



EU-Russia

Four Common Spaces and the Proliferation of the Fuzzy

Michael Emerson*

The new roadmap

On the 10th of May the EU and Russia signed four 'roadmap' documents at summit level in Moscow, on the Common Economic Space, the Common Space of Freedom, Security and Justice, the Common Space of External Security and the Common Space on Research, Education and Culture. This was the culmination of two year's work since the May 2003 summit that decided in principle to create the four spaces as a long-term project. It was intended also to give new momentum to the relationship, after seeing that the Partnership and Cooperation Agreement of 1994 had not become a motor for anything very substantial, while the subsequent phase (in 1999) of swapping common strategy documents also led nowhere in particular.

Does this new attempt to give structure and momentum to the relationship do something more substantial? Does it mark a new era in the relationship? Does it bear any relationship to the massive symbolism on display in Moscow the day before, as world leaders joined in the celebration of the 60th anniversary of the end of World War II?

Maybe not so many people will read the 49 pages of the official texts defining the four common spaces.

* Michael Emerson is a Senior Research Fellow, Centre for European Policy Studies (CEPS), Brussels. This paper first appeared as a contribution to the Hearing of the ALDE Group of the European Parliament, on "Securing a common future – EU-Russia relations", Strasbourg, 11 May 2005.

¹ Excerpt from the *Roadmap for the Common Economic Space, Building Blocks for Sustained Economic Growth*, released 10.05.2005 by the European Commission, DG for General Affairs and External Relations (retrieved from http://www.eu2005.lu/en/actualites/documents_travail/2005/05/10-4spaces/4spaces.pdf).

Some may set out with good intentions, but discover that the first objective reads:¹

development of harmonized and compatible standards, regulations and conformity assessment procedures, where appropriate, including through enhanced regulatory dialogue and cooperation between responsible institutions and a reinforcement of the institutional capacities.

The average citizen will close the book at this point. Yet the really determined scholar will march on through the texts, searching for the essence with unflinching discipline. He or she will discover that it goes on and on like this, with almost 400 bulleted action points, where the action is mostly phrased in terms of 'cooperation' or 'dialogue', which is becoming the ultimate Euro-Russki diplomatic-bureaucratic *borsch*. Some among the 400 points are precisely operational – to say that there were none would be to go too far. But the main message is this: the EU and Russia are still in a state of profound mutual ambiguity. They know that they have to try to make the best of living together in the same European home, but do not yet know how to do it. The partners seem to parody the old Soviet joke from the workplace in the factory: 'We pretend to work and they pretend to pay us'. The Euro-Russki variant seems to go like this: 'We pretend to be converging on common European values and they pretend to be helping us do so'.

But let us do our homework seriously. After all, the two parties spent two years in allegedly tough negotiations. For the EU Council President Jean-Claude Juncker, Prime Minister of Luxembourg, said: "Today we have reached agreement on the four spaces, including the most difficult elements".² President Vladimir Putin said: "I want to emphasize that this result was achieved through hard work together and an ability to reach mutually beneficial compromises. This work was not easy. Our European partners displayed their best qualities as negotiators and as people who had their sights firmly on getting results."³

² See the press release "Jean-Claude Juncker at the EU-Russia summit: 'Russia and the EU do not intend to divide Europe and the adjacent regions into spheres and zones of influence'", DG General Affairs and External Relations, 10.05.2005.

³ See the "Press Statement and Responses to Questions by Vladimir Putin following the Russia-European Union Summit",

The common economic space

The Common Economic Space is the longest. It proceeds through the standard agenda of all EU negotiations with its accession candidates and other neighbours and association partners: industrial standards, competition and public procurement policies, investment climate and enterprise policy, cross-border cooperation, financial services, accounting standards and statistics, agriculture and forestry, customs procedures, transport and telecommunications networks, energy, space and environment. There is to be cooperation and dialogue everywhere. But there is not a single mention of the words 'free trade', even as a long-term objective. Since EU imports from Russia are mainly tariff-free oil and gas, the implication is that Russia is not ready to discuss free trade. Russian industrial lobbies are fiercely protectionist, and EU lobbies are the same in the few industries where Russia has competitive strength, such as metallurgy and chemicals. While there is a liberal use of the terms 'harmonisation' and 'convergence', the texts are evasive on who is harmonising or converging on whom. Russia's proud insistence on the principle of being 'equal partners' seems to have made it impossible to use explicit references to EU law, which leaves the substance on the long catalogue of technical standards and regulatory norms hanging in the air.

Freedom, security and justice

The Common Space of Freedom, Security and Justice (FSJ) is also the subject of a long and detailed text. The common commitments made towards combating international crime, drug trafficking and terrorism have a more vivid content. This second space is sprinkled with quite numerous points for concrete cooperation between Russian security agencies and the growing number of EU agencies, such as Europol, Eurojust and the anti-terrorism special representative. Here the EU and Russia face common threats, and so the search for useful cooperation can proceed.

Special mention has to be made of the preamble, which contains a brief symbolic reference to adherence to common values of democracy, rule of law and human rights. A main point about the four common spaces is they are lacking precisely what for the EU should be the most fundamental space of all – that for democracy. The contrast has to be made with the new Action Plans of the European Neighbourhood Policy, all of which give pride of place to democracy, the rule of law and human rights, with comprehensive and detailed action points in this sector. The de-democratising Russia of President Putin manifestly could not embark on negotiations on a common space of democracy. Yet the EU could not ignore the subject. The result is token inclusion of a few lines in this common space for FSJ.

Russia was a *demandeur* under this second space for facilitating the movement of peoples, aiming in the long run at visa-free travel with the EU. This led to substantial negotiations, with the EU demanding for its part a strengthening of Russia's border management, starting with its proper demarcation, which is not yet done with Latvia. The EU's second demand is for a re-admission agreement, according to which Russia should agree to accept back into its territory any person who had illegally entered the EU from Russia. This presents a serious problem for Russia, given its vast and porous Asian frontiers. There is no conclusion yet to these negotiations, so the texts have had to retain remarks about continuing parallel negotiations on visa facilitation and re-admission. There were frank remarks by President Putin at the press conference in this context: "The Russian Federation has to do a lot. We cannot make excessive requirements to our partners until our neighbours and we have resolved border problems and until we have handled all readmission issues raised by our European partners."⁴

External security

The Common Space of External Security was potentially the most interesting innovation. The agendas for cooperation over terrorism and non-proliferation of weapons of mass destruction are quite rich.

In the field of crisis management, however, it is disappointing. There is a reference in the roadmap to "dialogue and cooperation in the settlement of regional conflicts, *inter alia* in regions adjacent to EU and Russian borders".⁵ This language had been the subject of long and sensitive negotiations, the EU initially advancing the language of 'common neighbourhood', which was too much for Russia's proprietary attitudes towards its 'near abroad'. The EU presidency's press release talks explicitly about the frozen conflicts of Transnistria, Abkhazia, South Ossetia and Nagorno Karabakh, but the official text could not go beyond the 'adjacent regions' in general. It had been inferred in the press from remarks by President Putin and Foreign Minister Sergei Lavrov in the weeks before the summit that Russia might be moving in some real sense towards cooperation over these frozen conflicts. But here easy diplomatic language has to be sorted out from harsh realities. The latter are that Russia is militarily and politically protecting the secessionist regimes of Transnistria, Abkhazia and South Ossetia, whose leaderships are notoriously undemocratic and deeply engaged in illegal business activity. If Russia wanted to help resolve these conflicts it could, for example, welcome the apparent intentions now of Ukraine and Moldova to control illegal traffic across the Transnistrian frontier, and in the case of South Ossetia cooperate with Georgia over control of the single tunnel route from Russian Northern Ossetia into Georgian Southern Ossetia. But it does not do so, because its

President of Russia Official web portal, 10.05.2005 (retrievable from http://kremlin.ru/eng/text/speeches/2005/05/10/2030_type82914type82915_88025.shtml).

⁴ Ibid.

⁵ Op. cit.

foreign policy remains dictated by old-fashioned conceptions of national interest (military presence dominates values such as the rule of law). In these circumstances the third common space about external security with respect to crisis management is empty. Russia's ruling elite appear not to have digested how costly this is for its political reputation – and therefore influence – in the whole of the wider European space.

Research, education and culture

The fourth Common Space of Research, Education and Culture is seemingly the least political and most practical. It is all about two broad activities, first the inclusion of Russian students and researchers in a variety of EU programmes, and second alignment of Russia on common European norms for educational standards. It can be argued, given the political inhibitions over deeper integration between the EU and Russia for the time being, that this 'academic space' is even the most important. At least its time horizon is sound. It will doubtless take a generation or two for Russia and the EU to genuinely converge in terms of mindsets and political values perceived across society as a whole. The negotiators could have gone further in deciding a significant redeployment of EU Tacis resources in favour of educational initiatives such as scholarship, versus expensive technical assistance projects that have been extremely difficult to execute effectively. The document lists a plethora of educational initiatives, yet it is not transparent what resources they are to profit from or whether they amount to something important.

Two unanswered questions

The four spaces and the 400 action points leave nonetheless two unanswered questions. When and how may Russia really converge on modern European values? When and how is the EU going to make up its mind on the definition of its outer geographic and political contours?

Europe now surely enters a new episode in the post-Communist transition politics of virtually all of the European states of the former Soviet Union, except Russia. They all now have, or are being drawn towards, a second attempt at true democratisation and withdrawal from Russia's sphere of political domination. Russia tried in the last few years to make re-consolidation of the CIS space its foreign policy priority. Its clumsy methods were a big failure, even to the point of being counterproductive. Political Russia is not normatively attractive to its neighbours, and will not become so again until it is seen to embrace true democracy. The EU did less than nothing to organise this as a conspiracy. Even today the EU's policies towards Ukraine and Georgia have traces of deference to Russia, at least on the part of some old member states. Will Ukraine's Orange Revolution actually succeed? This is not yet quite clear at the level of government policy, but it does seem that civil society has made the big break. If Ukraine succeeds, one can wonder

whether this might help lead Russian society and its political elite to conclude that the time has come for it too to resume the long march towards the modern world of advanced democracies.

For the EU body politik there is also some sorting out to do, as illustrated in a recent article in *Le Monde* by a French philosopher:⁶

Le traité constitutionnel...tourne le dos à une histoire qui ne fut, paraît-il, qu'une expérience douloureuse, et reste indéfiniment extensible, quant à sa géographie et ses compétences. Cette prolifération du flou est une manière d'être de l'Union européenne, à quoi la Convention...n'a pas voulu mettre fin...ce que permettrait un vote non.

The European Union has manifestly not made up its mind between two visions: the ideal of an entirely democratic Europe, with a continuing process of enlargement for the accession of all European democracies, including notably in due course Turkey and Ukraine if they meet the standards, versus the consolidation of a more politically compact Europe – a *Europe-puissance*, and one maybe with a closer cultural Christian identity too.

The four common spaces are indeed a manifestation of the "proliferation of the fuzzy". They represent the outermost extension of the EU's internal logic. The European Neighbourhood Policy, which Russia does not want to be covered by, is itself a weak and fuzzy derivative of the EU's enlargement process. This neighbourhood policy is embracing the same comprehensive agenda of the EU's internal policy competences and political values, but without the mega-incentive of accession. The four common spaces are now a weaker and fuzzier still derivative of the neighbourhood policy, giving only token attention to democracy and excluding explicit reference to EU norms as the reference for Russian-EU convergence. As a result the roadmaps do not really inform us about where the EU and Russia are heading.

Conclusions

An overall assessment might be as follows:

- The two sides were keen to have a positive outcome, in particular to stop the slide towards the increasing mutual irritation of the recent period. So there was a set of agreed papers that

⁶ Paul Thibaud, "Qui sont et où sont les bons européens?", *Le Monde*, 11 May 2005:

The constitutional treaty...turns its back on a history, which it seems, was just a painful experience, and remains indefinitely extensible for its geography and its competences. This proliferation of the fuzzy is a manner of being for the European Union, and something which the Constitution...did not want to end...and which authorizes a 'no' vote [in the forthcoming French referendum over ratification of the Constitution].

could be given a spin of strategic content. One can agree there could have been worse outcomes.

- It is manifestly not true, however, that the two parties reached agreement on the most difficult elements, and some press conference declarations (particularly those of the ephemeral EU presidency) are debased political discourse.
- President Putin seems to have acknowledged that the EU had succeeded in setting the terms of engagement, with the four-spaces negotiations effectively testing how far Russia could be brought into convergence with EU norms and values. But the answer to the ‘how far?’ question is an ambiguous ‘thus far, not far’.
- Yet the EU is itself ambiguous. It has worked out for itself a well-identified corpus of law, norms and values. But it does not have a well-defined model for exporting these beyond suggesting weak and fuzzy derivatives of the enlargement process, while it cannot afford to overextend the real enlargement process for vital, even existential reasons.
- These two ambiguities look as though they will continue to dominate the EU-Russia relationship for the foreseeable future. The four spaces are another exercise in a reasonably courteous management of ambiguity.

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