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# Discussion Paper

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## **A Review of EU-Russian Relations Added Value or Structurally Deficient?**

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*Dominic Heinz*

## **A Review of EU-Russian Relations**

Added Value or Structurally Deficient?

### ***Introduction\****

The dissolution of the Soviet Union (SU) marked the end of the way the international political system had been organized since 1945. New states emerged and the foreign policies of the European states and Russia had to be readjusted.<sup>1</sup> Since one of the hitherto existing two superpowers collapsed, the remaining superpower was by default predominant in the international system. In the Western hemisphere, the dominant position of the United States (US) had been unchallenged during the Cold War and remained unchallenged after the Cold War.<sup>2</sup> After the dissolution of the SU and after the conclusion of the Maastricht Treaty, Russia and the EU developed several institutions and policies (f. i. the Partnership and Cooperation Agreement which will be discussed later in detail) to express their foreign policy positions. These institutions and policies are analysed as endogenous

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1 Crockatt R., 1997, The End of the Cold War, in: Baylis, John / Smith, Steve (eds.), The Globalization of World Politics: An Introduction to International Relations, Oxford: Oxford University Press.

2 Mastanduno, M., 1997, Preserving the Unipolar Moment: Realist Theories and US Grand Strategy after the Cold War, in: International Security 21 (4), 63.

issues in the first part of the paper for the EU and in the second part for Russia. However, they evolved and changed in the process of finding solutions for international conflicts and crises that forced the EU and Russia to cooperate. These conflicts and crises are analysed as exogenous issues to EU-Russian relations in the third part of the paper. The energy dialogue, the status of Kosovo and the situation in Chechnya are considered as case studies for EU-Russian relations in this paper. It concludes that there is no clear-cut answer to the question if EU-Russian relations brought added value or were rather useless. The energy dialogue is a good example that shows that the EU-Russian relation can bring added value. On the other hand, the example of the status of Kosovo shows EU-Russian relations as redundant. With regard to the situation in Chechnya, both interpretations are possible. At the beginning of the conflict in Chechnya, Russia and the EU accused each other of violating human rights and interference in domestic Russian affairs, respectively. After 11 September 2001 Russia considered the conflict in Chechnya not as domestic any more, so that EU-Russian relations facilitated humanitarian assistance instead of mutual accusations.

## ***1. Endogenous Issues of the EU***

Let us start with EU-Russian relations during the Cold War. When the EU was still the European Community (EC), its legal basis were the Treaties of Rome which established the European Community and included the EURATOM-Treaty and the European Coal and Steel Community (ECSC). The names of these treaties tell us that they had little to do with foreign policy in general, and they had nothing to do with the relations to the SU in particular. From a Soviet point of view, the EC was the economic branch of NATO.<sup>3</sup> Perestroika and glasnost changed this situation. One result was that the EC acknowledged the existence of the Council on Mutual Economic Assistance (CMEA) and established relations with it in 1986. Moreover, a Trade and Cooperation Agreement was signed in 1989.

3 Pinder, J., 1991, *The European Community and Eastern Europe*, London: Royal Institute for International Affairs and Pinter Publishers, 8-36.

## A Review of EU-Russian Relations

After the fall of the Berlin wall in 1989 and German reunification in 1990, the SU was no longer seen as a threat, especially after it cooperated with the West in the Gulf War in 1991. It was the dissolution of the SU in December 1991 which made EC member states concerned about the security situation. The EC/EU were caught by surprise by this development. At the time, the EU agenda was preoccupied with the accession of Austria, Sweden and Finland. Adequate concepts within the EU to handle the security situation were lacking.

Europe's reaction towards the crisis of Soviet dissolution depended on whether or not the ex-Soviet states were considered eligible for full membership in the EU. With the states eligible for membership, the so-called Europe Agreements were signed, that stated that the state concerned would eventually become a full member of the EU. The exact date of accession would depend on how long it would take the state to adopt the *acquis communautaire*.

The fragile situation in the Balkans was another development that made the European states think about security issues. The wars in Bosnia and Kosovo indicated that there were good reasons to do so. At the time the eastern border of Germany was the eastern border of the EU. The developments in Eastern and South-Eastern Europe were expected to affect Germany before other West European states would be concerned. During that time the German efforts were devoted to the task of minimizing the risks and maximizing the chances of the development in its south-eastern periphery. The efforts did not only remain in the realm of German national foreign policy. The mechanism of enlargement was designed as a mechanism to export stability to the neighbouring regions. This holds true for the enlargement of the EU as well as of NATO.

With other former states of the SU that were not eligible for full EU membership, the so-called Partnership and Cooperation Agreements (PCA) were concluded. In 1992, negotiations for a PCA with Russia began and in 1994, an agreement was drafted and signed. Due to the first Chechen war, which

was heavily criticized by the EU, it took three years until the PCA entered into force in 1997.<sup>4</sup>

In the meantime, an Interim Agreement was concluded. The document is of a rather technical character. It primarily deals with trade relations between the EU and Russia. In this document, the EU allows Russia to entertain special commercial relations with the Commonwealth of Independent States (CIS). In exchange, Russia commits itself to the opening of the national market for foreign enterprises and to abolish all obstacles that constrain trade between Russia and the EU. The Interim Agreement has to be seen in the light of the GATT membership negotiations of Russia and the EU that began in 1993. However, in the aftermath of the war in Chechnya and the financial crisis in 1998, Russia did not stick to the commitment it had made and did not abolish trade restrictions.<sup>5</sup>

The first paper of the EU mentioning a common view of the European heads of state and government towards Russia was adopted at the European Council in Madrid in 1995.<sup>6</sup> The EU feared that Russia might not manage the transition to a Western style economy (and society).<sup>7</sup> Additionally, for the first time the notion of soft security challenges like nuclear safety and environmental protection occurred in the Madrid text.<sup>8</sup> When the PCA finally entered into force in 1997, it granted Russia access to the internal market of the EU and committed Russia to democracy and human rights.

4 Partnership and Cooperation Agreement see [http://www.delrus.ec.europa.eu/en/p\\_243.htm](http://www.delrus.ec.europa.eu/en/p_243.htm) last accessed on 21.08.2007.

5 Interim Agreement on Trade and Trade Related Matters between the EU and the Russian Federation, Moscow: Delegation of the European Commission to the Russian Federation, EU Series Nr. 2 Working Paper, December 1994, and the protocol attached to the Interim Agreement.

6 Herrberg, A., 1998, The European Union and Russia: Towards a New Ostpolitik?, in: Rhodes, Carolyn (ed.), The European Union in the World Community, London: Lynne Rieder, 98-99.

7 Leshukov, I., 1998, Beyond Satisfaction: Russia's Perspectives on European Integration, Bonn: Center for European Integration Studies (ZEI) Discussion Paper C 26, 17.

8 Haukkala, H., 2003, The Clash of Boundaries? The European Union and Russia in the Northern Dimension, in: Lehti, Marko / Smith, David (eds.), Re-inventing Europe: Nordic and Baltic Experience in Post Cold War Identity Politics, London: Frank Cass.

Another foreign policy instrument of the EU was the establishment of the Common Foreign and Security Policy (CFSP) in the Maastricht Treaty of 1992.<sup>9</sup> In this treaty, the member states declared the CFSP as a separate pillar of the EU with two foreign policy instruments. First, the Common Action, which allows e.g. the appointment of a special envoy or observer team, and second, the Common Standpoint, which is supposed to facilitate coherent behaviour of EU member states in international organizations. In the Treaty of Amsterdam, a third foreign policy instrument, called Common Strategy, was added in 1997.<sup>10</sup> Furthermore, the position of a High Representative was created in the Treaty of Amsterdam. The national foreign policies towards countries or regions should align with each other within a Common Strategy.

Under the German presidency of the EU in the first half of 1999, a Common Strategy towards Russia was formulated and adopted in June 1999 at the Cologne European Council. Along with the Partnership and Cooperation Agreement, the Common Strategy on Russia forms the political basis for EU-Russia relations. In October 1999, Russia demonstrated the key importance it attaches to its relationship with the EU by adopting its own strategy towards the EU, covering the period until 2010.<sup>11</sup>

The political dialogue developed under the PCA aims at the establishment of closer economic and political links, the support of Russia's transition to a market economy, the enhancement of Russia's democratic institutions, respect for human rights and the establishment of new forms of consultation and cooperation to promote international security.<sup>12</sup> Topics discussed in the framework of the political dialogue include internal developments in the EU and Russia (such as EU enlargement, the European Convention, European Security and Defence Policy (ESDP) and the reform process in Russia). Also, opportunities for cooperation in the resolution of interna-

9 Title V of the Treaty of the EU. See <http://europa.eu/scadplus/leg/en/lvb/a19000.htm> last accessed on 21.08.2007.

10 Amendment to Title V of the Treaty of the EU and the new Article 26 (ex Article J 16). See <http://europa.eu/scadplus/leg/en/s50000.htm> last accessed on 21.08.2007.

11 See [http://www.delrus.ec.europa.eu/en/p\\_245.htm](http://www.delrus.ec.europa.eu/en/p_245.htm) last accessed on 21.08.2007.

12 EU Common Strategy on Russia, see [http://www.delrus.ec.europa.eu/en/p\\_244.htm](http://www.delrus.ec.europa.eu/en/p_244.htm) last accessed on 21.08.2007.

tional crises (including the Middle East, Western Balkans, Afghanistan and Moldova/Trans-Dniestr) were discussed.<sup>13</sup> The fight against terrorism and the war in Iraq has gained momentum in the discussions. The political dialogue also provides an opportunity to discuss questions on which approaches may diverge, such as the Chechen conflict.

As far as security cooperation is concerned, the new development in the ESDP has added a new dimension in the strategic partnership between the EU and Russia. Launched in 1999, the ESDP aims to provide the EU with the civilian and military capabilities necessary for the conduct of a wide range of humanitarian, peace-keeping and peace-enforcement operations, often referred to as “Petersberg tasks”.<sup>14</sup> Since its inception, ESDP has been open to the participation of like-minded partners of the EU (international organizations, non-EU NATO members and EU candidate countries, as well as key partners like Russia) in EU-led humanitarian, peace-keeping and peace-enforcement operations. Russia contributed to the first EU-led operation, the EU Police Mission in Bosnia and Herzegovina, which became operational on 1 January 2003. Discussions are also underway to explore prospects for Russia’s possible contribution of capabilities to future ESDP operations.<sup>15</sup>

In 2003, the EU addressed challenges posed by proximity and neighbourhood.<sup>16</sup> In practical terms, the initiative is aimed at working with neighbouring countries towards improving conditions for the free movement of goods, services, capital and persons as well as developing a zone of prosperity and friendly neighbourhood. As part of this new policy, the Commission envisaged the creation of new mechanisms for dealing with the common challenges arising from proximity-related issues on the exter-

13 Ehrhard, H., 2002, What Model for CFSP?, Chaillot Paper 55, Paris: Institute for Security Studies of the European Union, 10-23.

14 Treaty of the European Union. Article 17.

15 Lynch, D., 2003, Russia faces Europe, Chaillot Paper 60, Paris: Institute for Security Studies of the European Union, 54-82.

16 Commission of the European Communities, Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, COM(2003)104 final.



nal borders of the enlarged EU.<sup>17</sup> Since the beginning of 2007, this policy is officially managed via the European Neighbourhood and Partnership Instrument (ENPI) which supports cross-border and regional or trans-national cooperation along the external borders, combining both external policy objectives and economic and social cohesion.<sup>18</sup>

Russia reacted with reservations to the concept of the European Neighbourhood Policy (ENP), because it thought that the instrument would not be adequate for EU-Russian relations and feared that it could threaten further ties with CIS countries. In November 2003, both sides agreed to decouple Russia from the ENP and to develop a strategic partnership including four common spaces (1. Economic Space, 2. Space of Freedom, Security and Justice 3. External Security, 4. Research, Education and Culture).

The agreement concerning the four common spaces should have been signed earlier in 2004. But then, the manipulated presidential elections in Ukraine led to a deterioration of EU-Russian relations. Moscow supported the pro-Russian candidate while the EU (above all Poland and the Baltic States) supported the so-called “orange revolution”. Finally, the agreement was signed in 2005, but the controversy about Ukraine pointed to a more substantial disagreement concerning the transformation process in ENP states (Ukraine, Moldova, Belarus, Armenia, Azerbaijan and Georgia). In most of these states, Russia supports incumbent pro-Russian but mostly undemocratic regimes.

## **2. Endogenous Issues in Russia**

The president, the Ministry of Foreign Affairs (MID) and the Ministry of Defence (MO) conduct Russian foreign policy. Article 86 of the Russian constitution attributes the competence for foreign policy directly to the

17 Commission of the European Communities, Paving the way for a New Neighbourhood Instrument, COM (2003) 393 final. See at [http://www.delrus.ec.europa.eu/en/p\\_522.htm](http://www.delrus.ec.europa.eu/en/p_522.htm) last accessed on 21.08.2007.

18 Marchetti, A., 2006, The European Neighbourhood Policy. Foreign Policy at the EU's Periphery, Bonn: Center for European Integration Studies (ZEI) Discussion Paper C 158.

president.<sup>19</sup> President Boris Yeltsin paid only sporadic attention towards foreign affairs. This was partly due to internal conflicts and partly due to his health problems. Under the presidency of Vladimir Putin, this has changed significantly. The same holds true for the role of the MID. Between the years 1993 and 1996 the MID had a weak position in formulating foreign policy, because of three factors, namely the political weakness of Andrei Kozyrev as the incumbent Minister for Foreign Affairs, the lack of interest of the president is the second factor and finally, the MO's strong influence on security policy under Minister Pavel Grachev.

In general, the lack of human resources and administrative capacities constrained the coordination within and between the ministries. A significant step towards consistency in the decision making process for foreign policy was the appointment of Yevgeny Primakov and the dismissal of Pavel Grachev in 1996. Additionally, the MO was entrusted with the task of military reforms. That created free space until 1998 for the MID to formulate foreign policy by itself and not only to execute the policy of the MO.

In the years 1998 to 2000, Russian foreign policy again became more limited due to the financial crisis in Russia. Within this period of time, the political leadership defined the position of Russia in the world as a regional power, a world power and a nuclear power. This status was assumed to be grounded in Russia's geographic vastness, strategic interests and nuclear capabilities.<sup>20</sup> In retrospective, Russia tried to emphasize the perceived strong points of its Soviet heritage. But there were also some weak points in the heritage of the SU that were not perceived in the same manner. Among these were the problems that stemmed from the economic and political transitions. On Russia's path to market economy, the state was not able to provide transaction costs, like collecting taxes, enforcing contract and protecting private property rights. However, since private property was created firstly through the voucher programme and secondly through the state privatization policy, these transaction costs were necessary for a func-

19 See [www.constitution.ru](http://www.constitution.ru) last accessed on the 21.08.2007.

20 Aron, L., 1998, Foreign Policy Doctrine of Post Communist Russia, in: Mandelbaum, Michael (ed.), *The New Russian Foreign Policy*, Washington: Council on Foreign Relations Press, 27.

tioning market. The result was that the state administration became increasingly corrupt and that non-state actors took over the transaction cost providing functions. Against this background, Russian foreign policy concepts from 1993 to 2000 tried to push the notion of a multi-polar world.

Especially during Yevgeni Primakov's term of office as Minister for Foreign Affairs, this notion was promoted very strongly.<sup>21</sup> The multi-polar world view entailed an emphasis on the importance of international institutions, like the UN or the Organization for Security and Cooperation in Europe (OSCE). The problem was, however, that the international political system was not as multi-polar as Russia had hoped. Instead, it was dominated by the US-led western alliance. In 1999, Boris Yeltsin appointed Vladimir Putin as Prime Minister. Vladimir Putin was elected new president of Russia in 2000. During the election campaign, he announced the strategy of a "dictatorship of law". After his election, Vladimir Putin brought a huge number of independent players like powerful businessmen and regional leaders under his control or forced them to leave the country. An important case in point of this were the actions against the oil company YUKOS.

In Europe and North America there were different perceptions of Putin's "dictatorship of law".<sup>22</sup> On the one hand, there was a more pessimistic view that emphasized the decline of democratic values and practices, especially visible during the parliamentary election in 2003. The assassinations of the journalist Anna Politkovskaja and the former spy Alexander Litvinenko fuelled again doubts on Russia's transition to democracy and rule of law. The coincidence has to be noted that since the announcement of the "dictatorship of law", every major opposition to the Kremlin in Russia had disappeared.<sup>23</sup>

21 Primakov, Y., 1996, Na Goizonte – Mnogopolusnij Mir, in: *Mezhdunarodnaya Zshizn'* 10, 3-13.

22 Rahr, A., 2004, Der Kalte Frieden. Putins Russland und der Westen, in: *Internationale Politik* 3, 1-10.

23 Gelman, V., 2005, Political Opposition in Russia. Is it Becoming Extinct?, in: *Russian Politics and Law* 43 (3), 25-50.

On the other hand, there was a more positive view that stresses the prosperity of the Russian economy. Behind this was the hope that a democratic modernization will follow after the economic modernization.

The election of Vladimir Putin had to be seen in the light of the second Chechen war and the financial crisis of 1998 that, as mentioned above, brought the process of state erosion to its culmination. Therefore, since the foreign policy of Russia is subordinated directly to the President, the change from Boris Yeltsin to Vladimir Putin had direct implications for the foreign policy behaviour of Russia. Thus, it seems justified to say that it is largely due to Vladimir Putin's personal impact that Russia disregarded the OSCE and underlined the primacy of the UN Security Council.

As Russia experienced weakness in the 1990s it tried not to get involved in international crises after the year 2000. This forced Russia to adopt a pragmatic approach to every single issue that arises like the handling of the war on terror and the war in Iraq.<sup>24</sup> As a result, Russia has to perform a permanent balancing act between its economic needs and foreign policy interests.<sup>25</sup> Since the terrorist attacks of 11 September 2001 and especially since the wars in Afghanistan and Iraq, the Middle East has become ever more instable.<sup>26</sup> The political climate for Middle Eastern gas and oil exports to the EU thus has deteriorated as well.<sup>27</sup> Therefore, Russia has become more attractive as an alternative supplier of oil and gas to the EU. Russia's pragmatic foreign policy is designed in such a way that if the EU institutions do not cooperate with Russia, then the bilateral ties of President Vladimir Putin with selected heads of state or government are employed as a means of enforcing Russian interests. Instead of relying on legal agreements and institutions, personal relationships serve as the basis for political

24 Danilow, D., 2004, Russlands Interessen. Pragmatismus und Suche nach Balancen, in: Internationale Politik 3, 11-17.

25 Puskov, A., 2000, Rossija v novom miroporjadke: rjadom s zapadom ili sama po sebe?, in: Mezdunarodnaja zizn 10, 33-44.

26 Karaganov, S., 2002, Putevoditel' po sovremennomu miru, in: Rossija v global'noj politike 1, 7-8.

27 Margelov, M., 2003, Probeda po ockam. Cto takoe pragmatizm vo vnesnej politike?, in: Rossija v global'noj politike 3, 8-16.

cooperation.<sup>28</sup> The relations between the Russian president and some European heads of state or government effectively constrain the institutions of the EU from implementing their policy. At the press conference after the EU-Russia summit in Rome 2003, Silvio Berlusconi endorsed the refusal of the Russian government to talk with Chechen separatists and the arrest of Michail Khodorkhovsky. This statement was diametrically opposed to the standpoint of the European Commission which had been supported by the EU member states before the summit.<sup>29</sup> In practice, the president of the Council forged an alliance with the president of Russia against the European Commission under its then president Romano Prodi, who later became Berlusconi's successor as Italian prime minister. Berlusconi's manoeuvre happened during hard talks between the EU and Russia about contentious issues like the situation in Chechnya and anti-democratic practices in Russia.

### **3. Exogenous Issues of EU-Russian Relations**

So far, we have reviewed the domestic or endogenous issues in Russia and the EU, but these are not the only issues influencing the relationship. Other policy issues that are external or exogenous to Russia and the EU have an impact on the relations as well. The delegation of the European commission to Russia names in total 18 areas of cooperation between Russia and the EU. In an alphabetical order these 18 areas of cooperation are: 1. Banking, Accounting and Audit reform / 2. Combating HIV and AIDS / 3. Cross border cooperation / 4. Culture / 5. Economics and Trade / 6. Energy / 7. Environment / 8. Foreign Policy and External Security / 9. Higher Education / 10. Justice, Freedom and Security / 11. Kaliningrad / 12. North Caucasus / 13. Northern Dimension / 14. Regional Policy / 15. Science and Technology / 16. Space / 17. Transport / 18. Visas and Readmission.<sup>30</sup> For the purpose of this paper three case studies shall serve as examples for the

28 Bordacev, T., 2003, Ob-ektivnoe poznanie Evropy, in: *Rossia v global'noj politike* 4, 192-194.

29 Miles, T., 2004, EU and Russia eye trade prize to smooth ties, Reuters on 19.05.2004. Reproduced on Johnson's Russia List Nr. 8215.

30 See [http://www.delrus.ec.europa.eu/en/p\\_211.htm](http://www.delrus.ec.europa.eu/en/p_211.htm) last accessed on 10.10.2007.

18 areas of cooperation. Hence, only the energy dialogue, the situation in Chechnya and the status of Kosovo will be discussed. The selected cases originate from the areas energy, North Caucasus and Foreign Policy and External Security. Each of these case studies has played a decisive role during the past decade and will continue to play an important role for both the EU and Russia. Regarding the remaining 15 areas of cooperation it is to note that the EU-Russian institutions and policies opened channels of communication for the Northern Dimension, for Kaliningrad, for environment (e. g. signature of the Kyoto protocol) and for economics and trade (e. g. Russia's access to the World Trade Organisation). Usually, the politically relevant and sensitive cases between the EU and Russia were and still are handled during the biannual EU-Russian summits. A concluding joint statement is regularly issued to show the results of the discussions between the EU and Russia. Of course, those joint statements only exist since the first EU-Russian summit in the year 2000. Nevertheless, energy, North Caucasus and Foreign Policy and External Security played a more prominent role than any other area of cooperation. Therefore, case studies of these three areas are used as examples to review EU-Russian relations.<sup>31</sup>

The obvious reason for closer EU-Russian energy cooperation lie in the geographic proximity of the EU and Russia, the EU's energy needs and Russia's energy resources. Therefore, a close partnership is indispensable. In theory, a partnership is based on common values, common interests and mutual understanding.<sup>32</sup> The notion of equality between the partners is laid down in the Russian Middle term strategy towards the EU.<sup>33</sup> However, the differences between the EU and Russia are still considerable. The enlarged EU has 493 million inhabitants compared to the 143 million in Russia.<sup>34</sup>

31 A comprehensive list of documents related to the EU-Russian Summits can be found at [http://www.delrus.ec.europa.eu/en/p\\_233.htm](http://www.delrus.ec.europa.eu/en/p_233.htm) last accessed on 12.10.2007.

32 Borko, Y., 2000, EU / Russia Co-operation: The Moscow Perspective, in: Baxendale, James / Dewar, Stephan / Gowan, David (eds.), *The EU and Kaliningrad: Kaliningrad and the Impact of EU Enlargement*, London: Federal Trust, 59-72.

33 Paragraph 1.1. See [http://www.delrus.ec.europa.eu/en/p\\_245.htm](http://www.delrus.ec.europa.eu/en/p_245.htm) last accessed on 21.08.2007.

34 Vahl, M., 2001, *Just Good Friends? The EU – Russian Strategic Partnership and the Northern Dimension*, Brussels: Center for European Policy Studies (CEPS)

The EU's Gross Domestic Product (GDP) is 14 times bigger than the GDP of Russia.<sup>35</sup> Since the EU and Russia have an interest to cooperate in the field of energy, a formal energy dialogue was established during the EU-Russian Summit in Paris in 2000. Both parties agreed to enhance their cooperation in the field of energy, because the European consumption of gas and oil will continue to increase while the European gas and oil extraction will decrease.<sup>36</sup> Furthermore, after its enlargement the EU has to import even higher shares of Russian oil and gas, because the economies of the new member states are more dependent on fossil fuels than the old member states' economies.<sup>37</sup>

At the same time, Russia is interested in technology to reduce energy consumption and to modernize its infrastructure. Since the establishment of this energy dialogue, officials have met regularly and round tables have been organized. All these measures aim at providing a functioning market and at delivering security for energy supply. The energy dialogue has to be assessed as a very effective institution, because it has to reconcile a monopolized Russian energy market with strict European competition laws.

However, the European Commission points out that Russia is using its energy policy not only to achieve economic goals but also as an instrument to enforce its foreign policy interests. The fact that it is unlikely that the European Energy Charta will be ratified anytime soon shows the limits of the EU-Russian energy dialogue. The EU-Russia special summit in Lahti 2006 dealt with the sensitive subject of energy. At this summit, the EU again demanded for the ratification of the Energy Charta and guarantees for gas supply, and criticised actions against European investors, e. g. Royal Dutch Shell had been refused an exploitation license for oil fields and gas

Working Document Nr. 166, 4-20. And see [http://www.delrus.ec.europa.eu/en/p\\_574.htm](http://www.delrus.ec.europa.eu/en/p_574.htm) last accessed on 21.08.2007.

35 Comparison using US Dollars in 2007. See [http://www.delrus.ec.europa.eu/en/p\\_574.htm](http://www.delrus.ec.europa.eu/en/p_574.htm) last accessed on 21.08.2007.

36 Goetz, R., 2002, *Russlands Erdgas und die Energiesicherheit der EU*, Berlin: Stiftung Wissenschaft und Politik, 5-35.

37 Belyi, A., 2003, *New Dimensions of Energy Security of the enlarging EU and their impact on relations with Russia*, in: *European Integration* 25 (4), 351-369.

reserves in Sakhalin. Furthermore, the EU raised the subject of the Russian blockade of ENP partner countries in the Caucasus.

The essential bone of contention in the Caucasus as an area of cooperation is the status of Chechnya as a separate country. This status was established on 27 November 1990 when the Supreme Soviet of the Chechen-Ingush Republic adopted a declaration on state sovereignty and tried to secede from the SU. In 1991, the SU dissolved and in 1992 the Chechen Republic adopted its own constitution that foresaw parliamentary and presidential elections. After having existed for more than a year as sovereign state, according to the Chechen perspective, Russia launched a war in 1994 against Chechnya that ended in 1996. In 1997, Chechnya held presidential and parliamentary elections with the support of the OSCE and was officially recognised by the Council of Europe which sent a large number of observers. On 12 May 1997, a peace treaty was signed that laid down the basic principles for relations between the Russian Federation and the Chechen Republic of Ichkeria. Chechnya regards this treaty as an international treaty between two independent entities, while Russia considers it as a treaty with one of its 32 subjects of the Federation.

Russia's position was twofold in the past. Firstly, Russia stressed that the split between Chechnya and Ingushetia shortly after the dissolution of the SU was illegitimate because the National Congress of the Chechen People and the Executive Committee around Dzhokhar Dudayev violently forced the Supreme Soviet of the Chechen-Ingush Republic to dissolve itself. Hence, as Chechnya continues to be a part of the Russian Federation, Russia considered the Chechen conflict to be an inner Russian affair.

After the terrorist attacks of 11 September 2001, Russia's position changed. Now Russia justifies its policy towards Chechnya as part of the fight against international terrorism. Either way, Russia still rejects the independence of Chechnya because it was a part of the Russian Soviet Federative Republic (RSFR) and not a Union Republic like the Baltic (Estonia, etc.) and Central Asian (Turkmenistan, etc.) states, let alone a Peoples Republic (like Poland, etc.).



Moreover, Russian official statements stress that, if Russia would grant Chechnya independence, the other 31 subjects of the federation would also try to attain independence. That resembles a situation like in the Former Yugoslavia where the parts of Yugoslavia and Serbia strived for independence that ended in the already mentioned conflict in Kosovo. In the area of cooperation in Foreign Policy and External Security the case of Kosovo showed that until the end of the 1990s, no functioning institutions nor policies were in place to mediate a conflict situation. The conflict in Kosovo was the impulse for setting up institutions like the regular EU-Russia summits.

For Russia, NATO's air strikes were an aggression against Serbia, while European states saw it as a humanitarian intervention. At the same time, Russia needed financial support in the framework of the double transformation process. And the same countries that Russia had criticized for the actions in Kosovo were the potential donors or had considerable political clout in the financial institutions that could provide financial support.<sup>38</sup>

This dilemma determined Russian foreign policy throughout the 1990s. On the one hand, it led to an emphasis on the primacy of the UN Security Council and to attempts to balance the actions of the western alliance by sidelining Russia's opponents. At times, this meant acting only in short-term Russian national interests.<sup>39</sup> Russia proved to be capable of influencing the policies of the western alliance for instance in Kosovo in 1999 by using its veto in the UN Security Council. Nevertheless, the result was that NATO actions were launched despite the veto of Russia.

Thus, Russia remained isolated on the international stage.<sup>40</sup> 1999 marked a turning point in the relations of Russia with the West and thus also with the EU.

38 Karaganov, S., 1994, *Wither Western Aid to Russia*, Gütersloh: Bertelsmann Foundation Publishers, 30-45.

39 Trenin, D., 2001, *Nenadeshnaya Strategija*, in: *Pro et Contra*, 6 (1).

40 Kononenko, V., 2003, *From Yugoslavia to Iraq: Russia's Foreign Policy and the Effects of Multi Polarity*, Helsinki: The Finnish Institute for International Affairs Working Paper 42, 1-22.

Already in 1998, NATO enlargement had caused frictions in the partnership. Dmitri Trenin argues that the year 1999, in which both the NATO operation “Allied Force” in Kosovo and the war in Chechnya took place, was a double test for the relations of Russia with the West. The year would bring, according to Dmitri Trenin, either the end of a real partnership between Russia and the west or the basis for a sustainable partnership.<sup>41</sup> The frustrations that occurred due to the events in Chechnya and Kosovo had a deep impact on the way Russia tried to find a place in the post Cold War international order. The West’s criticism of Russian actions in Chechnya and only a short time earlier the “aggression of NATO against a sovereign state”, so the Russian reading, insulted Russia’s conception of itself as a great power.<sup>42</sup>

After the war in Kosovo, Russian relations with NATO were in tatters. The rapprochement of Russia and NATO was indicated by Vladimir Putin’s invitation of George Robertson, then NATO Secretary General, to Moscow in order to discuss questions concerning KFOR and SFOR. This meant the factual acceptance by Russia that NATO is the primary security organization in Europe and continues to reform its role after the dissolution of the Warsaw Pact.<sup>43</sup> The terrorist attacks of 11 September 2001 and Russia’s membership in the anti-terror coalition brought Russia closer to the US in particular and NATO in general.<sup>44</sup> Also, the war in Kosovo constituted a turning point with regard to Russia’s behaviour towards the OSCE. The war in Kosovo made obvious that the OSCE was not the institution that Russia expected it to be. Russian criticism focused on what Russia perceived as a narrowing of the OSCE’s functions and geographical zone of responsibility. That meant that Russia criticized the reduction of the

41 Trenin, D., 1999, Slabost’ geopoliticeskogo myslenij, in: Nezavisimoe voennoe obozrenie, 23.11.1999, 3.

42 Kandel’, P., 1999, Post-el’cinskaja Rossija v postjugoslavskom mire, in: Pro et Contra, 4 (1), 161-174.

43 After the dissolution of the Warsaw Pact the existence of NATO was questioned, because there was no adversary organization any more. Since then NATO reformed its functions and membership.

44 Pikayev, A., 2001, September 11 and the Challenge of integrating Russia into the West, Washington: PONARS Policy Memo 227, 1-5.

OSCE's tasks to humanitarian and human rights issues, as Russia saw it. In addition, Russia criticised that the OSCE was mainly active in post Soviet territory and the Balkans although its geographical zone of responsibility stretched far beyond these areas. Furthermore, Russia criticized the OSCE operation in Chechnya.<sup>45</sup>

The UN Security Council was the centre of gravity for Russian great power ambitions, both before and after the Kosovo war. Before Kosovo, Russia used its veto to constrain NATO operations, because it feared that more out-of-area activities could undermine Russia's interests. After Kosovo, Russia stressed three important points: firstly, that the UN is an organization to prevent hegemony and that Russia remains opposed to concepts like humanitarian interventions; secondly, that the five permanent members of the Security Council are the centre of the organization and every reform effort would have destabilizing effects; and thirdly, Russia stressed the role of the UN in the war on terror after 11 September 2001.

### **Conclusion**

The paper shed light on the increasing relevance of the bilateral relations between Russia and the EU after the end of the Cold War. These relations were not only shaped by factors like the EU's energy consumption and the emergence of conflicts in the Caucasus and the Balkans. A second, endogenous, dimension also shaped the relationship. That dimension was the internal organization of the foreign policy formulating process both within the EU and Russia. Both actors had to build up new instruments and institutions. Russian state structures had collapsed after the dissolution of the SU, and there had been few instruments for foreign policy in the EU to begin with. In addition, both actors experienced a transformation of their foreign policy during the last years. The Treaty of Maastricht codified the EU's ambitions to wield soft power by recourse to civilian foreign policy instruments. Moreover, the EU successfully conducts police missions in the

45 Voblenko, V., 2001, Multinational Peacekeeping Operations in the Balkans: Past and Present, in: Voenaya Mysl, September – October.

Western Balkans and strengthens the military aspect of its foreign policy. Russia inherited a huge military industrial complex and a seat in the UN Security Council from the SU. More than 15 years after the dissolution of the SU, the military industrial complex is still huge and Russia still has the UN Security Council seat. But today, Russia primarily employs its energy resources as soft power tool to enforce its interests even in ENP partner countries like Ukraine. In this paper, three cases have been discussed. Concerning the energy dialogue, EU institutions and policies, as distinct from national institutions and policies of the EU member states, have brought added value. The European need for a stable supply of gas and oil meets the Russian need for foreign direct investment into the Russian infrastructure, especially so since the wars in Iraq and Afghanistan have made the supply of energy from the Middle East insecure. On the other hand, the EU-Russian relationship could not provide solutions to the conflict in Kosovo. Chechnya was another case of dissent for EU-Russian relations. While the EU accused Russia of violations against human rights, Russia accused the EU of interfering in domestic Russian affairs. However, in 2004 the situation changed, and Russia decided to allow European involvement in the reconstruction of Chechnya and other North Caucasian regions. Accordingly, closer ties between the EU and Russia have facilitated – if not the dissolution of dissent – the formulation of a viable approach to certain issues for both sides. Hence, despite its deficiencies, structured EU-Russian relations clearly display the potential to generate a more comprehensive and balanced relationship.

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