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EU-Russia Relations: "Try Again, Fail Again, Fail Better"

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abstract

This study argues that the security dimension – broadly defined to include both more traditional military security and "soft security" – of the EU-Russia relationship is becoming increasingly important. The relationship is of strategic significance for both sides, and some important progress has been made in establishing a closer bureaucratic relationship. There is, however, a tension between this progress and a series of differences on key political issues, including energy security and crisis management. Moreover, despite some improvements, there are problems in the decision-making structures on both sides that hinder the development of a positive practical relationship.

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Abbrevations

CIS	Commonwealth of Independent States
COPS	EU's Political and Security Committee
CSR	Common Strategy on Russia
ECHO	European Commission Humanitarian Office
ECT	Energy Charter Treaty
ENPI	European Neighbourhood and Partnership Instrument
ESDP	European Security and Defence Policy
JHA	justice and home affairs
MID	Ministerstvo Innostrannykh Del' [the Russian Ministry of Foreign Affairs]
MTS	Mid-Term Strategy on Relations with the EU, 2000–2010
NGO	Non-Governmental Organisation
NIS	Newly Independent States
PCA	The Partnership and Cooperation Agreement
PPC	Permanent Partnership Council
TACIS	Technical Aid to the Commonwealth of Independent States
WMD	Weapons of Mass Destruction
WTO	World Trade Organization

Introduction

The EU-Russia relationship is of key strategic economic and security importance for both parties. Senior Russian figures argue that despite the uncertainty of the EU's military and political prospects, economic integration processes are now irreversible, making it one of the important poles of power in international politics.[1] The importance of the EU as Russia's "biggest partner" was again stated by President Vladimir Putin in his Annual Address to the Federal Assembly in May 2006.[2] Russia receives significant quantities of funding from the EU to aid its political and economic transformation – the EU has provided some 2.6 billion euros since 1991,[3] and the EU is Russia's main export market. Indeed, the EU energy market has essentially supported Russian economic growth – as one gas expert has argued, "the financial significance of exports to Europe for both Gazprom as a company, and Russia as a country, can scarcely be overestimated".[4]

Moreover, if some prominent Russians are dismissive of the EU's capability as a coherent political actor with significant prospects as a military actor, there is some awareness amongst the Russian elite of the EU's greater activity in south eastern Europe and the Caucasus and the negative impact this may have on Russian interests. Equally, some leading experts have argued that EU enlargement – and more active involvement in these areas – effectively isolates Russia more than does NATO enlargement, and in consequence poses serious challenges to Russia's security.

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1 Yevgeniy Primakov, "Russia and the U.S. in Need of Trust and Transparency", *Russia in Global Affairs*, no. 1, January–March (2006) (online 26 Feb 2007). Unless a specific date is noted, all online references were last checked 26 February–1 March 2007. Complete URL addresses are listed in the bibliography.

2 Vladimir Putin, "Annual Address to the Federal Assembly", 10 May 2006, *Federal News Service* (online).

3 Tomila Lankina, "Explaining European Union Aid to Russia", *Post-Soviet Affairs*, vol. 21, no. 4. (2005): 309.

4 John Stern, *The Future of Russian Gas and Gazprom* (Oxford: OUP, 2005), p. 127; Andrew Monaghan, *Russian Oil and EU Energy Security*, CSRC paper 05/65 (Swindon: Conflict Studies Research Centre, November 2005).

For the EU, Russia is a major market for its goods and is an important energy supplier, both as a producer and as an alternative source of oil facilitating energy security through source diversity. Additionally, Russia is an important partner in international peace and security, as an influential actor both on the United Nations Security Council and in the newly independent states of the former Soviet Union. The EU therefore has an "important strategic and economic interest in Russia's development".[5] Russia, the EU's largest neighbour, is brought closer by the EU's enlargement. This emphasises the fact that Russia is also a source of a number of security challenges for the EU, including environmental pollution and degradation, organised crime and illegal migration and the potential for spill-over consequences from the conflict in Chechnya and the wider Caucasus region.[6]

This study examines the relationship between these partners. It is one which has evolved significantly since the early 1990s, seeing periods of progress and stagnation, partnership and friction. My focus is on the security dimension of the relationship. Security here is broadly understood to include both "hard", military security and less tangible "soft" security issues such as environmental degradation, organised crime, health and diseases and illegal migration. The scale and exact nature of many of these problems are neither self-evident nor easy to gauge: organised crime, for instance, is not a self-publicising business. Moreover, soft security threats cannot be eliminated entirely, merely reduced to tolerable levels.

Although the economic side of the relationship has tended to dominate any analysis, security, in this broad sense, in fact pervades EU-Russia relations and is becoming ever more important. In the early 1990s, security discussions tended to focus on broad international issues such as the Middle East and specific soft security projects in Russia. The key political aim was to establish a Europe without dividing lines. Plans for more specific security cooperation have been laid and a bureaucratic structure established to facilitate such plans. However, the enlargement of the EU – symbolically enough referred to as "expansion" in Russia – and the EU's increased focus on values has made the security relationship more complex, and concerns have been expressed in Russia that such changes are indeed creating dividing lines.

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5 European Commission, *Communication from the Commission to the Council and the European Parliament on relations with Russia*, COM (2004) 106 09/02/04 (online).

6 Russian Federation, *EU Country Strategy Paper, 2002–2006, National Indicative Programme, 2002–3*, December 2001, p. 1.

Moreover, apparently common interests, such as managing the borders and cooperating against organised crime, have of course become more prominent with the growth of the common border. The EU's enlargement has also created a common neighbourhood in which there are a number of ongoing "frozen" conflicts in which both sides have clear interests. Yet, as this study will show, these interests of Russia and the EU do not always coincide.

The study is in two main parts. First, it establishes the broad background of the relationship, outlining the key features of its evolution through the 1990s to the end of 2006. In this first part, the paper first examines the establishment of the relationship, looking first at its structure and the nature of the key documents. Following this, the paper highlights the state of the relationship by 2004–2005, examining the nature of the political problems and assessing the reasons behind the lack of practical progress in the relationship. The second main part of the paper is devoted to developments since 2005 and the nature of the strategic partnership, examining first some of the achievements in the relationship, such as the improvements in the dialogue and decision-making structures before turning to examine ongoing problems, particularly differences over principles and interests.

The key point that emerges is the tension between slow but important progress in establishing a closer bureaucratic relationship with new plans and frameworks for cooperation, and what amounts to a series of principle differences on key political issues. Simply, not only is there a well known difference in "values", but political and security *interests* also often conflict. Furthermore, despite the strategic importance of the relationship, both sides have many other priorities to which to attend, and although there are those who seek to enhance and improve the relationship, there are many who do not consider the further positive development of the relationship to be in their interests.

Chapter 1

The Background of EU-Russia Relations

Building the Relationship

The Partnership and Cooperation Agreement (PCA) was signed in 1994,[7] after nearly two years of preparation with eight rounds of negotiations and many informal meetings.[8] The PCA did not assert a strategic partnership, neither did it aim to found an association between Russia and the EU, nor seek to prepare for Russia's (long-term) entry into it.

Nonetheless it was a key document, since it established the institutional framework for bilateral relations. First, it founded the legal basis for a broad economic and political relationship. Second, it established the political framework of biannual presidential summits, annual Cooperation Council meetings at ministerial level, biannual meetings of a Cooperation Committee of senior officials, nine sub-committees and parliamentary-level meetings. Third, the PCA set out common objectives in trade and economic cooperation, science and technology, the environment, transport, space technology, justice and home affairs (JHA) and political dialogue for a period of ten years after its coming into force.

The document was heavily focused on economic and trade technicalities, but importantly the PCA was also based on core principles shared by the

7 The text of the document can be found on European Commission, *The European Commission's delegation to Russia* (online).

8 For background literature on the development of the relationship during the 1990s, see Hiski Haukkala and Sergei Medvedev, eds, *The EU Common Strategy on Russia: Learning the Grammar of the CFSP.* (Helsinki: FIIA, 2001); Marius Vahl, "Just Good Friends? The EU-Russian 'Strategic Partnership' and the Northern Dimension", Centre for European Policy Studies Working Document no. 166. (Brussels: Centre for European Policy Studies, 2001); Yuri Borko and Olga Buturina, eds., *Evropeiskii soyuz na poroge XXI veka. Vuibor strategii razvitia* [The European Union on the Threshold of the 21st Century: Choice of Strategic Development] (Moscow: URSS, 2001); Andrei Zagorski, "Policies Towards Russia, Ukraine, Moldova, and Belarus", in Roland Dannreuther, ed., *European Union Foreign and Security Policy: Towards a Neighbourhood Strategy.* (London: Routledge, 2004).

parties, ranging from the promotion of international peace and security to support for a democratic society based on political and economic freedoms. It sought to create a spirit of equality and partnership between the EU and Russia and strengthen political, commercial, economic and cultural ties: in effect to establish a stable, democratic Europe without dividing lines.

These were heady aims, given that – or perhaps because of the fact that – the Cold War had just ended. They were all the more so because of divergences over many of these "core common principles", illustrated by disagreement over Russia's brutal handling of its Chechen problem.[9] Indeed, partly as a result of EU sanctions directed against Russian actions in Chechnya, the PCA did not come into force until 1997.[10] Such problems and other drawbacks – security, apart from a small number of clauses addressing soft security, is not explicitly addressed in the PCA, for example, and some of the economic clauses were out of date before the PCA even came into force – limited the long-term practical value of the document.

Nonetheless, the key point was not that it should be a panacea for all the difficulties in the relationship. Indeed, that a document had been agreed upon at all to begin to overcome the Cold War confrontation between the parties was an important sign of progress according to senior Russian experts.[11] Moreover, although the PCA was flawed it has served as the foundation for other agreements and plans that have developed the basic agreements significantly. One example of this was the planning and establishing of the Northern Dimension Project which included a number of soft security projects.

The Northern Dimension Project resulted from a Finnish proposal in 1997 which sought to emphasise the regional and local interdependence between north European states and draw the attention of the whole EU to the challenges and opportunities posed by Russia. It was implemented within the framework of the PCA and sought to highlight the primacy of soft security challenges and the role of multilateral cooperation in resolving them. Russia approached the project in a positive fashion, since it was

9 For expert detailed analysis of the two Chechen wars and Russian policies in the North Caucasus, see the papers by Charles Blandy for the Conflict Studies Research Centre [Defence Academy of the UK (online)].

10 Nonetheless, an Interim Agreement was signed in June 1995 to facilitate practical cooperation, becoming operational in February 1996, bringing into force most of the economic sections.

11 Interviews with Vladimir Shemyatenkov, former Soviet Ambassador to the European Communities, Moscow, October 2004 and Russian parliamentarian, Moscow, October 2005

the only cooperative forum in which Russia was represented as an equal. Indeed, a particular emphasis was placed on ensuring the active participation of all involved, including regional organizations, local and regional authorities, the academic and business communities, and civil society. Cooperative activities include border control improvements, nuclear facilities management, cooperation to address the problem of communicable diseases such as HIV/AIDS and protection of the natural environment.[12]

Although EU-Russia dialogue was ongoing in regular high-level meetings, the next major steps which were built on the foundations laid out by the PCA were the EU's Common Strategy on Russia (CSR) of June 1999, the EU's first attempt to formulate such a common strategy plan for a relationship with a state that did not seek membership, and Russia's Mid-Term Strategy on Relations with the EU, 2000–2010 (MTS),[13] the first such plan for relations with a third party proclaimed by the Russian government. The strategies were to elaborate more effectively and coherently the objectives in the relationship and the instruments to be used.

The PCA remained the central document on which relations were founded, since it provided the legal basis and political framework for the relationship. But, in attempting to build on this foundation and focus the interests of each side for the development of the relationship, these two documents were held by some effectively to represent the "starting point" in relations,[14] and reflect the importance the two sides attached to close political and economic cooperation.[15] According to Igor Ivanov, then Russian Foreign Minister, the CSR and MTS were two strategies "coming to meet" and contributing to "consistent development of the all-European integration processes and joint efforts … to overcome contemporary threats".[16] This new strategic horizon for the relationship sought to provide for greater stability in Europe and cooperation in responding to challenges, particularly by consolidating and improving the mechanisms for dialogue, integration of Russia into a common economic space and consolidation of political and social transformation in Russia.[17]

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12 See European Commission, *European Union External Relations* (online 16 Aug 2006).
13 English language versions of the texts of both documents can be found on the web site *The European Commission's delegation to Russia*.
14 Dov Lynch, "Struggling with an Indispensable Partner", in *What Russia Sees,* ed. Dov Lynch, Chaillot Paper no. 74 (January 2005) [Institute for Security Studies, European Union (online)], p. 115.
15 Yuri Borko, "Otnoshenia Rossii s Evropeiskim soyuzom: tekushchie problemy i dalnie gorizonty", in *Evropeiskii soyuz,* eds Yuri Borko and Olga Buturina.
16 Igor Ivanov cited in Yuri Borko, "The EU's CSR: A Russian View", in *The EU Common Strategy on Russia,* eds Haukkala and Medvedev, p. 121.
17 Lynch, "Struggling with an Indispensable Partner", pp. 120–3.

Putin's attendance at the EU Council Summit in March 2001, and his role in defining its agenda, again reflected the improvement in relations and were deemed by one Russian expert to be a "remarkable innovation". Noting that the EU did not normally extend summit invitations to leaders of non-member states, Vladimir Baranovsky, Deputy Director of IMEMO (Institute of World Economy and International Relations) in Moscow, pointed out that "observers … considered it reflective of the rising character of Russia's relations with the EU" and indicative of the EU's "deliberate intention … to highlight Russia's role as its partner".[18]

Within the framework of the CSR and MTS strategies, military security began to take a higher profile, illustrated by the October 2001 EU-Russia Summit and the subsequent Joint Declaration on Stepping Up Dialogue and Cooperation on Political and Security Matters.[19] This declaration underlined political progress being made through an increasingly broad spectrum of discussions and the dense nature of diplomatic links. Stipulating the necessity to exploit existing links as much as possible, it also established monthly meetings between a Russian representative and the EU's Political and Security Committee (COPS)[20] to discuss crisis prevention and management. The first military steps were taken on 29 May 2002, at a meeting between the EU's General Gustav Heglund and Russian Chief of General Staff Anatolii Kvashnin. The major result of the meeting was the decision to dispatch a representative of the Russian Ministry of Defence to Brussels to sustain operative communications between Russia and the EU. Other issues, such as the prospects for Russia-EU cooperation in the military and military technical spheres, cooperation between the fleets of Russia and the EU and the possibility of joint conduct of peacekeeping operations were also discussed. Arrangements for possible Russian participation in crisis-management operations of a civilian and military nature would be developed according to progress made in the ESDP (European Security and Defence Policy). Russia also agreed to contribute to the EU's Police Mission to Bosnia-Herzegovina, and agreements were reached to exchange information on terrorist activities and groups and discussions about cooperation on civilian defence and emergency management.[21] Additionally, the EU agreed to fund bilateral

18 Vladimir Baranovsky, *Russia's Attitudes Towards the European Union: Foreign and Security Policy Aspects* (Helsinki: FIIA, 2002), p. 62.

19 *Diplomaticheski Vestnik*, no. 11 (2001), pp. 23–4.

20 COPS is the main organ for coordinating decision-making in ESDP, consisting of a committee of appointed ambassadors from member states.

21 For further discussion of this, see Andrew Monaghan, *Russian Perspectives of Russia-EU Security Relations*, CSRC Document, 05/38 (Camberley: Conflict Studies Research Centre, 2005).

mine-clearing cooperation, such as the Russo-Swedish project to clear World War II mines from the Baltic around the Kaliningrad region.[22]

Further steps were taken in 2003, with plans laid at the St Petersburg Summit to develop Four Common Spaces as an umbrella for the development of the relationship. The "Common Spaces" idea – and the subsequently agreed Four Spaces Road Maps signed in 2005 – have been criticised for being vague and ambiguous, as discussed below.[23] Indeed, even the term "Space" itself is rather unclear and intangible. Nonetheless, officials on both sides have noted that it was an attempt to characterise broadly the important elements of the relationship into four main groups and set out lists of tasks, projects and requirements within these areas for cooperation. If this is dismissed as diplomatic speak by analysts on both sides, it nevertheless underlines two basic but still important points. First, there is of course a need to come to agreement – a need which highly specific language often blocks, particularly between two such different parties as the EU and Russia. Second, the EU-Russia agenda itself is vast, encompassing many dimensions. This very breadth has served to confuse the agenda and priorities, which has in consequence undermined progress.

Moreover, the development of the Four Spaces clearly illustrated the more balanced approach being adopted by the two sides between the different dimensions in the relationship. The official and practical agendas were no longer largely being dominated by economic issues, as had been the case in the PCA. Economics and trade were of course still of great importance. But two of the four spaces were dedicated to security, one to external security issues and one to freedom, justice and security (JHA), outlining a broad agenda for cooperation.

The structure of the relationship was also to be redefined, with the establishment of Permanent Partnership Councils (PPCs), which would replace the Cooperation Committees and intensify cooperation with Russian ministries and engage the Presidential Administration. The PPC would offer "all the flexibility and engagement Russia seeks, while maintaining EU coherence and transparency".[24] The Russians had argued that the Cooperation Committees were obsolete and not working well, although the EU considered that they still had potential, despite their

22 Capt. V. Sulzhenko, "Ministr Oborony Shvetsii – na Baltike" [Sweden's Defence Minister is visiting the Baltic], *Morskoi Sbornik*, no. 6 (2002): 10.

23 The Four Common Spaces include economics, freedom, security and justice, external security and research, education and culture.

24 European Commission, *Communication from the Commission …*, p. 5.

essentially bureaucratic nature. Without Russian cooperation, however – the Russians simply did not turn up to meetings from 2003 onwards, according to one expert – the Councils became ineffective.[25]

If there were successes, there were also flaws. The CSR and MTS documents reiterated that progress in a number of areas had been slow, particularly Russian entry into the WTO, the elimination of trade discrimination and improvement in the efficiency of political dialogue. Second, analysts pointed to the problematic tone of the documents. Yuri Borko, of the Institute of Europe, discerned that regardless of official pronouncements, the CSR/MTS documents were of a "contradictory character as far as some perceptions, approaches and concrete aims" were concerned.[26] Dov Lynch, Senior Research fellow at the EU's Institute for Security Studies, argued that the CSR was "at once condescending and vapid", and the list of actions to be fulfilled by Russia is "quite dizzying". The EU's approach resembled the heavily conditional and interventionist style it developed with candidates for accession. But since Russia was not a candidate for membership, there was a tension between the comprehensive demands being made and the limited endgame envisaged for relations.[27]

Moreover, although acknowledging the CSR and that it was "possible and desirable to join the efforts of the parties to achieve the objectives of these two documents", the MTS was Russia's strategy *towards* the EU, rather than any agreement between two parties. Indeed, the MTS hardly refers to the CSR. Only twice does it respond directly. First, it acknowledges and takes the CSR into account. Second, it is linked with the idea of concluding, at some stage in the future, a new Russia-EU agreement on strategic partnership and cooperation, advancing towards it "gradually".[28]

The two documents reflected conceptual differences in the relationship: the two partners are different types of "actor". One was an independent state seeking to rebuild itself and enhance its independence as a global power, the other a multi-national, supra-national institution that has been fifty years (at least) in the making. One was a comparatively poor state, burdened with many hangovers from the collapse of a different political and economic system, the other a rich "paradise" at a completely different stage of evolution, and more able to pick and choose its priori-

25 Interviews with EU officials in Moscow and Brussels, spring and summer 2006.
26 Yuri Borko, 'EU/Russia Cooperation: The Moscow Perpsective', in *The EU and Kaliningrad: Kaliningrad and the Impact of EU Enlargement*, eds James Baxendale, Stephen Dewar and David Gowan (London: Federal Trust, 2000), p. 64.
27 Dov Lynch, *Russia Faces Europe*, Chaillot Paper, no. 60 (May 2003) [Institute for Security Studies (online)], p. 57.
28 Cited in Borko, "Otnoshenia Rossii s Evropeiskim soyuzom …", pp. 381, 384.

ties. This had an impact on the relationship since both sides were seen to speak different languages, especially on such topics as state sovereignty and human rights. These conceptual problems have had an enduring and real impact on the relationship: Moscow's unwillingness to integrate into Europe reflected in the MTS was, according to Arkadii Moshes, Director of the Russia-EU program at the Finnish Institute of International Affairs, part of the reason that relations began to slide after 2002.[29]

Moreover, Russia sought a relationship and partnership based on equality – but without integration. The notion of equality was a main feature of the MTS, posing Russia as the hub of the NIS (Newly Independent States) region. Russia's status as a world power was reiterated, and it was "from this point of view" that "joint efforts" would be conducted. The document made clear that Russia did not officially seek to join the EU, nor become an associate member. However, it was clearly not an equal partner in many dimensions of the relationship. In fact, according to Nikolai Kaveshnikov of the Institute of Europe in Moscow, the "principal stumbling block" in EU-Russia relations was the "contradiction between Russia's unreal claims for overall equality and the EU's desire to integrate Russia on a different basis".[30]

The negotiations to prepare the Four Common Spaces were also protracted and difficult, reflecting the practical impact of these conceptual issues. Russia criticised the EU's "Wider Europe – Neighbourhood: A New Framework For Relations With Our Eastern and Southern Neighbours" policy on the grounds that it would create just one pole in Europe, centring on Brussels and acting as a gravitational centre drawing influence away from Russia and undermining the NIS. Russian officials argued that the Wider Europe concept was flawed since it reduced to the lowest common denominator groups of states at different stages of development and which had different objectives with regard to their relations with the EU. There were also concerns that it demarcated and consolidated the EU's external borders as a natural limit to the spread of integrational processes. Russia acted therefore to maintain its own separate strategic partnership with the EU, and refrained from involvement in the Wider Europe project. It also worked on the assumption that the concept should not contravene either agreements with the EU or the integration processes in the NIS.[31]

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29 Arkady Moshes, "Reaffirming the Benefits of Russia's European Choice", *Russia in Global Affairs*, no. 3 (July–September 2005) (online).

30 Nikolai Kaveshnikov, *EU-Russia Relations: How to Overcome the Deadlock of Mutual Misunderstanding?* IEE Document, no. 29 (Louvain-la-Neuve: Institut d'Etudes Europeenes, 2003), pp. 4–5.

These concerns led to the search for an alternative. However, Russian officials were unable to present one. With just three weeks remaining until the St Petersburg summit of 2003, neither side knew what to propose, one expert argued. The Four Spaces proposals began, therefore, as an empty arrangement, the result of three weeks hasty preparation.[32] And plans remained hollow and lacking in substance, not least because Russia did not have a clearly formulated policy towards the EU beyond the assertion that Russia did not seek EU membership: an inadequate position, leading Russian analysts argued, for developing a realistic action plan and strategic agenda.[33]

Indeed, following the relative optimism of 2000–2001, frustration with the failure to develop coherent plans for the strategic development of the relationship, or even to convert existing ones into practical substance set in. There was little progress in establishing the military cooperation planned and even larger-scale projects such as the Northern Dimension Project failed to make headway, despite enjoying support from both sides. Between 2002 and 2004, there was also an apparent decline in Technical Aid to the Commonwealth of Independent States (TACIS) project activity, according to one analyst.[34] TACIS was launched in 1991 to provide grant-financed technical assistance to twelve states of the former Soviet Union, mainly to assist and enhance the transitional process. This includes support for legal, administrative and institutional reform, support for the private sector, development of infrastructure networks and the rural economy, and enhancement of environmental protection and the management of natural resources.[35]

Political Problems

Commentators therefore began to argue that the relationship was stuck in a "vicious circle" with no clear strategy and a growing number of problems.[36] Another Russian expert considered there to be a "systemic crisis" in the relationship, largely brought about because of a lack of strategic aims in the relationship – the absence of which meant that practical issues

31 Vladimir Chizhov, "European Union: A Partnership Strategy", *International Affairs, Moscow*, no. 6 (2004).
32 Interview with Russian official, October 2004.
33 Sergei Karaganov, Timofei Bordachyov, Vagif Guseynov, Fyodor Lukyanov and Dmitri Suslov, *Russia-EU Relations: the Present Situation and Prospects*, CEPS working document, no. 225, July 2005, p. 3.
34 Lankina, "Explaining European …": 317.
35 See "The EU's relations with Eastern Europe & Central Asia", *European Union External Relations*, [European Commission (online 16 Aug 2006)].
36 Igor Leshoukov, "Can the Northern Dimension Break the Vicious Circle of Russia-EU Relations?', in *The Northern Dimension: Fuel for the EU?* ed. Hanna Ojanen (Helsinki: UPI, 2001), p. 119.

turned into "insurmountable obstacles bordering on crises".[37] Other Russian experts noted that the balance sheet of EU-Russia relations in 2004 was "devastating", with no large-scale cooperation programme producing success.[38] Vladimir Lukin, Ombudsman of the Russian Federation, thus stated that in 2004 relations between Russia and the EU were disappointing and leading to a dead end; progress that could have been expected in 2000 had "turned out to be impossible".[39] Analysts on the EU side also argued that relations had evolved from being "friction-prone to frictional",[40] and that little had been achieved.[41] Official EU concern with the lack of progress was also clear – in February 2004, the European Commission noted that despite ambitious political declarations, developed strategies for relations and "certain steps forward", there was "insufficient overall progress on substance" and an "increasing strain" in relations.[42]

Old problems, such as disagreements over Russia's handling of Chechnya and the North Caucasus also remained prominent. The renewed hostilities in Dagestan and Chechnya in 1999 and 2000 fuelled concerns in the EU that Russia was moving away from its democratic transition and the values espoused by the Union. The EU accepted neither Russia's claims that Chechnya formed part of the struggle against international terrorism nor Russia's robust methods. The Chechen issue arose again in 2002, when Moscow reacted angrily to Denmark holding the World Chechen Congress, with Putin's objections leading to the summit being moved from Copenhagen to Brussels. Indeed, perhaps the most surprising point about the 2002 summit was that it took place, commented one analyst.[43] Then the two sides clashed following the Beslan terrorist attack in 2004, when Russian officials reacted angrily to EU questions about the handling of the hostage crisis.[44]

New difficulties also took a high profile, particularly concerning the enlargement of the EU in 2004, having a double impact on the relation-

37 Nadezhda Arbatova in Boris Piadyshev, ed., "New Geopolitics for Russia", *International Affairs, Moscow*, no. 4 (2005).
38 "Russia: Quo Vadis?" Symposium at EU Institute for Security Studies, Paris, 5 April 2004.
39 Vladimir Lukin in Boris Piadyshev, ed., "In 2004, Russian Foreign Policy Moved Ahead Cementing its Achievements and Never Losing Initiative", *International Affairs, Moscow*, no. 1 (2005).
40 Lynch, "Struggling with an Indispensable Partner", p. 119.
41 Charlotte Wagnsson, "The Alien and the Traditional: The EU Facing a Transforming Russia", in *Changing Transatlantic Security Relations. Do the US, the EU and Russia Form a New Strategic Triangle?,* eds Jan Hallenberg and Hakan Karlsson (London: Routledge, 2006).
42 European Commission, *Communication from the Commission …,* pp. 2–3.
43 "EU-Russia Summit: The Real Score", *Inside Russia and Eurasia*, 12 November 2002 (online).
44 Lynch, "Struggling with an Indispensable Partner", p. 118.

ship. Although many Russians argue that Russia does not oppose enlargement, concerns that the EU would not take Russian interests into account and that it would create new dividing lines in Europe were clear. On the one hand, enlargement brought economic advantages to Russia, introducing a single EU customs tariff and the lifting of non-tariff restrictions. On the other, it led to visa restrictions on travel between Russia and the Kaliningrad exclave and the implementation of tougher trade regulations for Russia in relation to its traditional trading partners in Central and Eastern Europe – estimated by some to result in a potential loss to Russia of US$ 120–150 billion.[45]

Although agreement was reached on Russian concerns (reflected in the Joint Statement on the Enlargement of the EU and Russia-European Relations, adopted on 27 April 2004), the process was fraught. As Kosachov pointed out, one of the "downs" in EU-Russia relations was due to the initially harsh response from Brussels to Moscow's list of concerns about enlargement.[46] Moreover, negotiations on Russian travel and visa restrictions remained difficult to resolve.

Enlargement highlighted the lack of consensus on a number of issues in the new, common neighbourhood. In fact a number of Russian experts argued that the EU was becoming increasingly aggressive towards Russia, and that its proposals for cooperation with Russia's border areas made it a rival to Moscow in Russia's inner space, competing for markets and economic channels.[47] Such a view was espoused by Vladimir Chizhov, then Deputy Foreign Minister, who argued that the EU enlargement "is a far more serious and far-reaching challenge to Russia than even the expansion of NATO, among other things because we are … competitors in some spheres of trade and economic relations".[48] Thus Lynch commented that following the terrorist attack on Beslan, Russian relations with the EU had seemed to reach an "unprecedented low" – but actually the crisis over the Ukrainian elections in December 2004, during which Moscow and Brussels espoused polar opposite views, showed that things could deteriorate still further.[49]

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45 See also discussions of Mikhail Kokeev, Envoy Extraordinary and Plenipotentiary, and Mikhail Kamynin, Director, Press and Information Department, MID, in Boris Piadyshev, ed., "2005: Fewer Illusions, More Realism", *International Affairs, Moscow*, no. 1 (2006); *On the Eve of Finland's Presidency in the EU*, Rossiyskiy Vektor – Information-Analytical Bulletin, no. 4 (Moscow: Russian Institute for Strategic Studies 2005), p. 3.

46 Kosachov in Boris Piadyshev, ed., "In 2004, Russian Foreign Policy …"

47 Karaganov et al, *Russia-EU relations*, p. 7.

48 Chizhov, "European Union".

49 Dov Lynch, "Misperceptions and Divergences", in *What Russia Sees*, ed. Dov Lynch, pp. 7–8.

If political differences hindered the positive development of relations, two other sets of problems underlay many of the difficulties. First, the resources dedicated to cooperative projects were limited. If the framework existed for projects to develop, such as those in cooperative threat reduction activities, one study found that the main improvement necessary was an increase in funds.[50] Igor Ivanov also doubted whether projects such as the Northern Dimension Project were feasible on such a limited resource base.[51] Russian analysts noted the small Russian federal budget allocation to resolving soft security issues, since Russia faced serious economic and financial constraints.[52] Political willingness to assist in nuclear clean-up was plainly greater than the ability to implement the projects.[53] Russia simply could not be actively involved in projects such as the Northern Dimension because of the financial situation in Russia. Moreover, existing resources were inefficiently used. Aleksandr Gusakov, head of the information department of the Severodvinsk municipal administration, believed that the allocation of funds by the EU and effective spending of the resources already issued would make it possible to modernise existing storage facilities.[54]

Decision-making Problems

Problems also lay in the decision-making processes in the relationship itself and on each side. The PPC, introduced in May 2003 to enhance the effectiveness of the relationship, did not meet until 27 April 2004 because of disagreements over the desired format of the meetings. Moscow wanted to involve all the member states in a 25+1 format (i.e. plus Russia), whereas the EU sought to keep an open troika arrangement, which included relevant representatives from Russia, the representatives of the current and subsequent Presidents of the European Council, Council Secretariat and European Commission.

Neither were the partners often ready for mutually beneficial cooperation, especially in civil emergency management and military cooperation. The

50 Burkard Schmitt, ed., *EU Cooperative Threat Reduction Activities in Russia*, Chaillot paper, no. 61 (Paris: ISS, June 2003), p. 50.
51 Igor Ivanov, *Diplomaticheski Vestnik*, no. 12 (1999), p. 9.
52 Leshoukov in *The Northern Dimension*, p.133; Nikita Lomagin, "Soft security problems in Northwest Russia", *Russian Regional Perspectives*, vol. 1, no. 1 [Institute of International and Strategic Studies (online)].
53 Nils Bøhmer, Aleksandr Nikitin, Igor Kudrik, Thomas Nilson, Michael McGovern and Andrei Zolotkov, *Atomnaya Arktika* [The Arctic Nuclear Challenge], Bellona Foundation Report, vol. 3 (2001) [Bellona Russian edition (online)].
54 Alexandr Gusakov, "Regional Cooperation in the Sphere of Nuclear Safety: A Case Study of the Dismantling of Nuclear Submarines at Severodvinsk Shipyards", *Russian Regional Perspectives*, vol. 1, no. 1 [Institute of International and Strategic Studies (online)].

EU did not have the capabilities to respond to Russian proposals, for example to establish a centre to coordinate civil emergency management, and the Russian military needed doctrinal and organisational overhaul before meaningful cooperation could be implemented.[55]

The complexity of the EU's bureaucratic system slowed planning and implementation. Moreover, EU policy was fragmented. This was recognised officially in 2004 in the reports on EU-Russia relations issued by the European Parliament, Commission and Council which all emphasised the need for greater EU unity in dealing with Russia. "There is a clear need for increased EU coordination and coherence across *all* areas of EU activity – sending clear, unambiguous messages to Russia", noted the Commission.[56]

On the Russian side, there was little capacity to formulate and implement effective policy towards the EU. Until 2003–2004, the Russian Ministry of Foreign Affairs (Ministerstvo Innostrannykh Del': MID) had very limited resources for engaging the EU effectively, either in Moscow or in Brussels. According to leading Russian experts, the administrative machinery for implementing Russia's EU policy was therefore not prepared for the task, being organisationally disunited and with too few qualified personnel to deal with the powerful bureaucratic machinery of Brussels. Russia thus lacked the resources to prepare its own drafts for joint documents, and consequently the EU was dominating the drafting of agreements and documents and taking the decision-making processes under its control.[57] As discussed below, and partly as a result of these problems, the MID has also lacked the political weight in Russian decision-making to coordinate other ministries effectively.

Moreover, coordinated links between official bodies and non-official expertise were lacking. Konstantin Kosachov, Chairman of the State Duma's Committee for International Affairs, noted that in 2004 joint activities involving representatives of the power structures, scientists, political analysts and experts in international affairs were of a "non-systemic, spontaneous nature … mostly confined to personal contacts". It was imperative to establish powerful non-governmental think tanks and effective interaction between officialdom and the scientific community to provide impartial analysis of key decisions and prepare independent proposals, he argued.[58]

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55 Monaghan, *Russian perspectives of Russia-EU security relations*, pp. 4–5.
56 European Commission, *Communication from the Commission …,* emphasis added.
57 Karaganov et al., *EU-Russia relations*, p. 8.

Indeed here, it is worth noting the influence of Russian business interests. Although some have argued that much of Russia's private sector has a vested interest in developing ties with the west,[59] there was no organised representation of Russian business interests in Brussels and there is little unanimity within the Russian business sector about developing relations with the EU – some companies seek greater interaction with the EU, others do not. Moreover, there are those whose interests are not served by the way the relationship is developing, particularly given the influence of the EU in formulating the rules and framework of the relationship. This has not been limited to the energy sector (of which more below). An important problem has been the lack of agreement over the restrictions and payments for the rights to overfly Siberian territory – clearly, Aeroflot had a financial interest in ensuring that the EU did not achieve its aims.

58 Konstantin Kosachov, "Russian Foreign Policy Vertical", *Russia in Global Affairs*, no. 3 (July–September 2004) (online).

59 Angela Stent and Lilia Shevtsova, "America, Russia and Europe: A Realignment?", *Survival*, vol. 44, no. 4 (Winter 2002–3): 125.

Chapter 2

A Fresh Start? Relations since 2005

Three problems stand out from the above section – flaws in the decision-making structures, differences in approach to certain political questions and the lack of a coherent long-term strategy. This section examines recent developments, and how the two sides have sought to address these problems. [60]

Some commentators, particularly in Russia, have remained very critical of the state of the relationship, even asserting a further deterioration. Victor Mironenko, Chief Research Fellow at the Institute of Europe in Moscow, considers that relations between Russia and the EU today are "cooler than ever", being in a state of "limbo", "between war and peace". He argued that no new ideas or solutions had been introduced at the summit in May held in Sochi, since neither side had any.[61] Yevgeniy Volk, head of the Heritage Foundation's Moscow office, noted that there are "far more problems" in EU-Russia relations at the time of the May summit in Sochi, even compared with the October summit in London.[62]

Some problems were indeed re-emphasised in 2005, for example at the beginning of the British presidency of the EU, when an ambiguous Russian statement following the terrorist attacks in London on 7 July caused some irritation on the British side.[63] Other continuing frustrations included the failure to reach agreement on border delineation: borders between Russia and Estonia and Russia and Latvia – Russia

60 This section is largely based on interviews conducted with officials from both the EU and Russia in London, Brussels and Moscow in November 2005, February, March 2006.

61 Victor Mironenko, "EU-Russia Summit", *Eurasian Home* [Eurasia Heritage Foundation (online)].

62 "Russia's Putin Hosts EU Leaders: Focused on Energy, Visas", *Mosnews*, 25 May 2006 (online).

pulled out of the agreement with Estonia in early July. And of course problems in the energy relationship have taken a high profile particularly since January 2006.

Nonetheless, since 2005, the relationship has seen a number of improvements: new projects are being established and implemented, some of the old problems are being resolved and there is a new structure to the relationship. Thus in 2005 the Luxembourg (January until June) and UK (1 July until 31 December) presidencies of the EU Council were officially considered by both sides to have a positive impact on the relationship. One official on the EU side noted that the UK presidency represented a "fairly high note", with good outcomes, agreements and positive language. This improvement was not lost despite the "big knock" of the gas crisis in January, he stated, since both sides understood the importance of relations more clearly.[64]

The Four Road Maps of the Four Common Spaces, which represent the ongoing work initiated at the 2003 St Petersburg EU-Russia summit, were finally agreed and signed in May 2005 and illustrate the more realistic and systemic approach both sides have adopted. The Road Maps, as noted above, have been criticised for being vague and a "weaker and fuzzier derivative of the {EU's} Neighbourhood policy: they do not inform us about the future direction of the relationship". It is "manifestly not true", averred Michael Emerson, senior research fellow at the Centre for European Policy Studies in Brussels and former EU ambassador to Russia, "that the parties reached agreement on the most difficult elements".[65] And indeed the document is full of statements of the vague aims to "explore", "promote", "cooperate" (but not specifically how), "develop" and "consider".

Even so, the Road Maps do offer a broad framework for the development of every dimension of the relationship. Moreover, they also include a number of concrete commitments both to agree to conclude negotiations on certain issues, such as the nuclear safety and security and visa agreements, and to develop cooperative projects. Other commitments include the demarcation of borders between EU member states and

63 Vladimir Putin's statement in response to the terrorist attacks in London on 7 July, while expressing sympathy for the victims of the attacks, blurred the differences in approach in pursuing the war on terror and made reference to "double standards" – a reference to criticism of Russia's counter-terrorist measures. Embassy of the Russian Federation in Great Britain, Press release, no. 14, 7 July 2005, Gleneagels, unofficial translation from Russian (online).

64 Interview with official, London, August, 2006.

65 Michael Emerson, *EU-Russia: Four Common Spaces and the Proliferation of the Fuzzy*, CEPS Policy Brief, no. 71 (May 2005).

Russia and to implement the joint statement on the fight against terrorism that the parties adopted at the EU-Russia summit in November 2002 and to sign, ratify and implement UN and Council of Europe conventions on corruption and strengthen existing activities in non-proliferation and disarmament by coordinating EU and Russian positions at the 2005 NPT Review Conference.[66] There is also a commitment to conclude a standing framework on legal and financial aspects to facilitate possible cooperation in crisis management operations.

The Road Maps also aim to add a more developed political dimension to the legal foundations of the PCA. Most importantly, they are considered by officials on both sides to be an opportunity to start the relationship afresh – the most important "commitment" is to the new framework of relations, according to one official on the EU side.[67]

Within the Road Maps framework, a number of cooperative projects have been, or are being established. The EU is contributing financially to a number of joint projects. The Commission, allocating 3 million euros, financed up to 50 per cent of the set-up and running costs of the European Studies Institute which was established as part of the Moscow State Institute of International Relations from September 2006. The EU has also re-emphasised its commitment to widening the scope of EU-Russia cooperation in a number of socio-economic development projects. It has allocated 25 million euros to support Kaliningrad's development in 2006 and a similar amount to fund cross-border cooperation.[68]

Perhaps more significantly, given the long disagreements over the issue, there is cooperation to assist the socio-economic development of the north Caucasus. An EU investigation mission visited the region in April 2005 and the EU allocated 20 million euros for investment in the region. Other cooperative projects include support for social rehabilitation and integration, for instance the project for social integration of disabled people in the Privolzhky Federal Okrug, established in July 2005 and due to run until December 2007.[69]

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66 Treaty on the Non-Proliferation of Nuclear Weapons.
67 Interviews with EU and Russian officials, Brussels, London and Moscow, June and July 2005.
68 European Commission, "Commissioner Ferrero-Waldner to Visit Moscow on 9 November", Press Release, 7 November 2005 (online).
69 "Social Integration of Disabled People in Privolzhsky Federal Okrug" [Bernard Brunhes International (online 15 June 2006)].

Other cooperative projects have been established to coordinate export control of dual use items (goods and technology which are developed for civilian use but which can be used for military applications or to produce weapons of mass destruction (WMD)). A launch meeting for the EU-funded project was held on 18 May 2006. The project seeks to promote the exchange of information and good practice between Russian and European export control authorities and deal with regulatory, licensing implementation and enforcement aspects of export control. The project, which is due to run until 2009, has a budget of 3 million euros and is expected to contribute to the fight against the proliferation of WMD and related materials, equipment and technologies.[70]

In February, a cooperative project called Interpol Network Modernisation to tackle organised crime was launched. The EU is providing 3 million euros to fund a project which will run through to 2008 to assist the modernisation of electronic police communications systems throughout Russia. The project seeks to enable the expansion of Russian access to Interpol's global police communications system's database, known as I-24/7, from the Interpol National Central Bureau in Moscow to regional branches throughout the country and to the General Prosecutor's Office. The project is designed to continue assistance to the Russian Federation's Ministry of Interior within the framework of the Action Plan on Common Action for the Russian Federation on Combating Organised Crime adopted in 2000 by the European Council.[71]

Long-term problems are also being dealt with. Agreement was achieved on easing the visa regulations and readmission during the UK presidency in 2005 and signed at the presidential summit in Sochi on 25 May 2006. This takes a major step towards resolving a long-standing problem and it should be ratified by the end of 2006. It reduces the cost and bureaucracy for those with valid reasons for frequent travel. The EU is contributing to Russian border infrastructure and passport security initiatives. Russia is working to improve its porous southern borders.

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70 European Commission, "EU and Russia set to work together on export control of dual use items", *The European Commission's Delegation to Russia* (online).

71 European Commission: "EU supports modernisation of Interpol's electronic police communications network in Russia", *EU & Russia Update*, 22 February 2006 [Delegation of the European Commission to Russia (online)]. During its presidency, the UK sought to develop cooperation in countering organised crime, focusing on the resurrection of the Organised Crime Action Plan of June 2000. London sought to cross-reference the Action Plan with the Road Maps to determine areas of continuing mutual interest. Areas identified included cooperation against trafficking in humans and drugs and hi-tech crime.

Improved Dialogue and Decision-making

Most importantly, the overall structure of the relationship is working more efficiently. The sub-committees which formed the basic working-level structure of the relationship have been replaced by specialised "mini dialogues", which officials on both sides consider to be more effective, particularly in the economic road map, because they establish direct links between relevant actors. These highly technical dialogues include exchanges on energy, technical regulations, product standards, intellectual property, transport and investment.[72]

The PPC format is now working more effectively, breaking the relationship down into more manageable parts. The meetings are now between the appropriate authorities, enhancing their effectiveness. They are also less repetitive, since they introduce new contacts with specific and positive vested interests in making cooperation effective. Although they remain essentially a mix between *ad hoc* and regular arrangements, PPCs have begun to meet with increasing frequency to discuss foreign policy, justice and home affairs and energy.[73]

The energy PPC in October 2005 in particular provided a positive stimulus to the development of the EU-Russia energy dialogue. Although led by senior officials on both sides, and despite the establishment of a technology centre in Moscow in November 2002 and numerous "working groups", positive measures emanating from the dialogue remained marginal, and the dialogue was delayed by differing interpretations and priorities. Russia sought support to modernise its energy sector and protect itself, while the EU sought reform and the opening of the Russian market through the creation of a positive business climate.[74]

The UK presidency therefore sought to prioritise the energy dialogue and add new dynamism to it. Plans and aims were agreed and a framework for the achievement of these plans established at a PPC meeting on 3 October 2005. This imbued the dialogue with more structure, broadening it to include a wider set of interlocutors with vested interests, including greater involvement from business and political authorities from both Russia and the EU (previously the dialogue had been dominated by bureaucrats). These are represented in four thematic groups, focusing on investment, infrastructure, trade and energy effi-

72 Interviews with EU and Russian officials in Moscow and Brussels, March 2006.

73 PPCs in foreign policy/external security and JHA have become regular biannual events. The energy PPC remains ad hoc, although the aim is to convert this into a regular arrangement because of its evident importance.

74 Dov Lynch, *Russia Faces Europe*, p. 65. In fact, as Lynch points out, both sides are *demandeurs* in the negotiations.

ciency.[75] More PPCs were conducted during the Austrian and Finnish Presidencies, in energy relations, internal security and foreign policy.

Both sides consider the PPCs to be working effectively and seek to have this arrangement developed further in the future, particularly in the plans for a replacement document for the PCA. Compared to Russian objections in 2004 to the format of the meetings, noted above, an improvement in Russian views of the PPC format is evident. Stanislav Osdachii, Extraordinary and Plenipotentiary Ambassador of the Russian Federation to Austria, stated that "these formats have good potential for the future". Relations, "virtually in their entirety", are being actively transferred to this new basis and "sectoral dialogues, built into the PPC system, are being promoted. Experience in ongoing dialogues shows that this mechanism is an optimal and highly effective instrument of furthering cooperation with the EU", he argued.[76]

Such improvements have facilitated dialogue in the external and internal security common spaces. There have been close contacts at ministerial level to discuss cooperation in counter-terrorism. Furthermore, one of the Austrian presidency's key goals was achieved with the commencement of EU-Russia-US joint dialogue in internal security. The first meeting was held on 4 May 2006, on the margins of the Vienna Ministerial Conference on Security Partnership. Discussions focused on terrorism, including terrorist financing and recruitment and radicalisation, organised crime, trafficking of drugs and humans and countering illegal migration through the security of identity documentation and improved border control. An expert meeting followed in the autumn and a formal meeting will take place in the first half of 2007.[77]

Finally, three human rights consultations have taken place since March 2005. These consultations, to be sure, remain in their infancy and problems exist. One Russian official considered that the EU press release following the meeting in October was "arrogant". Equally, an official on the EU side noted that the second human rights consultation meeting was less successful, since Russia adopted a more combative and less discursive stance than in the first meeting. That the deputy head of the

75 European Commission, "Joint EU Presidency and European Commission Press release on the EU – Russia Permanent Partnership Council on Energy, 3 October 2005, London", *External Relations* (online).

76 Stanislav Osdachii, "Austria's EU Presidency and Russia-EU Relations", *International Affairs, Moscow*, no. 3 (2006).

77 Council of the European Union, *EU Multi-Presidency – Russian Federation – United States of America meeting at ministerial level communiqué, Vienna, 4 May 2006* [Europees Bureau (online)].

Russian delegation represented Russia was considered to show that Russia had downgraded these meetings already. (Russian officials claimed that the meeting was a success and was "correct".) There are also concerns on the EU side about how Russia seeks to handle these meetings. The MID represents Russia, but the EU side wants to include other Russian ministries. Russia has resisted this, and also resisted allowing the meetings to take place in Moscow. Moreover, there are concerns on the EU side that Russia seeks to downgrade the importance of these consultations and water them down.[78]

Nonetheless, both sides have been essentially positive about these consultations, which provide a de-politicised forum for more open and developed discussion of human rights issues, which have until now been ignored or merely exchanges of accusations. One expert noted that these meetings, therefore, represented an effort to discuss subjects which are usually swept under the carpet.[79] Indeed, although it remains a highly problematic issue, as discussed below, even Chechnya is now being discussed in a more constructive way. Importantly, although the Austrians consulted Russian NGOs so that their input could be considered, the meetings are conducted without media or NGOs present. The dialogue remains confidential in an effort to seek constructive discussion without embarrassing each other.[80]

The third meeting, held in March 2006, this time attended by the head of the Russian delegation, Vladimir Parshikov, Director for Humanitarian Cooperation and Human Rights at the MID, also addressed cooperation in UN human rights forums, particularly the mandate and establishment of the Human Rights Council and preparations for a next session on the UN Commission on Human Rights. There was also extensive discussion about the situation of NGOs in Russia and human rights defenders following the adoption in Russia of the legislation on NGOs. The EU answered Russian questions about human rights abuses in the EU, and the sides discussed the issue of brutality and abuse in the Russian military, with Russia informing the EU about planned measures to enhance human rights protection in the armed forces. Measures to combat racism and xenophobia in both the EU and Russia were also discussed.[81]

78 Interviews with EU and Russian officials, London, Moscow and Brussels, November 2005, March, August 2006.

79 Interviews with EU and Russian officials in London, Brussels and Moscow, November 2005, March 2006. See also Secretary of State Winkler's remarks to the European Parliament, 18 January 2006.

80 Interview with EU official, March 2006.

Each side has also sought to improve its ability to develop the relationship. Russia has strengthened its mission to the EU, appointing an ambassador to Brussels in summer 2005, Vladimir Chizhov (formerly a Deputy Minister of Foreign Affairs), and increasing the size and improving the structure of the delegation. Although there were concerns on the EU side that such changes might in fact impede the development of the relationship – Chizhov was a strong critic of the New Neighbourhood plan – EU officials have considered him so far to be a positive influence and interlocutor.[82]

Following the reassessments of 2004, the EU has sought greater unity and efficiency in its approach to the former Soviet Union and neighbourhood, including Russia of course, by replacing the TACIS programme and improving the mechanism for funding projects. From 2007, substantial changes will be introduced to regional aid to Russia in the shape of the European Neighbourhood and Partnership Instrument (ENPI). This seeks to simplify the bureaucracy for funding and project implementation procedures, particularly by establishing clear criteria and quotas for funding allocation, and will mean a significant increase in funding for regions bordering the EU, including Russia.[83]

Officials on both sides pointed out therefore that relations are improving, there is "less malaise" in the relationship, and that practical progress is being made "step by step".[84] The steps are small, but a new beginning is being established.

Ongoing Problems in Decision-making

Practical progress in the relationship remains sporadic, nonetheless, and of a highly technical nature. A recent evaluation by the European Court of Auditors found that of 29 TACIS projects completed by the end of 2003 in Russia, 12 had not achieved their objectives at all, and only 5 were sustainable. The court therefore found that although the dialogue and cooperation between the Court and the Accounts Chamber of the Russian Federation was rewarding, the effectiveness of TACIS funds in these projects was very low.[85]

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81 European Commission, "Press Statement: EU/Russia Human Rights Consultations (Vienna, 3 March 2006)", 6 March 2006 [The European Commissions Delegation to Russia (online)].
82 Interviews with EU officials, Brussels, March 2006.
83 Lankina, "Explaining …": 330–1.
84 Interviews with EU and Russian officials, Moscow and Brussels, March 2006.
85 European Court of Auditors, *Press Statement by Jacek Uckiewicz*, ECA/06/07, Brussels, 20 April 2006 (online).

Moreover, despite the progress on some of the "irritant" issues on which the parties have previously failed to reach mutually satisfactory consensus, such as Russia's WTO membership and visa regulations, there is limited progress on others, such as the Siberian overflights issue. The EU maintains that the Russian system of charging European Community air carriers overflight payments to cross Russian territory is an obstacle to the establishment of a constructive transport partnership and in breach of Russian trade obligations and commitments. The EU seeks the progressive reduction of such payments from 2006 and the abolition of payments and restrictions for flight between Europe and Asia over Russian territory by the end of 2013. Indeed, this may even re-open old irritants – the EU has stated that Russia's acceptance of the EU's position to be a prerequisite for Russian entry into the WTO.[86]

Despite the improvement in structure, problems in the decision-making chains on both sides still affect the implementation of projects. The EU has two continuing problems in formulating policy towards Russia. First, there is consensus among experts on both sides that the EU is distracted by other, higher priorities, particularly internal institutional reforms such as the work on the constitution and development and management of the enlargement process.

Furthermore, although there is greater awareness of the lack of a coherent policy on the EU side, there are still problems. In a recent survey of EU experts, some 70 per cent of respondents felt that EU member states still put national interests first in their dealings with Russia, rather than supporting a consistent EU position. EU institutions thus have made little progress in their efforts to achieve common positions towards Russia. 58 per cent believed that the efforts of the EU institutions to promote a consistent EU position above national interests have hardly, if at all, intensified. Germany and France were considered particularly at fault for pursuing their national interests.[87]

This partly reflects the diversity of interests within the EU, which continues to both undermine coherence and slow progress down. There is clearly a greater urgency for states with common borders or for those which depend significantly on Russia for energy imports, such as

86 Council Conclusions on Siberia, 2721st Transport, Telecommunications and Energy Council Meeting, Brussels, 27 March 2006. In fact, agreement was reached on this issue at the Helsinki Summit in November 2006. From 2013, EU airlines will no longer have to pay Aeroflot fees for flying over Siberia. Fees will be capped at the current level until 2010 and reduced thereafter.

87 EU-Russia Centre, *The EU and Russia: Perspectives on a Strategic Partnership: Expert Opinion Survey*, report, Brussels: May 2006 (online), p. 2.

Finland and Germany, to develop relations with Russia, while other states simply have different priorities. Western European states, such as the UK, Spain and Portugal, for instance, have energy relationships with other producers and transit states to which to attend. Equally, while the new eastern European members have a common border with Russia and therefore a very immediate relationship with it, southern European states place greater focus on relations with northern Africa.

Such differences are enhanced by divisions within the Union about how to approach Russia. There are essentially two camps in the EU – those states considered more friendly towards Russia, such as France, Germany, Spain, Italy, Portugal and Greece who seek a good relationship with Russia, particularly to enhance business relations, and those which are more critical and demanding of Russia. Currently this latter group is rather large – and growing. It includes the Netherlands, Denmark, Ireland and most of the new eastern and central European member states (indeed it was during the Danish and Dutch Presidencies that relations really soured) and tends to dominate current priority issues across the board, although it is currently more visible in security and JHA issues.[88]

There is in fact a paradoxical view in Russia of the role of the EU in the relationship. Although there are those who argue that the EU is in systemic crisis following the rejection of the constitution, and therefore less able to pursue the relationship effectively,[89] there are also those who argue that the EU is taking advantage of Russia's negotiating weakness and pressing a position which runs counter to Russian interests and the interests of partnership.

On the Russian side, although the PPCs are beginning to broaden the range of actors involved, the relationship is still essentially driven by the Presidential Administration, because the President dominates all aspects of the decision-making process in Russia (the Presidential Representative is also present at PPC meetings). Although in some ways positive, this reliance on one key institution slows down the practical development of the relationship. Moreover, if it relies on the direct involvement of the highest person, it is difficult to maintain active progress across a wide range of issues. Finally, and importantly given

88 Andrew Monaghan, "From Plans to Substance: EU-Russia Relations During the UK Presidency", in *Understanding Russia and the New Independent States: Russie.NEI.Visions 2006*, eds. Thomas Gomart and Tatiana Kastueva-Jean (Paris: IFRI, 2006).

89 Timofei Bordachyov, "EU Crisis: What Opportunities for Russia?", *Russie.NEI.Visions*, no. 7 (Paris: IFRI, October 2005).

the elections due in the next two years, it renders the structure fragile – at the time of writing, President Putin does not seem likely to be Russian president after 2008 and who will replace him and with what priorities in either domestic or foreign policies remains unclear.

There is concern on the EU side that although there was agreement at the top level on issues such as Chechnya and Moldova, discussions became more difficult further down the decision-making chain and that the Russian bureaucracy is trying to roll back the President's forward position on such issues. Although the Presidential Administration carries weight as an important element of the Russian decision-making chain, therefore, problems remain. The MID does not seem to carry enough influence in the decision-making structure to satisfactorily fulfil its role as a coordinator of relations. Indeed, there are concerns that fighting for influence amongst Russian ministries has meant that where a ministry is not directly involved in the decision-making process, it seeks to block progress. Thus experts on the EU side note problems with the coordination of Russian positions and particularly the commitment of the MID to enhancing the relationship. The MID is not considered to be an effective coordinator, "oiling the wheels" of the relationship between the relevant Russian ministries and the EU. Thus the different agendas proposed by various Russian Ministries are inefficiently coordinated and proposed to the EU and therefore cannot be effectively developed. Moreover, it means that there is little chance that information will spread back out to the relevant ministries after agreements to develop progress in any policy areas, including security.

Second, the MID is perceived as an intractable partner, at times adopting an adversarial and point-scoring approach to negotiations. Russian priorities are often delivered late to the EU, leaving very little time to develop the detail of a proposal and convert the proposal into substance. (EU experts note that this perceived approach is contributing to increasing frustration on the EU side and the growth of the "Russia realist" group). Implementation of agreements therefore remains slow.[90]

Differences of principle

More significantly, perception and policy differences exist. Although Javier Solana reiterated in May 2006 that the relationship is a strategic partnership "based on shared values and shared interests",[91] values differences clearly continue. Following its review of EU-Russia relations in

90 Interviews with EU officials, October 2005.

2004, the EU sought to reinforce the point that shared European values remain the basis for relations. Concerns over political developments which demonstrate the discriminatory application of the law or non-respect of human rights should be "vigorously and coherently" raised by the EU.[92] The EU thus continues to demand that Russia obey the rules of a club it cannot join and Russian authorities claim their adherence to these values which they have no current intention to implement. Sir Roderic Lyne, former British ambassador to Moscow, noted that until the middle of 2003, it could credibly be argued that the EU and Russia were moving towards a strategic partnership based on common values. This is no longer the case, he argued, and value systems are diverging rather than converging. Therefore cooperation remains limited to specific interests where Russia and the EU have decided that it is in their interests to cooperate.[93] This suggests a certain weakness – a relationship based on specific common interests rather than common values is vulnerable to changing interests. The lack of a common underpinning of values means that the relationship may lack the resilience to withstand setbacks and downturns.[94]

Human Rights and Democracy

Concerns about human rights abuses remain high on the EU's agenda in its relations with Russia, despite the progress noted above. Essentially, while the EU seeks to support a vibrant civil society, it believes that the Russian state does not. In January 2006, Benita Ferrero-Waldner, European Commissioner for External Relations and European Neighbourhood Policy, presented a censorious speech to the European Parliament about human rights conditions in Russia, particularly in Chechnya. Noting the elections in Chechnya, an apparent improvement in the security situation there and the stated commitment of Russia to cooperate with the UN human rights mechanisms, Ferrero-Waldner remained critical about real progress being made. She stated that a "culture of impunity remains", that Russia's stated commitments needed to be put into practice and Russia should ensure that the local ombudsman in Chechnya was seen to be carrying out his duties impartially and effectively. Although the EU seeks to play its part in the region, there are concerns about the

91 Olga Golovanova, interview with Javier Solana for Interfax News Agency, 23 May 2006 [European Council (online 19 July 2006)].

92 European Commission, *Communication from the Commission …,* p. 4.

93 Sir Roderic Lyne, "Russia at the Crossroads – Again?", *The EU-Russia Review*, no. 1 (Brussels: The EU-Russia Centre, 2006): 10.

94 Bobo Lo makes a similar point in analysing Sino-Russian relations: Bobo Lo, "The Strange Case of Sino-Russian Relations", in *Understanding Russia …*, eds Gomart and Kastueva-Jean, p. 81.

difficulties faced by NGOs receiving support from the EU, including the Russian-Chechen Friendship Society in Nizhni-Novgorod and in the European Commission Humanitarian Office (ECHO) programmes.

The Commission has also expressed concerns about the amendments to Russian legislation on NGOs, particularly that some of the "provisions are too far-reaching", especially regarding the denial of registration to local NGOs and the controls to be exerted on local and foreign NGOs. Ferrero-Waldner noted that the Commission would take all appropriate occasions to inform the Russian authorities of its concerns, including the human rights consultations.[95] The EU has also stated its concerns about the dangers faced by journalists in Russia of late. In the wake of several killings this year, it stated that a strong commitment on the part of the authorities to protect journalists from murderous violence is needed.[96] The EU will not simply renounce its support for human rights in Russia.

However, Russia frequently retorts with accusations that the EU is pursuing double standards on human rights issues. Putin has argued that the EU's support for the representation of ethnic minorities in administrative bodies and authorities, including law enforcement structures, in the appropriate ratio, was at odds with its actions on its own territories. When Russia pointed to Riga's population, of which 60 per cent is Russian, and suggested introducing the same standards, the EU reply, he argued, was that the situation is different there. It was, he stated, "high time to stop mocking common sense".[97] Kosachev also stated that the events in the autumn of 2005 in France were indications that undermined the moral value of what the EU had to say to Russia about its ethnic policies.[98]

Finally, the EU has sought to support democratic change and values in the NIS, which Moscow sees as destabilising and potentially threatening to Russian interests. Indeed, there is a fundamental disagreement over the democratic processes in the NIS, particularly in Georgia and the Ukraine: the EU sees the process as one of democratic "coloured rev-

95 European Parliament, "Chechnya after the elections and civil society in Russia", speech by Dr. Benita Ferrero-Waldner to the European Parliament, Strasbourg 18 January 2006, speech/06/15 [Europa (online)].

96 The Council Presidency (Finland), "OSCE: EU Response to the Representative on Freedom of the Media", *eu2006.fi* [Prime Minister's Office, Finland (online)].

97 Vladimir Putin, "This Year Was Not an Easy One", *International Affairs, Moscow*, no. 1 (2005).

98 Konstantin Kosachov, "Russia between European choice and Asian growth", *International Affairs, Moscow*, no. 1 (2006).

olutions"; Russia, on the other hand, sees them as coups d'etat supported by external forces.

Energy Relations

Outside the bureaucratic specifics of the energy dialogue, which both sides consider to be evolving positively,[99] the energy relationship is beset by a lack of political confidence on both sides, clearly exemplified by the exchanges since January 2006.[100] Concerns in many quarters in the EU about growing dependence on energy imports from an increasingly authoritarian Russia which might use its control over a large share of the EU's energy imports to blackmail the Union have been exacerbated by Russian cut-offs to the NIS, particularly to Belarus (2004 and again in 2007) and the Ukraine (2006), which had a practically small and short term, but politically significant knock-on impact on the reserves of several EU member states.

Russia also has concerns: the EU is Russia's main market. Russian analysts argue that the European Commission will show maximum resolve in negotiations to safeguard EU interests.[101] According to another analyst, there are fears in Russia that the EU will seek to exert pressure on Moscow on the one hand and seek other sources before Russia can develop other markets. These concerns result in the stoking of fears of retaliation by Russia if alternative deals are pursued by the EU.[102]

Diversification, usually considered to be one of the key tenets of energy security, may therefore begin to undermine the EU-Russia relationship, as both seek to diversify away from each other in an effort to enhance their energy security. Again, there is a somewhat conflicting image here on both sides. Senior EU officials have highlighted the interdependent nature of the relationship, with the EU's need for a reliable source of energy and Russia's need for reliable markets. Senior Russian officials have also sought to bolster confidence: finance minister Alexei Kudrin stated the need for more pipelines to be built to

99 The European Policy Centre, "EU-Russia: energy security and geopolitics", seminar presentations by Jeffery Piper and Konstantin Trofimov, Brussels, 17 March 2006, *Events Report* (online).

100 For a more in-depth discussion of this, see Andrew Monaghan, "Russia-EU Relations: An Emerging Energy Security Dilemma", *Pro & Contra*, vol. 10, no. 2–3 (summer 2006) [Carnegie Endowment (online)].

101 Leonid Grigoriev and Anna Chaplygina, "Looking into the Future: The Energy Dialogue Between Russia and the European Union", *Russia in Global Affairs*, no. 2 (April–June 2003) (online 13 May 2006).

102 F. Hill, *Beyond Co-dependency: European Reliance on Russian Energy*, US-Europe Analysis Series, The Brookings Institution, July 2005.

Europe to ensure supply, predominantly against disruption to supply caused by third parties.[103]

However, there have also been very high-profile warnings from both sides. Russia criticised the EU in March 2006 for its double standards in energy security and rejected its criticism of Gazprom's actions towards Ukraine in January as Cold War rhetoric. Subsequently, the heads of Transneft and Gazprom (Semyon Vainshtok and Alexei Miller respectively) stated that Russia had overfed Europe with its resources and should begin to look to other markets in the Far East and the USA.[104] The EU has rejected such statements and Russia's more assertive position, in turn warning Gazprom both to stick to its contractual commitments and against threatening EU energy supplies.[105] This has stimulated – once again – calls in the EU for diversity away from Russia: the spokesman for EU Energy Commissioner Andris Piebalgs, stated that "Gazprom's statement gives grounds to our concerns on the growing foreign dependency of European energy supply and … our need to diversify both the origin of our supplies and our supply routes".[106]

Moreover, there is a key disagreement over the Energy Charter Treaty (ECT) and its Transit Protocol. During the Austrian presidency, the EU sought to persuade Russia to ratify the Energy Charter Treaty, according to Martin Bartenstein, President of the EU Energy Council and Austria's Minister of Economics and Labour, "as soon as possible, and ideally before the summer".[107] A number of senior Russians have argued, however, that this is simply a dead document. Viktor Khristenko, Russia's Energy Minister, and President Putin have both stated that ratifying the charter is out of the question, since it was signed in different circumstances by a different Russian government. Alexandr Medevedev, Head of Gazexport, Gazproms's export business, was also

103 "Russia Seeks More Gas Links to Europe, May Ease Pipeline Access", *Mosnews*, 12 February 2006 (online).

104 "Russia Should Cut Oil to Europe, Cut Discounts on Urals Crude – Transneft", *Mosnews*, 24 April 2006 (online); "Gazprom warns EU not to block its expansion plans, 'politicise' supply issues", *AFX News*, 20 April 2006 (online). Equally, Miller said that Gazprom "understood" its responsibility and "will remain the guarantor of energy security for the European customers". He added that Gazprom was "able to satisfy reliably growing gas demand in Europe", and Gazprom would "faithfully fulfil all gas contracts with European clients".

105 "EU warns against Russian gas supply threats", *EU Business*, 15 August 2006 (online).

106 "EU warned against dependency on Russian energy", *EUObserver*, 21 April 2006 (online).

107 The Council Presidency (Austria), "Bartenstein: EU and Russia Need a New-style Energy Partnership", Press Release, 16 March 2006. [Austrian Ministry for Foreign Affairs (online)].

dismissive of the ECT and the signatory nation's failure to uphold the "rule that transit should not be mixed with supply" – essentially highlighting the complexity of energy relations, going beyond simple "producer" and "consumer" relations to include transit states: producers are not solely responsible for production and transit supply.[108] Russian experts also argue that the ECT highlights the inequality of the relationship, being illustrative of "European egotism": it is one-sided and unfair since it forces Russia to implement EU internal rules.[109]

The Shared Neighbourhood and Unequal Cooperation

There are also problems in the shared neighbourhood, where there is only a modest record of cooperation in the region despite common interests in dealing with issues such as migration (legal and illegal), organised crime and trafficking, and poverty and corruption. Furthermore, the security agenda in four of the six states in the shared neighbourhood is dominated by the so-called "frozen" conflicts in Georgia, Moldova and Nagorno-Karabakh.[110] These conflicts are complex and have a mix of ethnic, political and economic origins. In Georgia, separatist regimes have established themselves in two areas – South Ossetia and Abkhazia – and resisted efforts by Tbilisi to re-establish control. Both territories seceded following the collapse of the USSR. Georgian forces entering Abkhazia in an attempt to restore Georgian territorial integrity were repulsed. A cease-fire agreement was reached in May 1994, and Russian peacekeepers deployed in June. In South Ossetia, fighting lasted until a cease-fire was agreed June 1992, also followed by a peacekeeping mission led by Russia. Moldovan independence from the USSR challenged the Transdnistrian political predominance, and the leadership feared that Moldova would seek to reunify with Romania. Violent clashes reached a peak in June 1992, since when a Russian-led peacekeeping operation has been deployed. Clearly Russian forces have played a major role in the conflicts as peacekeepers in all three areas. However, there are concerns on the EU side that Russia has used its military presence to maintain its own influence there rather than act

108 Carl Mortished and Jeremy Page, "Gazprom Accuses EU of Double Standards and Naivety", *Alexander's Gas & Oil Connections*, vol. 11, no. 7 (online 5 Apr 2006).

109 Interview with Vladimir Milov, President of the Institute for Energy Security, March 2006.

110 Andrei Zagorski, "Russia and the Shared Neighbourhood", in *What Russia Sees*, ed. Lynch, p. 63. For an in-depth examination of these conflicts, see Dov Lynch, *Engaging Eurasia's Separatist States. Unresolved Conflicts and De Facto States*. (Washington D.C.: United States Institute of Peace Press, 2004). Lynch maintains that these conflicts are in fact not "frozen" but "dynamic", since much has taken place since these conflicts began over a decade ago, and any move towards resolving them must take this into account. pp. 7–8.

as objective peacekeepers. Both Moldova and Tbilisi seek the withdrawal of Russian forces.

Although Russia has officially welcomed EU participation as an observer in the 5-sided talks seeking a solution to the Transdnistria conflict,[111] the sides differ over how to approach the conflicts, particularly in Moldova/Transdnistria and in Georgia. Moscow blamed the EU for the Moldovan rejection of a unilateral Russian proposal (the *Kozak Memorandum* – since the proposal was led by Putin's envoy Dmitri Kozak) in 2003. Russia sees EU statements about the need for a multilateral approach to resolving the conflict as an attempt to weaken Russian influence and increase that of the EU – essentially that the conflict represents part of a wider European context of increasing EU influence and bringing about Russian withdrawal.[112] There were further concerns in Moscow about the EU's unilateral move to establish border observation missions in Transdnistria. Moscow therefore argues that EU policy in the area is negatively affecting Russia's relations with the states, and considers the new EU-supported border observation mission in Moldova tantamount to a blockade on Transdnistria.[113]

For its part, on the EU side there are both doubts about Moscow's sincerity in seeking a solution to these conflicts and also concerns that Moscow no longer supports the principle of territorial integrity in the South Caucasus, particularly in Georgia.[114] Presidential statements give this some credence. Putin has stated that Russia proceeded from a position of Georgian territorial integrity, and that issues such as the ongoing disputes over Abkhazia and South Ossetia should be settled by negotiation, taking the interests of all the peoples living on the territory into account. However, he has also compared the situation to that of the former Yugoslavia and the *de facto* secession of Kosovo, and stated that Russia would be prepared to be close and support Abkhazian economic development.[115] This divergence of views seems likely to affect cooperation on conflict resolution in Georgia, should Moscow support South Ossetia's secession.

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111 European Commission: "Commissioner Ferrero-Waldner …"
112 Dov Lynch, "Shared Neighbourhood or New Frontline? The Crossroads in Moldova", in *Understanding Russia and the New Independent States: Russie.NEI.Visions 2006*, eds Thomas Gomart and Tatiana Kastueva-Jean (Paris: IFRI, 2006), pp. 128–29.
113 Interviews with Russian official, March 2006.
114 For a brief discussion of this, see Mark Smith, *Kosovo's Status: Russian Policy on Unrecognised States*, CSRC paper 06/01. (Swindon: Conflict Studies Research Centre, January 2006).
115 Putin, "This Year Was Not an Easy One".

An ongoing perceived lack of equality also affects the relationship. Indeed, the PCA itself is seen by some in Russia to perpetuate an unequal relationship, treating Russia as a "student" whose progress in the development of a new society is crucial for relationship with the "teacher" – the EU. The PCA is "full of phrases which point at inequalities between the two parties, and which put Russia into the position not of an equal, but as the securer of the EU's interests". They argue that Russia needs therefore to seek greater involvement and more developed consultation in decision-making in the relationship on issues which affect Russian interests, and thus become a "policy-maker" rather than a "policy-taker".[116] Russia still does not however, seek to be fully integrated into the EU's multilateral framework, instead attempting to formulate policy positions which correspond to the status of a regional or great power, while the EU prefers to guard its decision-making autonomy and meet Russia in the "troika" ministerial format.[117]

The issue of equality particularly affects cooperation in crisis management in two ways. First, Russia does not accept the idea that the "frozen" conflicts or crises to be managed are only on the territory of the former USSR. Russia wants to be involved in Cyprus, but the EU considers this to be an internal EU matter, and will not discuss it with Russia.

Second, Moscow maintains that the EU should show willingness to include Russia as an equal rather than simply an observer or junior partner. Moscow wants to be involved in command and planning. The EU however, according to Chizhov, is "only ready to offer a scenario whereby the EU makes the decisions on the conduct of peacekeeping operations while relegating Russia to observer status". "Our cooperation on such a basis will flounder … unless we can agree on an acceptable format for crisis management operations that takes into account the interests of all participants", he stated.[118] Thus, although Russia contributed on a small scale (5 militia men) to the EU police mission to Bosnia Herzegovina, Moscow has rejected EU offers to join other missions. Indeed, reflecting its disappointment in the situation, Moscow is not replacing its commitment to the Bosnia Herzegovina mission, which is being decommissioned.[119] Military cooperation in crisis management seems to remain some distance in the future, in part blocked

116 *On the Eve of Finland's Presidency …*, p. 4.
117 Sven Hirdman, *Russia's Role in Europe* (Moscow: Carnegie Centre, 2006), p. 14.
118 Vladimir Chizhov, "Russia-EU Cooperation: The Foreign Policy Dimension", *International Affairs, Moscow*, no. 5 (2005).
119 According to one Russian official, the original deployment of 5 militiamen had been reduced to two for "technical" rather than political reasons. However, the decision not to replace them was more political. Interview, Moscow, March 2006.

by the EU's procedures for non-member state participation in crisis management operations which are very complex and restrictive. Russia might be asked to contribute forces but would be unlikely to receive a special command role.

In sum, there are a number of serious principal differences between the two partners, and although there is an improvement in the overall structure of the relationship, they approach certain questions from polar opposite positions – the benefits of democracy in the former Soviet Union, the importance of territorial integrity in dealing with the "frozen" conflicts, inequalities in the relationship, the validity of the ECT – that remain and are even growing in the relationship. This leads to the next issue, the ongoing lack of clear strategic plans for the development of the relationship.

Lack of Shared Strategic Vision

Although the road maps provide an agenda for short-to-medium term cooperation (officials hope that the important elements of them will be completed in three years), there is no commonly developed strategy for the long-term evolution of the relationship. This is in part because, as noted above, both sides have internal issues which distract attention from the development of the relationship. Neither side has a clear image of its own development in strategic terms, which affects the planning of the strategic development of the relationship. The lack of a common vision – or even of substantial discussion of further integration or Russian membership of the EU – undermines the ability to form a coherent legal basis for the relationship.[120]

The key legal document remains the PCA, which is due for renewal in 2007. The PCA can be automatically prolonged on a yearly basis unless one party disagrees (during the Austrian presidency agreement was reached with Russia that Russia would not disagree and therefore that the PCA would continue until a new document was finalised). But there are concerns that without a new agreement the relationship lacks a solid legal foundation and that the PCA has ceased to be an adequate document for the development of the relations. Simply relying on the annual extension does not provide a real solution, since with the passage of

120 New members are not invited to join the EU, but must apply. After that, the EU will decide whether to begin entry negotiations. It currently seems that Russia, keen to emphasise its role as a major intercontinental player, would be unlikely to place itself in such a supplicant position to the EU.

time, it will simply depart further from the reality of content and forms of relations and will become completely irrelevant.[121]

The need for an updated document has been noted by top officials on both sides. Both President Putin and Javier Solana have emphasised the importance of an up-to-date and modern legal base to develop the relationship to reflect the changes in the EU and Russia: Russia is now a different country, in effect, and in the process of joining the WTO; the EU's enlargement and consolidation of its Common Foreign and Security Policy means that a new contract is needed to deepen the relationship.[122]

Some formal progress is taking place. At the EU-Russia Summit on 25 May 2006 leaders agreed to develop a new agreement to replace the PCA. The Commission suggested that the new agreement cover the large area of cooperation built up in the intervening years, set out in the Road Maps adopted at the summit in May 2005. The Commission approved terms for draft negotiating directives on the 3 July 2006. The official statement noted that the Commission wants the new agreement to be based on recognition of common values such as democracy, human rights and the rule of law. The Commission hopes the agreement will adopt ambitious objectives on political and external security cooperation, effective multilateralism, provisions on the fight against organised crime, WMDs, migration and asylum, and counter-terrorism. In particular, the Commission wants to consolidate the EU-Russia energy relationship based on reciprocity, fair and equal access and a level playing field, and to promote further development of EU-Russia trade relations.[123]

However, given the discussion about principle differences above, such conditions will be difficult to achieve. This is all the more so because of the complexities of reaching agreement and since Russia wants the new document to include and reflect Russia's new WTO membership, which is therefore likely to delay the process further. Thus some experts on the EU side believe that the new document might not be ready until 2009, although they noted the possibility that some part of the document, such as energy relations, might be agreed and implemented before the final package was agreed.[124]

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121 Yuri Borko, "Rethinking Russia-EU Relations", *Russia in Global Affairs*, no. 3 (July–September 2004) (online 13 December 2005).
122 Golovanova, interview with Javier Solana …
123 European Commission, "European Commission Approves Terms for Negotiating New EU-Russia Agreement" Press Release, IP/06/910, *Europa* (online).
124 Interviews with EU officials, August 2006.

Furthermore, there seems to be little consensus on the desirability of developing a new document, particularly in the wider Russian body politic. Chizhov stated before the Sochi summit that Russia is happy to continue with the PCA since its imperfections are bearable and its intended successor, a Strategic Partnership Agreement, will require considerable negotiation to account successfully for all the changes that have taken place.

There are also those on both sides who do not actively seek to enhance the relationship. According to Russian experts, this group has grown considerably with the EU's enlargement to include the Baltic states. There are also constituents in Russia who seek to enhance Russia's position as an independent pole in international relations which does not need an enhanced agreement with the EU. According to one Russian commentator therefore, the EU and Russia are approaching the discussion about renewing the agreement with a "noticeable lack of interest toward each other, if not downright irritation".[125]

Conclusions: Try Again, Fail Again, Fail Better

It is clearly a relationship of strategic importance across all dimensions, with many common interests. Energy is a priority issue, both in terms of trade and security, for both partners. Economic relations are also very important for both parties. Security issues – both military and soft – have risen to high prominence on the agenda. Project funding frameworks are also clearly considered important priorities, as indicated by the reorganisation of TACIS funding. The conclusion therefore, often presented by experts and officials alike, that each party represents a strategic horizon for the other seems inescapable.

But how to quantify EU-Russia relations appropriately? It is hardly an alliance. Although it is problematic, neither is the relationship really hostile, particularly compared to the Cold War years. It is frequently depicted, especially in official terms, as a strategic partnership. Yet in many ways, it is neither "strategic" nor a "partnership": there is no real strategic plan for the long term (reflected in the debate over the plans to replace the PCA, the legal basis for the relationship). Nor is there real partnership: in too many dimensions, interests are not mutually beneficial or are even in conflict.

125 Timofei Bordachyov, "Toward a strategic alliance", *Russia in Global Affairs*, no. 2 (April–June 2006) (online); Nadezhda Arbatova, "Russia-EU Quandary 2007", *Russia in Global Affairs*, no.2 (April–June 2006) (online).

Nor are there many high-profile, major practical cooperative successes to trumpet. This is in part because the very breadth of the agenda makes effective prioritising of issues difficult, even considering the attempts to do so. If the broadening of the political framework to include other interlocutors helps, there are problems on both sides ensuring the consistency of the priority and practical progress in addressing it – most clearly indicated by the rotating presidency of the European Council, and the different interests which rise to the top of the EU agenda (some experts on the EU side have suggested that Russia was not a particular focus).

In fact, moreover, in some ways, the relationship remains mutually exclusive: the two sides effectively continue to speak different languages. As Vladimir Shemyatenkov has noted, the EU and Russia live their own separate lives. Ordinary citizens have precious little to do with the relationship, he suggested, meaning that the whole exercise is reserved for a handful of government officials. It comes as no surprise therefore that the product of their deliberations is inconsequential. The best example is the notorious four spaces and road maps, which are devoid of any rational content ... the development of "positive" cooperation between Russia and the EU is unsatisfactory because it is premature.[126]

Equally, neither side wants to allow the other much influence over its actions in a cooperative sense. The EU has had very little success in influencing Russian action in Chechnya through sanctions. Greater Russian financial independence (due to its energy exports) renders the use of the EU's financial carrots less effective. This resistance to each other causes problems. Russia seeks to avoid isolation by attempting to establish a relationship with the EU based on equality – yet it considers EU reticence to involve Russia as an equal as a sign of its growing isolation in and from Europe. On the other hand, the EU is showing greater assertiveness and beginning to press for greater involvement in the shared neighbourhood with Russia – or without it if no agreement can be reached.

Neither are comparisons with other states or organisations flattering. Some have pointed to the improvement of Russia's relations with China and the US, for example, in terms of their agreement on more robust methods of dealing with the war on terror and the more flexible bureaucratic relationship between the US and Russia which causes less fric-

126 Correspondence with this author, October 2006.

tion.[127] Many Russians have also pointed to an improvement in relations with NATO, including the establishment of the NATO-Russia Council, while EU-Russia relations have deteriorated. By 2004, some Russian commentators were therefore suggesting that the old paradigm of the EU representing the "good west" and NATO the "bad west" was being reversed.[128] Yet the NATO-Russia relationship is also problematic – if the new agenda is fairly positive, old problems have not vanished, indeed they may once again be coming to the fore. Russia-US and Russia-China relations are also problematic, ambiguous and in many ways insubstantial.[129]

The EU-Russia relationship should be seen in an appropriate (historical) context – the conversion of a confrontational relationship such as that between the USSR and European Communities during the Cold War into a genuinely cooperative relationship will take more time. This point is emphasised by the fact that both sides are only really beginning to formulate coherent foreign policy approaches – on the EU side this is particularly important given that it is now trying to formulate policy towards states that do not seek membership, so it cannot use its usual tools.

Indeed in many ways, the EU-Russia relationship is groundbreaking. The PCA (at the time of its signing) was the broadest and most comprehensive agreement concluded between Russia and any Western state or organisation, and the CSR and MTS were the first documents of their kind proclaimed by either side. Many of the agreements under this umbrella are also the first of their kind. The regular meetings between the EU COPS and Russia and the signing of the visa accords are the first of their kind, as was Russia's contribution to the EU's Police Mission. The "efficient cooperation" of auditing the TACIS projects was the first time in the history of the European Court of Auditors with a Supreme Audit Institution from a third and non-member or candidate country.[130]

Furthermore, the growing frequency of PPC meetings in a number of dimensions of the relationship and the establishment of the human

127 Stent and Shevtsova, "America, Russia and Europe", pp. 122, 128.

128 Interviews with Russian experts, Moscow, St Petersburg summer 2005. For an examination of NATO-Russia relations, see Peter Williams, "NATO-Russia military cooperation: From dialogue to interoperability", *RUSI Journal*, October 2005.

129 For a recent assessment of Russia-US relations, see Stephen Sestanovich, ed., *Russia's Wrong Direction: What the United States Can and Should Do*, Independent Task Force Report, no.57 (NY: Council on Foreign Relations, March 2006); for Sino-Russia relations, see Lo, "The Strange Case of Sino-Russia Relations".

130 Statement by Uczkiewicz.

rights consultations are real steps forward on what have been difficult issues in the past. The existence of a dense but effective network of connections and developing dialogues is important for the substance of the relationship. It is neither dynamic nor particularly smooth, but does provide a platform for a new relationship, and it is still possible to infuse the relationship with positive political drive by completing projects.

Nonetheless, EU-Russia relations clearly remain longer on dialogue and shorter on major practical progress. Without the conceptual glue of coherent strategy to hold the relationship together, moreover, and without the drive of committed personnel, successes at the operational level remain fragile and vulnerable to changes in the political wind. Indeed, it is possible that without the development of this positive luggage, the relationship may indeed fall into systemic crisis as disappointment again grows, and those who are willing to try again become fewer and fewer. A negative change in the political wind, whether due to this disappointment or the emergence of new problems or a new elite could stall or sour the relationship.[131]

So although the importance, indeed the necessity of the relationship for both parties is clear, and progress is being made the problems remain many and complex. Perhaps, therefore, the words of the play-write Samuel Beckett neatly encapsulate the evolution of EU-Russia relations so far: "Try again. Fail again. Fail Better".[132]

But it is also possible that without the development of this positive luggage, the relationship may indeed fall into systemic crisis as disappointment again grows, and those who are willing to try again become fewer and fewer. A negative change in the political wind, whether due to this disappointment or the emergence of new problems or a new elite could stall or sour the relationship.

Thus the tension between political vision and bureaucratic progress is now the central question in the relationship, and therefore, once again, the relationship reaches an important time. With the overarching lack of mutual confidence, the relationship is vulnerable to such a change in the wind, on the one hand if there is pressure from the EU on the values dimensions in the relationship and on the other depending on changes in the executive leadership in Russia in 2008. The increasingly forth-

131 Interviews with EU and Russian officials, Brussels, July, October 2005
132 Samuel Beckett, *Worstward Ho*, The Samuel Becket On-Line Resources and Links Pages (online).

right foreign policy positions of both sides and the upcoming elections in Russia in 2007 and 2008 (in roughly the same timeframe as the renegotiation of the PCA and the implementation of the Road Maps) therefore take on added significance for the long-term development of EU-Russia relations.

A key problem remains the lack of promotion of the successes and consequently the ongoing lack of awareness of the developments in the relationship – the focus is very much on its failings. There is, of course, much to criticise. Yet there is hardly any real analysis of the progress made, for instance the human rights consultations. In the EU-Russia centre expert survey noted above, some 64 per cent had not seen evidence that the meetings had taken place, let alone had any impact. A Latvian academic commented "what meetings?"[133] This must change if the atmosphere of the relationship and the confidence in it on both sides is to be improved.

In this respect, EU-Russia relations still offer a huge canvas, covering many dimensions including economics, energy security and trade, politics, law, military and diplomatic cooperation and so on. And yet there is a surprising dearth of broad – or deep – research into the subject, and many questions remain to be addressed. Although a number of topics are mentioned, they are rarely developed. Almost all post-summit statements refer to discussion of a wide range of international issues of strategic importance, including Iran, the Balkans, and the Middle East Peace Process, and the coincidence or harmonious nature of approaches to these issues. But this needs closer examination. If there is official discussion on "questions of international importance" such as the Middle East peace process, then what are the positions? What are the results?

The same can be said of the Russia-"EU 3" talks on the Iranian nuclear issue. [134] One analyst has noted that Russia joined the European diplomatic initiative to persuade Iran to renounce nuclear technology that could be used for military purposes. Both EU and Russian officials (including Ferrero-Waldner, Lavrov and Chizhov) have noted the possibilities for cooperation on the issues and brief news reports of such cooperation frequently appear, but more in-depth examination is warranted.[135]

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133 EU-Russia Centre Expert survey : 61 % thought that the meetings had resulted in no, or hardly any, meaningful change, only some 15 % said there had been evidence of meaningful change.

134 The EU 3 refers to the United Kingdom, France and Germany.

135 Wagnsson, "The Alien and the Traditional …", p. 107. See also "Russia Backs EU Proposal, Urges Iran to Cooperate", *Mosnews*, 24 May 2006 (online 25 May 2006).

As Tomila Lankina, Visiting Woodrow Wilson Fellow at the Woodrow Wilson International Centre for Scholars in Washington has noted, there is precious little serious examination of the EU's technical assistance to Russia. Yet this is an important element of the relationship. In fact, Lankina's useful study appropriately raises as many questions as it answers – if the EU's funding policy is based on the support of pluralism and democratic reform, and is facilitated by work with NGOs, how will this be affected by the domestic political developments in Russia, particularly the legislation which curbs foreign funding of Russian NGOs?

The security relationship is another dimension of the relationship rarely examined in depth. How has cooperation to enhance civil defence developed? What about other issues, such as dealing with landmines? The EU plays a large, albeit non-signatory, role in universalising the conventions of the Ottawa Process and Treaty.[136] According to one expert, it seeks to universalise the conventions and urges non-signatories to adopt the provisions of the treaty by exerting pressure through its in-country diplomatic staff and lobbying in Brussels. The EU and Russia have, according to the road map on external security, agreed to enhance "ongoing work" on threats posed by landmines and old ammunition.[137] Yet evidence of Russia using landmines exists, and its refusal to sign up to the conventions has been a barrier to the EU's aim of universalisation.[138] Cooperation to enhance non-proliferation must also be examined in more depth, particularly with regard to the development of the joint document on strategic partnership.[139] More could also be made of comparative studies of the EU-Russia "strategic partnership" with those between Russia-US or Russia-China. If there is much to do to develop the relationship, there is yet more to do to enhance our understanding of it and thus contribute to its further development.

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136 The Ottawa process culminated in the adoption of the Mine Ban Treaty in December 1997, which came into force in September 1998. In brief, it obliges signatories never to use anti-personnel mines, to abjure their use and destroy stockpiles, and to clear their territory of them. The EU has a large voice in landmines projects as a large financial donor.

137 European Commission, *Road Map for the Common Space of External Security*, annex 3 (online).

138 R. Dover, "The EU's joint action on anti-personnel mines and unexploded ordnance: Finding a security policy identity", *European Foreign Affairs Review*, vol. 11, no. 3 (Autumn 2006).

139 European Commission, *Road Map for the Common Space ….* A useful study on this subject can be found in Schmitt, ed., *EU Cooperative Threat Reduction …,* but it is brief, and needs updating. More should also be made of Russian perspectives of cooperation in this area.

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