the political measures Putin announced in September after the Beslan and other terrorist acts as not only motivated by a will to effectively fight terrorism but also as an attempt to exploit the events as a pretext to further curtail democracy in Russia. On September 28, an open letter addressed to the heads of state and government of the European Union and NATO by 115 prominent European and American politicians and foreign policy experts spelled out these concerns about Russian domestic and foreign policies. It states that "the present Russian leadership is breaking away from the core democratic values of the Euro-Atlantic community." It calls upon the leaders of the West to "rethink how and to what extent we engage with Putin's Russia."

Inside the E.U., doubts about Russia's commitment to the "common European values" gained momentum. The European Parliament was most outspoken in its concerns and worries. This was evident during the October 5 nomination hearings for the commissioner-designate for external relations in the new E.U. Commission, the former foreign minister of Austria, Benita Ferrero-Waldner. Responding to questions from members of the European Parliament, she called for a "policy of frankness" with regard to Russia, a partner with which the E.U. should "speak on an equal footing." Saying that "politics is the art of critical dialogue," Ferrero-Waldner emphasized that political dialogue was important for supporting the democratization of Russia. The E.U. had every possibility of addressing all the issues it wanted. As far as the state of democracy in Russia was concerned, she voiced her concern that Moscow had "clearly thrown itself into reverse." With respect to Chechnya, she underlined that "the combating of terrorism does not excuse the violation of human rights." Yet the former foreign minister of Austria (and thus a long-term participant in the E.U. Council of Ministers meetings) rejected often-heard criticisms from the media and other sources that the E.U. had soft-pedaled these issues. She said: "We are not silent. That is perhaps how things are perceived by public opinion because our 'critical dialogue' is not reported in the media."

On October 2, German chancellor Gerhard Schröder made the same point in an interview with *Sueddeutsche Zeitung*. Referring to his own dialogue with President Putin, he said: "When there is something to discuss I do so with every emphasis in a confidential talk. In view of the importance of Russia for Germany and Europe, this is the right way." The chancellor also said that he did not intend to change the federal government's policy toward Russia, but added that he understood when the public asked critical questions about the process of democratization in Russia. However, he himself had no reason to mistrust the Russian president in this respect. Chancellor Schröder added that he did not share the view of those that see Russia as a part of the E.U. in the near future, but he expected that "there will be a rapprochement of Russia towards the E.U. In the long run, we cannot guarantee security and well-being in a Europe grown together without a strategic partnership with Russia."

## THE SPECIFIC CHARACTER OF E.U.–RUSSIA RELATIONS

When one looks at the extensive catalogue of topics that were discussed in the dialogue between the E.U. and Russia in recent years, three elements seem to characterize E.U.–Russia relations in ways not seen in Russia’s relations with other countries and regions:

- geographical proximity,
- a dense network of bilateral dialogue and cooperation structures, and
- the role of the concept of “common European values.”

### Issues Directly Related to Geographical Proximity

The E.U. and its member states not only share a long and often difficult history with Russia but also an immediate geographical proximity. After E.U. enlargement, five member states (Estonia, Finland, Latvia, Lithuania, and Poland) have direct land borders with Russia, and three others (Denmark, Germany, and Sweden) are Russia’s neighbors across the Baltic Sea. As is most evident in questions over the Russian exclave of Kaliningrad, this proximity creates both opportunities for cooperation and the danger of friction. In any case, the two partners cannot ignore each other.

Geographical proximity and historical ties are responsible for the long list of topics discussed in the bilateral dialogue. In particular, this is true for the close economic cooperation—including the indispensable role of the E.U. as Russia’s largest trade and investment partner—for the modernization of the Russian economy and the importance of Russian energy exports for both the E.U. and Russia. In view of evident great opportunities, both sides have an equally strong interest in further developing cooperation in this field and in the extension of infrastructure networks, as well as in scientific and cultural exchange.

In principle, similar interests and a common space also entail cooperation against environmental hazards, battling organized crime, trafficking in drugs and illegal migration, and facilitating travel and the exchange of people in both directions. In the political field, cooperation seems indispensable for creating durable security and stability in the common neighborhood by solving jointly regional and frozen conflicts or untenable domestic situations in Moldova/Transnistria, Transcaucasus, and Belarus.

However, in many of these fields, the E.U. easily finds itself in what the Russian side sees as a *demandeur* position. Against the background of old thinking in terms of zero-sum games, Russia often demands a “price” for complying with international standards or even for doing things that are evidently in its own interest. This was the case when the E.U. asked Russia to respect its OSCE obligations, to ratify the Kyoto Protocol on Climate Change, and to cooperate effectively in the elimination of nuclear waste and other serious environmental hazards or to conclude a readmission agreement before liberalizing travel regimes.

Conversely, Russia in principle finds itself in a kind of *demandeur* position regarding questions such as its membership in the WTO and its integration into the world economy, the transit of people and goods to and from Kaliningrad and the improvement of the general situation in and around the enclave, the facilitation and eventual abolishment of E.U. visa requirements for Russian citizens, or the situation of the Russian-speaking minorities in the Baltic states.

Yet progress in solving even long-standing issues can be made when the political will is there on both sides. Such was the case when the Russian State Duma on October 22, 2004, and the Federation Council on October 27, 2004—the two houses of the Russian parliament—upon recommendation by the administration, ratified with large majorities the Kyoto Protocol on Climate Change as well as the Protocol to the PCA, both issues of highest importance for E.U.–Russia relations. At the same time, the Duma adopted a statement outlining a number of outstanding issues in this relationship, including Russian requests concerning the Kaliningrad transit of goods and visa-free Kaliningrad travel by high-speed trains, as well as the rights of ethnic minorities in Latvia and Estonia.

Both the uncontroversial and the more difficult issues on the bilateral agenda are a result of geographical proximity. As such, they cannot be ignored and will not disappear from the agenda even if the questions involved cannot be solved easily. They can be ignored for a while but will eventually return to the dialogue. In comparison with the heavy interdependence of the E.U. and Russia in all these matters, none of them plays an important role in United States–Russia relations.

### **Effects of the Establishment of a Dense Legal and Institutional Framework**

The great number of documents adopted jointly by the E.U. and Russia or by the two partners individually as well as the bilateral dialogue and cooperation structures that have been established in E.U.–Russia relations have created a wide and growing agenda by the mere fact of their existence. Every E.U. presidency, every E.U.–Russia summit, the Commission, and the Council Secretariat have sought to add substance to the bilateral agenda, if possible by a new initiative. Member states have made an additional contribution to this through their own initiatives. As an example, the concept of the four common spaces arose through this process.

### **The E.U.’s Search for “Common European Values”**

The Treaty on European Union, which entered into force on May 1, 1999, and which also created the new instrument of a “common strategy,” once again underlines the paramount importance of values for E.U. policies. “Liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law”—these are the principles on which the E.U. itself is founded. This deep attachment is also reflected in the formulation of a CFSP, one of whose objectives is “to develop and consolidate democracy and the rule of law, and the respect for human rights and fundamental freedoms.” In many statements, E.U. representatives have made clear that the E.U. would like to see these values guaranteed all over the world as a precondition for peace, security, stability, and well-being. Therefore, these values play an important role in the E.U.’s bilateral relations with all third countries. Russia is but one example of this approach.

What defines the E.U.’s attitude toward Russia in this respect is the concept of “common European values.” Even though the E.U. never laid out the “European” character of these values (as compared with their universal character), it is quite obvious that the E.U., without saying so explicitly, expected or at least hoped for more from Russia (and other European countries) than from partners on other continents. The growing disappointment with President Putin’s domestic policies is understandable only against the background of such high expectations. These expectations more than anything else made the question of “common values” and Russia’s compliance or noncompliance with them an important and constant factor in E.U.–Russia relations. This is

true even if the study has shown that the relative importance of the values compared with that of other interests has varied over the years and that the E.U. has not always been consistent in raising this issue with the Russian leadership. But when the E.U. did not or (because of strong Russian reluctance) could not address its questions and concerns forcefully, many actors in the E.U. have complained that the E.U.—Russia dialogue was incomplete and that the “strategic partnership” lacked an essential element without the “values” component.

## **CONCLUSIONS AND RECOMMENDATIONS**

The E.U. and Russia have developed an extraordinarily intensive dialogue on a multitude of questions during the past few years. Geographical proximity ties the two partners together and is the most important factor determining the bilateral agenda. Geography creates both great opportunities for cooperation and a high potential for friction. The E.U. and Russia could only disregard or neglect each other at a very high cost for either side as well as for their common neighborhood.

Common interests and political will have created a great number of documents and dialogue structures that—even if sometimes of little practical relevance—by their very existence generate new topics for the bilateral dialogue and cooperation.

The E.U. and Russia are natural partners in developing a multidimensional cooperation because they complement each other in many ways, most evidently in the spheres of trade, investment, and energy. The E.U. needs Russia as its most important single provider of energy supplies. Russia needs the E.U. for a thorough modernization of its economy. No other country can assume these respective roles in the foreseeable future. In other fields—such as in the protection against environmental hazards, in the fight against international terrorism and organized crime, and in the effort to create stability and prosperity in their common neighborhood—the E.U. and Russia are virtually forced into cooperation through their geographical proximity.

Conceptually, the four common spaces exemplify the multidimensional character of E.U.—Russia cooperation and its growth potential; however, their actual final contents will show whether and how the two sides are able to also deal with contentious issues. Because the four spaces will present a comprehensive view of the bilateral relationship, the concept will also answer the question of whether a “critical dialogue” is part of it.

The reluctance of the Russian side (and to a much lesser degree the E.U. side) to discuss “domestic” issues and international topics related to its immediate neighborhood raises the question of whether E.U.—Russia relations are already mature enough to call them a “strategic partnership.” The readiness of both sides to entertain an open, frank, honest, and if necessary critical dialogue on such controversial matters could be seen as the final test of the partnership.

In this respect, recent developments seem discouraging. The E.U. has always expected or at least hoped to base its relationship with Russia on the foundation of “common European values,” even if this goal was not formulated in terms of a clear-cut conditionality. The E.U. has tried (even if not always in a very consistent and sometimes in an erratic way) to raise its concerns regarding the state of democracy, the protection of human rights, and the rule of law in Russia—principles so very dear to the E.U. But when one looks at the domestic situation in Russia, it is obvious that the country in

recent years has moved ever further away from the “common European values” to which it was once committed, at least on paper. If achieving them in Russia was a major objective of E.U. policy toward Russia, the E.U. must admit failure. Russia under President Putin’s rule has moved ever further away from a western-style democracy.

Of course, the E.U. or the West in general cannot be blamed alone for this failure. Its ability to influence domestic developments in a big country like Russia through “democracy export” is limited, and expectations to the contrary have been naive. Furthermore, in the case of Russia, the E.U. could never use the big sticks and material carrots that accompany an E.U. membership perspective. Neither Russia nor the E.U. ever seriously contemplated this kind of relationship. Nevertheless, in its Partnership and Cooperation Agreement with Russia, the E.U. sets almost the same goals for democracy as it does in its Europe Agreements with the accession states. The lack of success in “exporting” democracy, human rights, and the rule of law to Russia and other CIS countries (as compared with the success achieved in Central and Eastern Europe and now in Turkey) should further encourage the E.U. (and the West in general) to carry out a sober analysis of its ends (lofty goals) and means (carrots and sticks), of its time frame (no instant democracy), and of the internal situation in the partner country. This could help avoid the repetition of mistakes and more disillusionment.

When a big country like Russia is involved, internal factors may play an even more important role in determining the success of western-style democracy. There are certainly many reasons why Russia under President Putin’s rule has moved ever further away from a democratic system as the E.U. defines it. On the one hand, there is the manipulation of democratic and legal mechanisms and the use of other methods by those in executive power to curtail and silence as much as possible real or potential opposition. There is the gradual abandonment of the principle of checks and balances through a weakening of the legislative and judicial powers as well as of an independent media. On the other hand, election results (even if rigged to a certain degree) and polls seem to indicate that such “authoritarian” policies found support in wider parts of the Russian population. A large segment of that population not only indulges in nostalgic Soviet memories but also looks back at the Yeltsin years as a time of a failed western democracy export that only ended in “chaos” and of the triumph of robber capitalism that benefited only a few. Thus, the same kind of policies that move Russia away from a western democracy make President Putin unpopular in the West and popular at home. This statement does not overlook the fact that large parts of the Russian population feel sympathy for certain aspects of western lifestyle or even democracy. But it may take time and patience to develop a strong civil society in Russia that can turn a post-Soviet state into a western-style democracy from within. The E.U. should reflect this in its approach toward Russia and in its dialogue with the Russian leadership by not expecting miracles or losing patience.

Nevertheless, the E.U. should not give up its efforts to counter troublesome trends inside Russia that contradict the common values to which Russia also claims to be committed. It should be argued that Russian behavior also contradicts the country’s written commitments made in documents agreed upon with the E.U. (such as the PCA). The E.U. itself must be consistent in this effort to remain credible. It should continue to carefully pursue this approach, even if it had no or only very limited success in the past, and its remarks are regarded by the Russian leadership as an illegitimate interference in its internal affairs, a part of a ganging-up of western powers against Russia and thus a return to a Cold War mentality. The chances for a constructive dialogue on these matters may be even smaller now than in previous years. Russia now feels strong and indispensable because of its

## E.U.—RUSSIA RELATIONS

economic and financial success in recent years and its role as a partner in solving global problems, especially in the fight against international terrorism. Therefore, Russia deems itself immune to criticism with concrete consequences. Russia does not want to be anybody's junior partner, let alone the object of other powers' policies.

Despite these unfavorable circumstances, the E.U. in its dialogue with Russia—whether at summits or at confidential talks at the highest level—should send a clear message, as follows:

1. The E.U. sees Russia as a most important and indispensable partner both for productive bilateral cooperation as well as for security, stability, and prosperity in Europe and beyond.
2. Dialogue, and bilateral and international cooperation, can and will continue on all the issues that serve these goals and are of interest and benefit for both sides. There will be no return to Cold War antagonism. Russia's continued cooperation with the E.U. in as many fields as possible is not a favor Russia pays to the E.U. but lies in Russia's very own interest.
3. Both sides declare their readiness to discuss any subject or concern that the other side wishes to bring to the table. No matter can be vetoed.
4. Russia as a partner in the fight against international terrorism and as a victim of heinous acts committed by terrorists from within its own territory can expect solidarity and support in its fight against terrorists and for the integrity of its territory. But Russia cannot expect a "terrorism discount" when it adds to the root causes of terrorism through its disregard of massive human rights violations in Chechnya or when it exploits terrorist acts as a legitimation for further curtailing democracy.
5. The E.U. will continue to raise its concern about Russia's violations of human rights and fundamental freedoms in the appropriate international forums, especially in the UN Human Rights Commission, in the Council of Europe, and in the OSCE.
6. Russia and its leadership cannot expect to enjoy international authority and to be treated as an equal and respected partner in the family of democratic nations and in international forums, let alone by public opinion and the media in the West, when it continues to move away from the "common European values" to which it is committed.
7. The E.U., therefore, questions the concept of a durable "strategic partnership" if that relationship is based only on common interests and not also on common values and mutual trust.

## BIBLIOGRAPHY

- Arbatova, Nadezhda K. "Rossiya v Evroatlanticheskoy regione," *Mirovaya Ekonomika i Mezhdunarodnye Otnosheniya*, no. 5, 2003.
- Barysch, Katinka. *The E.U. and Russia: Strategic Partners or Squabbling Neighbours?* London: Centre for European Reform, 2004.
- Bastian, Katrin. "Die Europaeische Union und Russland: Multilaterale und bilaterale Dimensionen der europaeischen Aussenpolitik," unpublished manuscript, 2004.
- Bordachev, Timofei V. "The Russian Challenge for the European Union: The Direct Neighborhood and Security Issues," in *Beyond EU Enlargement, Vol. 1: The Agenda of Direct Neighborhood for Eastern Europe*, ed. Iris Kempe. Gütersloh, Germany: Bertelsmann Foundation Publishers, 2001.
- Carothers, Thomas. *Critical Mission: Essays on Democracy Promotion*. Washington, D.C.: Carnegie Endowment for International Peace, 2004.
- Ischinger, Wolfgang. "Russland, Ukraine, Belarus und Europa," in *Deutschland-Polen-Osteuropa: Veroeffentlichungen des Deutschen Polen-Instituts*, ed. Dieter Bingen. Darmstadt, Germany: Harrassowitz Verlag, 2002.
- Karaganov, Sergey. "Rossiya i Evropa: vmeste ili po sosedstvu?" *Rossiyskaya Gazeta*, September 2, 2004.
- Kempe, Iris. "Die Europaeische Union und Russland nach dem 11 September," *Europaeische Rundschau*, vol. 30, no. 2, Spring 2002.
- Lynch, Dov. "Russia Faces Europe," Chaillot Paper 60. Paris: European Union Institute for Security Studies, 2003.
- . "Russia's Strategic Partnership with Europe," *Washington Quarterly*, Spring 2004.
- Rahr, Alexander. "Strategische Nachbarschaft. E.U.–Europa versus E.U.–Ost," *GUS-Barometer*, no. 36 (September 2004).
- Sedelmeier, Ulrich. "E.U. Enlargement, Identity and the Analysis of European Foreign Policy: Identity Formation through Policy Practice," working paper. Paris: European Union Institute, 2003.
- Stent, Angela. "A New Security Agenda for U.S.–German–Russian Relations: Interim Report," AICGS Policy Report no. 3. Baltimore: American Institute for Contemporary German Studies, Johns Hopkins University, 2002.
- Timmermann, Heinz, and Stefan Gaenzle. "The European Union's Policy towards Russia," in *E.U. Enlargement and Beyond*, ed. Helmut Hubel. Berlin Verlag Arno Spitz, 2002.
- Wipperfuert, Christian. *Russische Aussenpolitik zu Beginn der zweiten Amtszeit Praesident Putins und Folgerungen fuer die deutsche Russlandpolitik*. Unpublished manuscript, 2004.



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