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**GOOD NEIGHBOURLY
RELATIONS AND EUROPEAN
NEIGHBOURHOOD POLICY
— WHAT IS THE
DIFFERENCE?**

The article compares the scope of two diplomatic terms, crucial for the contemporary practice of international cooperation. Drawing examples from historical and contemporary documents, the author shows the difference between the settled notion of good-neighbourly relations and the recently introduced one — the European Neighbourhood Policy. The ENP ab initio absorbs the old term, which characterises the symmetric relation of international agents in the framework of the Westphalian system and foregrounds the Euro-centred model of asymmetrical relations. It creates certain difficulties in the development of Russia-EU relations, especially, in terms of Russia's participation in the European Neighbourhood programmes.

Key words: European Union, Neighbourhood, European Neighbourhood, Eastern Partnership, Sovereignty, European values, Association.

The neighbourhood policy is a pillar of contemporary international relations. The UN Declaration on Principles of International Law adopted by the General Assembly on October 24, 1970 says that "the peoples of the United Nations are determined to ... live together in peace with one another as *good neighbours*". The "Co-operation among States" article of the Final Act of the Conference on Security and Cooperation in Europe (Helsinki, August 1, 1975) says that the states "will endeavour ... to promote ... friendly and *good-neighbourly* relations among themselves" (in both quotations italics mine). The first case concerns a principle of international law; the second is more related to real intergovernmental relations which are to be fostered.

The functioning of the EU is based on the UN principles. Therefore, the development of the European Neighbourhood Policy programme (ENP) [12] and, then, the Eastern Partnership project (EaP) [13] were consistent with contemporary international relations. You cannot choose your neighbours, but there is a need for developing good relations; therefore, in practice, the ENP involves the regions of the Russian Federation in cooperation.

Nevertheless, the term 'neighbourhood' is rarely used in EU documents. Even if the terms "good neighbours" or "neighbourhood" are mentioned, they are used in connection with other key words rather than independently. For instance, a strategic document [12] deals with the development of good-neighbourly relations. One can see that the initial notion of 'good-neighbourly relations' is subject to another word, which is defined through the need for their development. The "Eastern Partnership" report of the European Commission from December 3, 2008 [13] does not use the term 'good-neighbourly relations', though it is emphasised that the EaP is a constituent part of the ENP ("a specific Eastern dimension of the European Neighbourhood Policy"). Good-neighbourly relations are not mentioned in such important documents as the Declaration of the European Council (Brussels, March 19-20, 2009) [15] and the Joint Declaration of the Prague Eastern Partnership Summit from May 7, 2009 [16].

Rather than the inconsistency of terms, the issue apparently concerns more principal matters to be taken into account in the framework of Russian-European cooperation. Once the concepts 'good-neighbourhood' and 'European neighbourhood policy' are adequately interpreted and put in context, they will facilitate the understanding of the policy of both the EU and Russia. There is a need for further examination of these terms due to the fact that international reference books and dictionaries of diplomatic terms, for reasons unknown, do not give a strict definition of the notion of 'good-neighbourly relations', which has been used in international practice for a long time.

The USA: the good neighbour

The term 'good neighbour policy' was probably brought into circulation by the USA president Franklin Roosevelt [12]: on March 4, 1993, in his inaugural address, speaking about Latin America, Roosevelt asserted, "In the field of world policy I would dedicate this nation to the policy of the good neighbour". It was a voluntary change in the US policy, which was a significant step forward for that time. Before Roosevelt, the whole American continent had been considered not only as an area of the powerful neighbour's influence (it was evident even before the introduction of the Monroe Doctrine in 1823), but as the influence so intense that the USA acted in all countries of the Western hemisphere as the sole master (in compliance with the above-mentioned doctrine). "At home", the USA could punish other countries as misbehaving children and resort to military intervention to defend American interests. The

president of the USA in 1926-1928, Calvin Coolidge justified the legitimacy of military intervention aimed to defend American investment abroad. Roosevelt declared that was to be put an end to ("the definite policy of the United States from now on is one opposed to armed intervention"). The actual American policy gradually altered after this address: the USA renounced the right to intervention in Cuba (1934) and Panama (1936), relinquished financial control in Haiti, eased the pressure on other countries. One can say that Franklin Roosevelt, as early as the 1930s, began the transition to 'soft power'.

An important aspect of Roosevelt's initiative was that the 'good neighbour policy' increased the sovereignty of independent states on American and other continents. It was equally important that then, at least theoretically, the sovereignty of a state was no longer dependant on its geographical position. Before this, another geopolitical rule had been widely applied: the closer a smaller state is situated to a powerful neighbour, the less sovereignty it has. The limited sovereignty principle also applied to the countries neighbouring the USSR (the so-called Brezhnev doctrine). After the Roosevelt's initiative, the good neighbour policy started to extend to other regions of the world as a fundamental principle, which, in general, was a significant step forward in international relations. This was reflected in UN documents.

One can point out the following key features of good-neighbourly relations.

Good-neighbourly relations as a form (type) of relation between states existing in compliance with the main principles of international law are not, as a rule, institutionalised; there have not been any examples of either secretariats established to regulate such relations or of a presidency among 'good neighbours'. In this sense, good-neighbourly relations are a weak substance in terms of organisation, lacking a strict definition¹.

Secondly, today, good-neighbourly relations are a conventional form of cooperation rather than a geographical feature and should not be interpreted only in terms of geography. This notion has a broader meaning and is also applied in cases of geographically distant 'neighbour' states, which can be situated even on different continents or in different hemispheres. For instance, good neighbourly relations are mentioned in the Russia-Canada (June 19, 1992) and Russia-Columbia (April 8, 1994) Agreements. It is evident that the notion of 'good-neighbourly relations' belongs to a multidimensional space defined by geographical coordinates and principles, objectives and forms of international relations, etc. Sometimes 'good-neighbourly relations' and, more precisely, their development is listed among such European values as supremacy of law, observance of human rights and the rights of national minorities, etc. (see the introduction to the ENP strategy [12]).

Thirdly, the term 'good-neighbourly relations' is meant to be an indicator of strictly symmetrical relations that are based on the equality of rights, responsibilities and profits obtained through cooperation. Good-neighbourly relations are usually aimed at mutually beneficial cooperation of strictly equal subjects of international law. In the framework of good-neighbourly relations, the parties are equally agents and objects; the situation when one partner is a more active agent, while the other(s) act(s) as an object of its close attention or guidance, is not admissible. The words 'equality', 'non-intervention' and 'balance of interests' are synonyms of good-neighbourly relations, i.e. the leitmotif of peaceful international relations². The well-known agreements on partnership and cooperation are concluded on the basis of the good neighbourhood principle.

Fourthly, in the framework of good-neighbourly relations, none of the parties is entitled to offer financial support to the other one, except for the cases of technical or humanitarian assistance under corresponding conditions. Financial instruments are not developed to maintain good-neighbourly relations.

Fifthly, European experience, which includes successful integration, proves that for this part of the world, good-neighbourly relations are already a closed chapter of history. In the language of mathematics,

¹ Nevertheless, the nice word did not prevent (at least, before Obama's presidency) the USA from "twisting the arms" of "good-neighbours" behind the scene of international relations. Here is a tragicomic example: "Daß sich die konsequente Weiterverfolgung dieser Politik der guten *Nachbarschaft* ... auch in der Zukunft immer segensreicher für die beiden großen Völker auswirken wird, ist meine Überzeugung. Deutschland jedenfalls ist hierzu bereit und entschlossen" (I am convinced that the continuation of this *neighbourhood* policy will be increasingly beneficial for both great nations. Germany is, in any case, determined and ready for this.) It is an excerpt from Joachim Ribbentrop's letter to Josef Stalin from October 13, 1940 (source: *Die Beziehungen zwischen Deutschland und der Sowjetunion 1939-1941. Dokumente des Auswärtigen Amtes*. 171. H. Laupp'sche Buchhandlung, Tübingen, 1949).

² Though, in some cases, good-neighbourly cooperation is unofficially called 'a zero sum game', since the expenditure on cooperation should be compensated by profits. It is a frequent phenomenon in international relations, for instance, in the course of delimitating a common border, equal partners often exchange territories on equal terms.

good-neighbourly relations are a necessary, but not sufficient institute for solving present-day European problems, particularly, for further integration in Europe. For example, accession to the EU requires that the candidate settle all territorial issues with the EU member states. This postulate can bring one to the conclusion that integrating countries automatically establish good-neighbourly relations.

The word unpopular in united Europe

The EU strategy [1] mentions good-neighbourly relations only in the context of interaction between neighbouring countries, i.e. third countries, never concerning relations between the EU and its partners or EU member states. It is not a coincidence that EU international relations seem to be developed as those of a special European type rather than in the framework of good-neighbourly relations concept; they are aimed not only at maintaining good relations but also at europeanisation of neighbours.

The EU and, firstly, the European Community have emerged as a result of a special type of intergovernmental relations, which is based on voluntary renunciation of some part of sovereignty, the formation of new governmental institutions and, ultimately, receiving a nonzero sum or added value. By means of the ENP, the EU pursues receiving added value also through their relations with immediate neighbours: the main added value must be the strengthening of EU security, which includes, first of all, its military and energy aspects. It is assumed that new EU partners will also be ready for voluntary limitation of their state sovereignty.

Due to its internal structure, the EU did not become a traditional subject of international law; therefore, it conducts the ENP instead of a good neighbour policy, establishing, as mentioned above, special European, rather than good-neighbourly, relations. There is a document [13] saying that the Eastern Partnership will be based on six responsibilities that the project participants should accept and fulfil. They are: ensuring supremacy of law, high quality administration, human rights, rights and protection of national minorities, market economy principles and sustainable development (they are usually called basic European values). This is the basic difference of European neighbourhood from good-neighbourly relations: good-neighbourly relations do not require any preliminary conditions. By no means are the basic UN principles are rejected by the EU. There is usually a general reference mentioning that the EaP project or the ENP strategy is based on the standards of international law.

An important form of European neighbourhood policy is the association³ relations (political association and economic integration), in which the European Union plays a proactive civilising role [13]. It is not a coincidence that, in many EU documents, the EaP project is called ambitious. One could say that the EU is determined to play the unenviable role of the 21st century coloniser (some Russian researchers share this point of view: the EaP project is called a programme of "economic and infrastructural Anschluss in one publication [4], and "energy colonialism" in another [3]), but for one important circumstance.

The EU moral leadership (as well as the leadership in other spheres) in the modern world is so great that neighbouring countries voluntarily are queuing to surrender some part of their sovereignty and become members of this prestigious club. The states that, cannot accede to the EU today, hope against hope that they will get this opportunity in the long term. It especially concerns Ukraine, which insisted on the 'enhanced neighbourhood' variant. To give a complete picture, it is necessary to say that the moral leadership of the EU is also supported by special financial instruments, in particular, the ENPI (European Neighbourhood and Partnership Instrument).

Another fairly paradoxical circumstance of international importance is worth mentioning. It turned out to be that some countries of Eastern Europe (Belarus, Moldova, and Ukraine), as well as those of the Caucasus have significantly fallen behind, for instance, the countries of the Mediterranean or the countries of the Lomé convention. The mentioned states have been enjoying significant preferences in trade with the EU for a long time, while this is still not possible in the case of the CIS countries. The Union for the Mediterranean founded on July 7, 2008 became an important impetus for the EaP establishment. Against this background, the level

³ The famous expert in European integration, Michael Emerson, defines the association regime as follows: "a self-governing entity adopts some or even many of the policies and laws of an external power, usually its much bigger neighbour, but without becoming part of the political structure of the neighbour. This regime derives its legitimacy from being voluntarily sought or accepted" [1]. We cannot but mention that the publication [1] describes, among others, the model of European neighbourhood as a functional cobweb, which underlay the official project.

of cooperation in Eastern Europe seemed to be almost indecent. Moreover, the countries that are situated far from the EU enjoy a visa-free regime with the Union.

Prior to the EaP initiative, the geographical centre of Europe had been increasingly turning into 'backwoods' in terms of the cooperation with the EU. But even after the positive decision concerning the EaP at the Prague conference on May 7, 2009, this initiative considerably falls behind in the EU neighbourhood project developed in the Mediterranean. The headquarters and secretariat of the Union for the Mediterranean will be established in Barcelona, while a separate presidency, permanent headquarters or another form of multilateral bureaucracy are not created for the EaP. Basic contacts will be concentrated in Brussels.

The word popular in Russia

In the Russian Federation, documents concerning foreign policy as well as many other fields frequently use the good-neighbourly relations term; moreover, it often features in the most 'honourable places' – titles and preambles. In particular, the USSR-FRG treaty from October 9, 1990 is entitled "On Good Neighbourhood, Partnership and Cooperation" (Vertrag über gute Nachbarschaft, Partnerschaft und Zusammenarbeit). The notion of good neighbourhood is used not only in the context of states as subjects of international law, but also in the case when the actors are regional authorities, legal or individual bodies on cross-border territories [6; 7].

There are well-known examples of using the 'good neighbourhood' term in documents concerning cooperation in the military field. For instance, on August 26, 2005, the CIS Council of Heads of State adopted the "Concept of military Cooperation until 2010" which says that the military cooperation of the CIS states till 2010 shall be conducted according to the principles of peaceful and good neighbourly development of the CIS member states [10]. Russian good-neighbour policy can be a diplomatic 'heavyweight', and play a significant conceptual role. The comprehensive complex of international and legal bases of Russian-Chinese neighbourly relations is being formed in accordance to the good neighbourhood principles [5]. This particular but extremely important case of developing relations with a giant Eastern neighbour shows the complexity of the geopolitical position of the Eurasian Russian state. To promote good-neighbourly relations in the West, it would be reasonable to converge Russian and European lifestyles and aim at maximum Europeanisation, maybe even to associate with the EU; while in the East, it is important to stick to absolute sovereignty and good-neighbourly relations. To combine these contradicting concepts (which is more difficult than to allow driving both left and right wheel cars in Russia) would require two legislations – one for the western and another for the eastern dimensions of foreign policy. Since it seems to be impossible, Russia adheres to the good neighbourhood principle, due to the fact that it is more universal than the European neighbourhood.

The Foreign Policy Concept of the Russian Federation from July 12, 2008 [2] provides the good neighbourhood principle with a role that determines the essence and content of the document. It defines 8 objectives of foreign policy, and the "promotion of good neighbourly relations with bordering States" is ranked fourth among them. Relations with other states and intergovernmental unions, which include the EU, are developed in the framework of the "search for agreement and coinciding interests" (the next objective). It is obvious that good neighbourhood is not provided for in the EU-RF relations.

The concept repeatedly mentions good neighbourhood, also concerning the bordering non-CIS member states, the relations with which are especially complicated: Japan, Latvia, Lithuania, and Estonia⁴.

The absolute sovereignty, good-neighbourly relations and maintaining Russian influence in the immediate neighbourhood⁵ are the basics for the present-day Russian Federation, the country's highest priority. In our opinion, these aspects are also a reason for the growing geopolitical tension between the RF and the EU. The territory of the EaP states became the contact area of two disparate concepts: the tough market good neighbourhood relations on the part of Russia (an example from the above-mentioned Concept: "continue agreed efforts to create favourable conditions for effective establishment of the Union State by

⁴ This is fraught with misunderstanding, since, according to the above-mentioned objective of the Concept, all bordering states, including, of course, the CIS member states, should become 'good neighbours'. It results in the equal status of relations within and beyond the CIS, which creates difficulties in understanding the deep meaning of good neighbourhood. Moreover, there is also a conceptual inconsistency: the UN declaration mentions good neighbourhood among ten basic principles of international law, while the Russian Concept quotes it as one of eight objectives of the state foreign policy. This discrepancy, unfortunately, does not allow giving a consistent definition of good neighbourhood.

⁵ Good neighbourhood can be considered as a form of exerting influence or resisting the intention to exert influence.

gradually transforming relations between Russia and Belarus on the basis of market principles..."; see [9]) and the soft European neighbourhood with traces of 'financial care' from the EU side⁶. Due to the conflict of the concepts, the whole intermediate space between Russia and the EU started an intense activity: Belarus, led by Alexander Lukashenko, joined Ukraine and Moldova.

Today, it is out of the question to have Russia as an 'asymmetric' passive aid receiver (as it was in the course of the TACIS programme implementation in the 1990s). Russia has won back her power to accept only symmetry: the state can no longer act as a passive object, it must be an object-agent or just an agent. Thus, when the EU indirectly offered its help through the Neighbourhood and Partnership programme, the Russian side made a counter proposal of an equal financial contribution. Later, it turned out that Russian internal legislation does not provide for this form of cooperation (foreign control of Russian finances) and this became a serious obstacle for Russian participation in the programme.

The author assumes that if Russia, all of a sudden, acceded to the EU, it would not be able to receive money from its structural funds (such as the Cohesion fund), since it would threaten the sovereign dignity of Russia. It would be a remake of the situation around the Marshall aid, which Stalin rejected in the post-war period. The 'symbolic' absence of Russia at the first conference on the European Neighbourhood Policy in Brussels in September 2007, which gathered 16 of the 17 geographical EU neighbours, as well as at the launch of the Eastern Partnership project in Prague in May 2009 complies with the outlined strategic position; it does not matter whether this non-participation was voluntary or Russia was prudently and cautiously not invited, since it was obvious that it would reject as unacceptable both the humanitarian aid in the framework of the Eastern Partnership and the association agenda aimed at internally reforming the EU neighbours.

Where is the light at the end of the tunnel?

One can hardly count on rapid progress in the general European eastern neighbourhood policy, which should also include Russia. Both Russian and international experts almost unanimously predict difficulties in the negotiations on the conclusion of a new bilateral agreement on partnership and cooperation between Russia and the EU. This situation of systemic crisis encourages experts to offer ways out of it. German analysts (namely, the Bertelsmann Foundation) suggest looking for the ways of development in the eastern part of Europe in the intergovernmental cooperation of Germany, Poland, and Russia [14], i.e. they hardly rely on the supranational EU institutions⁷. At the same time, Michael Emerson, an expert of the Centre for European Policy Studies, suggests creating an equilateral EU-Russia-Ukraine triangle to solve at least one question – that of Russian energy supply to Europe [11]. Russian specialists [8] support the idea of a pragmatic 'major deal' between Russia and the EU, which would not only deal with contradictions in such fields as, for instance, values or the above mentioned geopolitical clinch on the EaP territory, but would also create a new, if rather fantastic, Russia-EU union, which would establish supranational institutions monitoring common energy issues.

It is obvious that, in the eastern dimension, the generation and development of ideas will require a period of larger and smaller 'brainstorms'. Four thematic platforms in the framework of the project and the EaP Civil Society Forum are partially meant for this purpose. It would be a 'multilateral mistake' if Russian specialists were banned from participating in these activities. At the same time, potential Russian participants should be well motivated for the common search for solutions.

Conclusion

Let us formulate again the practical difference between the classical notion of good neighbourhood and the European Neighbourhood Policy.

⁶ The EU financial support offered to the eastern partners (600 million Euros for the period till 2013) seems rather moderate. Though, by way of comparison, the USA allocated only 20 million dollars in 2002 in the framework of the Middle East Partnership Initiative; in 2003, the support amounted to 145 million dollars.

⁷ It seems that Russia and the EU have approached a certain limit of convergence, which cannot be crossed due to the incompatibility of international cooperation concepts. The sovereign symmetry, which allows, though, deals and bargaining – the concept Russia proceeds from – is incompatible with the invariability of the European Community acquis, which gives its partners only the opportunity to adjust to its rules. The most difficult fields for partnership are those of competing competences of the EU and EU member states (for instance, energy sector).

All countries of the world – subjects of international law acting on the basic UN *jus cogens* principles – are called for developing good-neighbourly relations. Russia and the EU also establish their relations according to these principles. The good neighbourhood principle is essential for Russia in terms of maintaining the state sovereignty and cooperation with partner states on the basis of common pragmatic interests. The EU member states, in principle, also adhere to this strategy.

At the same time, the European Union and, particularly, the European Community, being a new actor with a vaguely defined sovereignty, develop and promote their Eurocentric initiatives united under the titles of the European Neighbourhood Policy.

The Eastern Partnership project, aimed at six ex-USSR republics (Belarus, Ukraine, Moldova, Azerbaijan, Armenia, and Georgia), became a component of the ENP.

One can outline three major differences between the ENP and EaP and the standard good neighbourhood policy.

1. Alongside interests, the ENP and EaP take into account (and unilaterally implant) the European values (these are, usually, supremacy of law, high quality administration, human rights, rights and protection of national minorities, market economy, and sustainable development).

2. Alongside partnership and cooperation, typical of good-neighbourly relations, the EU offers a shift to concluding agreements on closer associate relations in the framework of the ENP. In previous decades, an association agreement meant a perspective of accession to the EU; nowadays, such scenario is not proposed.

3. There are certain financial instruments, in particular, those based on the EU budget, that are aimed at the implementation of the ENP.

Russian attitude towards the ENP is ambivalent. The Russian Federation did not participate in the inaugural conference, which formulated the basis of the ENP, in 2007. At the same time, the practical participation of different Russian agencies, institutions and non-governmental organisations in the EU cross-border cooperation programmes takes place now and will continue in the future.

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