



**UNIVERSITAS INDONESIA**

**KEBIJAKAN VLADIMIR PUTIN DALAM KERJASAMA  
INDUSTRI GAS RUSIA DENGAN UNI EROPA PADA TAHUN  
2000-2008**



**SKRIPSI**

**ENDANG SEPTRYANI SARI  
070512020Y**

**FAKULTAS ILMU PENGETAHUAN BUDAYA  
PROGRAM STUDI RUSIA  
DEPOK  
JANUARI, 2010**



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INDUSTRI GAS RUSIA DENGAN UNI EROPA PADA TAHUN  
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**Diajukan sebagai salah satu syarat untuk memperoleh gelar  
Sarjana Humaniora**

**ENDANG SEPTRYANI SARI  
070512020Y**

**FAKULTAS ILMU PENGETAHUAN BUDAYA  
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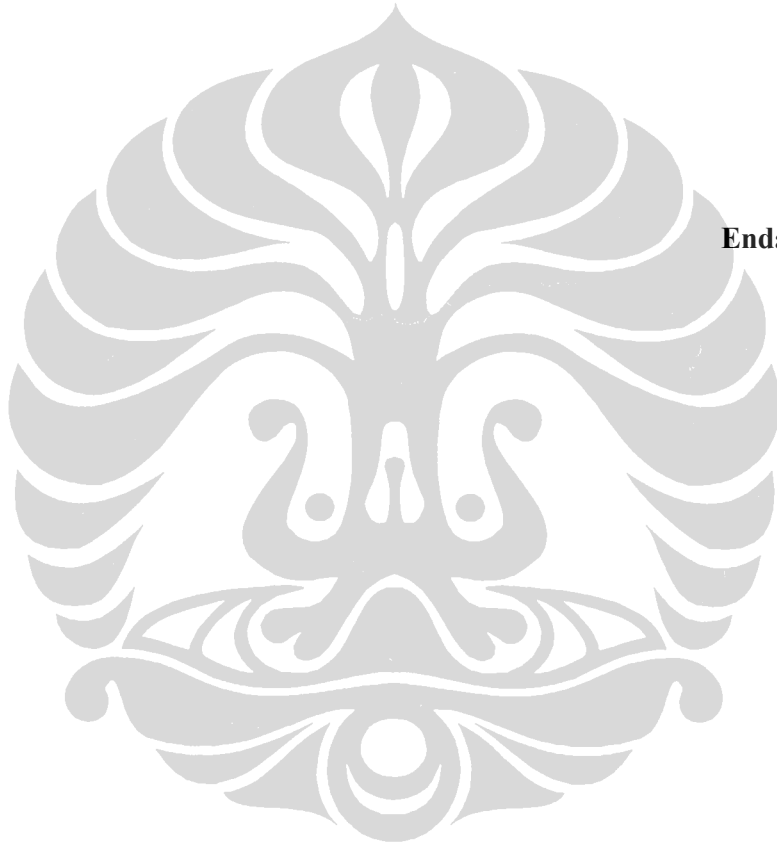
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Judul : Kebijakan Vladimir Putin dalam Kerjasama Industri Gas Rusia dengan Uni Eropa pada Tahun 2000-2008

**Telah berhasil dipertahankan di hadapan Dewan Penguji dan diterima sebagai bagian persyaratan yang diperlukan untuk memperoleh gelar Sarjana Humaniora pada Program Studi Rusia, Fakultas Ilmu Pengetahuan Budaya, Universitas Indonesia**

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## KATA PENGANTAR

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Depok, Januari 2010

Penulis

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(Endang Septryani Sari)

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## ABSTRAK

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Judul : Kebijakan Vladimir Putin dalam Kerjasama Industri Gas Rusia dengan Uni Eropa pada Tahun 2000-2008

Skripsi ini membahas tentang dominasi kebijakan Vladimir Putin dalam kerjasama Rusia dengan Uni Eropa di bidang industri gas pada masa pemerintahannya tahun 2000-2008. Kekayaan gas alam yang dimiliki Rusia menjadi kebutuhan Uni Eropa untuk menunjang seluruh infrastruktur pembangunan mereka. Sedangkan Rusia membutuhkan sasaran pasar yang bisa menjadi pemasukan utama keuangan negara. Diwadahi oleh *Partnership and Cooperation Agreement (PCA)* pada tahun 1997, Rusia dan UE bekerjasama mengembangkan kerjasama kaitannya dengan energi dalam *EU-Russia Energy Dialogue*. Putin menaruh Gazprom sebagai senjata monopoli Rusia, pada gilirannya kebijakan Putin merealisasikan berbagai kerjasama khususnya pada infrastruktur gas dengan UE sebagai antisipasi-antisipasi keamanan energi.

Kata kunci: Rusia, Uni Eropa, PCA, *Dialogue*, Kebijakan Putin, infrastruktur gas, keamanan energi, Gazprom.

## ABSTRACT

Name : Endang Septryani Sari  
Study Program : Russian Studies  
Title : Vladimir Putin's Policy on Russian Gas Industry Cooperation with European Union in 2000-2008

The focus of this study is Vladimir Putin's policy on Russian gas industry cooperation with European Union (EU) in 2000-2008. Russia has its richness of natural gas that European needs to support their infrastructure regards to their development. Russia needs market target that can be the source of their income. Bonded in the *Partnership and Cooperation Agreement (PCA)* on 1997, Russia and EU work together regards to the energy context on *EU-Russia Energy Dialogue*. Putin puts Gazprom as Russia's Monopoly weapon, and on his own term Putin's policy realizing cooperation with EU especially on gas infrastructure regards to gas supply as their anticipations of energy security.

Key words: Russia, European Union, PCA, Dialogue, Putin's policy, gas infrastructure, energy security, Gazprom.

# BAB I

## PENDAHULUAN

### 1.1. Latar Belakang

Rusia merupakan negara yang memiliki posisi tawar yang kuat di wilayah Eropa. Karena Rusia memiliki sumber daya alam energi yang besar. Industri gas menjadi ujung tombak pemasukan ekonomi Rusia sejak tahun 1980-an atau sejak masa Soviet akhir. Kontrak-kontrak ekspor-impor gas Soviet dengan negara-negara Eropa pada masa itu telah terjalin ketat. Seiring dengan pecahnya Uni Soviet, perkembangan industri gas Rusia yang didominasi oleh perusahaan swasta-pemerintah Gazprom\*, semakin dalam menancapkan bendera monopoli ekonomi global khususnya terhadap Uni Eropa (UE).

Pada masa pemerintahannya, Vladimir Putin menempatkan posisi monopoli Gazprom sebagai satu-satunya eksportir gas dari Rusia. Pada akhir tahun 2007 kapitalisasi pasar Gazprom mencapai lebih dari 230 miliar USD.<sup>1</sup>

Gambaran besar keadaan hubungan industri gas Rusia dengan negara-negara UE, dapat ditunjukkan dalam satu kata, interdependensi. Interdependensi dalam makna kata kerja politik adalah suatu keadaan "*I depend, You depend, We depend, They Rule*". Oleh sebab itu secara analisis, interpendensi juga berarti suatu keadaan di mana pelaku-pelaku atau kejadian-kejadian saling berpengaruh terhadap satu dan lainnya meski mereka berada di bagian yang berbeda-beda dalam suatu sistem.<sup>2</sup>

Keadaan interdependensi tersebut karena Rusia memiliki potensi gas yang besar dengan teknologi yang minim, sedangkan UE memiliki teknologi yang maju dengan potensi gas yang nihil. UE bergantung pada penyediaan gas dari Rusia, sedangkan Rusia mengakui bahwa UE merupakan pasar yang baik untuk penjualan gas mereka. Namun, untuk digarisbawahi situasi kebergantungan ini bagaimanapun tetap menempatkan Rusia dalam posisi monopoli keamanan

---

\*Penjelasan tentang Gazprom akan dibahas pada Bab 3 .

<sup>1</sup> Michael Stuemer. *Putin and The Rise of Russia*, (Great Britain: The Orion Publishing Group Ltd, 2008), hlm. 133.

<sup>2</sup> Joseph S. Nye, Jr. *Understanding International Conflict: an introduction to the Theory and History*, (New York: Harper Collins College Publishers, 1993), hlm. 161.

ekonomi. Hal ini karena sumber daya alam terbatas jangka panjang yang mereka miliki.

Tahun 2000 pada masa pemerintahan Putin, Rusia mulai membentuk suatu fondasi stabilitas dan kekuatan ekonomi di kancah internasional. Putin membuat kebijakan-kebijakan tertentu untuk mengantisipasi tingginya dinamika perkembangan industri gas dalam negeri. Kebijakan tersebut adalah nasionalisasi dan politik jalur pipa.

Nasionalisasi industri gas yang dilakukan Putin karena latar belakang privatisasi yang dilakukan Boris Yeltsin (1991-1999).

Privatisasi berarti melepaskan ketergantungan layanan publik dari monopoli pemerintah ke pihak swasta. Dengan demikian terjadi pengurangan peranan pemerintah dan peningkatan peran sektor swasta karena menurut pandangan ini pihak swasta lebih efisien.<sup>3</sup>

Berangkat dari definisi privatisasi atas, tentu keadaan tersebut tidak sesuai dengan konsep kebijakan Putin yang menginginkan segala sesuatunya bertumpu pada minat nasional Rusia. Gazprom sebagai suatu perusahaan raksasa yang memiliki kapasitas menguasai seluruh infrastruktur gas di Rusia dan sekitarnya, pada akhirnya menjadi objek nasionalisasi, bahkan sebagai alat penasionalisasi.\*

Pada keberlanjutan hubungan kerjasama industri gas Rusia dengan Uni Eropa, nasionalisasi gazprom menjadi suatu pemicu peraturan monopoli dalam transaksi ekspor-impor gas. Karena peraturan-peraturan yang ada dapat memberikan Gazprom suatu kemampuan untuk memegang kendali seluruh kegiatan industri gas di dalam negeri maupun Uni Eropa.

Hal yang menjadi fokus hubungan diantara keduanya adalah keamanan energi. Keamanan pada adanya persediaan gas, kondusifnya transmisi gas dan ketetapan yang harus dipatuhi bersama oleh Rusia dan Uni Eropa. Akan tetapi pada gilirannya, pasca konflik Ukraina membawa Putin pada keputusan membentuk politik jalur pipa.

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<sup>3</sup>Zeffry Alkatiri, *Transisi Demokrasi di Negara Federasi Rusia Analisis Perlindungan HAM 1991-2000* (Depok, 2007), hlm. 94).

\*Alat penasionalisasi di sini adalah Gazprom sebagai perangkat yang memastikan seluruh unsur yang berkaitan dengan industri gas baik itu berkaitan dengan kerjasama dalam negeri atau pun luar, menjadi aset negara dan pada akhirnya membawa keuntungan bagi negara.

Politik jalur pipa adalah manifestasi dari pelajaran yang diambil dari konflik Ukraina. Ukraina tidak menyanggupi pembayaran sebesar 230 USD per 1000 meter kubik dan sebelumnya pengambilan keputusan politik yang tidak sesuai dengan kepentingan Rusia. Hal ini membawa Putin pada pengertian masing-masing negara konsumen harus diperlakukan berbeda, sesuai dengan kemampuan, potensi, dan kesempatan pada negara tersebut yang bisa membawa hasil yang baik bagi Rusia. Pengaruhnya pada kerjasama Uni Eropa adalah realisasi kerjasama infrastruktur gas yang berkesinambungan demi kelangsungan keamanan energi.

Latar belakang ini tidak dapat dihindari sebagai salah satu faktor, bahwa tidak mungkin tidak Putin melakukan interaksi dengan Uni Eropa demi kemajuan masing-masing negara. Ditambah lagi dengan Putin pernah tinggal di Dresden, Jerman salah satu negara anggota Uni Eropa paling berpengaruh, selama 5 tahun (1985-1990).<sup>4</sup> Kenyataan ini menjadi faktor hubungan baik Putin dan petinggi-petinggi Uni Eropa. Hal ini tersirat jelas apabila kita melihat dari keadaan geopolitik, budaya atau ekonomi, secara tidak terhindar kerap berkaitan dengan UE.

Pada giliran keyakinan yang pasti adalah pengamanan sektor ekonomi merupakan suatu kepentingan atau minat yang sama-sama dimiliki Rusia dan UE. Kemudian, dua keadaan yang jelas dapat diyakini adalah Rusia memiliki Gazprom sebagai andalan ketahanan ekonomi bangsa, sedangkan UE merupakan persatuan negara-negara yang memiliki kapasitas sebagai negara yang memiliki pengaruh pada dinamika tatanan global. Interaksi mereka menjadi suatu fenomena yang tidak ada habisnya. Hal ini dilihat dari bagaimana kebijakan Putin menjadi fokus utama dan faktor keberlangsungan kerjasama perdagangan gas Rusia dengan UE.

## 1.2. Masalah

Bagaimanakah kebijakan Vladimir Putin dalam kerjasama industri gas antara Rusia dengan UE pada masa pemerintahannya tahun 2000-2008?

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<sup>4</sup>Lihat *Putin Does Not Feel Nostalgic about Living behind The Berlin Wall*  
[http://english.pravda.ru/russia/history/09-11-2009/110360-putin\\_berlin\\_wall-0](http://english.pravda.ru/russia/history/09-11-2009/110360-putin_berlin_wall-0) (diunduh tanggal 19 Desember 2009 09:30)

### 1.3. Tujuan Penulisan

Tujuan penulisan skripsi ini adalah menganalisis kebijakan Vladimir Putin dalam kerjasama industri gas Rusia dengan UE sehingga memberikan suatu pembuktian bahwa industri gas Rusia memiliki kapasitas monopoli distribusi dan pemasokan gas terhadap beberapa negara UE, pada masa pemerintahannya tahun 2000-2008.

### 1.4. Batasan Masalah

Batasan masalah dalam skripsi ini mengacu pada kebijakan Vladimir Putin dalam kerjasama perdagangan di bidang industri gas Rusia dengan UE pada tahun 2000-2008.

### 1.5. Metode Penelitian

Metode yang digunakan dalam skripsi ini adalah metode penelitian sejarah. Metode sejarah dilakukan dengan cara mengumpulkan data-data dan informasi dari berbagai sumber yang kemudian diintegrasikan melalui analisis.

Metode Sejarah adalah sebuah proses menguji dan menganalisa secara kritis rekaman dan peninggalan masa lampau manusia. Rekonstruksi yang imajinatif dari masa lampau manusia. Rekonstruksi yang diperoleh (melalui kritik sumber) dengan menempuh cara itu, disebut Historiografi.<sup>5</sup> Sedangkan menurut Gilbert J. Carraghan, Metode Sejarah adalah seperangkat aturan atau prinsip-prinsip yang sistematis untuk mengumpulkan sumber-sumber sejarah secara efektif, menilainya secara kritis dan mengujikan sintesis dari hasil-hasil yang dicapai dalam bentuk tulisan. Ia menyebutkan: “*A systematic body of principles and rules designed to*

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<sup>5</sup>Louis Gottschalk, *Mengerti Sejarah*, Terj. Nugroho Notosusanto, (Jakarta: UI press, 1985), hlm. 39.

*aid effectivity in gathering the source materials of history, appraising them critically and presenting a synthesis (generally in written) of the result achieved”<sup>6</sup>*

Jadi yang dimaksud dengan Metode Sejarah adalah seperangkat aturan atau prinsip-prinsip dasar sistematis yang digunakan dalam proses pengumpulan data atau sumber-sumber, mengerti dan menafsirkannya serta menyajikannya secara sistematis dalam bentuk sebuah cerita sejarah (historiografi).

Dalam penelitian sejarah terdapat empat tahap yaitu heuristik, kritik, interpretasi dan historiografi.<sup>7</sup> Pada tahap heuristik penulis mengumpulkan sumber-sumber yang belum diolah. Lalu pada tahap kritik penulis mengolah sumber-sumber yang sudah diperoleh untuk menguji apakah sumber-sumber tersebut relevan untuk menjawab permasalahan yang diajukan penulis. Pada tahap selanjutnya yaitu interpretasi penulis mulai menyimpulkan fakta-fakta sejarah yang diperoleh pada tahap sebelumnya untuk dilihat apakah ada keterkaitan antar fakta yang satu dengan yang lainnya. Tahap terakhir adalah historiografi, pada tahap ini penulis menyajikan fakta-fakta yang telah dikumpulkan dan diinterpretasikan menjadi suatu peristiwa sejarah yang sistematis dan dapat dipertanggungjawabkan kebenarannya.

## **1.6. Sumber Data**

Sumber yang didapatkan adalah sumber tertulis yang terdiri dari sumber primer dan sumber sekunder.

### **1.6.1. Sumber Primer**

- Teks *Partnership and Cooperation Agreement* 28 November 1997  
- Terlampir (Teks dalam bahasa Rusia tidak berhasil diakses)
- Delapan Laporan perkembangan *EU – Russia Energy dialogue* 2001-2007  
- Terlampir (Teks dalam bahasa Rusia tidak berhasil diakses)

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<sup>6</sup>Ibrahim Alfian, *Bunga Rampai Metode Penelitian Sejarah*, (Yogyakarta: IAIN Sunan Kalijaga 1983), hlm. 4.

<sup>7</sup>Hariyono, *Mempelajari Sejarah Secara Efektif*, Cet. I, (Jakarta: Pustaka Jaya, 1995), hlm. 109.

1. *Petersburg Dialogue Russian-German Civic forum* 9 April 2002
  2. *Russia-European Summit, Constantine Palace – Strelna* 3 Mei 2003
  3. Pertemuan dengan pimpinan Gazprom Alexei Miller 6 Agustus 2004
  4. Kutipan Pertemuan atas Liberalisasi Saham Gazprom dengan anggota tetap Dewan Keamanan 23 Desember 2005
  5. *Munich Conference* 10 Februari 2007
- Data ekspor-impor gas Rusia dan ke UE (beberapa tercantum pada Bab 3)
  - [www.gazprom.com](http://www.gazprom.com)

### 1.6.2 Sumber Sekunder

Sumber sekunder merupakan sumber buku teks, jurnal ilmiah, dan sumber-sumber lain yang diperoleh dari internet.

## 1.7. Landasan Teori

Untuk menganalisis permasalahan yang terdapat dalam skripsi ini diperlukan teori yang dapat menjelaskan keadaan kerjasama Rusia dan UE, melalui:

### 1.7.1. Perdagangan Internasional

Secara garis besar teori perdagangan internasional dilihat dari demonstrasi yang ada sekarang ini adalah suatu cara perluasan kesempatan kontrak yang tersedia untuk pelaku ekonomi swasta dan arena untuk mendapatkan hasil bersama. Hasil yang dapat dicapai dari pertukaran barang dan jasa yang berasal dari pihak-pihak dengan sponsor dan keahlian yang berbeda-beda. Melalui perdagangan ini dilakukan usaha untuk meraih hasil yang berbeda-beda pula baik dari keuntungan maupun kerugiannya.<sup>8</sup>

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<sup>8</sup> M.J Trebilock; Robert Howese. *The regulation of international trade*, ( Routledge, 1995&1999), [http://books.google.co.id/books?id=Ygu\\_MRuCS5AC&printsec=frontcover&dq=the+regulation+of+international+trade#v=onepage&q=&f=false](http://books.google.co.id/books?id=Ygu_MRuCS5AC&printsec=frontcover&dq=the+regulation+of+international+trade#v=onepage&q=&f=false)

### 1.7.2. Sistem Monopoli dan Oligopoli

Keadaan monopoli secara ekonomi dasar adalah keadaan di mana suatu perusahaan yang merupakan satu-satunya penyedia atas satu produk unik tanpa pengganti yang dekat/mirip.<sup>9</sup> Kaitan antar kebijakan perdagangan dan kekuatan monopoli bisa dipahami dengan meneliti suatu model di mana suatu negara mengimpor suatu barang dan produksi barang yang bersaing dengan impor di negara itu dikendalikan hanya oleh satu perusahaan.<sup>10</sup> Memasuki pasar monopoli akan dibatasi oleh biaya tinggi atau halangan lainnya, yaitu ekonomi, sosial, atau politik. Secara praktisnya, suatu pemerintahan dapat menciptakan situasi monopoli melalui industri yang ingin mereka kendalikan, contohnya seperti industri energi. Alasan lain untuk rintangan pihak lain masuk ke industri monopoli seringkali adalah karena satu pihak memiliki hak eksklusif terhadap sumber daya alam. Contohnya, Arab Saudi yang mengendalikan seluruh industri minyak. Selain hak eksklusif pada sumber daya alam, monopoli dapat terbentuk dari kepemilikan hak paten atau hak cipta.<sup>11</sup>

Dalam Oligopoli, hanya ada beberapa perusahaan yang menciptakan industri. Perusahaan-perusahaan ini menguasai harga dan seperti monopoli, oligopoli memiliki rintangan yang tinggi untuk dimasuki. Produk dari perusahaan oligopoli hampir sama dan oleh karena itu, saling bergantung sebagai hasil dari tekanan pasar.<sup>12</sup> Secara garis besarnya, Monopoli dan Oligopoli dilakukan oleh multilateral dan multikorporat yang menjadi penunjang hegemoni perekonomian internasional.<sup>13</sup>

<sup>9</sup> Robert Frank; Ben Bernanke. *Principles of Economics*. (USA: McGraw-Hill/Irwin, 2001), hlm. 222.

<sup>10</sup> Paul .R Krugman; Maurice Obstfeld. *Ekonomi Internasional: Teori dan Kebijakan*. Edisi kedua. Penerjemah Faisal H. Basri. (PT. Raja Grafindo Persada, 1994), hlm. 257.

<sup>11</sup> Lihat <http://www.investopedia.com/university/economics/economics6.asp> (diunduh tanggal 1 September 2009 11:00)

<sup>12</sup> *Ibid.*,

<sup>13</sup> Zeffry Alkatiri. *Transisi Demokrasi di Negara Federasi Rusia*. (FIB UI:Komunitas Bambu, 2007), hlm. 84.



### 1.7.3. Interdependensi

Konsep bermutu atau tidaknya suatu keadaan interdependensi dapat dilihat dari sumber interdependensi dan jenis interdependensi yang terkait. Dalam penulisan ini, sumber interdependensi yang terkait adalah sumber interdependensi ekonomi. Sedangkan, jenisnya adalah terkait dengan jenis interdependensi keuntungan dan interdependensi simetri.

- Sumber interdependensi ekonomi: Sumber ini dilihat dari apa-apa yang berkaitan dengan politik tradisional internasional dan memiliki tingkat yang lebih tinggi, yaitu, asal mula ekonomi tersebut. Interdependensi ekonomi melibatkan pilihan-pilihan kebijakan politik yang berkaitan dengan nilai dan biaya. Contohnya apabila suatu produk mahal di negara lain berpengaruh pada negara yang membutuhkan produk tersebut, sehingga negara penghasil produk bahan baku memberikan solusi pengurangan harga dan akhirnya segala sesuatu idealnya berkesinambungan. Lebih dari itu, keputusan pada aspek sosial sama juga seperti pada aspek fisik, berpengaruh pada interdependensi jangka panjang. Hal ini perlu, untuk pertimbangan melakukan pilihan-pilihan jangka pendek.
- Interdependensi Keuntungan: Keuntungan pada keadaan interdependensi dapat menghasilkan keadaan *zero sum* atau *non zero sum*. Pada keadaan *zero sum*, hasilnya adalah kamu kehilangan, saya mendapatkan atau sebaliknya. Dalam *sum* yang positif dua-duanya mendapatkan, *sum* negatif dua-duanya kehilangan. Untuk beberapa ekonomis liberal, interdependensi adalah suatu keadaan untuk mendapatkan tujuan. Selanjutnya, pada masa kini *zero sum* dan *non zero sum* adalah keadaan yang terjadi pada ketergantungan mutual pada masa kini.

- Interdependensi Simetri: Keadaan simetri mengacu pada situasi dependensi yang relatif seimbang melawan dependensi yang tidak seimbang. Pihak yang menjadi kurang berdependensi bisa jadi karena sumber kekuasaannya. Jika dua pihak berinterdependensi, tetapi satu di antara agak kurang kekuasaannya ia tetap berkompeten asal masih ada suatu nilai interdependensi bagaimanapun kurangnya. Sedangkan interdependensi asimetri adalah keadaan di mana dua pihak memiliki kualitas kekuasaan yang sama. Akan tetapi keadaan tersebut cenderung sesuatu yang secara ideal diharapkan dunia politik namun masih jarang.

### 1.8. Tinjauan Pustaka

Penulisan ini adalah penulisan sejarah yang mengumpulkan fakta-fakta dari riwayat informasi suatu sasaran pembahasan. Untuk menyusun fakta-fakta dengan baik, penulis perlu mendapatkan keseluruhan sudut pandang yang objektif. Sudut pandang akan situasi yang dengan baik mewakili sasaran pembahasan. Oleh karena itu penulis melakukan tinjauan pada buku-buku dan dokumen berikut yang menurut penulis telah membantu mencapai objektifitas sudut pandang masalah dengan hasil akhirnya nanti adalah analisis yang signifikan dengan fakta situasi.

#### 1.8.1. Johnson, Debra; Robinson, Paul. (Ed.) *Perspectives on EU-Russia Relations*. New York: Routledge, 2005.

Buku ini membantu penulis untuk memahami garis besar keadaan hubungan Rusia dan Uni Eropa. Dalam buku ini dipaparkan berbagai perspektif hubungan Rusia dan Uni Eropa oleh penulis-penulis yang merupakan peneliti, dosen, dan ekonomis dari berbagai institut dan universitas ternama. Pemaparan tersebut mulai dari aspek rekanan kerjasama, keamanan, keadaan Rusia barat utara, kasus Chechnya, hubungan ekonomi perdagangan, investasi, energi, dan program bantuan teknis.

Pada Bab 8 di buku ini dijelaskan tentang kebijakan ekonomi domestik Rusia dan perkembangan hubungan ekonomi dan perdagangan dengan Uni Eropa. Penjelasan mulai dari latar belakang masalah ekonomi Rusia sampai tahun 1998 sampai perkembangannya, serta kebijakan ekonomi di bawah pemerintahan Vladimir Putin. Selanjutnya, yang krusial bagi penulis adalah pada Bab 10 tentang jaringan energi Rusia dan Uni Eropa, peneliti Debra Johnson memaparkan persaingan paradigma kebijakan energi. Intinya, buku ini membantu penulis mencari celah pembahasan yang bisa diangkat berangkat dari hubungan Rusia dan Uni Eropa, dengan sebelumnya memahami keadaan dulu dan terbaru hubungan tersebut.

**1.8.2. Stuermer, Michael. *Putin and The Rise of Russia*. Great Britain: The Orion Publishing Group Ltd, 2008.**

Buku ini membantu penulis memahami bagaimana dinamika kehidupan Rusia di bawah Pemerintahan Vladimir Putin. Michael Stuermer memaparkan bagaimana pandangan-pandangan Putin teraplikasikan pada aspek-aspek sosbudhankam Rusia, yang selanjutnya mengejawantahkan keadaan Rusia pada saat kepemimpinannya dan patokan bagaimana keadaan Rusia di masa mendatang.

Dalam buku ini dijelaskan bagaimana sebenarnya Rusia menginginkan dunia untuk mempertimbangkan mereka sebagai suatu negara yang harus dihargai. Masing-masing bab dalam buku ini menggambarkan bagaimana posisi putin hubungannya dengan kejadian-kejadian, program-program rahasia, orang-orang kepercayaan, krisis, militer, kelompok indigenous etnis, Gazprom, kekuasaan, kegiatan bisnis, dan politik luar negeri.

Pada Bab 8, pembahasan tentang posisi Gazprom sebagai senjata pamungkas Rusia, memudahkan penulis untuk memahami keadaan hubungan transaksi industri gas Rusia dengan Uni Eropa dengan gaya bahasa yang jelas dan mudah dipahami.

**1.8.3. Service, Robert. *A History Of Modern Russia from Nicholas II to Putin*. Penguin Group: 1997, 2003.**

Buku ini membantu penulis untuk menelaah kembali sejarah bangsa Rusia dari masa ke masa. Spesifikasi penceritaan rangkaian peristiwa sejarah Rusia dalam buku ini, sangat menarik dipaparkan Robert Service. Dengan bahasa yang lugas dan cermat, perkembangan bangsa Rusia melalui peristiwa-peristiwa sejarah yang digambarkan sangat kentara signifikansinya.

Dalam buku ini penceritaan sejarah dimulai dari kejatuhan zaman dinasti Romanov pada tahun 1914-1917. Lalu, berlanjut kepada rangkaian konflik dan krisis yang dialami Rusia pada masa masing-masing. Penceritaan dari peristiwa Revolusi Oktober, Perang Sipil, Leninisme. Pada bagian kedua sejarah situasi-situasi sosial pun dijabarkan, seperti pengeliminasian yang dilakukan Stalin terhadap identitas budaya, agama dan bangsa untuk program *New Economic Policy* (NEP). Kemudian perkembangannya pada terror-terror yang terjadi, lalu sampai pada penceritaan Perang Dunia II pada tahun 1939-1945. Pada bagian 3 dan 4 buku ini, merangkaikan bagaimana keadaan Rusia dari keadaan destalinisasi sampai Perestroika dan akhirnya keterbukaan pasar bebas.

Buku ini memudahkan penulis untuk memahami bagaimana jati diri dan karakter rusia dilihat dari perkembangan sejarahnya, berpengaruh kepada sikap mereka dalam hubungan internasional dengan negara lain.

#### **1.8.4. Lucas, Edward. *The New Cold War Putin's Russia and the Threat to the West*. Palgrave Macmillan, 2008.**

Buku ini membantu penulis memahami penjelasan dengan detail yang laintentang Rusia di bawah kepemimpinan Putin. Buku ini memaparkan bagaimana pemerintahan Putin telah membuka suatu era baru bagi Rusia. Era di mana demokrasi dan multipartai menjadi bagian baru dari Rusia. Kremlin secara terbuka membawa konfrontasi agresif terhadap dunia barat. Perang Dingin Baru merupakan istilah yang disebut oleh para ahli sekarang tentang bagaimana membantu Rusia pada posisi berkuasa.

Selain buku ini menjelaskan bagaimana HAM di Rusia bertubulansi, hubungan Rusia dengan negara tetangga buku ini juga menjelaskan bagaimana keadaan bisnis ekonomi mereka, dilihat dari pasar global energi dan investasi. Tentunya, pada pemaparan tentang pasar energi, membantu penulis untuk

mengkaitkan pengaruh Putin dan pergerakan industri energi Rusia, khususnya industri gas.

Pada Bab 1-3, buku ini menggambarkan bagaimana Putin dengan kebijakan-kebijakannya meraih posisi puncak serta pembawaan diri Putin atas nama Rusia yang menunjukkan sikap tanpa kompromi dengan dunia barat. Pada Bab 4-6, buku ini memaparkan bagaimana Rusia menciptakan diri sendiri sebagai area arogansi terhadap kontrol barat, juga bagaimana Eropa Timur ada di barisan depan tempat yang mendapat pengaruh langsung Perang Dingin Baru Rusia.

Menarik bagi penulis untuk membantu observasi bacaan, pada Bab 7 dijelaskan dengan seksama tentang Politik Jalur Pipa Rusia. Hal ini membantu penulis untuk memahami lebih lanjut dimensi-dimensi mendalam tentang keadaan industri gas di Rusia hubungannya dengan negara lain, khususnya Uni Eropa.

#### **1.8.5. Lyne, Roderic; dkk. *Engaging With Russia The Next Phase – A Report to The Trilateral Commission. The Trilateral Commission, 2006.***

Dalam buku ini khususnya pada Bab 6 *Russia and Europe: Old Neighbors and New*, penjelasan yang ada membantu penulis melihat keadaan hubungan Rusia dan UE. Pemaparan tentang faktor kebesaran Rusia. Kontradiksi-kontradiksi dalam diri Rusia menjadi sudut pandang pengertian dari sikap-sikap Rusia dalam dunia global. Politik, Militer dan Keamanan, Ekonomi dan Energi adalah faktor-faktor utama adanya usaha kerjasama antara Rusia dan UE.

Penjelasan tentang institusi kerjasama resmi antara Rusia dan UE; *Partnership and Cooperation Agreement (PCA)* pula dibahas di sini dengan seksama. Selanjutnya, pemaparan tentang Rusia dan NATO, Rusia dan OSCE dan bagaimana prospek kedepan hubungan mereka dengan keadaan interdependensi yang ada.

#### **2.6. Sentralisme Demokrasi Vladimir Putin dalam Mengatasi Krisis Ekonomi di Federasi Rusia karya Monica Dian Adelina (Program Studi Rusia Angkatan 2004)**

Skripsi ini mengkaji tentang kebijakan Vladimir Putin mengatasi krisis ekonomi di Rusia. Pembahasan mengacu pada bagaimana kebijakan-kebijakan

yang dibuat Vladimir Putin kaitannya dengan menangani krisis tersebut. Bantuan skripsi karya Monica Dian Adelina dengan penulisan skripsi ini adalah menambah wawasan dinamika kebijakan Putin (khususnya pada referensi sumber data), karena penulis dapat memahami kecenderungan situasi hubungan bilateral dengan melihat kebijakan ekonomi dalam negeri yang di bahas dalam karya tersebut.

Tinjauan penulis tidak hanya sampai di sini, masih banyak sumber-sumber tertulis lainnya yang memiliki kualifikasi untuk mendukung penulisan ini. Namun, buku-buku dan dokumen yang disebutkan di atas adalah sumber-sumber yang menginspirasi penulis untuk pengembangan penulisan dengan wawasan yang lebih baik dan sesuai.

### **1.9. Susunan Penulisan**

Bab 1 Bab Pendahuluan. Bab ini berisikan latar belakang, tinjauan pustaka, masalah, tujuan penulisan, batasan masalah, metode penelitian, sumber data, landasan teori dan susunan penulisan.

Bab 2 Tinjauan Pustaka. Bab ini berisikan resensi buku – buku atau sumber pustaka lainnya yang membantu penulis mencapai suatu fondasi wawasan terhadap tema keseluruhan penulisan skripsi ini.

Bab 3 Sejarah Umum Hubungan Kerjasama Rusia dengan UE. Bab ini memaparkan sejarah awal terbentuknya UE dan Rusia masing – masing pada saat akhirnya membentuk suatu konsep kerjasama diantara keduanya. *Partnership and Cooperation Agreement* dijabarkan dalam bab ini, beserta penjelasan kerjasama di beberapa bidang.

Bab 4 Kebijakan Vladimir Putin Pada Kerjasama Industri gas Rusia dengan UE pada tahun 2000-2008. Bab ini merupakan bab inti yang di dalamnya terdapat pemaparan tentang sejarah industri gas rusia, sejarah Gazprom, dan riwayat kerjasama industri gas antara Rusia dengan UE dalam dominasi kebijakan Putin.

Bab 5 Kesimpulan.

## BAB 2

### SEJARAH UMUM HUBUNGAN KERJASAMA RUSIA DAN UNI EROPA

Rusia sebagai negara terbesar di dunia berdampingan secara geografis dengan Uni Eropa (UE) yang memiliki kapasitas untuk mempengaruhi perubahan dinamika tatanan dunia pada era globalisasi ini. Kenyataan tersebut menjadi suatu pertimbangan besar bagaimana kedua belah pihak tidak dapat menghindari adanya kerjasama baik secara intens maupun tidak atau jangka pendek maupun jangka panjang. Dinamika hubungan kerjasama mereka mencakup pada bidang politik, ekonomi, militer dan keamanan, serta sosial.

Sebelum itu akan dilihat terlebih dahulu sejarah permulaan bagaimana posisi Rusia dan UE masing-masing saat korelasi di antara keduanya perlahan-lahan terjalin.

#### **2.1. Perjanjian Maastricht (*Maastricht Treaty*) bagi Uni Eropa dan Rusia baru bagi Uni Soviet**

Perjanjian Maastricht adalah awal mula terbentuknya UE. Integrasi negara-negara Eropa ini adalah suatu manifestasi proses untuk mencapai kemudahan dalam berbagai akses dan aspek. Perjanjian ini ditandatangani di Maastricht, Belanda pada tanggal 7 Februari 1991 dan mulai direalisasikan pada tahun 1993.<sup>1</sup> Perjanjian ini terjadi tentu karena integrasi yang ada adalah berdasarkan riwayat sejarah, budaya dan geografis yang kurang lebih merupakan satu rangkaian yang saling berhubungan.

UE memiliki 3 pilar konstitusi yang masing-masing mewakili tugas pada bidang-bidang tertentu, yaitu:

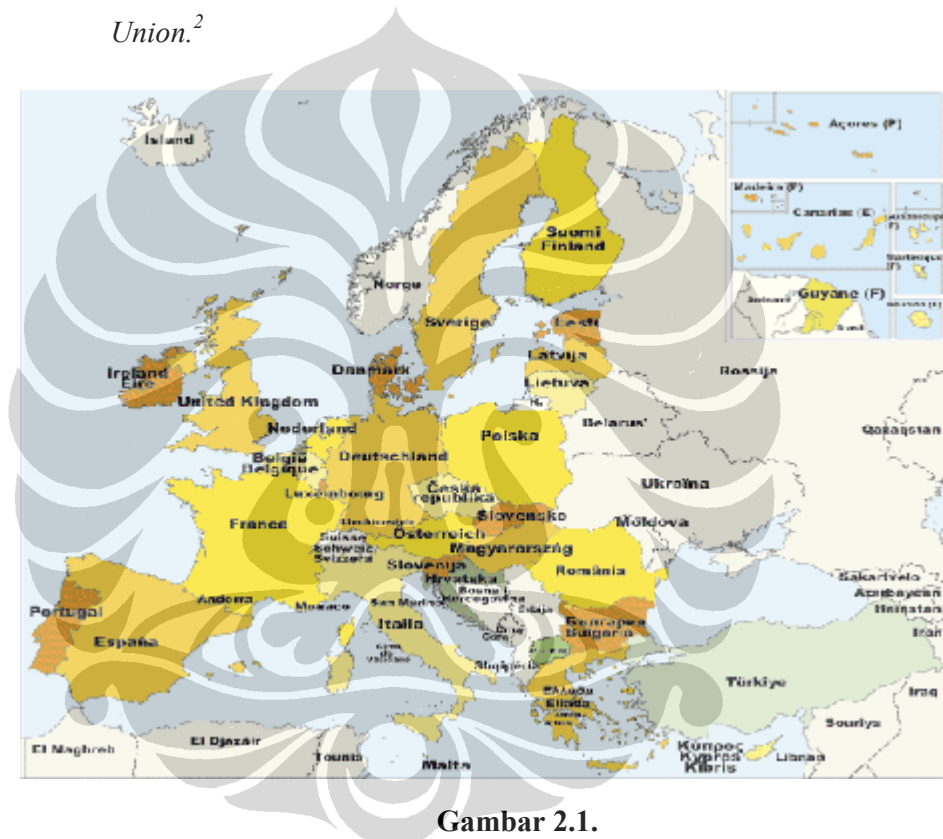
1. *European Communities (EC)*, pilar pertama ini untuk pembuatan kebijakan-kebijakan umum termasuk di dalamnya institusi *European*

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<sup>1</sup> Lihat *Treaty of Maastricht on European Union*  
[http://europa.eu/legislation\\_summaries/economic\\_and\\_monetary\\_affairs/institutional\\_and\\_economic\\_framework/treaties\\_maastricht\\_en.htm](http://europa.eu/legislation_summaries/economic_and_monetary_affairs/institutional_and_economic_framework/treaties_maastricht_en.htm) (diunduh pada tanggal 1 Oktober 2009 19:00)

*Commision, European Parliament, dan The Council of The European Union.*

2. *Common Foreign and Security Policy (CFSP)*, pilar kedua ini pengambilan keputusan akan suatu diambil oleh *The Council of The European Union*.
3. *Police and Judicial Cooperation in Criminal Matters (JHA)*, keputusan yang ada berurusan sekali lagi dengan *The Council of The European Union*.<sup>2</sup>



**Gambar 2.1.**

Peta Uni Eropa

Sumber: website Europa

<sup>2</sup>Lihat *Pillars of The EU* [http://europa.eu/abc/eurojargon/index\\_en.htm](http://europa.eu/abc/eurojargon/index_en.htm) (diunduh pada tanggal 3 Oktober 2009 11:30)

<sup>3</sup>Lihat [http://europa.eu/abc/maps/index\\_en.htm](http://europa.eu/abc/maps/index_en.htm) (diunduh pada tanggal 3 Oktober 2009 12:20)

Keterangan: warna oranye --- Negara-negara anggota Uni Eropa

warna abu-abu --- Negara=negara kandidat Uni Eropa (Yugoslavia, Hrvatska, Turki)



Negara anggota UE pun pada mulanya dimulai oleh 6 negara, namun sampai periode 1 Januari 2007 anggota UE pun bertambah. Berikut daftar anggota negara UE dengan tanggal resmi masuk UE:

- 1950 Belgia, Perancis, Jerman, Italia, Luksemburg, Netherlands.
- 1973 Denmark, Irlandia, United Kingdom.
- 1981 Yunani.
- 1986 Portugal, Spanyol.
- 1995 Austria, Finlandia, Swedia.
- 2004 Cyprus, Republik Ceko, Slowakia, Estonia, Hungaria, Latvia, Lithuania, Malta, Polandia, Slovakia and Slovenia.
- 2007 Bulgaria and Romania.<sup>4</sup>

Keadaan geografis UE mengharuskan adanya suatu kebijakan luar negeri yang secara konkrit mawadahi seluruh kebutuhan UE. Kebijakan luar negeri UE (*European Neighbourhood Policy* (ENP) ) dikembangkan dalam konteks UE dalam perluasan negara anggota tahun 2004, dengan tujuan menghindari garis pembagian baru antara perluasan tersebut dengan negara-negara tetangga dan memperkuat stabilitas keamanan dan keadaan yang baik untuk semua pihak. Hal ini dirancang untuk membangun nilai yang dimiliki bersama: demokrasi, HAM, aturan hukum, pemerintahan yang baik, ekonomi pasar, dan perkembangan yang bertahan serta berkelanjutan.

Tingkat ambisi suatu hubungan luar negeri akan berkorelasi dengan luasnya konteks nilai yang dibagi bersama. Kunci dari ENP adalah persetujuan antara UE dan masing-masing negara rekanan. Hal ini merancang bentuk-bentuk prioritas politik dan ekonomi dalam jangka pendek atau menengah.<sup>5</sup>

Ketika UE berusaha menyatukan upaya-upaya menguatkan sistem pada berbagai aspek dalam integrasi mereka, Rusia pada saat itu mengalami Rusia Baru, menanggalkan Uni Soviet sebagai sejarah. Menjelang pertengahan tahun 1980an Uni Soviet mengalami krisis ekonomi dan politik. Kemerosotan ekonomi

<sup>4</sup>Lihat *Enlargement* [http://europa.eu/abc/eurojargon/index\\_en.htm#enlarg](http://europa.eu/abc/eurojargon/index_en.htm#enlarg) (diunduh pada tanggal 3 Oktober 2009 12:01)

<sup>5</sup>Lihat *Neighbourhood Policy* [http://europa.eu/abc/maps/index\\_en.htm](http://europa.eu/abc/maps/index_en.htm) (diunduh pada tanggal 3 Oktober 2009 13:00)

akibat korupsi dan bobroknya birokrasi serta budaya politik yang makin monolitik semakin memperkuat apatisme masyarakat.<sup>6</sup> Namun, dalam prosesnya dinamika dalam badan pemerintahan Uni Soviet pada saat itu sebelumnya sangat berliku dan penuh pertimbangan kaitannya dengan bagaimana mengatasi krisis ekonomi tersebut. Yuri Andropov\* adalah seorang yang bertanggung jawab dalam pemerintahan saat itu, ia adalah orang yang di pilih Politburo\* sebagai Sekretaris Jenderal pada tanggal 12 November 1982. Ia yakin bahwa perubahan dalam kebijakan adalah sesuatu yang vital.<sup>7</sup> Ia pada awalnya tidak memberikan izin pada Mikhail Gorbachev untuk meregenerasi sistem ekonomi, yang pada saat itu merupakan generasi muda dari partai. Hal ini dikarenakan Andropov memang menginginkan perubahan pada sistem ekonomi tapi tidak menginginkan ada resiko sama sekali.<sup>8</sup>

Pada gilirannya, setelah Andropov meninggal pada tanggal 9 Februari 1984, kesempatan seakan terbuka untuk pemikiran Gorbachev yang reformis, namun terhalang oleh Chernenko. Chernenko dipilih untuk mengisi posisi Sekretaris Jendral. Akan tetapi, Chernenko tidaklah memiliki kemampuan yang cemerlang untuk setidaknya mempertahankan apa yang sudah Andropov bangun apalagi memajukan, ditambah lagi dengan penyakit pada paru-paru yang melemahkan fisiknya. Karena situasi tersebut Gorbachev memimpin Politburo selama Chernenko dengan keterbatasannya tidak mampu menguasai pemerintahan. Banyaknya saingan Gorbachev yang tidak menyenangi pemikiran-pemikiran perubahannya, tidak membuat ia mundur. Pada pidatonya di bulan Desember 1984, ia mulai menyuarakan istilah-istilah radikal seperti; *glasnost* dan demokratisasi, yang akan menjadi cikal bakal perubahan besar di Rusia. Setelah Chernenko meninggal pada tanggal 10 Maret 1985, proses menuju pemilihan Gorbachev sebagai pemimpin baru mereka tidak terelakan pada 11 maret 1985.<sup>9</sup>

<sup>6</sup> Ahmad Fahrurodji. *Rusia Baru Menuju Demokrasi: Pengantar Sejarah dan Latar Belakang Budayanya*. Edisi 1. ( Jakarta:Yayasan Obor Indonesia, 2005), hlm. 172.

\*Politburo adalah partai yang berada di badan pemerintahan Uni Soviet yang menangani keputusan-keputusan politik, ekonomi, perang dan hubungan internasional. (Robert Service. *A History of Modern Russia from Nicholas II to Putin*. Penguin Group: 1997, 2003, hlm. 111).

<sup>7</sup>Robert Service. *A History of Modern Russia from Nicholas II to Putin*. Penguin Group: 1997, 2003. hlm. 428.

<sup>8</sup>*Ibid*, hlm. 431.

<sup>9</sup> *Ibid*, Lihat hlm. 433-435.

Pada awal kepemimpinan Gorbachev, ia menyadari perkiraan kebijakan ekonominya tidaklah memiliki solusi.<sup>10</sup> Berangkat dari hal tersebut, Gorbachev sering mengadakan debat-debat publik yang berujung pada istilah yang ia cetuskan, *Glasnost*, *Perestroika*, *Demokrasi*. Hal ini murni untuk memperbaiki sistem dari pengaruh krisis ekonomi yang dialami Uni Soviet. Proses perubahan ini berlangsung tahun 1986 dan selanjutnya.

*Perestroika* berasal dari kata *Stroit'*, yang berarti membangun. Sedangkan *-pere* yang berarti 'kembali. Makna dalam konteks perubahan ini adalah 'restrukturisasi'.<sup>11</sup> Maksud Gorbachev adalah untuk membangun kembali sistem-sistem kebijakan yang sudah memiliki fungsi yang tidak efektif.

*Glasnost* berasal dari kata *Golos*, yang berarti suara. Makna dalam konteks perubahan ini adalah 'keterbukaan'. Maksud Gorbachev adalah bukan kebebasan informasi<sup>12</sup>, akan tetapi agar terakomodasinya suara publik untuk berpartisipasi dalam proses kehidupan politik dan sosial<sup>13</sup>, yang sebelumnya tidak tercipta. Konsep pendukung lain program ini adalah *Demokratiya*, Demokrasi yang merupakan fondasi perubahan keterbukaan.

Ia yakin bahwa jika Uni Soviet masih menginginkan kekuatan militer dan industri yang besar, maka metode perencanaan dan manajemen yang terlalu disentralisasikan harus diabaikan.<sup>14</sup>

Pada akhirnya, program Gorbachev ini malah memperkuat separatisme negara-negara bagian. Tanggal 8 Desember 1991 Uni Soviet resmi dibubarkan disusul dengan pengunduran diri Mikhail Gorbachev sebagai presiden Uni Soviet pada tanggal 24 Desember 1991.<sup>15</sup> Uni Soviet pun terhapus dan hanya tinggal sejarah. Seiring dengan berusaha dikuatkannya sistem di UE, Rusia mengalami adaptasi keterbukaan ekonomi yang terus-menerus berusaha untuk tetap berada dalam jalur yang stabil, meski kejutan budaya baru ini pada gilirannya membuat dinamika aspek-aspek penting Rusia naik turun.

<sup>10</sup>*Ibid*, hlm. 448.

<sup>11</sup>Ahmad Fahrurodji, *Op. Cit.*, hlm. 173.

<sup>12</sup>*Ibid*, hlm 448.

<sup>13</sup>*Ibid*, hlm. 182.

<sup>14</sup>Robert Service, *Op. Cit.*, hlm. 452.

<sup>15</sup>Ahmad Fahrurodji, *Op. Cit.*, hlm. 186.

Sebagai negara yang baru menyesuaikan diri setelah membuka isolasi, Rusia belajar bekerjasama dengan negara-negara tetangga dengan serius untuk kebaikan diri mereka sendiri. Keharusan untuk tetap menjadi Rusia yang kuat tetapi dipegang walaupun bantuan dari negara lain tidak bisa diabaikan, untuk kesinambungan perkembangan negara mereka. Kebijakan luar negeri pada masa ini adalah di bawah kepemimpinan Presiden Federasi Rusia pertama, Boris Yeltsin. Kebijakan luar negeri yang dibentuknya adalah suatu kebijakan yang ingin lebih nasionalistis akan tetap memiliki kontradiksi di dalamnya, yaitu dengan menciptakan beberapa referensi aturan perdamaian dengan orientasi kebijakan Barat.<sup>16</sup> Yeltsin adalah seorang penentu keputusan yang tegas, ia menginginkan reformasi dalam ekonomi.

Pada tanggal 2 Januari 1992 ia mengizinkan Perdana Menteri Yegor Gaidar untuk memperkenalkan kebijakan harga-harga barang (produk barat) pasar bebas di seluruh toko di Federasi Rusia. Gaidar mengindikasikan liberalisasi harga ini untuk menyeimbangkan bujet dan menghilangkan subsidi pusat dan privatisasi.<sup>17</sup> Dalam bidang ekonomi pula, Yeltsin memroses CIS<sup>18</sup> dalam persamaan pasar begitu juga sistem keamanan dan jaminan HAM. Selain itu, pendekatan politik dan keamanan luar negeri dalam kebijakannya termanifestasi dari dukungannya terhadap *Partnership for Peace* yang merupakan program dari *North Atlantic Treaty Organization* (NATO) meski mengoposisi juga peluasan wilayah NATO di Eropa tengah. Dalam kebijakan luar negeri ini juga, Rusia bekerjasama dalam G7 (negara-negara berkekuatan ekonomi), *The Organization for Security and Cooperation in Europe* (OSCE), PBB, dan NATO. Meski kerjasama dengan negara luar terjalin, tetap digarisbawahi oleh Yeltsin, kebijakan luar negeri untuk

<sup>16</sup>Lihat *Russia The State of Federation Speeches*  
[http://www.russiansabroad.com/russian\\_history\\_291.html](http://www.russiansabroad.com/russian_history_291.html) (diunduh pada tanggal 5 Oktober 11:30)

<sup>17</sup>Robert Service, *Op. Cit.*, hlm. 509-510.

<sup>18</sup>Tanggal 8 Desember beberapa pemimpin republik mengadakan pertemuan rahasia tanpa mengundang Gorbachev, pemimpin ketiga negara bagian Uni Soviet yakni: Boris Yeltsin (RSFSR), Leonid Kravchuk (Ukraina SSR), dan S. Shushkevich (Belarus SSR) bertemu di Belovezhkaya Pushya dan mengumumkan berakhirnya Uni Soviet dan negara-negara bekas konstituennya membentuk apa yang disebut *Sodruzhestvo Nezavisimikh Gosudasrv/SNG* (Persemakmuran Negara-negara Merdeka) yang kemudian dikenal dengan istilah CIS (*Commonwealth of Independence States*). (Ahmad Fahrurodji, *Rusia Baru Menuju Demokrasi: Pengantar Sejarah dan Latar Belakang Budayanya*. Edisi 1. Jakarta:Yayasan Obor Indonesia, 2005, hlm. 172.)

perdamaian ini tidak merubah kewaspadaan Rusia bahwa pihak barat khususnya NATO dengan peluasannya tetap menjadi suatu ancaman bagi kemandirian wilayah Eropa.<sup>19</sup>

## 2.2. *Partnership and Cooperation Agreement*

Manifestasi dari masing-masing kebijakan luar negeri mereka adalah melakukan perjanjian kerjasama strategis. Rusia dan UE merupakan negara tetangga yang penting bagi masing-masing. *Partnership and Cooperation Agreement* (PCA) adalah wadah untuk mensistemasi segala bentuk kegiatan yang kiranya mereka miliki sebagai minat kepentingan bersama.

PCA merupakan fondasi legal hubungan Rusia dengan UE ditandatangani dan disetujui di Corfu, Yunani pada tahun 1994 akan tetapi mulai direalisasikan pada tahun 1997.<sup>20</sup> Proses pengesahan PCA sendiri mengalami tahap-tahap tertentu, dipenuhi dengan beberapa situasi, bahkan sempat ditunda oleh UE karena pertikaian militer Rusia di Chechnya<sup>21</sup>. Diawali dengan negosiasi perdamaian di Republik Chechen proses pengesahan dilanjutkan: pada bulan Oktober-November 1996 PCA disahkan oleh Duma<sup>22</sup> dan Dewan Federasi, lalu pada bulan Oktober 1997 pengesahan dilengkapi oleh negara-negara anggota UE. Persetujuan ini pun seperti yang telah disebutkan di atas mulai dilaksanakan pada 1 Desember 1997.<sup>23</sup>

Dalam organisasi ini tiga komite dibuat untuk memastikan ketetapan-ketetapan PCA terimplementasi dengan sebelumnya diobservasi dengan baik.

Dewan Kerjasama (*The Cooperation Council*) melakukan pertemuan kementerian setahun sekali. Komite Kerjasama (*The Cooperation Committee*) terdiri dari warga sipil senior untuk membantu Dewan Kerjasama. Komite Kerjasama Parlemen (*The Parliamentary Cooperation Committee*), terdiri dari

<sup>19</sup>Lihat *Russia The State of Federation Speeches*

[http://www.russiansabroad.com/russian\\_history\\_291.html](http://www.russiansabroad.com/russian_history_291.html) (diunduh pada tanggal 5 Oktober 11:30)

<sup>20</sup>Johnson, Debra; Robinson, Paul. (Ed.) *Perspectives on EU-Russia Relations*. (New York: Routledge. 2005), hlm. 5.

<sup>21</sup>Penyebab Konflik Chechnya adalah karena di bawah pengaruh Grozny adanya keinginan disintegrasi dengan Federasi Rusia. Perang pertama meledak pada tahun 1994-1996. (Lihat Ahmad Fahrurroddi, *Op. Cit.*, hlm.228.)

<sup>22</sup>Duma adalah dewan negara yang bertugas membuat Rancangan Undang Undang (RUU) yang diserahkan kepada dewan Federasi untuk dikoreksi, dan apabila disetujui, RUU diserahkan kepada Presiden untuk ditandatangani dan diundangkan. (*Ibid.*, hlm. 195)

<sup>23</sup>Lihat *Partnership and Cooperation Agreement (PCA, 1997)*,

[http://www.delrus.ec.europa.eu/en/p\\_243.htm](http://www.delrus.ec.europa.eu/en/p_243.htm)

anggota-anggota Parlemen Eropa dan Majelis Federal Federasi Rusia, komite ini berkuasa untuk memberikan rekomendasi pada Dewan Kerjasama.<sup>24</sup>

Ketetapan PCA mencakup rentang panjang area kebijakan termasuk dialog politik, perdagangan barang dan jasa, bisnis dan investasi, keuangan dan kerjasama legislatif, sains dan teknologi, pendidikan dan pelatihan, energi, kerjasama nuklir dan luar angkasa, lingkungan, transportasi, budaya serta kerjasama dalam pencegahan kegiatan ilegal. Aturan ditentukan pada bulan April 2004.<sup>25</sup> Perjanjian ini pula menyediakan perlakuan pada aturan *World Trade Organization* (WTO) untuk perdagangan antara Rusia dan UE, menghilangkan batasan-batasan yang sebelumnya dibebankan pada ekspor ke UE, menjamin perlindungan yang lebih baik untuk hak-hak properti dan menghapuskan perbedaan bea cukai pada impor.<sup>26</sup>

Objek-objek yang dideklarasikan dalam PCA adalah termasuk sebagai berikut:

1. Ketetapan akan kerangka kerja yang pantas untuk mendukung integrasi yang berangsur-angsur antara Rusia dengan area kerjasama di Eropa yang lebih besar.
2. Penciptaan akan ketentuan-ketentuan yang penting untuk pembukaan area perdagangan bebas antara UE dan Rusia yang mencakup semua perdagangan barang pada pokoknya di antara mereka, sebagaimana juga ketentuan-ketentuan yang membawa kebebasan pembukaan perusahaan-perusahaan perdagangan lintas batas dalam jasa dan pergerakan modal (*European Council 1997*).<sup>27</sup>

PCA tetap menjadi jantung ikatan hubungan kerjasama UE-Rusia tapi pada tahun 1999, sejalur dengan Perjanjian Amsterdam (*The Amsterdam Treaty*)\*, UE membuat Strategi Bersama (*Common Strategy*) pada Rusia. Strategi ini

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<sup>24</sup>*Ibid.*,

<sup>25</sup>Lihat *Overview of relations – Policy of framework*

[http://www.delrus.ec.europa.eu/en/p\\_210.htm](http://www.delrus.ec.europa.eu/en/p_210.htm) (diunduh pada tanggal 7 Oktober 2009 pukul 20:00)

<sup>26</sup>Lihat *Partnership and Cooperation Agreement (PCA, 1997)*, *Loc. Cit.*

<sup>27</sup>Debra Johnson, Paul Robinson, *Op. Cit.*, hlm. 5

mengangkat visi UE bahwa Rusia yang stabil, demokratis, dan makmur, akan berpengaruh pada UE bebas dari pembagian-pembagian baru untuk mempertahankan perdamaian di dalam kontinen mereka. Objek yang mereka taruh dalam Strategi Bersama ini adalah:

1. Konsolidasi demokrasi, aturan hukum dan institusi publik di Rusia;
2. Integrasi Rusia kedalam persamaan ekonomi dan sosial di Eropa;
3. Kerjasama untuk memperkuat stabilitas dan keamanan di Eropa dan semua yang termasuk di dalamnya.
4. Pengukuran untuk menemukan tantangan bersama (contoh, kebijakan energy dan keamanan, keamanan nuklir, lingkungan, kejahatan, kerjasama regional)<sup>28</sup>

Lalu pada gilirannya, Rusia membuat subperjanjian hasil perkembangan dari PCA yaitu *Road Maps for the Four Common Spaces* yang dibuat pada bulan Mei 2004. Termasuk di dalamnya adalah objek-objek: *The Common Economic Space* (Ekonomi); *The Common Space of Freedom, Security and Justice* (Kebebasan,Keamanan dan Keadilan); *The Common Space on External Security* (Keamanan Eksternal); *The Common Space Research, Education, Culture* (Riset, Pendidikan dan Budaya).<sup>29</sup>

Pada garis besar dari rangkaian sejarah yang dipaparkan diatas, kerjasama multilateral antara Federasi Rusia dan UE aktif dimulai sejak pada masa kepemimpinan Yeltsin pada tahun 1997, saat PCA mulai berlaku. Namun, realisasi pergerakan kegiatan kerjasama Rusia-UE mulai aktif secara signifikan pada masa pemerintahan Vladimir Putin, seiring dengan disepakatinya *Roads for the Four Common Spaces*. Kerjasama ini mencakup beberapa bidang penting antara lain; ekonomi, militer dan keamanan, dan sosial. Sedangkan bidang politik

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\*Perjanjian Amsterdam: perluasan ke arah timur ditambah beberapa masalah yang tertunda dalam agenda UE mengawali negosiasi Perjanjian Amsterdam 4 tahun setelah Perjanjian Maastricht. Perjanjian ini ditandatangani pada tanggal 2 Oktober 1997 dan direalisasikan pada tanggal 1 Mei 1999. (Lihat [http://www.unizar.es/euroconstitucion/Treaties/Treaty\\_Amst.htm](http://www.unizar.es/euroconstitucion/Treaties/Treaty_Amst.htm) diunduh tanggal 6 Januari 2010 14:20)

<sup>28</sup>*Ibid.*, hlm. 7

<sup>29</sup>Lihat *Overview of relations – Policy of framework, Loc. Cit.*,

sudah mencakup segala usaha-usaha kerjasama dalam proses pewadahan sistem-sistem bidang-bidang yang dijelaskan berikut.

- Kerjasama di bidang ekonomi

Dalam *Road Maps for the Four Common Spaces* ini, segmen perdagangan adalah suatu fakta utama yang sangat krusial bagi Rusia dan UE. Cakupan ini memiliki objek pada dorongan integrasi pasar di antara mereka, ruang ekonomi bersama ini pula dapat menghilangkan batasan-batasan dalam perdagangan, investasi dan mempromosikan pembaharuan serta pemerintahan yang baik.<sup>30</sup> Khususnya, aturan dalam transaksi energi yang menjadi modal utama ketahanan hubungan di antara keduanya.

Perubahan-perubahan ekonomi yang terjadi pada Rusia sering berpengaruh besar terhadap UE. Termasuk pada saat Rusia akhirnya bersiap untuk bergabung dengan *World Trade Organization* (WTO).<sup>31</sup> Apabila Rusia telah resmi menjadi anggota WTO, hal ini akan membawa hubungan baru Rusia dan UE yang lebih bermutu, contohnya persepektif dalam persetujuan integrasi ekonomi.<sup>32</sup> Bersamaan dengan itu Komisaris Perdagangan UE dan Menteri Perkembangan Ekonomi Rusia menandatangani perjanjian bilateral pada tanggal 21 Mei 2004.<sup>33</sup> Termasuk di dalamnya adalah pertimbangan penetapan keadaan hubungan ekonomi setelah Rusia bergabung dengan WTO.

- Kerjasama di bidang militer dan keamanan

Rusia dianggap sebagai penentu keamanan daerah Eropa. Karena secara geopolitik ia melingkupi banyak daerah kedaulatan termasuk daerah CIS dan UE. Berbagai dialog yang diadakan antara Rusia dan UE meski fokusnya adalah tema-tema lain, tema keamanan pasti sering diikutsertakan. Minat keamanan yang

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<sup>30</sup>*Ibid.*,

<sup>31</sup>Kelompok Petugas untuk akses Federasi Rusia ke WTO didirikan pada tanggal 16 Juni 1993. Revisi terakhir draft laporan Kelompok Petugas tersebut disirkulasi pada Oktober 2004. Dalam proses yang masih berjalan, yang signifikan terjadi adalah akses negoosiasi pada pasar bilateral atas barang dan jasa. Dalam arti masuknya Rusia ke WTO merupakan sesuatu yang memiliki kemungkinan yang besar. [http://www.wto.org/english/thewto\\_e/acc\\_e/a1\\_russie\\_e.htm](http://www.wto.org/english/thewto_e/acc_e/a1_russie_e.htm)

<sup>32</sup>Lihat *Trade Issues* [http://ec.europa.eu/trade/issues/bilateral/countries/russia/index\\_en.htm](http://ec.europa.eu/trade/issues/bilateral/countries/russia/index_en.htm) (diunduh pada tanggal 11 Oktober 2009 03:00)

<sup>33</sup>*Ibid.*,



dibagi bersama diraih melalui dialog-dialog atas pencegahan konflik dan krisis manajemen, dalam hal ini kerangka kerja mereka adalah *European Security and Deforce Policy* (ESDP).<sup>34</sup> Selain itu, kerjasama Rusia-UE ini semakin konkrit dengan adanya Dewan Rekanan Permanen (*Permanent Cooperation Council*) menggantikan Dewan Kerjasama dalam PCA. Hal ini dicanangkan pada *EU-Russia Summit* pada bulan Mei 2003. Pada rencana aksi mereka dalam bidang keamanan telah terjalin kontak-kontak militer Rusia dan UE.

Dalam *Road Maps for Four Common Spaces*, cakupan keamanan ada pada dua bagian. Pada *The Common Space of Freedom, Security and Justice* kerjasama mereka ada pada penegakan HAM, terorisme, migrasi ilegal, kejahatan lintas batas, termasuk penjualan makhluk hidup dan narkoba. Pengaturan urusan-termasuk keamanan proses fasilitasi visa, juga dibahas di sini untuk kemudahan interaksi di antara keduanya.<sup>35</sup> Pada *The Common Space on External Security* kerjasama ada pada peningkatan kualitas kebijakan luar negeri dan masalah keamanan yang dibawah organisasi-organisasi internasional, seperti: PBB, OSCE dan *Council of Europe*. Segmen ini lebih ke antisipasi keamanan dengan negara-negara sekitar seperti CIS, khususnya daerah konflik di daerah perbatasan UE-Rusia (Transnistria, Abkhazia, Ossetia Selatan, Nagorno-Karabakh).<sup>36</sup>

- Kerjasama di bidang sosial

Pada bidang sosial, kerjasama Rusia dan UE fokus pada pengembangan kinerja pendidikan dan interaksi budaya. Dalam *The Common Space of Research, Education, Culture* mereka bertujuan menguatkan komunitas penelitian dan mengembangkan kegiatan penelitian di area yang merupakan minat bersama. Sedangkan di bidang pendidikan, pertukaran akademis-akademis di instansi pendidikan yang tinggi dianggap sebagai suatu yang penting sebagai penunjang proses transisi ekonomi dan sosial.<sup>37</sup> Budaya menjadi bertambah penting pula dalam hubungan Rusia dan UE. Persetujuan di antara keduanya mengeluarkan perlunya mengembangkan pendekatan terstruktur terhadap kerjasama budaya

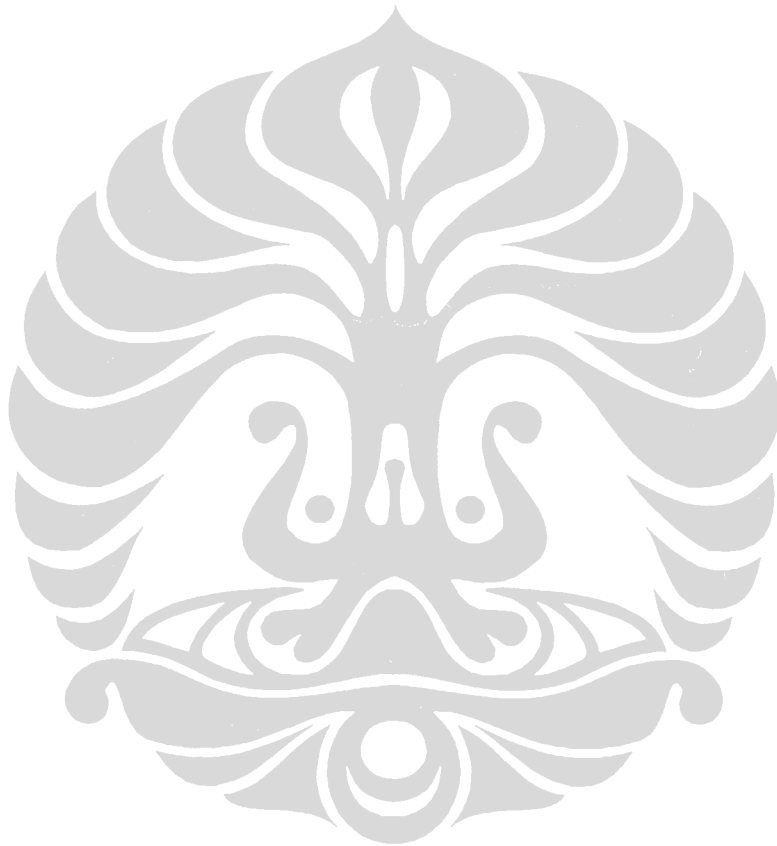
<sup>34</sup>Debra Johnson, *Op. Cit.*, hlm. 73.

<sup>35</sup>Lihat *Overview the relations, Loc. Cit.*,

<sup>36</sup>*Ibid.*,

<sup>37</sup>*Ibid.*,

antara mereka. Membantu pengembangan kreatifitas dan mobilitas seniman, dialog antar budaya dan pengetahuan bersama atas penghargaan terhadap sejarah dan warisan budaya. Rusia dan UE memiliki Kelompok Kerja Bersama (*Joint Working Group*) dan Dewan Rekanan Permanen pada pertemuan pertama di Lisbon pada bulan Oktober 2007 menekankan peranan penting penghubungan budaya dan kontak masyarakat sipil dalam hal satu individu ke individu dalam kerjasama budaya.<sup>38</sup>



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<sup>38</sup>Lihat *Cultural Cooperation EU-Russia* [http://www.culture.org.mt/news\\_item.asp?id=84](http://www.culture.org.mt/news_item.asp?id=84)  
(diunduh pada tanggal 12 Oktober 2009 09:00)

### BAB 3

## KEBIJAKAN VLADIMIR PUTIN DALAM KERJASAMA INDUSTRI GAS RUSIA DENGAN UNI EROPA PADA TAHUN 2000-2008

### 3.1. Sejarah Industri gas Rusia

Sejak masa Uni Soviet dan bahkan sebelumnya, bangsa Rusia telah menyadari bahwa sumber daya alam gas yang mereka miliki ini merupakan suatu sektor besar. Sektor yang berpengaruh bagi keberlangsungan tatanan sehari-hari bangsa mereka. Pengaruh tersebut dilihat dari fungsi infrastrukural. Infrastruktur pada kebutuhan rumah tangga masyarakat dan instansi-instansi lokal.

Mencatat sejarah penggunaan gas dan pembangunan teknis pemanfaatannya, lentera gas alam Rusia yang pertama dinyalakan di pulau Aptekarski, Saint Peterburg pada tahun 1819.<sup>1</sup> Lebih dari seratus tahun kemudian, pada tahun 1941 sumur gas pertama yang digali terletak di desa Elshanka, Saratov. Sumur ini menghasilkan 800.000 meter kubik. Kemudian, pada tahun 1942 sumur gas lain digali dan menjadi seproduktif sumur sebelumnya. Hasil dari penggalian-penggalian tersebut membuat pemerintah akhirnya membuka penyediaan gas komersil sebagai lapangan pekerjaan baru.<sup>2</sup>

Berangkat dari percobaan penggalian sumur gas dengan hasil yang lebih baik dari yang diharapkan, pada akhir tahun 1944 Dewan Keamanan Negara Uni Soviet memutuskan untuk membangun 843 kilometer jalur pipa gas dengan rute Saratov–Moskow ke fasilitas infrastrukural industri dan populasinya.<sup>3</sup> Pada perkembangannya, sumber daya alam gas mulai dieksplorasi\* setelah menemukan banyak ladang gas di bentangan Rusia sejak sumur di Elshanka sampai akhirnya suplai gas ke Moskow terpenuhi pada Juli 1946.

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<sup>1</sup>Lihat <http://gazprom.com/about/> (diunduh pada tanggal 6 September 2009 15:30)

<sup>2</sup>Lihat <http://www.gazprom.com/about/history/events/60years/> (diunduh pada tanggal 25 November 2009 17:00)

<sup>3</sup> *ibid.*,

\*Dalam hal ini berarti dua makna; eksplorasi teknis yaitu pengekstrasian gas alam dari bumi dan eksplorasi manfaat sebagai pendukung infrastrukural dan ideologi politik/kepentingan pemerintahan.

Tahun 1946 menjadi masa dimulainya gas menjadi sesuatu yang besar dan menjadi semacam senjata pamungkas bagi bangsa Rusia. Industri gas sebagai objek utama berlangsungnya perkembangan ekonomi Rusia telah dipertimbangkan dengan serius pada masa Stalin ini. Selain itu, seiring dengan menguatnya penyediaan gas dalam negeri, permintaan Eropa akan gas Rusia pun mulai menjadi sektor yang harus ditangani dengan seksama.

### 3.1.1. Sejarah Kerjasama Industri Energi Uni Soviet dan Eropa

Posisi monopoli dalam perdagangan adalah sesuatu yang menjadi tujuan sejak masa Uni Soviet. Sejak bulan April 1918 alasan Bolshevik\* memonopoli perdagangan asing adalah manifestasi keinginan mereka untuk membangun ekonomi sosialis dalam perang yang sedang terjadi di Rusia dan takut bila modal asing tidak diregulasi akan menghalangi mereka mewujudkannya.<sup>4</sup>

Pada masa ini, polemik yang dihadapi pemerintahan adalah persediaan energi dari Uni Soviet dan Eropa Timur. Mereka berusaha untuk mencari jalan yang paling tepat untuk membaginya dengan baik. Rintangan lainnya adalah pengurangan distribusi energi yang merupakan suatu dilema kaitannya dengan pertumbuhan pendapatan nasional. Keberadaan *Organization of the Petroleum Exporting Countries* (OPEC) dan *Council of Mutual Economic Assistance* (CMEA)\* saat itu merupakan suatu faktor yang memungkinkan harga migas akan murah dan akhirnya terabaikan.<sup>5</sup>

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\**Bolshevik* adalah fraksi terbesar dalam Partai Pekerja Sosial-Demokrat Rusia (RSDRP) yang kemudian menjadi RSDRP-B. B dalam arti *Bolshevik* (Besar). Mereka adalah golongan radikal yang berpegang pada prinsip-prinsip V.I Lenin dan Marxisme. (Ahmad Fahrurroji, *Op. Cit.*, hlm. 129)

<sup>4</sup> John Quiqley. *The Soviet Foreign Trade Monopoly Institutions and Laws*. hlm. 4.

\*CMEA dibentuk dari tahun 1949 dan disetujui oleh Uni Soviet, Bulgaria, Cekoslovakia, Hongaria, Polandia dan Rumania. Suatu formasi yang menekankan dominasi Uni Soviet pada masa Joseph Stalin terhadap negara-negara kecil di Eropa Timur. Namun tujuan utama dari organisasi ini adalah memungkinkan negara-negara tersebut bertukar kemampuan ekonomi, bantuan teknis tambahan dan menawarkan bantuan bersama dengan baik untuk bahan-bahan mentah, makanan, mesin, peralatan, dll. (Lihat [http://www.shsu.edu/~his\\_nep/CMEA.html](http://www.shsu.edu/~his_nep/CMEA.html) diunduh tanggal 17 Desember 2009)

<sup>5</sup> John Quiqley, *Op. Cit.*,

Berangkat dari perkembangan pada saat tersebut, Stalin pun meyakini bahwa hubungan energi gas berparalel pada pola keseluruhan hubungan ekonomi Soviet dan Eropa.<sup>6</sup> Pada saat ini Eropa berusaha mandiri dengan sumber daya alamnya sendiri dan menjadikan Uni Soviet sebagai penyedia sisa atau tambahan saja.

Kerjasama bilateral importir gas Eropa dengan Rusia yang pertama kali adalah pada tahun 1970an. Saat negara-negara Eropa barat seperti Austria, Prancis, Jerman dan Itali menandatangani kontrak impor gas mereka, dilanjutkan dengan ekspor gas Uni Soviet skala besar ke Eropa timur. Konsumen barat pada saat itu merupakan perusahaan-perusahaan yang dominan, cenderung monopolistik melihat posisi mereka di pasar nasional. Mereka sanggup menyetujui kontrak gas bervolume besar selama dua atau tiga dekade lebih di bawah konstruksi infrastruktur gas yang besar. Dalam hal ini, khususnya pembangunan jalur pipa dari barat Siberia ke Eropa sepanjang 5000 km. Kontrak kontrak yang terjalin ini menguntungkan pegangan politik masing-masing yang semakin kuat.<sup>7</sup>

Keadaan ini berlangsung sampai pemerintahan Krushchev dan Brezhnev yaitu pada tahun-tahun 1953 sampai dengan 1980an di mana kebijakan energi gas dimodernisasi dengan cara melakukan keseimbangan energi. Modernisasi di sini adalah menyeimbangkan penyediaan gas Rusia dengan penerimaan produk dari Eropa. Pada akhirnya nanti, situasi ini adalah bibit dependensi Eropa pada Rusia dilihat dari perkembangan produksi gas mereka.

### **3.2. Perubahan Kebijakan energi Boris Yeltsin ke Vladimir Putin**

Boris Yeltsin (1991-1999) memiliki beban berat menjalani Rusia baru pasca Uni Soviet khususnya di bidang ekonomi. Kebangkrutan ekonomi yang ditinggalkan Uni Soviet membuat Yeltsin harus melakukan reformasi yang segera dan signifikan. Reformasi tersebut harus dilakukan dengan segera, karena tidak akan ada yang bisa memperkirakan pada saat itu bagaimana kekuatan rakyat yang

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<sup>6</sup> Sarah Meiklejohn. Ed. *Soviet Policy in Eastern Europe*. hlm. 190.

<sup>7</sup> Sarah Meiklejohn. Ed. *Op. Cit.*, hlm. 191-203

tidak sabar dapat melebihi pergerakan manapun untuk melakukan suatu reformasi ala mereka sendiri, yang bisa cenderung anarkis.

Reformasi ekonomi yang dilakukan Yeltsin pertama kali adalah liberalisasi harga. Yegor Gaidar Perdana Menteri pertama dalam pemerintahan Yeltsin meyakini bahwa liberalisasi harga yang dicanangkan Yeltsin merupakan suatu tindakan yang manifestasinya adalah penyeimbangan dana negara, menghilangkan negara subsidiari atau negara-negara independen non-Rusia, dan privatisasi menyeluruh pada aspek ekonomi.<sup>8</sup>

Privatisasi secara umum memiliki arti suatu tindakan ekonomi berupa pengalihan kepemilikan usaha kepada individu atau lembaga independen di dalam badan suatu negara. Privatisasi berasal dari kata Privasi atau Pribadi yang ditujukan pada kekuasaan individual atau kekuasaan pribadi. Privatisasi merupakan esensi dasar dari kapitalisme, yang ideologinya adalah memusatkan gerak modal di bawah kendali individu.<sup>9</sup> Proses privatisasi yang dicanangkan Yeltsin ini merupakan konsekuensi logis dari upaya Rusia menuju sistem ekonomi pasar bebas.<sup>10</sup>

Pelaksanaan privatisasi mulai dilakukan dengan memberikan *voucher* atau kupon pada masyarakat pertengahan tahun 1992.<sup>11</sup> Proses ini pada gilirannya memunculkan kelompok baru dalam masyarakat Rusia, yakni orang-orang yang berhasil menguasai perusahaan-perusahaan yang selama ini dikelola oleh negara.<sup>12</sup>

Kelompok ini dikenal dengan nama Oligarki. Oligarki merupakan sesuatu yang sama sekali bukan Uni Soviet. Mereka begitu cepat, inovatif, tidak konvensional dan istimewa.<sup>13</sup> Secara berkesinambungan mereka menjadi suatu hal yang berkembang dalam tatanan negara Rusia khususnya pada sektor ekonomi,

<sup>8</sup>Robert Service, *Op.Cit.*, hlm. 509 - 510

<sup>9</sup>Lihat Bonnie Setiawan. *Privatization Truth and Ideology: De-Nationalization towards Re-Colonialism*

[http://www.globaljust.org/index.php?option=com\\_content&task=view&id=133&Itemid=136](http://www.globaljust.org/index.php?option=com_content&task=view&id=133&Itemid=136)

(diunduh tanggal 30 November 2009 16:30)

<sup>10</sup>Ahmad Fahrurroji. *Op.Cit.* hlm. 201.

<sup>11</sup>Zeffry Alkatiri. *Op.Cit.* hlm. 89.

<sup>12</sup>*Ibid.* hlm. 202

<sup>13</sup>Anders Aslund. *Russia's Capitalist Revolution Why Market Reform succeeded and Democracy failed.* (Washington DC, USA: Peterson Institute for International Economics, 2007). hlm. 158.

dan berpengaruh pada sektor sosial dan politik. Kelompok dalam pemerintahan Yeltsin ini memprivatisasi banyak sektor industri di Rusia: sektor gas dan minyak yang menguntungkan.<sup>14</sup>

Belum sempat hasil nyata dari privatisasi ini dicapai tetapi Rusia mengalami halangan besar. Korupsi dari kaum oligarki yang menggerogoti kendali negara (*Russiansabroad*, n.d) dan kasus Chechnya yang fatal akibat keinginan kuat disintegrasi negara-negara satelit bekas Uni Soviet (Ahmad Fahrurudji, 2005). Industri gas yang semula sudah diaplikasikan sebagai alat monopoli yang menguntungkan pun terkena imbas kegagalan ekonomi ini dengan keuntungan yang sedikit bagi negara. Karena privatisasi hanya menguntungkan kaum oligarki, khususnya orang-orang yang dekat dengan kekuasaan.

Vladimir Vladimirovich Putin diangkat sebagai presiden pada saat Boris Yeltsin mengumumkan pengunduran dirinya di akhir tahun 2000.<sup>15</sup> Putin merupakan sosok yang berbeda dari pendahulu-pendahulunya. Ia adalah sosok yang tangguh, kompeten dan penguasa yang non-ideologis.<sup>16</sup> Karena ia tumbuh besar sebagai pemuda Rusia yang patriotik, seorang nasionalis Rusia. Ia dulu seorang komunis, tapi saat ia menyadari peraturan komunisme menghancurkan negara yang ia cintai, ia pun memisahkan dirinya dengan komunisme lama ataupun baru.<sup>17</sup> Oleh karena itu, ia mencari pedoman lain yaitu: demokrasi ala Rusia, diawasi dari atas pemerintahan dan dikendalikan oleh petinggi pemerintahan yang memberi penerangan, yang ia sebut sebagai kekuasaan vertikal.<sup>18</sup>

Program kebijakan dari pemerintahan Yeltsin sebelumnya memang dilanjutkan oleh Putin, tetapi program tersebut ia sesuaikan dengan pandangannya tentang bagaimana seharusnya reformasi. Reformasi ekonomi yang dilakukan Putin merupakan reformasi yang bersifat tegas, signifikan dan konsisten. Tegas karena Putin bersiteguh pada tujuan mewujudkan Rusia yang lebih berkuasa.

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<sup>14</sup>Lihat Ariel Cohen *Policy Review* (David Winston. *From Yeltsin to Putin*). *Milestones on an Unfinished Journey*. <http://www.hoover.org/publications/policyreview/3492176.html>

<sup>15</sup>Ahmad Fahrurudji. *Op.Cit.* hlm. 204.

<sup>16</sup>Lihat Ariel Cohen. *Loc.Cit.*

<sup>17</sup>Michael Stuemer. *Op. Cit.* hlm. 17 .

<sup>18</sup>*Ibid.*,

Signifikan karena perkembangan yang terjadi khususnya pada bidang ekonomi dilihat dari kemajuannya, konsisten karena ia tetap pada jalur ideologi anti-unipolar.\*

Putin menyadari kekurangan Rusia dalam situasi privatisasi. Ia menyadari terlalu tergantungnya Rusia pada ekspor gas dengan pasar yang fluktuatif akan berdampak buruk bagi negara berpenduduk 150 juta orang ini.<sup>19</sup> Ditambah lagi eksploitasi industri energi oleh para oligarki tersebut, sudah melewati batas. Oleh karena itu kekuasaan vertikal yang ia yakini menjadi suatu penambah kekuasaan Rusia, harus dibentuk.

Kekuasaan vertikal yang dimaksud di sini adalah tindakan memusatkan kembali segala kegiatan ekonomi di tangan pemerintahan. Putin mengedepankan prioritas utama: menasionalisasi kembali segala aset-aset negara, terutama aset energi. Ia memaksimalkan fungsi sumber daya alam dan menjadikannya tonggak penggerak ekonomi Rusia. Kebijakan Putin ini dilakukan dengan tegas dan keras. Hal ini dapat diartikan sebagai bentuk paranoid bahwa kekuatan pasar yang tidak terkendali akan melemahkan Rusia seperti yang terjadi pada tahun 1990an.<sup>20</sup>

Sampai pada perubahan kebijakan dari privatisasi kembali ke nasionalisasi aset negara adalah karena negara tidak lagi memiliki kendali kuat apalagi dari dampak negatif privatisasi yaitu korupsi yang dapat menjatuhkan stabilitas ekonomi dan keamanan Rusia. Berkaitan dengan industri gas pesan Putin yang jelas tergambar dari kebijakannya ini adalah bahwa manajemen atas sumber daya alam Rusia terlampau penting untuk diberikan kepada bisnis swasta.<sup>21</sup> Dalam hal ini pemerintahan Putin mengerahkan Gazprom yang merupakan penghasil gas terbesar di Rusia bahkan di dunia sebagai stabilisator ekonomi sekaligus keamanan Rusia.

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\*Putin tidak menyetujui keadaan unipolar ekonomi yang berpusat pada Amerika. Ia menginginkan multipolar yang menunjuk PBB sebagai pihak yang berwenang mengatur dunia. (Lihat lampiran hal ... Bagian II Paragraf 15 teks kebijakan luar negeri Rusia)

<sup>19</sup>Lihat Ariel Cohen. *Loc. Cit.*

<sup>20</sup>Alan Greenspan. *Abad Prahara. Ramalan Kehancuran Ekonomi Dunia Abad Ke-21.* (terj.) Tome Beka. (Jakarta: PT. Gramedia Pustaka Utama, 2008), hlm. 331.

<sup>21</sup>Edward Lucas. *The New Cold War Putin's Russia and the Threat to the West.* (New York: Palgrave Macmillan, 2008), hlm. 163.



### 3.3. Gazprom

Tahun 1985 Perdana Menteri Ryzhkov menunjuk Viktor Chernomyrdin sebagai menteri industri gas. Kementerian tersebut dihapuskan pada tahun 1989 dan digantikan dengan Gazprom.<sup>22</sup> Gazprom adalah perusahaan gas Rusia yang membawahi kegiatan produksi dan distribusi hampir seluruh perusahaan minyak dan gas lainnya. Gazprom adalah salah satu perusahaan energi khususnya gas yang terbesar di dunia. Bisnis-bisnisnya adalah eksplorasi geologi, produksi, transportasi, penyimpanan, proses dan pemasaran hidrokarbon juga tenaga listrik. Misi Gazprom adalah untuk memastikan persediaan gas secara maksimal efektif dan seimbang, dan terpercaya memenuhi kontrak-kontrak ekspor gas jangka panjang.<sup>23</sup>

Gazprom menjadi suatu prioritas sejak berdirinya, karena industri gas merupakan faktor penggerak utama ekonomi negara. Lalu pada tahun 1993 Gazprom yang selanjutnya di pimpin oleh Rem Vyakhirev terkena juga peraturan Yeltsin; privatisasi. Sebelum pemerintah menawarkan saham Gazprom ke publik melalui kupon privatisasi, saham sepenuhnya milik pemerintah. Pada tanggal 17 Februari tahun 1993 melanjutkan dekrit presiden pada tahun 1992, pemerintah mengubah Gazprom menjadi perusahaan saham bersama (*Joint Stock Company*)\*.<sup>24</sup> Gazprom memiliki kewajiban sebagai berikut:

- Menyediakan gas dengan terpercaya untuk konsumen di Federasi Rusia;
- Menyediakan gas untuk luar negeri di bawah persetujuan antarnegara dan antarpemerintahan;
- Meraih ilmu pengetahuan, teknologi, dan kebijakan investasi yang terintegrasi dengan perhatian terhadap kenaikan kualitas dan pengembangan *Unified Gas Supply Sistem* (UGSS)\*;

<sup>22</sup>Anders Aslund. *Op.Cit.* hlm. 140.

<sup>23</sup>Lihat *About Gazprom* <http://www.gazprom.com/about/> (diunduh tanggal 20 Oktober 2009 18:30)

\**Joint Stock Company* atau perusahaan saham bersama adalah perusahaan yang sahamnya dapat dimiliki pemegang saham tertentu dengan tanggung jawab pada sahamnya yang terbatas.

<sup>24</sup>Lihat *15<sup>th</sup> years Anniversary of Gazprom Joint-Stock Company* <http://www.gazprom.com/about/history/events/15years/> (diunduh tanggal 10 Desember 2009 19:00)

- Membangun dan membiayai cabang-cabang jalur pipa tekanan tinggi untuk tujuan gasifikasi\* daerah rural;
- Mengendalikan UGSS;
- Menyediakan produsen lain dengan akses sistem transmisi nasional.<sup>25</sup>

Pemerintah memprivatisasi hampir 40% dari saham ditawarkan keluar, akan tetapi pada kenyataannya saham yang ada diberikan pada orang-orang tertentu. Pemegang saham adalah orang-orang dilingkaran Gazprom: manajer, pejabat senior dan pegawai, kesemuanya digabungkan menjadi setengah juta orang.<sup>26</sup> Perincian kepemilikan saham sebagai berikut: 41% tetap milik negara, 10% dari kupon privatisasi, 15% kupon privatisasi untuk pegawai lama dan baru Gazprom, dan 32.9% milik penduduk Rusia dari 60 region, 1.1% diberikan kepada perusahaan gas Rosgazifikatsiya.<sup>27</sup> Pada Tahun 1998 Gazprom diubah menjadi perusahaan saham bersama terbuka (*Open Joint Stock Company*). Meski demikian, pemerintah tetap menjaga agar Gazprom tidak diambil kendalinya melampaui batas dengan cara tidak ada yang bisa menjual sahamnya tanpa melalui dewan Gazprom dan hanya orang Rusia yang boleh memilikinya.

### 3.3.1 Nasionalisasi Gazprom

Pada masa Putin, reformasi ekonomi digalakan untuk membangkitkan Rusia. Salah satu yang utama adalah nasionalisasi aset industri gas. Tahun 2002 Gazprom memperoleh kembali aset-asetnya.<sup>28</sup> Berharganya Gazprom yang dipimpin oleh Alexei Miller pada tahun 2001 bagi negara, membuat Putin memutuskan bahwa meski dalam bentuk perusahaan saham terbuka bersama, Gazprom tetap dikendalikan oleh pemerintahan. Apa yang bagus bagi Gazprom

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\*UGSS adalah sistem transmisi gas melalui jalur pipa.

\*Gasifikasi adalah proses pemanasan dengan gas.

<sup>25</sup>Lihat *What is Gazprom* <http://eng.gazpromquestions.ru/index.php?id=10> (diunduh tanggal 12 Desember 2009 11:34)

<sup>26</sup>Anders Aslund. *Op.Cit.* hlm. 141.

<sup>27</sup>Lihat <http://eng.gazpromquestions.ru/?id=10> (diunduh tanggal 10 Desember 2009 06:35)

<sup>28</sup>Lihat Yakov Pappé, Ekaterina Drankina. *How Russia Is Being Nationalized*. Bagian *Beginning and Endings*. <http://www.kommersant.com/p802314/nationalization/> (diunduh tanggal 10 Desember 2009 15:50)

bagus bagi Rusia.<sup>29</sup> Saham yang di miliki Gazprom selalu didominasi oleh negara sebagai manifestasi kepemilikan otoritas Gazprom di tangan negara.

**Tabel 3.1.**

Tabel Presentase Kepemilikan Saham Gazprom

	Stake
The stake controlled by the Russian Federation	50.002
• The Russian Federation represented by the Federal Agency for State Property Management	38.373
• OAO Rosneftegaz	10.740
• OAO Rosgazifikatsiya	0.889
ADR holders	22.150
Other registered persons and entities	27.848

30

Sumber: website Gazprom

Berangkat dari keinginan keras kendali pemerintahan, pada akhirnya Gazprom bukan menjadi objek nasionalisasi melainkan senjata nasionalisasi. Putin menambah kekuasaan Gazprom dengan monopoli penuh pada perusahaan-perusahaan energi lainnya. Ia mengeluarkan kebijakan keras untuk perusahaan swasta menyerahkan otoritasnya kepada pemerintah dengan cekaman berbagai tuduhan apabila tidak mengikuti kebijakan tersebut.<sup>31</sup> Pemerintah tetap memerlukan aset dengan saham yang di miliki publik dan investasi-investasi asing. Pengaruh nasionalisasi ini bagi Uni Eropa (UE) adalah suatu kontradiktif. Di satu sisi adalah dependensi mereka yang bergantung pada Rusia semakin tinggi, di sisi lain pelaksanaan distribusi gas yang terintegral dan terarah.

### 3.3.2. Akses dan ruang lingkup

Disepakati bersama oleh seluruh aspek pemerintahan pada kenyataan bahwa Gazprom adalah perusahaan negara yang memonopoli seluruh kegiatan di bawahnya seperti yang telah disebutkan di awal. Gazprom adalah negara di dalam

<sup>29</sup>Michael Stuemer. *Op. Cit.* hlm. 133.

<sup>30</sup>Lihat <http://eng.gazpromquestions.ru/> (diunduh tanggal 10 Desember 2009 13:00)

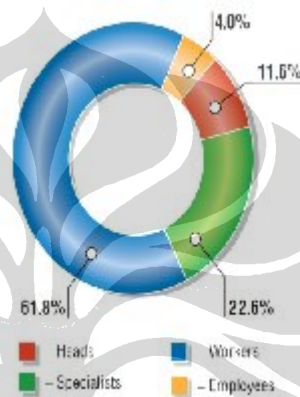
<sup>31</sup>Lilik A.M. Agung, "Nasionalisasi Korporasi Asing, *Uni Sosial Demokrat*", 30 Maret, 2008. [http://www.unisosdem.org/article\\_detail.php?aid=10266&coid=4&caid=33&gid=3](http://www.unisosdem.org/article_detail.php?aid=10266&coid=4&caid=33&gid=3)

negara, pemilik dari banyak ladang gas Rusia dan seluruh jalur pipa dari Siberia sampai dengan Rusia Eropa dan Eropa Barat.<sup>32</sup>

Personil perusahaan gas terbesar di dunia ini mencapai 3.763.000 pada akhir tahun 2008.

### Diagram 3.1.

Diagram Presentase Struktur Personil Perusahaan-perusahaan Produksi dan Transmisi Gas Utama Group Gazprom tahun 2008



Sumber: website Gazprom

Bisnis inti dari perusahaan adalah mengurus produksi, transmisi, penyimpanan bawah tanah dan pemrosesan gas dengan mempekerjakan 2.213.000 orang.<sup>34</sup>

Pada gilirannya, perkembangan pembangunan negara monopoli yang dikerahkan Putin, menjadikan Gazprom selain kuat pada produksi gas nya sendiri juga membawahi hampir seluruh kegiatan produksi dan distribusi perusahaan energinya sendiri. Gazprom memiliki lebih dari 80 cabang perusahaan, yang mencakup daerah domestik sampai UE<sup>35</sup> (bahkan dalam proyek pembangunan ke

<sup>32</sup>Michael Stuemer. *Op. Cit.*

<sup>33</sup>Lihat *How many people are employed by Gazprom Group's companies?*  
<http://eng.gazpromquestions.ru/?id=10> (diunduh tanggal 11 Desember 2009 15:42)

<sup>34</sup>*Ibid.*,

<sup>35</sup>Lihat *Subsidiary Companies* <http://www.gazprom.com/subsidiaries/> (diunduh tanggal 11 Desember 2009 16:13)

Asia) dan lebih dari 100 perusahaan di bawah kendalinya.<sup>36</sup> Beberapa diantara perusahaan tersebut adalah sebagai berikut:

- Lukoil

Lukoil adalah perusahaan swasta/negara\* terbesar di Rusia, dibentuk tahun 1991. Fokus dasarnya adalah eksplor minyak dan gas, produksi petroleum dan petrokimia, dan pemasaran dari hasil produksi tersebut. Markas Lukoil terletak di Siberia Barat. Sementara kilang minyaknya terletak di Eropa Timur juga di dalam Rusia. Lukoil memiliki persediaan minyak global 1.3% dan mendominasi sektor energi Rusia, hampir 19% dari total produksi Rusia dan 18% dari total jumlah kilang minyak. Lukoil memiliki cabang di 19 negara termasuk Rusia, Azerbaijan, Belarus, Georgia, Moldova, Ukraina, Bulgaria, Hongaria, Finlandia, Estonia, Latvia, Lithuania, Poland, Serbia, Romania, Macedonia, Cyprus, Turki dan Amerika Serikat. Jaringan pemasaran perusahaan ini terdiri dari 200 fasilitas tank dan stasiun pengisian minyak.

- Gazpromneft (dulu Sibneft)

Sibneft berdiri tahun 1981, selanjutnya Gazpromneft pada tahun 1995 dibentuk atas konsolidasi Sibneft dengan Omsk Refinery. Gazpromneft memiliki persediaan lebih dari 4.5 miliar barel minyak, yang membuat perusahaan ini menjadi salah satu 20 perusahaan minyak swasta utama. Sebagian besar persediaan mereka terletak di area Noyabrsk dan tidak akan habis sampai 18 tahun ke depan. Sekarang, Gazpromneft memiliki 1800 stasiun pengisian.

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<sup>36</sup>Lihat Olga Plenetva. *Russian Oil and Gas Companies*. [http://www.russia-ic.com/business\\_law/Russian\\_companies/562/#comment\\_6251](http://www.russia-ic.com/business_law/Russian_companies/562/#comment_6251) (diunduh tanggal 4 September 2009 8:51)

\*Swasta/Negara ini maksudnya adalah perusahaan yang sahamnya dapat dimiliki pihak swasta tetapi kendali dan peraturannya ada di tangan pemerintahan, dengan tujuan akhir memberi keuntungan yang signifikan bagi negara.

- Rosneft

Rosneft yang dibentuk tahun 1993 adalah salah satu perusahaan minyak terintegrasi vertikal terbesar di dunia. Memiliki 2 kilang minyak, 4 terminal minyak utama, dan jaringan stasiun pengisian lebih dari 700. Ia termasuk dari 10 besar perusahaan minyak mentah. Sejak tahun 2000 Rosneft menjadi perusahaan yang menguntungkan. Memiliki saham di 4 perusahaan minyak Rusia dan pada tahun 2006 Rosneft mengurus 10.6 miliar dolar Amerika IPO (*Initial Public Offering*).<sup>37</sup>

- Surgutneftaz

Surgutneftaz adalah perusahaan gas dan minyak besar lainnya. Aktifitas utama lainnya termasuk pengembangan dan penanganan lapangan minyak dan gas, produksi dan pemasaran minyak, gas dan produk petrokimia. Teritori mereka terbentang sepanjang bagian tengah sungai Ob dan sekitar Surgut. Surgutneftgaz menjadi perusahaan terbuka bersama pada tahun 1993. Sekarang, lebih dari 50 divisi perusahaan ini beroperasi di pasar energi. Persediaan minyak dan gas yang dapat diperoleh kembali mencapai 2.5 miliar ton. Surgutneftgaz memiliki 300 stasiun pengisian, 32 tanki dan 24 tanki penyimpanan minyak.

- TNK BP

Perusahaan ini berdiri tahun 2003 hasil dari merger aset Rusia milik BP dan Alfa Acces Renova group (AAR). Sekarang, TNK BP dikenal sebagai salah satu perusahaan minyak utama. Memiliki kilang di Ryazan, Saratov, Nizhnevartosk dan Lisichansk di Ukraina. Mereka juga memiliki total

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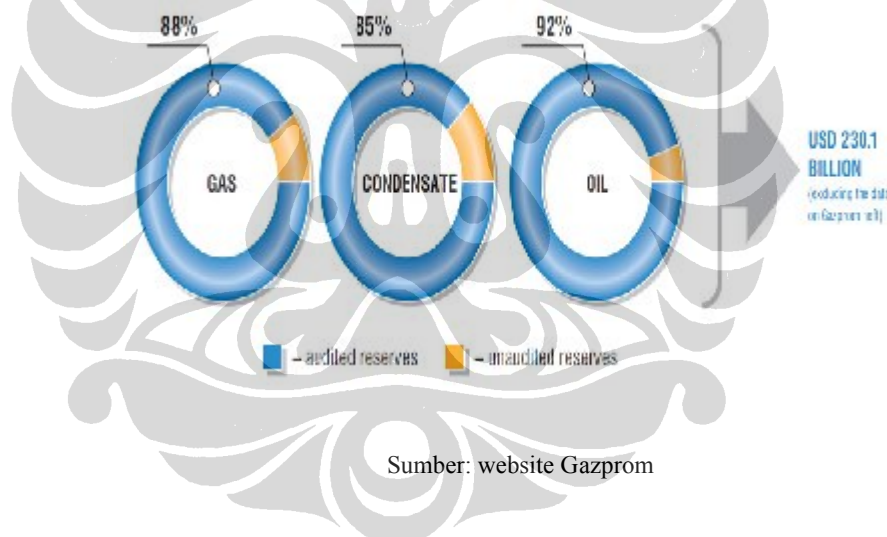
<sup>37</sup>Saham pertama yang dijual oleh perusahaan swasta ke publik. IPO biasanya dikeluarkan oleh perusahaan yang lebih kecil, lebih muda yang mencari modal untuk memperluas usaha, tapi juga bisa dilakukan oleh perusahaan-perusahaan swasta besar yang hendak diperdagangkan secara publik. <http://www.investopedia.com/terms/i/ipo.asp> (diunduh tanggal 11 Desember 2009 16:56)

persediaan sebanyak 1.0 miliar ton minyak, 1600 stasiun pengisian di Rusia dan Ukraina.<sup>38</sup>

Dapat dibayangkan bagaimana Gazprom memiliki daya monopoli yang kuat, melihat dari daya finansial yang kuat pula. Perusahaan-perusahaan di atas adalah hanya sedikit dari ratusan lebih perusahaan minyak dan gas yang dikendalikan oleh peraturan Gazprom. Terlepas dari produksi minyak saja, Gazprom mutlak memiliki keuntungan yang banyak pada produksi gas domestik maupun regional. Hal tersebut pun dilihat dari produksi sendiri, belum dengan produksi-produksi gas perusahaan cabang Gazprom lainnya.

**Diagram 3.2.**

Diagram Hasil Pemeriksaan Keuangan Pemesanan/Persediaan dan Nilai Terakhir Group Gazprom



Sumber: website Gazprom

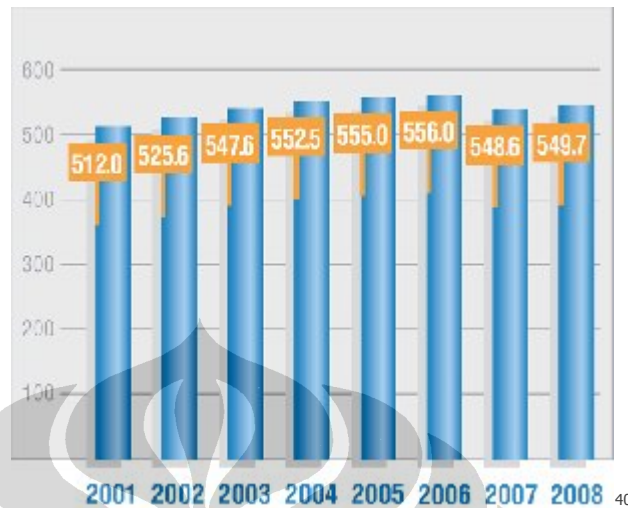
<sup>38</sup>Lihat Olga Plenetva. *Russian Gas and Oil Companies*. [http://www.russia-ic.com/business\\_law/Russian\\_companies/562/#comment\\_6251](http://www.russia-ic.com/business_law/Russian_companies/562/#comment_6251) (diunduh tanggal 6 September 10:10)

<sup>39</sup>Lihat *Reserves* <http://eng.gazpromquestions.ru/index.php?id=8> (diunduh tanggal 12 Desember 2009 12:19)



### Grafik 3.1.

Grafik Produksi Gas Group Gazprom



Sumber: website Gazprom

Dapat dilihat pada grafik di atas, produksi gas meningkat menjadi komoditas penggerak ekonomi utama yang Putin kerahkan melalui Gazprom untuk membangkitkan kekuatan monopoli. Pada tahun 2008 Gazprom memproduksi 549.7 miliar meter kubik gas alam dan gas asosiasi.\* Kini Gazprom memiliki saham produksi gas dalam negeri dan internasional masing-masing 83% dan 17%.<sup>41</sup>

Akses menyeluruh Gazprom dari simpanan, produksi, dan transmisi gas ke seluruh area Rusia, Eropa Barat dan Eropa timur didukung oleh UGSS. Jalur Pipa yang dimiliki seluruhnya oleh Gazprom. Bahkan, produsen gas lainnya melakukan transmisi melalui jalur pipa milik Gazprom, sehingga memungkinkan Gazprom merealisasikan daya monopolisnya dengan peraturan-peraturan dan persyaratan tertentu untuk suatu produsen gas selain Gazprom menggunakan jalur pipanya yang dibangun sejak zaman Uni Soviet.

<sup>40</sup>Lihat *Production* <http://eng.gazpromquestions.ru/index.php?id=7> (diunduh tanggal 12 Desember 2009 11:40)

\*Gas hasil produksi perusahaan gabungan Gazprom.

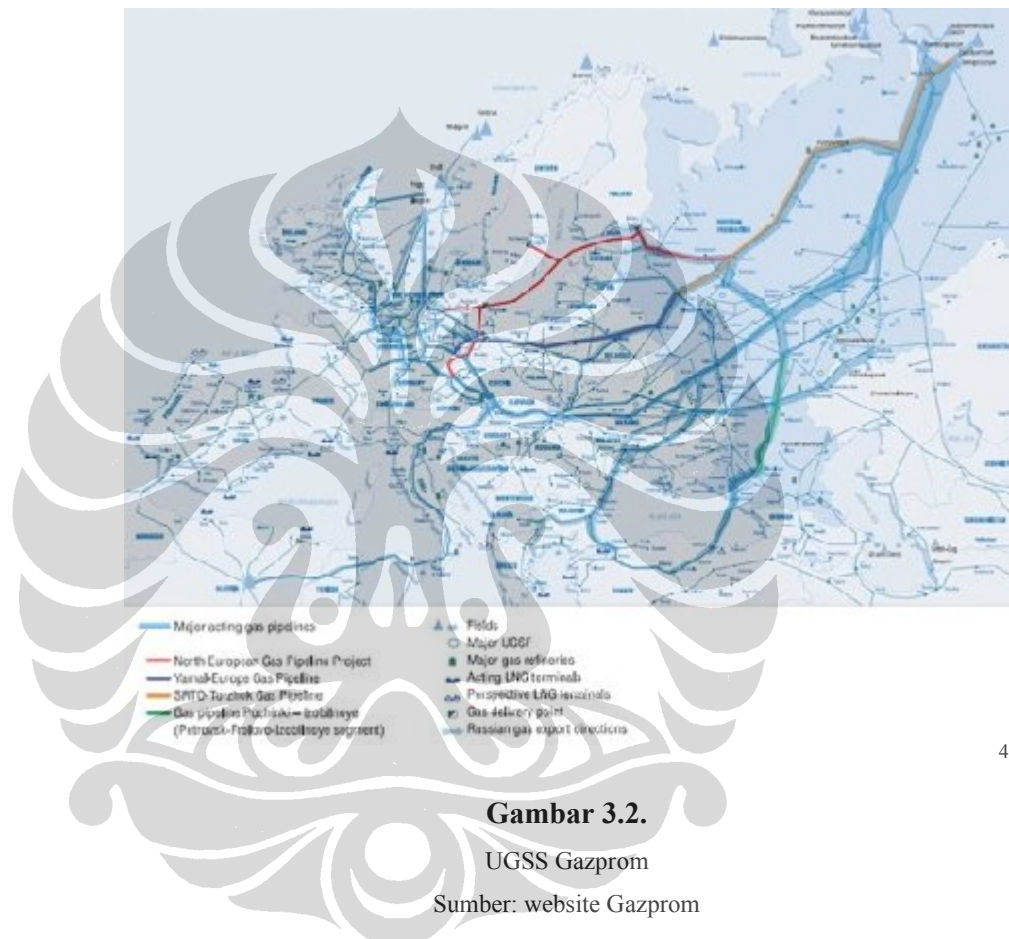
<sup>41</sup> Lihat *Production. Op. Cit.*





**Gambar 3.1.**

*Trademark Gazprom*



**Gambar 3.2.**

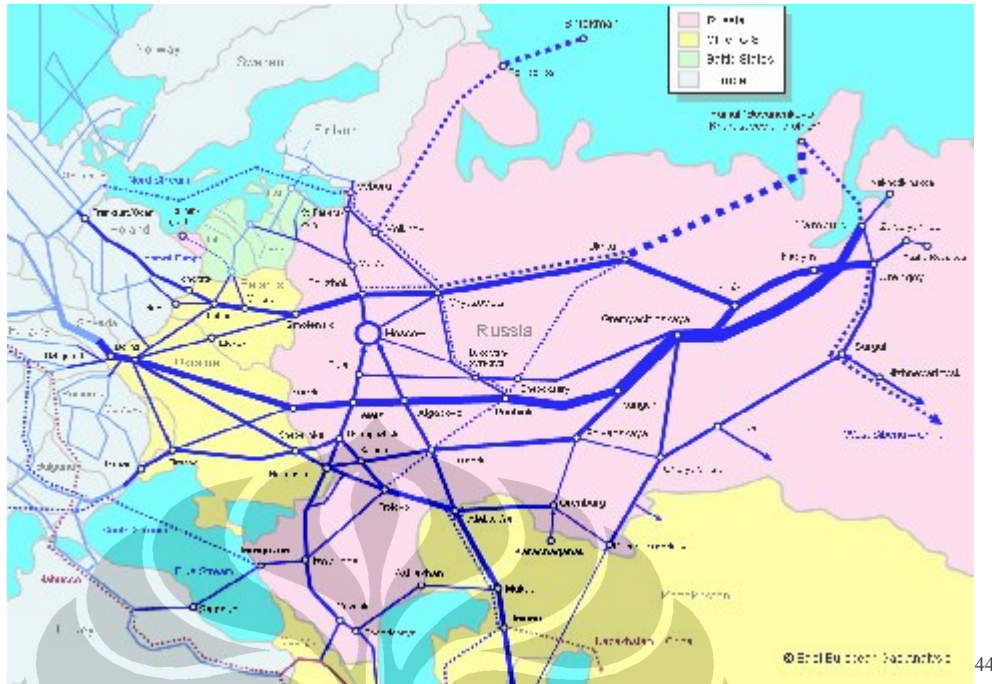
UGSS Gazprom

Sumber: website Gazprom

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<sup>42</sup>Trademark Gazprom [www.gazprom.com](http://www.gazprom.com)

<sup>43</sup>Lihat *Transmission* <http://www.gazprom.com/production/transportation/> (diunduh tanggal 15 Desember 2009 1:19)



**Gambar 3.3.**

Peta Jalur Pipa Uni Soviet

Sumber: website EEGA

<sup>44</sup>Lihat <http://www.eegas.com/images/fsu1.png> (diunduh tanggal 3 September 2009 20:25)  
Keterangan: Jalur Pipa pada masa Uni Soviet

### 3.4. Kerjasama Industri Gas Rusia dengan Uni Eropa tahun 2000-2008

Pertemuan pertama Rusia dengan Uni Eropa (UE) terkait tentang dialog energi (*EU-Russia Energy Dialogue*), di laksanakan di Paris pada bulan Oktober 2000. Hasil dari pembahasan awal ini adalah pengembangan hubungan politis dalam konteks keamanan energi. Secara garis besar, Rusia dan UE menekankan fokus pada kestabilan pasar energi yang dapat diandalkan, pertumbuhan ekspor-impor, efisiensi energi, pengurangan emisi gas dengan menggunakan cara ekonomi yang masing-masing setuju. Persis yang tercantum pada pembahasan awal pada laporan dialog energi tersebut:

*Overall, Russia and the EU share the same concerns for ensuring stable energy markets, reliable and growing imports and exports, a pressing need to modernise the Russian energy sector, to improve energy efficiency and to reduce greenhouse gas emissions from energy production and use in their respective economies.*<sup>45</sup>

Dialog energi antara Rusia dan Uni Eropa berlangsung dalam 8 kali pada masa pemerintahan Putin, dan merupakan manifestasi dari kesepakatan yang tercantum dalam PCA Pasal 1 poin 1: *-to provide an appropriate framework for the political dialogue between the Parties allowing the development of close relations between them in this field,*<sup>46</sup>

Hubungan Rusia dan Uni Eropa tidak pernah lepas dari keberadaan industri gas di bawah Gazprom. Energi gas merupakan objek yang krusial dan utama, bagi keduanya. Kenyataannya, perkembangan yang terjadi pada industri gas Rusia adalah karena berbagai faktor termasuk faktor keberuntungan alamiah. Gas alam dimiliki Rusia karena sumber daya alam yang ada didukung oleh kapasitas geografi yang luas.

<sup>45</sup>Lihat lampiran hal. 128 paragraf kedua bagian I *Synthesis Report* dari *EU-Russia Energy Dialogue* yang pertama tahun 2001

<sup>46</sup>Lihat lampiran hal. 74 teks *Partnership and Cooperation Agreement (PCA)*

Dialog politik di sini adalah suatu pertemuan diplomatik antar negara UE dan Rusia mencakup bahasan khusus energi dengan gas sebagai dominasi *EU-Russia Energy Dialogue*, agar tercipta kesinambungan pengawasan perkembangan dan jalan kerjasama di antara keduanya sehingga rintangan yang dalam perjalanannya mungkin terjadi dapat langsung diatasi atas kesepakatan bersama dan selanjutnya mencapai perkembangan yang kondusif.

Kapasitas ini memungkinkan Rusia memiliki akses yang menyeluruh ke Uni Eropa, dan dengan Gazprom sebagai penggerak industri. Sejak tahun 2007 GDP Rusia tumbuh kira-kira sebanyak 8.1% mengungguli tingkat pertumbuhan rata-rata negara-negara G8 lainnya, dan menandai 7 tahun berturut-turut atas ekspansi ekonomi negara.<sup>47</sup> Pertumbuhan tersebut didominasi oleh hasil ekspor gas ke UE, mencakup pendapatan Gazprom 60% . Sedangkan sisanya, dari CIS 10% dan dari dalam negeri 30%.<sup>48</sup>

Distribusi ekspor gas Rusia ke UE menjadi suatu komoditas utama yang menjamin keberlangsungan hubungan diantara keduanya, selain keadaan geopolitik mereka yang sangat strategis. Konsumsi gas UE yang tinggi pada gilirannya membentuk dependensi gas UE sebagian besar pada Rusia.

**Tabel 3.2.**

Tabel Penerima Ekspor Gas Alam Rusia

TABLE 3: Major Recipients of Russian Natural Gas Exports, 2006-2007				
Rank	Country	2006 Exports (bcfy)	2007 Exports (bcfy)	2006 % of Domestic NG Consumption
1	Germany	1,200	1,275	88%
2	Turkey	725	821	84%
3	Italy	715	743	83%
4	France	520	516	83%
5	Slovak Republic	251	247	73%
6	Poland	242	247	47%
7	Hungary	225	226	71%
8	Slovenia	210	220	100%
9	Austria	188	191	74%
10	Belgium	178	188	100%
11	Denmark	170	170	87%
12	Finland	170	170	47%
13	Sweden	95	113	84%
14	Serbia & Montenegro	74	74	87%
15	China	55	57	37%
16	Slovenia	27	10	54%
17	Switzerland	14	11	14%
18	Moldova	4	4	100%
Selected Baltic & CIS States				
1	Lithuania	2,085	2,240	88%
2	Estonia	721	763	47%
3	Latvia	178	243	73%
4	Azerbaijan	141	0	57%
5	Georgia	67	0	100%

Source: "Economic and Energy Outlook" EIA's Energy Review Report issued 2008; "Energy in Russia and CIS" EIA's Annual Report on Energy Supply of the World, March 2008; "Energy in Russia and CIS" EIA's Annual Report on Energy Supply of the World, March 2007; CIS and CEE European Databook, 2006 from Gazprom Annual Report.

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<sup>47</sup>Lihat *Russia Country Analysis Briefs* <http://www.eia.doe.gov/cabs/Russia/Background.html> (diunduh tanggal 19 Desember 2009 07:28)

<sup>48</sup>Michael Stuermer. *Op.Cit.*, hlm. 135.

<sup>49</sup>Lihat *Import and Export Markets*.

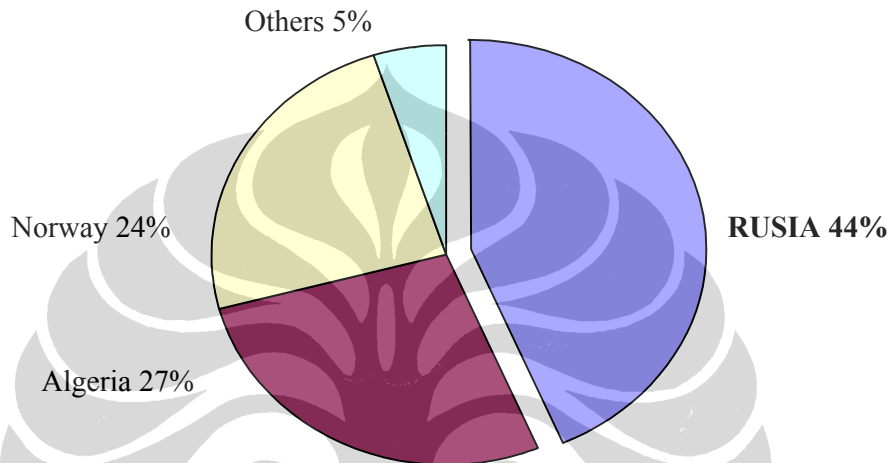
[http://www.eia.doe.gov/cabs/Russia/images/russia\\_gasexp\\_tbl.gif](http://www.eia.doe.gov/cabs/Russia/images/russia_gasexp_tbl.gif) (diunduh tanggal; 19 Desember 2009 08:28)

Sumber: website EEGA

Tabel di atas menunjukkan penerima utama eksport gas alam dari Rusia. Terlepas dari CIS dan negara Baltik, negara-negara UE mendominasi rata-rata presentase dependensi eksport gas Rusia tersebut. Seperti terlihat pada diagram di bawah ini, yang membuktikan bahwa pasokan gas UE sebagian besar dari Rusia.

**Diagram 3.7.**

Negara Asal Impor ke Uni Eropa



Sumber: Christian Cleutinx pada *The EU-Russia Dialogue, European Commission Co-ordination Group*<sup>50</sup>

Gas alam menjadi media utama karena gas alam lebih bersih dari bahan bakar lainnya kecuali tenaga nuklir, ia ramah lingkungan, dan apabila jalur pipa telah dibangun dan dijaga dengan baik segala sesuatunya akan lebih mudah digunakan.<sup>51</sup> Kebutuhan UE untuk memfasilitasi sarana rumah tangga dan instansi-instansi lokalnya adalah keadaan di mana gas sebagai penunjang keberlangsungan pembangunan infrastruktur mereka dan hidup mati mereka pada saat musim dingin. UE memiliki kemampuan yang minim untuk mengeksplorasi gas alamnya. Selain itu hasil dari gas alamnya sendiri pun tidak dapat mencukupi kebutuhan konsumsi gas mereka yang semakin tinggi. UE mengonsumsi gas yang sepertiganya berasal dari Rusia. Lalu pada tahun 2002 UE bergantung pada impor

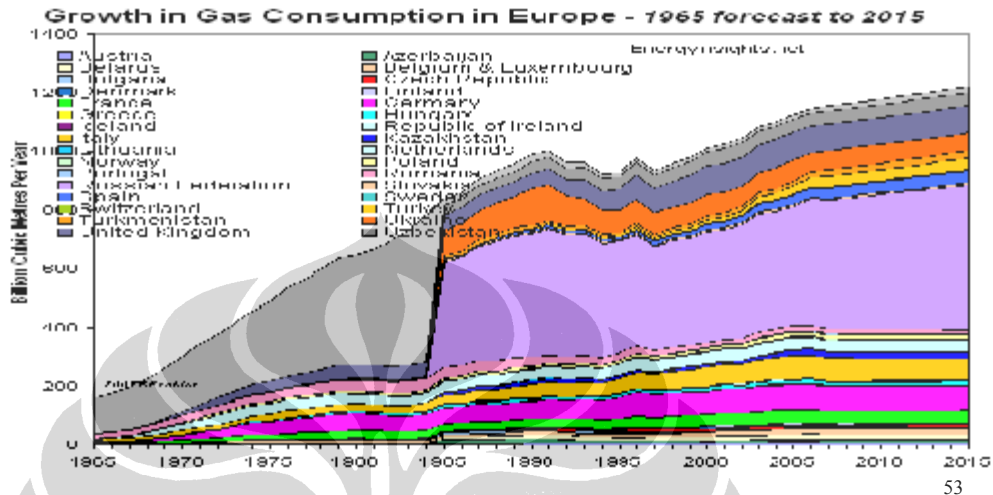
<sup>50</sup>Lihat lampiran hal. 211 Bahan Presentasi Christian Cleutinx

<sup>51</sup>Michael Stuemer. *Op.Cit.*, hlm. 134.

Rusia sudah hampir mencapai 40%.<sup>52</sup> Dari tahun ke tahun jumlah impor gas UE dari Rusia bertambah.

**Grafik 3.2.**

Grafik Pertumbuhan Konsumsi Gas Uni Eropa



Sumber: website EnergyInsight

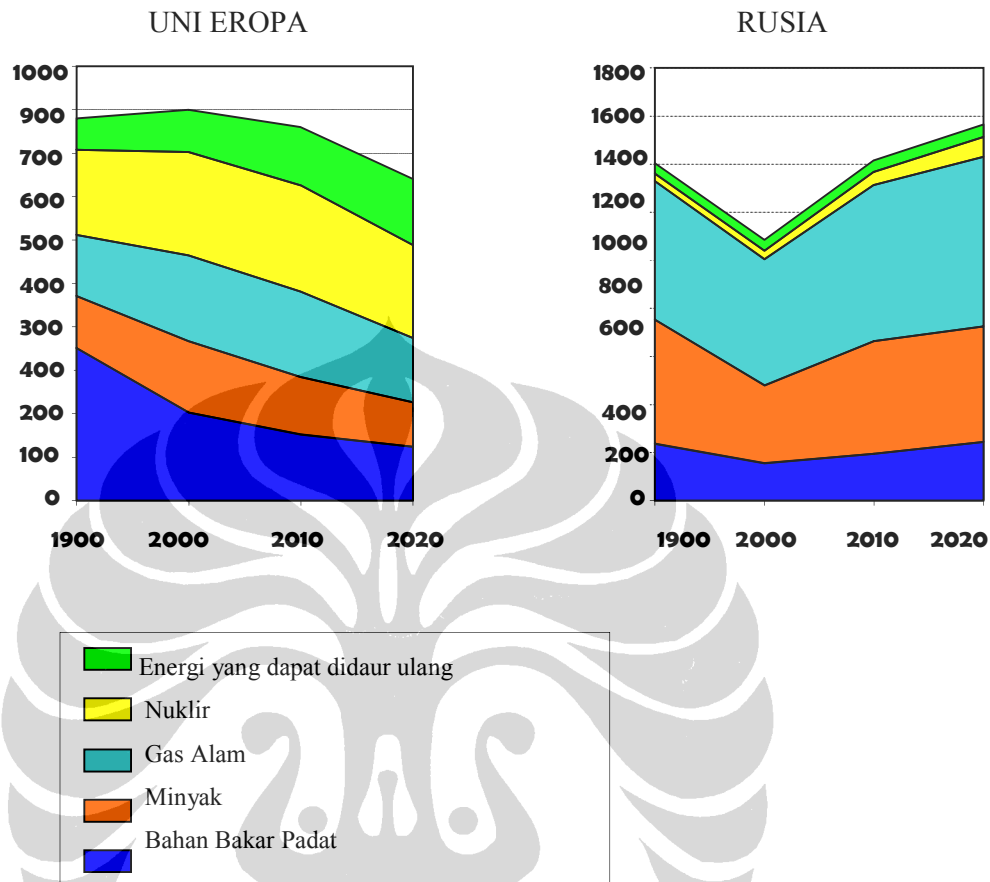
Terlihat pada grafik di atas, pertumbuhan konsumsi gas Uni Eropa rata-rata naik secara signifikan. Hal ini merupakan pemicu dependensi tinggi karena produksi gas mereka tidak bisa mencukupi kebutuhan konsumsi tersebut. Dapat dilihat pada grafik di bawah ini perbandingan produksi gas UE dan Rusia yang berbeda jauh. Rusia memiliki kapasitas produksi yang lebih besar.

<sup>52</sup>Debra Johnson. *Op.Cit.*, hlm. 185.

<sup>53</sup>Lihat *EU Gas Consumption* <http://www.energyinsights.net/> (diunduh 16 Desember 2009 23:18)

**Grafik 3.3.**

Grafik Produksi Gas (dalam satuan ukur Meter Ton Equivalent)



Sumber: Christian Cleutinx pada *The EU-Russia Dialogue, European Commission Co-ordination Group*<sup>54</sup>

Di lapangan, kerjasama industri gas Rusia dengan UE selain terjalin pada kegiatan ekspor-impor juga pada kepemilikan saham-saham pada infrastruktur Rusia dan UE. Infrastruktur yang berkaitan dengan proses, penyimpanan dan distribusi gas. Dominasi kerjasama dilakukan oleh importir gas terpenting yaitu: Jerman.

Hubungan Putin dan Gerhard Schroeder yang baik secara personal memperkuat posisi Gazprom di UE, khususnya Jerman. Dari tahun 1998 sampai dengan 2006, perdagangan diantara keduanya menghasilkan perkembangan biaya

<sup>54</sup>Lihat lampiran hal. 210 Bahan presentasi Christian Cleutinx..

dari 15 miliar sampai dengan 50 miliar.<sup>55</sup> Gazprom banyak mengekspor gas ke Jerman. Selanjutnya, Gazprom memiliki saham perusahaan gas Wingas bagian dari Wintershall yang merupakan perusahaan tambahan BASF, perusahaan gas terbesar di Jerman. Pada awalnya 35.5% lalu pada tahun 2006 sebanyak 50%.<sup>56</sup>

Makin mendalam interaksi diantara keduanya, di awal tahun 2005 BASF dan Gazprom menandatangani *Memorandum of Understanding* (MOU) terkait keterlibatan BASF di lapangan gas dan minyak Yuzhnoe-Russkoye (yang beroperasi tahun 2007).<sup>57</sup> Catatannya adalah persediaan gas Yuzhnoe-Russkoye adalah setara dengan kebutuhan 15 tahun ekspor gas ke Jerman. Lalu di tahun yang sama Gazprom bekerja sama dengan E.ON perusahaan gas besar Jerman lainnya, dalam produksi gas dan tenaga energi gas. Selain itu, Gazprom memiliki 6.5% saham di E.ON Ruhrgas.<sup>58</sup> Satu contoh interdependensi antara Rusia dengan anggota negara UE ini adalah suatu keadaan timbal balik. Jerman memberikan akses yang baik pada kepemilikan dan pengaturan kerja produksi infrastruktur-infrastruktur gas di Jerman, bantuan teknis, ekspor makanan dan barang. Rusia memberikan kepastian persediaan suplai gas yang murah dan dapat diandalkan.

Berkembang dari akses pasti Gazprom di daerah Jerman, ia juga banyak melakukan kerjasama infrastrukural gas dengan anggota-anggota negara lainnya. Gazprom memiliki 10% saham pada jalur pipa *interconnector* antara Belgia dan Britain, juga dengan jumlah yang sama pada jalur pipa yang menghubungkan distribusi gas Netherlands dan Inggris. Pada tanggal 7 Juli 2005, Gazprom dengan Royal Dutch Shell menandatangani MOU terkait dengan pertukaran saham diantara keduanya. Hal ini mencakup suatu keadaan yang fungsional, Royal Dutch Shell menguasai teknologi gas cair alam (LNG) dan Gazprom menyediakan gas.<sup>59</sup> Kerjasama di bidang penguasaan teknologi, khususnya proses esktraksi LNG, Rusia serahkan kepada negara-negara yang memiliki teknologi tersebut. Situasi

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<sup>55</sup>Edward Lucas. *Op. Cit.*, hlm. 172.

<sup>56</sup>*Ibid.*,

<sup>57</sup>Michael Stuemer. *Op. Cit.*,

<sup>58</sup>*Ibid.*,

<sup>59</sup>*Ibid.*,



timbang-balik kebutuhan dan transaksi saham ini kurang lebih tercantum dalam sasaran PCA pasal poin 8:

*-to create the necessary conditions for the future establishment of a free trade area between the Community and Russia covering substantially all trade in goods between them, as well as conditions for bringing about freedom of establishment of companies, of cross-border trade in services and of capital movements.<sup>60</sup>*

Pada proyek kilang gas dan minyak Sakhalin II dengan pemrakarsa Royal Dutch Shell dan Mitsubishi Jepang, awalnya Gazprom hanya memiliki 25% yang akhirnya berkembang menjadi 50% dan 1 saham.<sup>61</sup> Selanjutnya kerjasama teknologi dilaksanakan untuk operasional lahan gas terbesar di Shtokman tercantum pada laporan dialog energi ketujuh dan kedelapan.<sup>62</sup> Lahan Shtokman terletak di Rusia tengah area laut Barents, sekitar 600 km di utara kota Murmansk.<sup>63</sup> Pembangunan lahan ini adalah salah satu kerjasama infrastruktur yang besar.

Gazprom tidak akan membiarkan proyek-proyek berkaitan gas di areanya dilepas kepada pihak luar, Gazprom akan selalu mencari jalan agar kepemilikan saham yang besar didominasi oleh Rusia. Hasil yang didapat Gazprom sesuai dengan aturan kesepakatan pada PCA pasal 30 poin B bagian II: *(b) 'subsidiary' of a company shall mean a company which is controlled by the first company;*<sup>64</sup> hasil tersebut berupa pemberian legitimasi bagi Gazprom dalam lingkup penguasaan perusahaan tambahan dengan saham yang ia miliki di UE.

<sup>60</sup>Lihat lampiran hal teks PCA *Op. Cit.* Tujuan akhir pada situasi timbal balik dan transaksi saham tersebut dalam pasal ini adalah kebebasan berkembang suatu perusahaan yang sudah berdiri kaitannya dengan layanan pada daerah perbatasan perdagangan dan pergerakan modal.

<sup>61</sup>Lihat Sakhalin II <http://www.gazprom.com/production/projects/deposits/sakhalin2/> (diunduh tanggal 17 Desember 2009 07:54)

<sup>62</sup>Proyek Shtokman merupakan objek minat bersama dalam perkembangannya tercantum dalam laporan energi dialog ketujuh dan delapan bahwa mulai beroperasi dan berkembang dengan hasil yang baik pada bulan Juli 2007. Hal ini merupakan keadaan yang memperkuat hubungan Rusia dan Uni Eropa. (Lihat lampiran *EU-Russia Energy Dialogue Eight Progress Report*)

<sup>63</sup>Lihat *Field Description* <http://old.gazprom.ru/eng/articles/article21712.shtml> (diunduh tanggal 7 Januari 2010 18:33)

<sup>64</sup>Lihat lampiran teks PCA. *Op. Cit.*, Bagian II merupakan pembahasan kesepakatan dalam hal Kondisi-kondisi yang Mempengaruhi Pendirian dan Pelaksanaan Perusahaan-perusahaan.

Semua kerjasama yang menyangkut infrastruktur gas termasuk cara-cara UE untuk menjalani hubungan yang baik dan melunakkan Rusia kaitannya dengan kedermawanan penyediaan gas yang baik, murah dan dapat diandalkan. Akan tetapi pada gilirannya, seluruh kegiatan dalam industri gas sampai pada konflik fatal yang dapat mengganggu keseimbangan hubungan industri gas Rusia dengan UE. Baik itu secara fisik, kegagalan transmisi gas, juga secara politis.

### 3.4.1. Konflik Gas Ukraina dan Implikasinya terhadap Kerjasama Rusia dan Uni Eropa

Ukraina merupakan negara CIS di daratan Rusia yang memiliki letak paling strategis. Negara yang membatasi Rusia dengan negara-negara UE. Ia terletak di selatan timur Eropa tengah. Berbatasan dengan Belarusia, Moldova, Slovakia, Rumania, Hongaria, dan Polandia. Selebihnya melingkupi lautan Rusia, Bulgaria, Rumania, dan Turki.<sup>65</sup> Letak strategis ini, membuat Ukraina menjadi area destinasi jalur pipa yang dilalui Rusia untuk distribusi gas ke banyak negara anggota UE.



**Gambar 3.4.**

Peta Ukraina

Sumber: website Ukraine

Segala sesuatu berjalan kondusif berkaitan dengan infrastruktur dan kerjasama penggunaan gas. Sampai akhirnya, Pada akhir 2005 hubungan Rusia

<sup>65</sup>Lihat *Welcome To Ukraine* <http://www.ukraine.org/index.html> (diunduh tanggal 17 Desember 2009 8:37)

<sup>66</sup>Lihat *Maps* <http://www.ukraine.org/maps.html> (diunduh tanggal 17 Desember 2009 8:34)

dan Ukraina menegang. Sebelumnya Gazprom telah menyuplai gas ke Ukraina dengan harga 50 USD per 1000 meter kubik. Hal ini merupakan kesepakatan yang baik dan lancar. Namun, pada pemilihan pemimpin Ukraina pada tahun 2004, Victor Yushchenko terpilih.<sup>67</sup> Yushchenko seorang Ukraina yang pro-barat, sedangkan Rusia lebih memilih Victor Yanukovych yang pro-Rusia. Unsur politis menguat dan Rusia tidak menyukai apa yang terjadi. Dasar pemikirannya, seharusnya Ukraina mempertimbangkan musim dingin yang mematikan atau kandidat presiden yang dapat diterima Rusia.<sup>68</sup>

Rusia tidak menginginkan revolusi oranye<sup>69</sup> Ukraina akan mewabah dan memberi pengaruh buruk bagi mereka. Menindaklanjuti suatu ketidakseimbangan keadaan otoritas politik yang bagi Rusia tidak sesuai, Rusia menaikkan harga gas menjadi 230 USD tanpa pemberitahuan terlebih dahulu. Ukraina pun mendapatkan masalah yang besar, dengan keadaan ekonomi Ukraina yang sulit adalah tidak mungkin menyanggupi pembayaran gas dengan jumlah setinggi itu.

Rusia tidak peduli kesulitan Ukraina. Pada tanggal 1 Januari 2006, Rusia menghentikan aliran gas ke Ukraina dan seluruh negara Eropa gempar. Bagaimana tidak, melihat kenyataan bahwa 80% gas dari Rusia ke UE datang dari jalur pipa yang melewati Ukraina.<sup>70</sup>

Peta berikut ini merupakan peta negara-negara CIS dan bisa dilihat bagaimana letak Ukraina paling strategis dan fungsional. Melihat satu-satunya arah ke barat UE adalah melalui negara CIS ini yang terbilang maju dan menjadi perhatian Rusia dalam perkembangannya.

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<sup>67</sup>Michael Stuermer. *Op. Cit.*, hlm. 142.

<sup>68</sup>*Ibid.*,

<sup>69</sup>Revolusi Oranye atau *Orange Revolution* adalah gerakan yang dilakukan rakyat Ukraina dimulai pada hari Minggu, 21 November 2004. Gerakan ini adalah protes melawan taktik kampanye yang buruk dan kecurangan dalam pemilihan oleh administrasi kandidat presiden. Oranye berasal dari warna kampanye Victor Yuschenko. <http://orangeukraine.squarespace.com/revolution/> (diunduh tanggal 17 Desember 9:19)

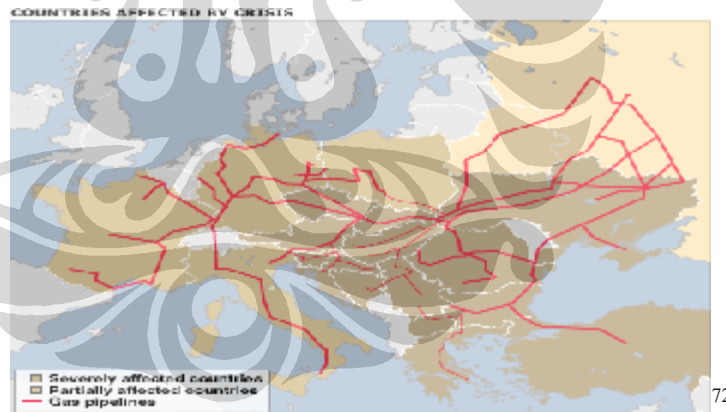
<sup>70</sup>Michael Stuermer. *Op. Cit.*,



**Gambar 3.5.**

Peta Negara-negara CIS  
Sumber: website Ukraine

Sedangkan peta berikut adalah peta negara-negara UE yang terkena dampak krisis gas Ukraina pada tahun 2005-2006 tersebut. Hampir seluruh wilayah UE terkena imbas penghentian aliran gas dari Rusia.



**Gambar 3.6.**

Peta Negara-negara yang Terkena Dampak Krisis Ukraina

Sumber: website BBC

<sup>71</sup>Lihat *Maps* <http://www.lib.utexas.edu/maps/commonwealth/commonwealth.jpg> (diunduh tanggal 17 Desember 2009 8:42)

<sup>72</sup>Lihat *Russian and Ukraine Gas Pipelines* [http://news.bbc.co.uk/nol/shared/spl/hi/europe/09/gas\\_pipeline\\_flick/img/gas\\_pipelines\\_map466\\_a\\_ff.gif](http://news.bbc.co.uk/nol/shared/spl/hi/europe/09/gas_pipeline_flick/img/gas_pipelines_map466_a_ff.gif) (diunduh tanggal 17 Desember 2009 10:00)

Dari tindakan ini, Putin menggunakan daya monopoli Rusia pada penetapan harga. Selanjutnya, melihat keadaan ini seakan-akan stabilitas UE mutlak tergantung pada Rusia karena apabila stabilitas industri gas Rusia goyah, goyah pula stabilitas UE dengan fokus pada keamanan suplai gas. Seperti yang dipaparkan Putin dalam pidatonya:

*“Напомню вам, и здесь напротив меня сидит мой коллега, Президент Украины, он это знает так же, как и я: до прошлого года, пока мы с ним в трудной дискуссии не приняли соответствующих решений, поставки наших энергоносителей, прежде всего газа в Европу, в течение 15 лет зависели от того, договорятся ли Украина и Россия между собой по условиям и по ценам поставок нашего газа в саму Украину, а если не договорятся – все, европейские потребители сидели бы без газа. Такая ситуация вас устраивает? Думаю, нет. И несмотря на все скандалы там и прочее, защиту интересов, борьбу мнений и так далее, мы смогли договориться с Президентом Ющенко. Я считаю, что он принял ответственное, исключительно правильное, абсолютно рыночное решение: .....*”<sup>73</sup>

*“I will remind you and my colleague, the President of Ukraine, who is sitting opposite from me, also knows this. For fifteen years prior to 2006, as long as we did not make the corresponding decisions during our difficult talks, deliveries of Russian energy and, first and foremost, of gas to Europe depended on the conditions and prices for the deliveries of Russian gas to Ukraine itself. And this was something that Ukraine and Russia agreed among themselves. And if we reached no agreement, then all European consumers would sit there with no gas. Would you like to see this happen? I don't think so. And despite all the scandals, the protection of interests, and differences of opinion we were able to agree with President Yushchenko. I consider that he made a responsible, absolutely correct and market-oriented decision.....”*<sup>74</sup>

Hal ini menyatakan bahwa dinamika hubungan Rusia dengan Ukraina, apabila tidak mencapai suatu kesepakatan yang baik akan berdampak pada stabilitas industri gas Rusia dan akan berdampak pada stabilitas Uni Eropa pula. Begitu pula bagi Rusia, apabila UE melakukan manuver berkaitan dengan pengurangan dependensinya terhadap Rusia dalam bentuk apapun, Rusia harus balik melakukan antisipasi demi kelangsungan industri yang menjadi fondasi ekonomi bangsa mereka. Oleh karena itu, masing-masing pemerintahan membentuk suatu aturan-aturan tertentu baik diaplikasikan sendiri dan dipatuhi

<sup>73</sup> Lihat lampiran hal. 244 paragraf terakhir, Putin pada Teks *Munich Conference*

<sup>74</sup> Lihat lampiran hal. 247 paragraf terakhir, Putin pada teks *Munich Conference*

pihak lawan yang terkait. Pentingnya sinergi kebijakan diantara keduanya untuk mengatasi masalah bilateral yang ada, sesuai dengan pidato putin berikut:

*Следует органично дополнить эту работу совместными действиями России и Евросоюза. Предлагаю поручить нашим министерствам иностранных дел и руководителям других компетентных ведомств разработать к следующему саммиту конкретную программу подобных мер. Думаю, что в практическом плане нам нужно подумать над тем, как объединить усилия в борьбе с этой угрозой.*<sup>75</sup>

*The joint efforts of Russia and the European Union should fit into that work. I suggest that we instruct our foreign ministries and the heads of other competent agencies to submit a concrete programme for such measures to our next summit. I think we should see how we can combine our efforts in combating this threat in a practical way.*<sup>76</sup>

Hal ini membawa Rusia dan UE pada akhirnya ke suatu ikatan hubungan kerjasama yang harus berkelanjutan. Dalam hal ini adalah kebijakan energi gas dari masing-masing pemerintahan yang berujung pada kerjasama mutual dan menekankan kepada keamanan suplai energi gas. Seperti tercantum pada laporan dialog energi ketujuh:

*The parties take note of the important discussions on energy security undertaken during Russia's presidency of the G8 and in particular welcome and share the statement on Global Energy Security Principles agreed at the St. Petersburg Summit in July 2006. These principles continue to be a fundamental part of the EU-Russia Energy Dialogue, in particular the commitments to open, transparent, efficient and competitive markets for energy production, supply, use, transmission dan transit services as well as the recognition that transparent, equitable, stable and effective legal and regulatory frameworks are fundamental to generate sufficient, sustainable investments throughout the energy chain*<sup>77</sup>.

Bahwa pentingnya keamanan energi adalah untuk mencapai pasar energi gas yang efisien untuk produksi, suplai, penggunaan dan khususnya jasa transmisi dan transit gas.

<sup>75</sup>Lihat lampiran hal. 233 Teks pidato Putin pada *Russian-European Summit, Constantine-Strelina*

<sup>76</sup>Lihat lampiran hal.236 Teks pidato Putin pada *Russian European Summit, Constantine-Strelina*

<sup>77</sup>Lihat lampiran hal. 170 bagian I Laporan dialog energi ketujuh pada tahun 2006

### 3.4.2. Antisipasi Uni Eropa

Konflik Ukraina membuat UE waspada akan kapabilitas monopoli Rusia memotong pasokan gas. Oleh karena itu, UE membentuk kebijakan *energy supply security*<sup>78</sup> yang di dalamnya terdapat aturan bagaimana menjamin persediaan gas UE akan aman dan siap saat dibutuhkan.

Pendekatan UE untuk hubungan energi gas dengan Rusia didominasi oleh masalah keamanan persediaan energi. Meski demikian, UE tetap menginginkan pengurangan akan dependensi gas mereka terhadap Rusia terkait dengan keamanan pengiriman gas dan regulasi yang tidak terlalu berpusat pada aturan Moskow. Ada beberapa langkah yang di ambil UE untuk mengatasi hal-hal tersebut, yaitu:

- Pengaplikasian *Energy Charter Treaty* dalam Konteks Kerjasama UE dan Rusia

*Energy Charter* dibentuk pada tahun 1991 dan disahkan di Lisbon pada tahun 1994. Perjanjian ini ditandatangani oleh 49 negara\* dan UE yang merancang prinsip-prinsipnya dengan tujuan menyatukan sistem energi di Eropa Barat dan Timur bersamaan dengan garis pasar energi.<sup>79</sup> Dibentuknya perjanjian ini untuk mencapai tujuan keamanan suplai energi bersama seluruh negara UE.

Pasca konflik Ukraina tahun 2006, UE mengerahkan peraturan dalam perjanjian ini agar diratifikasi penuh oleh Rusia.\* Sesuai dengan rencana awal peratifikasian pada tahun 2000, seperti tercantum pada presentasi Christian Cleutinx Direktur Koordinator *EU-Russia Energy*

<sup>78</sup>Lihat JM Chevalier *Security of Energy Supply For The European Union*

<http://www.dauphine.fr/cgemp/Publications/Articles/Chevalier%20SECURITY%20OF%20ENERGY%20SUPPLY.pdf> (diunduh tanggal 21 Desember 2009 14:08)

\*Pada perkembangannya anggota *Energy Charter* mencapai 51 negara. Rusia termasuk salah satu negara yang menandatangani perjanjian tersebut pada tahun 1994. (Lihat <http://www.encharter.org/index.php?id=18&L=0> diunduh tanggal 7 Januari 2010 07:00)

<sup>79</sup>Lihat *Russia refuse Energy Charter* <http://www.eubusiness.com/news-eu/1249565521.43/> (diunduh tanggal 30 Agustus 2009 21:00)

\*Seperti yang dijelaskan pada note sebelumnya, Rusia termasuk salah satu negara yang menandatangani *Energy Charter* dengan status *pending ratification*. Maksud dari status itu adalah Rusia menyetujui aplikasi dari ketentuan perjanjian ini, akan tetapi melihat konsisten pada konstitusi, hukum dan peraturan Rusia pada perkembangan program-program yang akan dilaksanakan. (Lihat link *Encharter. Loc. Cit.*)

*Dialogue: "The planned ratification of the Energy Charter by Russia and the improvement of the investment climate will be important aspects in this context."*<sup>80</sup>

Penguatan pengajuan agar Rusia meratifikasi penuh ini adalah antisipasi UE terhadap daya monopoli Rusia ini, tujuan yang ingin dicapai adalah liberalisasi. Liberalisasi untuk melonggarkan keketatan peraturan Gazprom Rusia.

- **Proyek Jalur Pipa Nabucco**

Suatu alternatif pengurangan dependensi dipersiapkan sejak awal oleh UE. Jalur Pipa Nabucco dicetuskan sejak tahun 2003-2004. Diprakarsai oleh perusahaan OMV Austria diikuti dengan anggota pemegang saham: Romania, Hongaria, Bulgaria dan Turki.<sup>81</sup> Proyek ini proses pelaksanaannya diperkuat karena UE mempertimbangkan fatalnya tindakan Rusia terhadap Ukraina dan otoritas penetapan harga sebagai akibat dari daya monopoli Rusia berdampak buruk bagi UE.

Proyek yang direncanakan akan selesai tahun 2012, akan mengirimkan Eropa 30 miliar meter kubik gas dari 4 sumber produsen: Iraq, Iran, dan Asia Tengah serta Turki.<sup>82</sup> Jalur pipa tersebut dikonstruksi sepanjang Eropa melalui Bulgaria, Romania dan Hongaria serta daerah sekitarnya sampai ke Austria.<sup>83</sup> Meskipun kapasitas gas yang akan didapatkan hanya 10% dari kebutuhan Eropa, akan tetapi optimisme tetap dimiliki UE terhadap sesuatu yang akan berkembang terkait pengurangan dependensi pada Rusia.

<sup>80</sup> Lihat lampiran hal. 222 Bahan presentasi Christian Cleutinx *The EU-Russia Energy Dialogue*

<sup>81</sup> Lihat *Nabucco Project Partners* <http://www.hydrocarbons-technology.com/projects/nabuccopipeline/> (diunduh tanggal 7 Januari 2010 12:36)

<sup>82</sup> Edward Lucas. *Op. Cit.*, hlm. 176.

<sup>83</sup> Lihat *Nabucco Gas Pipelines, Europe* <http://www.hydrocarbons-technology.com/projects/nabuccopipeline/> (diunduh tanggal 7 Januari 2010)





**Gambar 3.7.**

Peta Rencana Jalur Pipa Nabucco  
 Sumber: website Nabucco Pipeline

### 3.4.3. Antisipasi Rusia

Pada kepemimpinan Putin, banyak kebijakan yang dibuat berkaitan dengan hanya semata-mata untuk perkembangan industri gas. Penangkapan Mikhail Khodorkovsky, pemilik perusahaan minyak dan gas terbesar di Rusia karena tuduhan penggelapan pajak misalnya; menunjukkan kekuasaannya yang semakin besar untuk menunjukkan warna dan arah kebijakan energi.<sup>85</sup> Segala sesuatunya akan dikerahkan agar Gazprom tetap mengendalikan kekuasaan industri gas di seluruh Eropa. Banyak dampak dari konflik Ukraina terhadap Rusia. Antisipasi Putin terhadap hal tersebut terangkum dalam 4 hal perwujudan dari kebijakan energinya, yaitu:

1. Mencegah UE memiliki banyak penyedia
2. Memperkuat posisi Gazprom di pasar gas internasional
3. Mendapatkan kapabilitas “aset arus bawah” dalam penyimpanan dan distribusi gas di negara-negara barat.

<sup>84</sup>Lihat <http://www.nabucco-pipeline.com/project/project-description-pipeline-route/project-description.html> (diunduh tanggal 7 Januari 2010 13:26)

<sup>85</sup>Kusnanto Anggoro. Geopolitik Energi, Manuver Diplomasi Putin. Jurnal Kajian Wilayah Eropa Volume IV No. 1 tahun 2008. hlm. 71-72.

4. Menggunakan aset-aset tersebut untuk melakukan tekanan politik.<sup>86</sup>

Secara sederhana dan lugas, antisipasi utama Putin terhadap rintangan-rintangan pasca konflik Ukraina adalah Monopoli. Peraihan menyeluruh akan aset gas yang dapat mengancam otoritas Gazprom apabila tidak dilakukan. Langkah-langkah Putin menghadapi antisipasi UE:

- Tidak meratifikasi penuh *Energy Charter Treaty*

UE menginginkan liberalisasi pada hukum transaksi perdagangan energi, sedangkan Rusia menginginkan kendali. Rusia sangat menyadari adanya penyamaan-rataan hukum dengan UE sama sekali tidak akan menyokong tujuan monopolis mereka. Akan tetapi, perjanjian ini dapat menjembatani hubungan Rusia dengan anggota negara UE untuk melakukan transaksi tersebut sejauh masih sesuai dengan konstitusi Rusia.

Melihat dari paparan pada kebijakan luar negeri Putin sebagai berikut:

*добивается максимальных выгод и сведения к минимуму рисков при дальнейшей интеграции России в мировую экономику с учетом необходимости обеспечения-экономической, энергетической и продовольственной безопасности страны;*<sup>87</sup>

*Russia shall seek to reduce to a minimum the risks relating to Russia's further integration in the world economy, bearing in mind the need to ensure the country's economic security;*<sup>88</sup>

Bahwa Rusia tidak akan mudah mengintegrasikan aspek ekonomi dengan undang-undang lain untuk mengurangi resiko pada keberlangsungan minat nasionalnya. Berangkat dari keadaan tersebut Putin memutuskan untuk tidak meratifikasi penuh perjanjian ini. Walaupun demikian, UE tidak bisa menghalangi negara-negara anggotanya melakukan kerjasama secara individu dengan Rusia. Antisipasi Rusia

<sup>86</sup>Edward Lucas. *Op. Cit.*, 163.

<sup>87</sup> Lihat lampiran hal 190 Teks kebijakan luar negeri Rusia bagian 3 poin 3 paragraf 3.

<sup>88</sup> Lihat lampiran hal. 203 Teks kebijakan luar negeri bagian 3 poin 3 paragraf 3

adalah Gazprom memiliki banyak saham di lebih dari 26 negara anggota UE. Gazprom juga sudah memiliki kontrak 30 tahun dengan perusahaan gas ENI Itali, BASF Jerman dan Gaz de France. Selain investasi pada bidang infrastruktur gas, Gazprom juga memiliki saham di Ruhr Jerman, pada Klub Bola Schalke 04.<sup>89</sup> Ini adalah penguasaan melalui segmen sosial budaya, yang menghantarkan hubungan keduanya pada suatu keadaan yang erat..

- Politik Jalur Pipa

*«Трубопроводная газовая система — это детище Советского Союза. Мы и дальше намерены сохранять контроль государства над газотранспортной системой и «Газпромом». «Газпром» делить не будем. И у Еврокомиссии не должно быть никаких иллюзий. В газовой сфере они будут иметь отношения с государством»<sup>90</sup>*

*The gas pipeline is the creation of the Soviet Union. We intend to retain state control over the gas transport system and over Gazprom we will not split Gazprom up. And the European Commission should not have any illusions. In the gas sector, they will have to deal with the state<sup>91</sup>*

Dampak yang paling signifikan dari konflik Ukraina terhadap Rusia adalah seleksi konsumen. Taktik *Divide and Rule*<sup>92</sup> lebih berupa hak Rusia menetapkan perlakuan dagang yang berbeda-beda untuk setiap negara dan kunci dari kebijakan Jalur Pipa Rusia. Seperti yang tercantum pada pidato Putin:

*На что бы мне хотелось обратить внимание? Если Европа будет рассматривать Россию как чужеродный элемент, то тогда, конечно, мы будем строить препятствия на пути расширения этого взаимодействия. А если Европа будет относиться к нам как к равноправному партнеру, тогда в отношении России не будут действовать правила, согласно которым страна ЕС не может более 30 процентов*

<sup>89</sup>Michael Stuermer. *Op. Cit.*, hlm. 138.

<sup>90</sup>Lihat kutipan pidato Putin, Pavel Felgengauer “Oborona Neftegazovoy Truby” 13.10.2003 <http://www.novayagazeta.ru/data/2003/76/06.html> (diunduh 20 Desember 2009 00:00)

<sup>91</sup>Edward Lucas. *Op. Cit.*, hlm. 164

<sup>92</sup>*Ibid.*, hlm. 185

*энергоресурсов получать из страны, не являющейся членом этого сообщества. Сегодня такие правила действуют, и они реально могут привести к ограничению нашего сотрудничества. А в Европе и в Германии они неизбежно приведут к повышению цен, в том числе для бытовых потребителей.<sup>93</sup>*

*What do I want to stress? If Europe considers Russia as an alien element, then we will be placing obstacles in the way of broader cooperation. But if Europe treats us as an equal partner, then it will not apply the rule that no EU country can get more than 30% of its energy from a non-member country. Today such rules apply and they may set limits to our cooperation. And in Europe and Germany they will inevitably increase prices, including for households.<sup>94</sup>*

Hal ini memang meresahkan dan merupakan tindakan paling nyata untuk mengaplikasikan kekuatan monopoli Gazprom kaitannya dengan mengembangkan keuntungan bagi Rusia. Kembali lagi pada kenyataan bahwa, bahkan UE tidak dapat menghalangi negara-negara anggotanya melakukan kerjasama dengan Rusia adalah unsur yang paling mendominasi di sini. Seperti yang tercantum pada jawaban Putin atas:

*“мы подписали контракты отдельно на поставку в Украину нашего газа и отдельно – на транзит в Европу на пять лет вперед. Спасибо нам нужно сказать, и нам, и Украине, за это решение. И за Ваш вопрос спасибо, вопрос хороший.”<sup>95</sup>*

*We signed separate contracts for the delivery of our gas to Ukraine and for delivering Russian gas to Europe for the next five years. You should thank us, both Russia and Ukraine, for this decision. And thank you also for your question.<sup>96</sup>*

Contohnya kontrak proyek yang dipaparkan berikut. Jerman sebagai salah satu partner energi yang paling solid, berinisiatif melakukan pembangunan jalur pipa *Nord Stream* dengan Rusia. Terbentuk pada tanggal 2 Desember 2005 dengan nama awal *North European Gas Pipeline* dan berganti nama menjadi *Nord Stream* pada tanggal Oktober

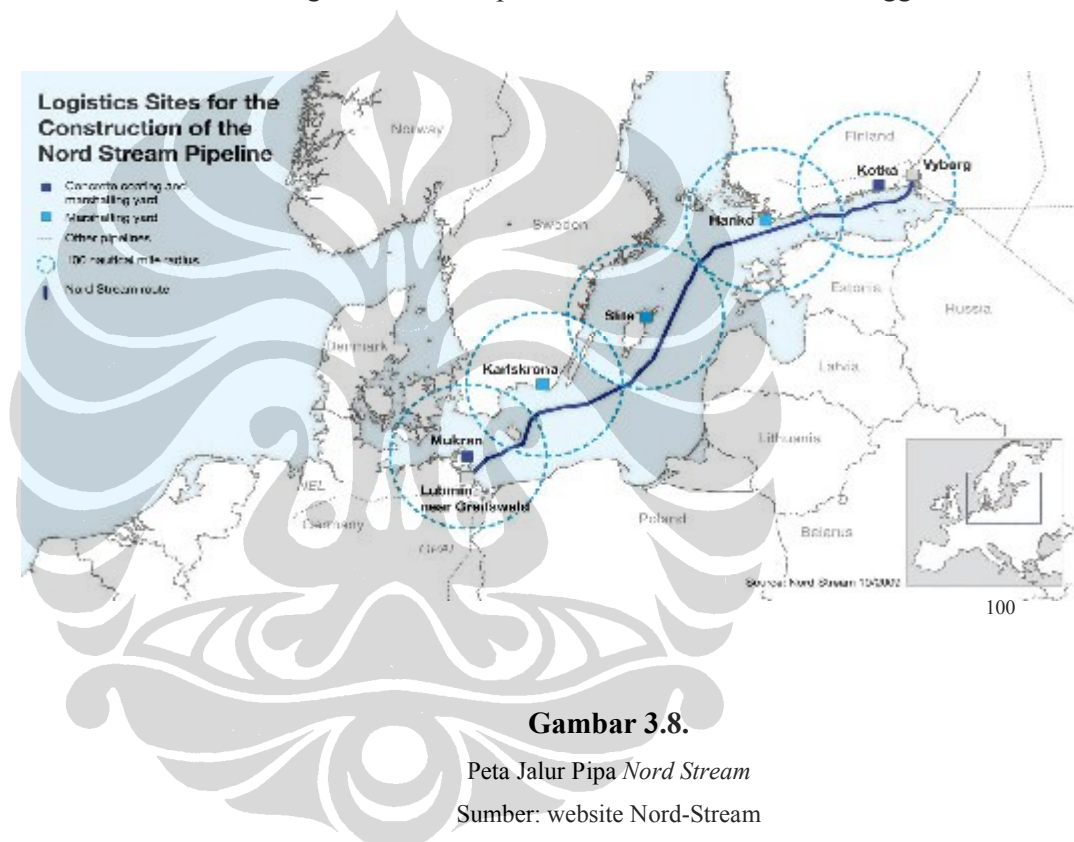
<sup>93</sup>Lihat lampiran hal. 29 paragraf 11 Teks *Petersburg Dialogue Russian German Civic Forum*

<sup>94</sup>Lihat lampiran hal. 230 paragraf 5 Teks *Petersburg Dialogue Russian German Civic Forum*

<sup>95</sup>Lihat lampiran hal. 24 paragraf terakhir Teks *Munich Conference*

<sup>96</sup>Lihat lampiran hal. 24 paragraf terakhir Teks *Munich Conference*

2006.<sup>97</sup> *Nord Stream* adalah antisipasi Jerman untuk menghindari pemotongan suplai gas di Ukraina. Direncanakan akan selesai pada tahun 2011.<sup>98</sup> Hal ini tidak ada ruginya bagi Rusia sama sekali. Pada 8 September 2005 saham *Nord Stream* dimiliki 24.5% oleh E.ON Ruhrgas, 24.5% Wintershall-BASF.<sup>99</sup> Sisanya milik Gazprom. Hal ini malah menambah kendali Gazprom pada infrastruktur gas. *Nord Stream* adalah jalur pipa gas yang menghubungkan Rusia dan UE melalui laut Baltik. Ia akan membawa gas alam untuk persediaan bisnis dan rumah tangga.



<sup>97</sup> Lihat *Our Company* <http://www.nord-stream.com/en/our-company.html> (diunduh tanggal 12 Januari 2010 16:25)

<sup>98</sup> Lihat *Strategy Nord Stream and South Stream Gas Pipelines* <http://eng.gazpromquestions.ru/index.php?id=9> (diunduh tanggal 19 Desember 2009 07:43)

<sup>99</sup> *Ibid.*, hlm. 167.

<sup>100</sup> Lihat [http://www.nord-stream.com/fileadmin/Dokumente/3\\_PNG\\_JPG/4\\_Maps/Nord\\_Stream\\_Logistics\\_ENG.jpg](http://www.nord-stream.com/fileadmin/Dokumente/3_PNG_JPG/4_Maps/Nord_Stream_Logistics_ENG.jpg) (diunduh tanggal 7 Januari 2010 14:12)

Jalur Pipa ini faktor yang sangat penting bagi keamanan energi di Eropa. Selain itu kapasitas jalur pipa *Nord Stream* memuat 55 miliar meter kubik gas pertahun. Jumlah ini cukup untuk persediaan lebih dari 26 juta rumah tangga.<sup>101</sup> Lalu, jaringan pemilik saham pada tahun 2008 bertambah perusahaan Netherlands Gasunie membeli saham 9% dan Gazprom diberi saham jalur pipa bawah laut Britain.<sup>102</sup>

*Nord Stream* bukan hanya sekedar jalur pipa. Tapi, ia merupakan suatu saluran baru untuk ekspor gas alam Rusia, dan proyek infrastruktur besar, yang merupakan level yang lebih tinggi dalam kerjasama UE Rusia.<sup>103</sup> Seperti tercantum pada laporan dialog energi kedelapan: *work to realize the Nord Stream project, which is continuing successfully. The Parties stress the importance of the environmental impact assessment study, which is underway.*<sup>104</sup> Kelanjutan dari Politik Jalur Pipa ini, menghantarkan Gazprom pada tahun 2006 memiliki 50% lebih perusahaan gas terbesar Jerman, Wingas.

Dominasi tak habis sampai di arus utara saja. Pada Jalur Pipa Nabucco yang hendak dibangun UE untuk mengurangi dependensi gas Rusia, gas akan dikirim dari Asia Tengah melalui Laut Kaspian. Rusia mendapatkan keuntungan yang mutlak dalam hal ini. Laut Kaspian merupakan danau bagi Rusia dan negara sekitarnya. Sedangkan menurut hukum internasional, negara disekeliling danau dapat menggunakan hak vetonya.<sup>105</sup> Rusia dapat menghalangi jalan UE untuk membangun Nabucco.

Rusia pun menggenggam Iran, sebagai salah satu sumber gas Nabucco dengan bantuan pada penghancuran rezim untuk mendapatkan teknologi nuklir yang lebih tinggi. Iran mengirimkan banyak ekspor gas melalui Armenia, dan di sana Armenia bisa membeli perusahaan gas impor

<sup>101</sup>Lihat *Nord Stream* <http://www.nord-stream.com/en/> (diunduh tanggal 17 Desember 2009 15:21)

<sup>102</sup>Edward Lucas. *Op. Cit.*, hlm. 175.

<sup>103</sup>Lihat *Nord Stream. Op. Cit.*,

<sup>104</sup> Lihat lampiran hal .... Laporan dialog energi kedelapan pada tahun 2007

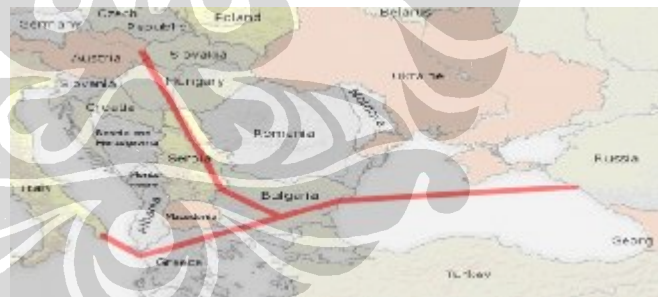
<sup>105</sup>Edward Lucas. *Op. Cit.*, hlm. 166

dari Iran yang akhirnya dapat menghadang Azerbaijan, yang merupakan sumber gas proyek jalur pipa Nabucco lainnya.

Selanjutnya, untuk mengganti proyek Nabucco Rusia menyarankan membangun jalur pipa *South Stream*, senilai 5.5 miliar dolar yang akan membentang di Bulgaria dan mengirim 30 miliar meter kubik gas Rusia setiap tahun ke Eropa melalui Balkan.<sup>106</sup> Seperti tercantum pada jawaban Alexei Miller terhadap pertanyaan Putin tentang perkembang Gazprom dan kerjasamanya dengan UE gas pimpinan Gazprom:

*“Сегодня не является критичным вопрос по добыче – сейчас нам надо работать в плане новых газотранспортных маршрутов, надо работать в отношении диверсификации наших маршрутов, и в этой связи мы с нашими европейскими партнерами разрабатываем сейчас проект Североевропейского газопровода. Этот проект позволит обеспечить более высокую надежность и стабильность поставок для наших европейских потребителей. Определено базовое месторождение для реализации проекта – это Южнорусское месторождение”.*<sup>107</sup>

*“Today the issue of production is not critical, but we need to work on new gas transport routes, in diversifying our routes, and we are currently working on a project of a North European gas pipeline with our European partners. This project will make it possible to ensure a greater reliability and stability of deliveries for our European consumers. The base gas field for realising this project has been determined– the South Russian gas field.”*<sup>108</sup>



109

**Gambar 3.9.**

Peta Jalur Pipa *South Stream*

Sumber: website Novinite

<sup>106</sup>*Ibid.*, hlm. 177.

<sup>107</sup> Lihat lampiran hal 238 Teks pertemuan Putin dengan pimpinan Gazprom Alexei Miller

<sup>108</sup> Lihat lampiran hal 240 Teks pertemuan Putin dengan pimpinan Gazprom Alexei Miller

<sup>109</sup> Lihat [http://www.novinite.com/media/images/2009-05/photo\\_verybig\\_103733.jpg](http://www.novinite.com/media/images/2009-05/photo_verybig_103733.jpg) (diunduh tanggal 7 Januari 2010 15:26)

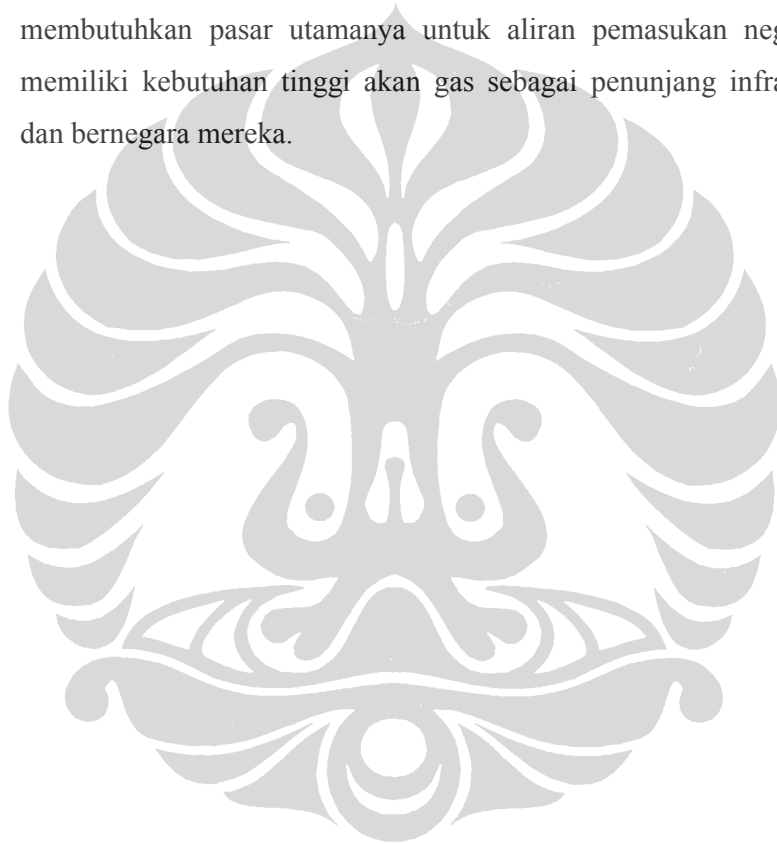






perusahaan-perusahaan gas lain di dalam dan luar negeri. Contohnya, BASF Jerman, Gaz de France dan bahkan perusahaan-perusahaan migas besar Arab Saudi. Tetapi Rusia tetap menjadi produsen gas monopolistik yang kuat. Hal tersebut dilihat dari daya produksi gas yang tinggi tersebut dan penguasaan perusahaan cabang atau tambahan, serta rekanan terikat berjumlah banyak dengan cakupan luas yang dimiliki Gazprom.

Kemudian, pada gilirannya keadaan ini menjadi suatu faktor interdependensi simetri bagi UE. Melihat dari perbandingan bahwa Rusia juga membutuhkan pasar utamanya untuk aliran pemasukan negara dan UE yang memiliki kebutuhan tinggi akan gas sebagai penunjang infrastruktur berbangsa dan bernegara mereka.



## BAB 4

### KESIMPULAN

Rusia merupakan negara terbesar di dunia. Daratannya terbentang dari perbatasan panjang negara-negara Eropa dan jauh ke barat berbatasan dengan daratan serta lautan Asia Tengah. Pada daratan seluas itu, Rusia memiliki sumber daya alam gas yang begitu tinggi. Ditambah lagi dengan lahan lautannya, juga cakupan kekuasaan infrastruktur gas mereka di dalam dan luar wilayah domestik. Hasil produksi gas Rusia diprediksi tidak akan habis sampai 50 tahun kedepan. Hasil produksi yang lebih dari mencukupi kebutuhan konsumsi gas Rusia sendiri.

Eropa merupakan kumpulan negara yang tidak lepas hubungannya dengan Rusia. Sejak tahun 1970an Eropa sudah banyak menanamkan banyak modal untuk impor gas Rusia dalam memenuhi kebutuhan konsumsi gas mereka, yang tidak dapat dipenuhi oleh produksi gas mereka sendiri. Seiring dengan terbentuknya Federasi Rusia pada tahun 1991 dan Uni Eropa (UE) pada tahun 1993, ditandatangani *Partnership and Cooperation Agreement* (PCA) pada tahun 1994. PCA merupakan manifestasi pengakuan mereka, bahwa satu sama lain dengan potensi yang dimiliki merupakan partner utama dalam kemajuan negaranya masing-masing.

Berangkat dari keadaan dalam negeri Rusia, sejak hancurnya Uni Soviet, industri gas yang digerakan oleh Gazprom sebagai pribadi kementerian industri energi Rusia mengalami status yang terombang-ambing. Karena keterbukaan pasar pada kepemimpinan Boris Yeltsin, program Privatisasi membuat potensi Gazprom sebagai penguasa infrastruktur, produksi dan distribusi gas sedikit termarginalkan serta tidak terlalu dimaksimalkan. Yeltsin justru membiarkan tangan-tangan oligarki menggerogoti perindustrian gas yang sesungguhnya merupakan lahan basah bagi pembangunan ekonomi Rusia. Selanjutnya, akibat dari Yeltsin membiarkan industri gas Rusia dikuasai golongan swasta adalah korupsi menggerogoti stabilitas keuangan negara. Banyak perusahaan-perusahaan gas swasta yang merajalela mengalihkan aliran kas investasi asing ke kantong pribadi.

Reformasi besar pada industri gas Rusia warisan Yeltsin adalah pada masa pemerintahan Vladimir Vladimirovich Putin tahun 2000-2008. Karakternya yang nasionalistik mungkin sama seperti yang di miliki pemimpin-pemimpin pendahulunya. Namun, wawasan modern dan nasionalitas yang rasional dan konsisten membuat gaya kepemimpinan Putin dapat merubah dan mengembalikan kekuatan Rusia di tengah dunia internasional.

. Tindakan-tindakan dan hasil serta implikasi kebijakan-kebijakan Putin dalam kerjasama industri gas Rusia dengan Uni Eropa adalah sebagai berikut:

Pertama, Melakukan nasionalisasi industri energi, khususnya gas dengan mengerahkan kekuasaan vertikal yang diaplikasikan Putin. Gaya kekuasaan ini mungkin agak mengingatkan kembali pada masa otoritas Uni Soviet. Tetapi, kekuasaan vertikal ini cenderung ke arah demokrasi ala Rusia yang memindahkan kekuasaan kembali ke pusat - Kremlin. Pada gilirannya, kekuasaan ini secara relevan mengembalikan otoritas Gazprom sebagai produsen dan eksportir gas terbesar di regional Eropa, bahkan dunia. Implikasi nasionalisasi Gazprom ini bagi UE adalah dependensi gas yang lebih tinggi dengan peraturan kesepakatan pasokan gas yang tinggi pula dan menjadi tekanan bagi UE.

Pada tahun 2000, dialog energi pertama kali dilaksanakan di Paris dengan pertimbangan betapa penting industri gas Rusia bagi UE dan UE bagi Rusia sebagai pasar utama. Agenda Paris ini mengedepankan, stabilitas suplai gas Rusia untuk UE kaitannya dengan keamanan energi. UE sadar betul, bahwa gerak orbit pemerintahan di badan Rusia berpengaruh pada stabilitas Gazprom sebagai penyedia utama. Kemudian, stabilitas Gazprom akan berpengaruh besar pada keadaan infrastruktur nasional UE. Sebaliknya, Rusia pun mengakui bahwa UE penting baginya.

Berangkat dari situasi tersebut, hasil pertama dialog energi ini adalah keamanan energi dan pada perkembangannya kerjasama Rusia dan UE pada masa Putin berlangsung sampai dengan dialog energi ke 8 di Moskow pada tahun 2007. Selain itu, makin meningkatnya konsumsi gas UE, makin meningkat pula permintaan impor gas dari Rusia. Transaksi ekspor-impor gas Rusia, berkembang

dan memberikan Gazprom kekuasaan lebih. Ditambah lagi, transaksi jual-beli saham yang pada akhirnya menghantarkan Gazprom memiliki banyak investasi di UE baik infrastruktur gas yang mereka miliki atau bahkan kendali operasinya. Jerman, Prancis, Itali, Austria adalah beberapa konsumen gas Rusia yang paling besar dan dapat memberikan *privilege* yang lebih pada Rusia terhadap perusahaan gas BASF, Gaz de France, ENI Itali dan lain-lain, secara infrastruktur atau hasil keuangan.

Hubungan Rusia dan UE cenderung berjalan kondusif dan berkembang, sampai akhirnya konflik di Ukraina terjadi pada Januari 2006. Unsur politis jelas merupakan faktor utama di sini. Tindakan agresif dilakukan Putin dengan menaikkan harga gas dari 50 USD per 1000 meter kubik menjadi 230 meter kubik. Ukraina tidak menyanggupi pembayaran tersebut, lalu pada 1 Januari 2006, Rusia menghentikan aliran suplai gas.

Hal ini jelas berpengaruh fatal terhadap UE, yang 80% suplai gas Rusianya terkirim melalui jalur pipa yang melewati Ukraina. Keadaan ini membuat UE menyadari betapa Rusia memiliki daya monopoli yang kuat, khususnya pada suplai gas dan penetapan harga. Usaha-usaha yang dilakukan UE untuk melakukan pengurangan dependensi gas Rusia, memang terlaksana pada awalnya namun Rusia di bawah instruksi Putin selalu dapat menyiasati usaha-usaha mereka menjadi tambahan usaha Gazprom itu sendiri. Pada akhirnya, malah membuka lahan kerjasama baru bagi Rusia dan UE.

Kedua Politik Jalur Pipa, pada kebijakan ini Putin melakukan suatu klasifikasi atau pembagian untuk negara-negara yang mengimport gas dari Rusia. Klasifikasi atas penetapan harga dan penekanan peraturan dilakukan berbeda. UE merupakan negara-negara kaya yang mendapatkan pembagian yang cukup baik. Berkorelasi dengan keadaan tersebut adalah kerja sama dalam infrastruktur gas, khususnya jalur pipa. Proyek pembangunan jalur pipa *Nord Stream* atas kerjasama Rusia dan Jerman dilaksanakan. Manifestasi dari hubungan negara CIS yang kinerja kerjasamanya tidak sesuai dengan Gazprom, Rusia dan UE membangun jalur pipa tersebut. Selain itu proyek jalur pipa Nabucco, yang

awalnya dimiliki proyek UE dan Asia Tengah akhirnya dikuasai Gazprom dan diproses menjadi proyek jalur pipa *South Stream*.

Melihat perjalanan kerjasama Rusia dan UE, bisa disimpulkan bahwa unsur yang paling mendominasi kerjasama diantara keduanya adalah infrastruktur gas (khususnya, jalur pipa) ekspor-impor gas, dan aktifitas kepemilikan saham. Kebijakan Putin berhasil menghadapi semua halangan terhadap niat monopolinya dengan mengubah semua menjadi lahan kekuasaan Gazprom yang baru.

Keadaan ini sesuai dengan teori simetri interdependensi, di mana Rusia dan UE saling membutuhkan. UE membutuhkan gas, Rusia membutuhkan uang. Akan tetapi, UE bagaimanapun tidak memiliki posisi tawar yang kuat. Hal ini jelas merupakan interdependensi ekonomi, terkait nilai hasil gas dan biaya infrastruktur. Juga interdependensi keuntungan *zero sum*, berdasarkan pemaparan yang ada meski UE tetap mendapatkan suplai gas tapi Rusia lebih banyak meraih material dan kedaulatan usaha.

Selanjutnya, pemaparan diatas membuktikan bahwa memang Rusia di bawah kebijakan Putin memiliki kapasitas monopoli dalam distribusi gas ke negara-negara UE. Terlebih kepemilikan seluruh jalur pipa gas ada di tangan Gazprom. Meski pada masa Uni Soviet sistem Monopoli sudah menjadi tujuan utama, akan tetapi realisasi dan efektifitasnya jauh lebih hebat pada masa pemerintahan Putin. Teori Monopoli dan Oligopoli menyatakan bahwa hanya ada satu penyedia atau beberapa, dalam hal ini Gazprom. Kesemuanya seperti dijelaskan pada pembahasan teori Monopoli dan Oligopoli merupakan penunjang perekonomian internasional, dalam hal ini industri gas. Hanya Gazprom penyedia yang tidak pernah kehabisan apa yang dibutuhkan UE meski masih ada produsen gas yang serupa namun sama sekali tidak sama tingkatan kapabilitasnya. Rusia dengan monopolistik industri gas di bawah Gazprom akan terus berinteraksi dengan UE meski dengan posisi tawar yang lemah namun memberikan pula potensi pasar dan bantuan teknologi pada masa kedepannya melanjutkan kesuksesan industri gas pemerintahan Putin.

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*Trade-Issues*

[http://ec.europa.eu/trade/issues/bilateral/countries/russia/index\\_en.htm](http://ec.europa.eu/trade/issues/bilateral/countries/russia/index_en.htm)  
(diunduh pada tanggal 11 Oktober 2009 03:00)

*Welcome To Ukraine* <http://www.ukraine.org/index.html> (diunduh tanggal 17 Desember 2009 8:37)

[http://www.eia.doe.gov/cabs/Russia/images/russia\\_gasexp\\_tbl.gif](http://www.eia.doe.gov/cabs/Russia/images/russia_gasexp_tbl.gif) (diunduh tanggal 19 Desember 2009 08:28)

<http://www.nabucco-pipeline.com/project/project-description-pipeline-route/project-description.html> (diunduh tanggal 7 Januari 2010 13:26)

[http://www.nordstream.com/fileadmin/Dokumente/3\\_PNG\\_JPG/4\\_Maps/Nord\\_Stream\\_Logistics\\_ENG.jpg](http://www.nordstream.com/fileadmin/Dokumente/3_PNG_JPG/4_Maps/Nord_Stream_Logistics_ENG.jpg) (diunduh tanggal 7 Januari 2010 14:12)

[http://www.novinite.com/media/images/2009-05/photo\\_verybig\\_103733.jpg](http://www.novinite.com/media/images/2009-05/photo_verybig_103733.jpg)  
(diunduh tanggal 7 Januari 2010 15:26)

[http://www.energytribune.com/live\\_images/dW\\_GAS\\_MAP.gif](http://www.energytribune.com/live_images/dW_GAS_MAP.gif) (diunduh tanggal 7 Januari 2010)

<http://www.investopedia.com/terms/i/ipo.asp> (diunduh tanggal 11 Desember 2009 16:56)

<http://www.eegas.com/images/fsu1.png> (diunduh tanggal 3 September 2009 20:25)

[http://europa.eu/abc/maps/index\\_en.htm](http://europa.eu/abc/maps/index_en.htm) (diunduh pada tanggal 3 Oktober 2009 12:20)

<http://www.energyinsights.net/> (diunduh 16 Desember 2009 23:18)

<http://www.ukraine.org/maps.html> (diunduh tanggal 17 Desember 2009 8:34)

<http://www.lib.utexas.edu/maps/commonwealth/commonwealth.jpg> (diunduh tanggal 17 Desember 2009 8:42)

[http://news.bbc.co.uk/1/01/shared/spl/hi/europe/09/gas\\_pipeline\\_flick/img/gas\\_pipelines\\_map466\\_aff.gif](http://news.bbc.co.uk/1/01/shared/spl/hi/europe/09/gas_pipeline_flick/img/gas_pipelines_map466_aff.gif) (diunduh tanggal 17 Desember 2009 10:00)

**LAMPIRAN****1. Teks Partnership and Cooperation Agreement (PCA)**

**Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of one part, and the Russian Federation, of the other part - Protocol 1 on the establishment of a coal and steel contact group - Protocol 2 on mutual administrative assistance for the correct application of customs legislation-Final Act- Exchanges-of-letters-Minutes-of-signing**

*Official Journal L 327, 28/11/1997 P. 0003 - 0069*

AGREEMENT ON PARTNERSHIP AND COOPERATION establishing a partnership between the European Communities and their Member States, of one part, and the Russian Federation, of the other part

The KINGDOM OF BELGIUM,

the KINGDOM OF DENMARK,

the FEDERAL REPUBLIC OF GERMANY,

the HELLENIC REPUBLIC,

the KINGDOM OF SPAIN,

the FRENCH REPUBLIC,

IRELAND,

the ITALIAN REPUBLIC,

the GRAND DUCHY OF LUXEMBOURG,

the KINGDOM OF THE NETHERLANDS,

the PORTUGUESE REPUBLIC,

the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Community, the Treaty establishing the European Coal and Steel Community, and the Treaty establishing the European Atomic Energy Community, hereinafter referred to as 'Member States', and

the EUROPEAN COMMUNITY, the EUROPEAN COAL AND STEEL COMMUNITY and the EUROPEAN ATOMIC ENERGY COMMUNITY,

hereinafter referred to as 'the Community',  
of the one part, and

the RUSSIAN FEDERATION,  
hereinafter referred to as 'Russia',

of the other part,

CONSIDERING the importance of the historical links existing between the Community, its Member States and Russia and the common values that they share,

RECOGNIZING that the Community and Russia wish to strengthen these links and to establish partnership and cooperation which would deepen and widen the relations established between them in the past in particular by the Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on Trade and Commercial and Economic Cooperation, signed on 18 December 1989, hereinafter referred to as the '1989 Agreement',

CONSIDERING the commitment of the Community and its Member States acting in the framework of the European Union by the Treaty on European Union of 7 February 1992 and of Russia to strengthening the political and economic freedoms which constitute the very basis of the partnership, CONSIDERING the commitment of the Parties to promote international peace and security as well as the peaceful settlement of disputes and to cooperate to this end in the framework of the United Nations and the Conference on Security and Cooperation in Europe and other fora,

CONSIDERING the firm commitment of the Community and its Member States and of Russia to the full implementation of all principles and provisions contained in the Final Act of the Conference on Security and Cooperation in Europe (CSCE), the concluding documents of the Madrid and Vienna follow-up meetings, the

document of the CSCE Bonn Conference on Economic Cooperation, the Charter of Paris for a New Europe and the CSCE Helsinki document 1992, 'the challenges of change',

CONFIRMING the attachment of the Community and its Member States and of Russia to the aims and principles set out in the European Energy Charter of 17 December 1991 and in the declaration of the Lucerne Conference of April 1993,

CONVINCED of the paramount importance of the rule of law and respect for human rights, particularly those of minorities, the establishment of a multi-party system with free and democratic elections and economic liberalization aimed at setting up a market economy,

BELIEVING that the full implementation of partnership presupposes the continuation and accomplishment of Russia's political and economic reforms,

DESIROUS of encouraging the process of regional cooperation in the areas covered by this Agreement between the countries of the former USSR in order to promote the prosperity and stability of the region,

DESIROUS of establishing and developing regular political dialogue on bilateral and international issues of mutual interest,

TAKING ACCOUNT of the Community's willingness to provide technical assistance, as appropriate, for the implementation of economic reform in Russia and for the development of economic cooperation,

BEARING IN MIND the utility of the Agreement in favouring a gradual rapprochement between Russia and a wider area of cooperation in Europe and neighbouring regions and Russia's progressive integration into the open international trading system,

CONSIDERING the commitment of the Parties to liberalize trade, based on the principles contained in the General Agreement on Tariffs and Trade hereinafter referred to as 'GATT', as amended by the Uruguay Round trade negotiations, and taking into account the establishment of the World Trade Organization, hereinafter referred to as 'WTO',

RECOGNIZING that Russia is no longer a state trading country, that it is now a country with an economy in transition and that continued progress towards a market economy will be fostered by cooperation between the Parties in the forms set out in this Agreement,

CONSCIOUS of the need to improve conditions affecting business and investment, and conditions in areas such as establishment of companies, labour, provision of services and capital movements,

CONVINCED that this Agreement will create a new climate for economic relations between the Parties and in particular for the development of trade and investment, which are essential to economic restructuring and technological modernization,

DESIROUS of establishing close cooperation in the area of environmental protection taking into account the interdependence existing between the Parties in this field,

BEARING in mind the intention of the Parties to develop their cooperation in the space field in view of the complementary of their activities in this area,

DESIROUS of promoting cultural cooperation and improving the flow of information,

HAVE AGREED AS FOLLOWS:

#### Article 1

A Partnership is hereby established between the Community and its Member States, of the one part, and Russia, of the other part. The objectives of this Partnership are:

- to provide an appropriate framework for the political dialogue between the Parties allowing the development of close relations between them in this field,
- to promote trade and investment and harmonious economic relations between the Parties based on the principles of market economy and so to foster sustainable development in the Parties,
- to strengthen political and economic freedoms,
- to support Russian efforts to consolidate its democracy and to develop its economy and to complete the transition into a market economy,
- to provide a basis for economic, social, financial and cultural cooperation founded on the principles of mutual advantage, mutual responsibility and mutual support,
- to promote activities of joint interest,
- to provide an appropriate framework for the gradual integration between Russia and a wider area of cooperation in Europe,

- to create the necessary conditions for the future establishment of a free trade area between the Community and Russia covering substantially all trade in goods between them, as well as conditions for bringing about freedom of establishment of companies, of cross-border trade in services and of capital movements.

## TITLE I GENERAL PRINCIPLES

### Article 2

Respect for democratic principles and human rights as defined in particular in the Helsinki Final Act and the Charter of Paris for a new Europe, underpins the internal and external policies of the Parties and constitutes an essential element of partnership and of this Agreement.

### Article 3

The Parties undertake to consider development of the relevant titles of this Agreement, in particular Title III and Article 53, as circumstances allow, with a view to the establishment of a free trade area between them. The Cooperation Council may make recommendations on such development to the Parties. Such development shall only be put into effect by virtue of an agreement between the Parties in accordance with their respective procedures. The Parties shall examine together in the year 1998 whether circumstances allow the beginning of negotiations on the establishment of a free trade area.

### Article 4

The Parties undertake to examine together, by mutual consent, amendments which it may be appropriate to make to any part of the Agreement in view of changes in circumstances, and in particular of the situation arising from Russia's accession to the GATT/WTO. The first examination shall take place three years after the entry into force of the Agreement or when Russia accedes to the GATT/WTO, whichever is earlier.

### Article 5

1. The most-favoured-nation treatment granted by Russia under this Agreement shall not apply during a transitional period expiring five years after the entry into force of this Agreement in relation to advantages defined in Annex 1 granted by Russia to other countries of the former USSR. This period may be extended where appropriate for specific sectors by mutual consent between the Parties.

2. In the case of the most-favoured-nation treatment granted under Title III the transitional period referred to in paragraph 1 shall expire three years after the entry into force of the Agreement or when Russia accedes to the GATT/WTO, whichever is earlier.

## TITLE II POLITICAL DIALOGUE

### Article 6

A regular political dialogue shall be established between the Parties which they intend to develop and intensify. It shall accompany and consolidate the rapprochement between the European Union and Russia, support the political and economic changes underway in Russia and contribute to the establishment of new forms of cooperation. The political dialogue:

- shall strengthen the links between Russia and the European Union. The economic convergence achieved through this Agreement will lead to more intense political relations,
- shall bring about an increasing convergence of positions on international issues of mutual concern thus increasing security and stability,
- shall foresee that the Parties endeavour to cooperate on matters pertaining to the observance of the principles of democracy and human rights, and hold consultations, if necessary, on matters related to their due implementation.

### Article 7

1. Meetings shall take place in principle twice a year between the President of the Council of the European Union and the President of the Commission of the European Communities on one side and the President of Russia on the other.

2. At ministerial level, political dialogue shall take place within the Cooperation Council established in Article 90 and on other occasions, including with the European Union troika, by mutual agreement.

#### Article 8

Other procedures and mechanisms for political dialogue shall be set up by the Parties and in particular in the following forms:

- biannual meetings at senior official level between the European Union troika on the one hand, and officials of Russia on the other
- taking full advantage of diplomatic channels,
- any other means, including the possibility of expert meetings, which would contribute to consolidating and developing this dialogue.

#### Article 9

Political dialogue at parliamentary level shall take place within the framework of the Parliamentary Cooperation Committee established in Article 95.

### TITLE III TRADE IN GOODS

#### Article 10

1. The Parties shall accord to one another the general most-favoured-nation treatment described in Article I, paragraph 1 of the GATT.

2. The provisions of paragraph 1 shall not apply to:

- (a) advantages accorded to adjacent countries in order to facilitate frontier traffic;
- (b) advantages granted with the aim of creating a customs union or a free-trade area or pursuant to the creation of such a union or area; the terms 'customs union' and 'free trade area' shall have the same meaning as those described in paragraph 8 of Article XXIV of the GATT or created through the procedure indicated in paragraph 10 of the same GATT article;
- (c) advantages granted to particular countries in accordance with the GATT and with other international arrangements in favour of developing countries.

#### Article 11

1. The products of the territory of one Party imported into the territory of the other Party shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

2. Moreover, these products shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use. The provision of this paragraph shall not prevent the application of differential internal transportation charges which are based exclusively on the economic operation of the means of transport and not on the nationality of the product.

3. Article III, paragraphs 8, 9 and 10 of the GATT shall be applicable mutatis mutandis between the Parties.

#### Article 12

1. The Parties agree that the principle of freedom of transit is an essential condition of attaining the objectives of this Agreement.

In this connection each Party shall provide for freedom of transit through its territory of goods originating in the customs territory or destined for the customs territory of the other Party.

2. The rules described in Article V, paragraphs 2, 3, 4 and 5 of the GATT shall be applicable between the Parties.

#### Article 13

The following Articles of the GATT shall be applicable mutatis mutandis between the Parties:

1. Article VII, paragraphs 1, 2, 3, 4 (a), (b) and (d), 5;
2. Article VIII;
3. Article IX;
4. Article X.

#### Article 14

Without prejudice to the rights and obligations stemming from international conventions on the temporary admission of goods which bind both Parties, each Party shall furthermore grant the other Party exemption from import charges and duties on goods admitted temporarily, in the instances and according to the procedures stipulated by any other international convention on this matter binding upon it, in conformity with its legislation. Such legislation shall be applied on a most-favoured-nation basis and thus subject to the exceptions listed in Article 10 (2) of this Agreement. Account shall be taken of the conditions under which the obligations stemming from such a convention have been accepted by the Party in question.

#### Article 15

1. Goods originating in Russia shall be imported into the Community free of quantitative restrictions without prejudice to the provisions of Articles 17, 20 and 21 of this Agreement and to the provisions of Articles 77, 81, 244, 249 and 280 of the Act of Accession of Spain and Portugal to the Community.
2. Goods originating in the Community shall be imported into Russia free of quantitative restrictions without prejudice to the provisions of Articles 17, 20 and 21 and Annex 2 to this Agreement.

#### Article 16

Until Russia accedes to the GATT/WTO, the Parties shall hold consultations in the Cooperation Committee on their import tariff policies, including changes in tariff protection. In particular, such consultations shall be offered prior to the increase of tariff protection.

#### Article 17

1. Where any product is being imported into the territory of one of the Parties in such increased quantities and under such conditions as to cause or threaten to cause substantial injury to domestic producers of like or direct competitive products, the Community or Russia, whichever is concerned, may take appropriate measures in accordance with the following procedures and conditions.
2. Before taking any measures, or in cases to which paragraph 4 applies as soon as possible thereafter, the Community or Russia, as the case may be, shall supply the Cooperation Committee with all relevant information with a view to seeking a solution acceptable to both Parties. The Parties shall commence consultations promptly within the Cooperation Committee.
3. If, as a result of the consultations, the Parties do not reach agreement within 30 days of referral to the Cooperation Committee on actions to avoid the situation, the Party which requested consultations shall be free to restrict imports of the products concerned or to adapt other appropriate measures to the extent and for such time as is necessary to prevent or remedy the injury.
4. In critical circumstances where delay would cause damage difficult to repair, the Parties may take the measures before the consultations, on the condition that consultations shall be offered immediately after taking such action.
5. In the selection of measures pursuant to this Article, the Parties shall give priority to those which cause least disturbance to the achievement of the aims of this Agreement.
6. Where a safeguard measure is taken by one Party in accordance with the provisions of this Article, the other Party shall be free to deviate from its obligations under this Title towards the first Party in respect of substantially equivalent trade.  
Such action shall not be taken before consultations have been offered by such other Party nor if agreement has been reached within 45 days following the date these consultations were offered.
7. The right of deviation from the obligations referred to in paragraph 6 shall not be exercised for the first three years that a safeguard measure is in effect, provided that the safeguard measure has been taken as a result of an

absolute increase in imports, for the maximum period of four years, and in conformity with the provisions of this Agreement.

#### Article 18

Nothing in this Title, and in Article 17 in particular, shall prejudice or affect in any way the taking, by either Party, of anti-dumping or countervailing measures in accordance with Article VI of the GATT, the Agreement on implementation of Article VI of the GATT, the Agreement on interpretation and application of Articles VI, XVI and XXIII of the GATT or related internal legislation.

In respect of anti-dumping or subsidy investigations, each Party agrees to examine submissions by the other Party and to inform the interested parties concerned of the essential facts and considerations on the basis of which a final decision is to be made. Before definitive anti-dumping and countervailing duties are imposed, the Parties shall do their utmost to bring about a constructive solution to the problem.

#### Article 19

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection on health and life of humans, animals or plants; the protection of natural resources; the protection of national treasures of artistic, historic or archaeological value or the protection of intellectual, industrial and commercial property or rules relating to gold and silver. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Parties.

#### Article 20

This Title shall not affect the provisions of the Agreement between the European Economic Community and the Russian Federation on trade in textile products initialled on 12 June 1993 and applied with retroactive effect as from 1 January 1993. Furthermore, Article 15 of this Agreement shall not apply to trade in textile products falling within Chapters 50 to 63 of the combined nomenclature.

#### Article 21

1. Trade in products covered by the Treaty establishing the European Coal and Steel Community shall be governed by:

- the provisions of this Title, with the exception of Article 15, and
- upon its entry into force, by the provisions of the agreement on quantitative arrangements concerning exchanges of ECSC steel products.

2. The establishment of a contact group on coal and steel matters is governed by Protocol 1 annexed to this Agreement.

#### Article 22 Trade in nuclear materials

1. Trade in nuclear materials shall be covered by:

- the provisions of this Agreement with the exception of Articles 15 and 17 (1) to (5) and (7),
- the provisions of Articles 6, 7, 14 and 15 (1), (2), and (3), first sentence, and (4) and (5) of the 1989 Agreement,
- the attached exchange of letters.

2. Notwithstanding the provisions of paragraph 1 of this Article, the Parties agree to take all necessary steps to arrive at an arrangement covering trade in nuclear materials by 1 January 1997.

3. Until such an arrangement is reached, the provisions of this Article will continue to apply.

4. Steps will be taken to conclude an agreement regarding nuclear safeguards, physical protection and administrative cooperation in transfers of nuclear materials. Until such an agreement is in force, the respective legislation and international non-proliferation obligations of the Parties will be applicable as regards the transfer of nuclear materials.

5. For the purpose of the application of the regime provided for in paragraph 1:

- the reference in Articles 6 and 15 (5) of the 1989 Agreement to 'this Agreement' shall be read as meaning the regime established by paragraph 1 of this Article,
- the reference in Article 17 (6) of this Agreement to 'this Article' shall be read as meaning Article 15 of the 1989 Agreement,
- the reference in Articles 6, 7, 14 and 15 of the 1989 Agreement to the 'Contracting Parties' shall be read as meaning the Parties to this Agreement,
- the reference to the 'Joint Committee' in Article 15 of the 1989 Agreement shall mean the Cooperation Committee provided for pursuant to Article 92 of this Agreement.

## TITLE IV PROVISIONS ON BUSINESS AND INVESTMENT

### CHAPTER I LABOUR CONDITIONS

#### Article 23

1. Subject to the laws, conditions and procedures applicable in each Member State, the Community and its Member States shall ensure that the treatment accorded to Russian nationals, legally employed in the territory of a Member State shall be free from any discrimination based on nationality, as regards working conditions, remuneration or dismissal, as compared to its own nationals.

2. Russia shall, subject to the conditions and modalities applicable in Russia, accord the treatment referred to in paragraph 1 to nationals of a Member State who are legally employed in its territory.

#### Article 24

##### Coordination of social security

The Parties shall conclude agreements in order:

1. to adopt, subject to the conditions and modalities applicable in each Member State, the provisions necessary for the coordination of social security systems for workers of Russian nationality, legally employed in the territory of a Member State and where applicable for the members of their family, legally resident there. These provisions will in particular ensure that:

- all periods of insurance, employment or residence completed by such workers in the various Member States shall be added together for the purpose of pensions in respect of old age, invalidity and death and for the purpose of medical care for such workers and where applicable for such family members,
- any pensions in respect of old age, death, industrial accident or occupational disease, or of invalidity resulting therefrom, with the exception of the special non-contributory benefits, shall be freely transferable at the rate applied by virtue of the law of the debtor Member State or States,
- the workers in question shall where applicable receive family allowances for the abovementioned members of their family.

2. to adopt, subject to the conditions and modalities applicable in Russia, the provisions necessary to accord to workers who are nationals of a Member State and legally employed in Russia, and to members of their families legally resident there, treatment similar to that specified in the second and third indents of paragraph 1.

#### Article 25

The measures to be taken in accordance with Article 24 of this Agreement shall not affect any rights or obligations arising from bilateral agreements linking the Member States and Russia where those agreements provide for more favourable treatment of nationals of the Member States or of Russia.

#### Article 26

The Cooperation Council shall examine which improvements can be made in working conditions for businessmen consistent with the international commitments of the Parties, including those set out in the document of the CSCE Bonn Conference.



#### Article 27

The Cooperation Council shall make recommendations for the implementation of Articles 23 and 26 of this Agreement.

### CHAPTER II CONDITIONS AFFECTING THE ESTABLISHMENT AND OPERATION OF COMPANIES

#### Article 28

1. The Community and its Member States of the one part and Russia of the other part, shall grant to each other treatment no less favourable than that accorded to any third country, with regard to conditions affecting the establishment of companies in their territories and this in conformity with the legislation and regulations applicable in each Party.

2. Without prejudice to the reservations listed in Annex 3, the Community and its Member States shall grant to Community subsidiaries of Russian companies a treatment no less favourable than that granted to other Community companies or to Community companies which are subsidiaries of any third country companies whichever is the better, in respect of their operation and this in conformity with their legislation and regulations.

3. Without prejudice to the reservations listed in Annex 4, Russia shall grant to Russian subsidiaries of Community companies a treatment no less favourable than that granted to other Russian companies or to Russian companies which are subsidiaries of any third country companies whichever is the better, in respect of their operation and this in conformity with its legislation and regulations.

4. The Community and its Member States of the one part and Russia of the other part shall grant to branches of Russian and Community companies respectively a treatment no less favourable than that accorded to branches of companies of any third country, in respect of their operation and this in conformity with their legislation and regulations.

5. The provisions of paragraphs 2 and 3 cannot be used so as to circumvent a Party's legislation and regulations applicable to access to specific sectors or activities by subsidiaries of companies of the other Party established in the territory of such first Party.

The treatment referred to in paragraphs 2 and 3 shall benefit companies established in the Community and Russia respectively at the date of entry into force of this Agreement and companies established after that date once they are established.

#### Article 29

The provisions of Article 28 of this Agreement together with the following provisions shall apply in respect of banking and insurance services referred to in Annex 6.

1. In respect of banking services referred to in Annex 6, Part B, the nature of the treatment accorded by Russia pursuant to Article 28 (1), with regard to establishment by means of the setting up of subsidiaries only and pursuant to Article 28 (3), is set out in Annex 7, Part A.

In respect of insurance services referred to in Annex 6, Part A (1) and (2), the nature of the treatment accorded by Russia pursuant to Article 28 (1) is set out in Annex 7, Part B.

2. Notwithstanding any other provisions of this Agreement, a Party shall not be prevented from taking measures for prudential reasons, including for the protection of investors, depositors, policy holders or persons to whom a fiduciary duty is owed by a financial service supplier, or to ensure the integrity and stability of the financial system. Such measures shall not be used as a means of avoiding the Party's obligations under the Agreement.

Nothing in the Agreement shall be construed to require a Party to disclose information relating to the affairs and accounts of individual customers or any confidential or proprietary information in the possession of public entities.

3. Without prejudice to the provisions of Part A (1) (d) and (e) of Annex 7, the Community and the Member States of the one part and Russia of the other part shall not adopt any new regulations or measures which would introduce or worsen discrimination as compared to the situation existing on the date of the signature of the Agreement as regards conditions affecting the establishment of the other Party's companies in their respective territories in comparison to their own companies.

The parties agree that the terms 'worsen discrimination' include the aggravation of discriminatory conditions or their extension or reintroduction after the current period of application.

4. For the purposes of this Agreement, as regards banking activities a company shall be regarded as a Russian subsidiary of a Community company when more than fifty percent (50 %) of its share capital is held by the Community company.

#### Article 30

For the purpose of this Agreement:

(a) 'establishment' shall mean the right of Community or Russian companies as referred to in paragraph (h) of this Article to take up economic activities by means of the setting up of subsidiaries and branches in Russia or in the Community respectively.

In respect of financial services mentioned in Article 29, 'establishment' shall mean the right of Community or Russian companies as referred to in paragraph (h) of this Article to take up economic activities by means of the setting up of subsidiaries and branches in Russia or in the Community respectively after receiving a licence from the competent authorities in conformity with the legislation and regulations applicable in each Party;

(b) 'subsidiary' of a company shall mean a company which is controlled by the first company;

(c) 'economic activities' shall mean activities of an industrial, commercial or professional character, including financial services;

(d) 'branch' of a company shall mean a place of business not having legal personality which has the appearance of permanency, such as the extension of a parent body, has a management and is materially equipped to negotiate business with third parties so that the latter, although knowing that there will if necessary be a legal link with the parent body, the head office of which is abroad, do not have to deal directly with such parent body but may transact business at the place of business constituting the extension;

(e) 'Community subsidiary' or 'Russian subsidiary' respectively shall mean a 'Community company' or a 'Russian company' respectively, as hereafter defined, which is also a subsidiary of a 'Russian company' or a 'Community company' respectively;

(f) a national of a Member State or of Russia respectively shall mean a natural person who is a national of one of the Member States or of Russia respectively in accordance with their respective legislation;

(g) 'operation' shall mean the pursuit of economic activities;

In respect of financial services mentioned in Article 29, 'operation' shall mean the pursuit of all the economic activities authorized by the licence granted to the company by the competent authorities in conformity with the laws and regulations applicable in each Party;

(h) a 'Community company' or a 'Russian company' respectively shall mean a company set up in accordance with the laws of a Member State or of Russia respectively and having its registered office or central administration, or principal place of business in the territory of the Community or Russia respectively. However, should the company, set up in accordance with the laws of a Member State or Russia respectively, have only its registered office in the territory of the Community or Russia respectively, the company shall be considered a Community or Russian company respectively if its operations possess a real and continuous link with the economy of one of the Member States or Russia respectively.

With regard to international maritime transport, shall also be beneficiaries of the provisions of this chapter and Chapter III, shipping companies established outside the Community or Russia and controlled by nationals of a Member State or of Russia respectively, if their vessels are registered in that Member State or in Russia in accordance with their respective legislation.

For the purposes of this provision, international maritime transport shall be considered to include intermodal transport operations involving a sea leg without prejudice to applicable nationality restrictions concerning the carriage of goods and passengers by other transport modes;

(i) For the purpose of Article 29 and Annex 7, with regard to banking services referred to in Annex 6, Part B, 'Russian subsidiary' or 'Community subsidiary' as defined in paragraph (e), shall refer to such a subsidiary which is a bank in accordance with the laws of Russia or a Member State respectively.

For the purpose of Article 29 and Annex 7, with regard to banking services referred to in Annex 6, Part B, 'Community company' or 'Russian company' as defined in paragraph (h), shall refer to such a company which is a bank in accordance with the laws of a Member State or Russia respectively.

#### Article 31

Notwithstanding Article 100, the provisions of this Title shall not prejudice the application by each Party of any measure necessary to prevent the circumvention, through the provisions of this Agreement, of its measures concerning third country access to its market.

#### Article 32

1. Notwithstanding the provisions of Chapter I of this Title, a Community company and a Russian company established in the territory of Russia or the Community respectively shall be entitled to employ, or have employed by one of its subsidiaries, branches or joint ventures, in accordance with the legislation in force in the host country of establishment, in the territory of Russia and the Community respectively, employees who are nationals of Member States and Russia respectively, provided that such employees are key personnel as defined in paragraph 2 of this Article, and that they are employed exclusively by companies, subsidiaries, branches or joint ventures. The residence and work permits of such employees shall only cover the period of such employment.

2. Key personnel of the abovementioned companies herein referred to as 'organizations' are 'intra-corporate transferees' as defined in paragraph (c) in the following categories, provided that the organization is a legal person and that the persons concerned have been employed by it or have been partners in it (other than as majority shareholders), for at least the year immediately preceding such movement:

(a) persons working in a senior position with an organization, who primarily direct the management of the establishment (branch, subsidiary or joint venture), receiving general supervision or direction principally from the board of directors or stockholders of the business or their equivalent, including:

- directing the establishment or a department or subdivision of the establishment,
- supervising and controlling the work of other supervisory, professional or managerial employees,
- having the authority personally to engage and dismiss or recommend engaging, dismissing or other personnel actions;

(b) persons working within an organization who possess uncommon knowledge essential to the establishment's service, research equipment, techniques or management. The assessment of such knowledge may reflect, apart from knowledge specific to the establishment, a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession;

(c) an 'intra-corporate transferee' is defined as a natural person working within an organization in the territory of a Party, and being temporarily transferred in the context of pursuit of economic activities in the territory of the other Party; the organization concerned must have its principal place of business in the territory of a Party and the transfer must be to an establishment of that organization, effectively pursuing like economic activities in the territory of the other Party.

#### Article 33

The Parties recognize the importance of granting each other national treatment with regard to the establishment and, where not so foreseen herein, operation of each other's companies in their territories and agree to consider the possibility of movement towards this end on a mutually satisfactory basis, and in the light of any recommendations by the Cooperation Council.

#### Article 34

1. The Parties shall use their best endeavours to avoid taking any measures or actions which render the conditions for the establishment and operation of each other's companies more restrictive than the situation existing on the day preceding the date of signature of the Agreement.

2. By the end of the third year after signature of the Agreement at the latest, and thereafter at annual intervals the Parties shall examine within the Cooperation Council:

- measures introduced by either Party since the signature of the Agreement which affect the establishment or operation of companies of one Party in the territory of the other Party, and which are the subject of commitments assumed in Article 28, and
- whether it is possible for the Parties to assume:
  - the obligation not to take any measures or actions which may render the conditions for the establishment and operation of each other's companies more restrictive than the situation existing at the time of such examination, where not already foreseen herein, or
  - other obligations affecting their freedom of action

in areas agreed between the Parties in respect of the commitments assumed in Article 28.

If after such examination one Party is of the view that measures introduced by the other Party since the signature of the Agreement result in a situation which is significantly more restrictive in respect of establishment or operation of companies of the first Party in the territory of the other Party as compared with the situation existing at the date of signature of the Agreement, such Party may request the other Party to enter into consultations. In such case the provisions of Part A of Annex 8 shall apply.

3. In furtherance of the aims of this Article, measures shall be taken as indicated in Part B of Annex 8.

4. The provisions of this Article are without prejudice to those of Article 51. The situations covered by such Article 51 shall be solely governed by its provisions to the exclusion of any other.

#### Article 35

1. Article 28 shall not apply to air transport, inland waterways transport and maritime transport.

2. However, in respect of activities, as indicated below, undertaken by shipping agencies for the provision of services to international maritime transport, including intermodal transport operations involving a sea-leg, each Party shall permit the companies of the other Party to have a commercial presence in its territory in the form of subsidiaries or branches, under conditions of establishment and operation no less favourable than those accorded to its own companies or to subsidiaries or branches of companies of any third country, whichever are the better, and this in conformity with the legislation and regulations applicable in each Party.

3. Such activities include:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing;
- (b) purchase and resale of any transport and related services, including transport services by any inland mode, necessary for the supply of an intermodal service;
- (c) preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) provision of business information by any means, including computerized information systems and electronic data interchange (subject to any non-discriminatory restrictions concerning telecommunications);
- (e) setting up of any business arrangement with other shipping agencies;
- (f) acting on behalf of the companies, inter alia in organizing the call of the vessel or taking over cargoes when required.

### CHAPTER III CROSS-BORDER SUPPLY OF SERVICES

#### Article 36

For the sectors listed in Annex 5 to this Agreement, the Parties shall grant each other treatment no less favourable than that accorded to any third country with regard to the conditions affecting the cross-border supply of services, by Community or Russian companies into the territory of Russia or the Community respectively, pursuant to the legislation and regulations applicable in each Party.

#### Article 37

Subject to the provisions of Article 48 of this Agreement, the Parties shall permit for the sectors list in Annex 5 to this Agreement the temporary movement of natural persons, who are representatives of a Community or a Russian company and are seeking temporary entry for the purpose of negotiating for the sales of cross-border services or entering into agreements to sell cross-border services for that company, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.

#### Article 38

1. For the sectors listed in Annex 5, each Party may regulate the conditions of cross-border supply of services into its territory. In so far as these regulations are of general application they shall be administered in a reasonable, objective and impartial manner.

2. Paragraph 1 is without prejudice to the provisions of Articles 36 and 50.

3. By the end of the third year after signature of the Agreement and the latest, the Parties shall examine within the Cooperation Council:

- measures introduced by either Party since the signature of the Agreement which affect the cross-border supply of services covered by Article 36, and
- whether it is possible for the Parties to assume:
  - the obligation not to take any measures or actions which may render the conditions for the cross-border supply of services covered by Article 36 more restrictive than the situation existing at the time of such examination, or
  - other obligations affecting their freedom of action

in areas agreed between the Parties in respect of the commitments assumed in Article 36.

If after such examination one Party is of the view that measures introduced by the other Party since the signature of the Agreement result in a situation which is significantly more restrictive in respect of cross-border supply of services covered by Article 36 as compared with the situation existing at the date of signature of the Agreement, such first Party may request the other Party to enter into consultations. In such case the provisions of Part A of Annex 8 shall apply.

4. In furtherance of the aims of this Article, measures shall be taken as indicated in Part B of Annex 8.

5. The provisions of this Article are without prejudice to those of Article 51. The situations covered by such Article 51 shall be solely governed by its provisions to the exclusion of any other.

#### Article 39

1. With regard to maritime transport, the Parties undertake to apply effectively the principle of unrestricted access to the international market and traffic on a commercial basis.

(a) The above provision does not prejudice the rights and obligations arising under the United Nations Convention on a code of conduct for liner conferences, as applicable to the Parties to this Agreement. Non-conference lines shall be free to operate in competition with a conference as long as they adhere to the principle of fair competition on a commercial basis.

(b) The Parties affirm their commitment to a freely competitive environment as being an essential feature of the dry and liquid bulk trade.

2. In applying the principles of paragraph 1, the Parties shall:

- (a) not apply, in their mutual trade, as from entry into force of this Agreement, any cargo sharing provisions of bilateral agreements between any Member State and the former USSR;
- (b) not introduce cargo sharing arrangements in future bilateral agreements with third countries concerning dry and liquid bulk and liner trade. However, this does not exclude the possibility of such arrangements concerning liner cargo in those exceptional circumstances where liner shipping companies from one or other Party to this Agreement would not otherwise have an effective opportunity to ply for trade to and from the third country concerned;
- (c) abolish, upon entry into force of this Agreement, all unilateral measures, administrative, technical and other obstacles which could constitute a disguised restriction or have discriminatory effects on the free supply of services in international maritime transport.

Each Party shall grant, inter alia, a treatment no less favourable than that accorded to a Party's own vessels, for vessels used for the transport of goods, passengers or both, and flying the flag of the other Party, with respect to access to ports open to foreign vessels, the use of infrastructure and auxiliary maritime services of those ports, as well as related fees and charges, customs facilities and the assignment of berths and facilities for loading and unloading.

3. The Parties agree that, following the entry into force of this Agreement and not later than 31 December 1996, they will conduct negotiations on the stage-by-stage opening of the inland waterways of each Party to the nationals and shipping companies of the other Party, in respect of the freedom to provide international sea-river services.

#### Article 40

For the purpose of establishing favourable conditions for rail transport between the Parties, it is agreed that both Parties will, in the framework of this Agreement and through appropriate bilateral and multilateral mechanisms, promote:

- the facilitation of customs and other border clearance procedures for freight and for rolling stock,
- cooperation in the creation of suitable rolling stock meeting the requirements of international traffic,
- the approximation of regulations and procedures which govern international transport,
- the safeguarding and development of international passenger traffic between the Member States and Russia.

#### Article 41

Cooperation shall ensure fair, balanced and competitive conditions for the space launching and transportation market based on sound economic factors and, in particular, steps will be taken to promote the negotiation and implementation of multilateral rules regarding international trade in space launching and transportation services.

During the transnational period to the year 2000, conditions for the supply of space launch services shall be agreed upon.

#### Article 42

The Parties shall endeavour to provide each other every assistance possible as regards measures promoting cross-border trade in mobile satellite communications on their respective territories, in conformity with their respective legislation, practices and conditions. In 1996, the Parties will meet to consider the possibilities of granting to each other most-favoured-nation treatment for mobile satellite services.

#### Article 43

With a view to assuring a coordinated development of transport between the Parties, adapted to their commercial needs, the Parties may, after the entry into force of this Agreement, conclude specific Agreements regarding the conditions of mutual market access and of provision of services in the transport sector, to the extent that these conditions are not already addressed by this Agreement. Such Agreements may apply to more than one or to a single mode of transport.

## CHAPTER IV GENERAL PROVISIONS

#### Article 44

For the purposes of Chapters II, III and of Title V, no account shall be taken of treatment accorded by the Community, its Member States or Russia pursuant to commitments entered into in economic integration agreements.

#### Article 45

Companies which are controlled and exclusively owned by Community companies and Russian companies jointly shall also be beneficiaries of the provisions of Chapters II and III of this Title and those of Title V.

#### Article 46

1. The provisions of this Title shall be applied subject to limitations justified on grounds of public policy, public security or public health.

2. They shall not apply to activities which in the territory of either Party are connected, even occasionally, with the exercise of official authority.

#### Article 47

The Cooperation Council shall make recommendations for the further liberalization of trade in services, taking into account the development of the services sectors in the Parties and the other international commitments entered into by the Parties, in particular in the light of the final results of the negotiations of the General Agreement on Trade in Services, hereinafter referred to as 'GATS'.

#### Article 48

For the purpose of this Title, nothing in the Agreement shall prevent the Parties from applying their laws and regulations regarding entry and stay, work, labour conditions and establishment of natural persons and supply of services, provided that, in so doing, they do not apply them in a manner as to nullify or impair the benefits accruing to any Party under the terms of a specific provision of the Agreement. The above provision does not prejudice the application of Article 46.

#### Article 49

1. The most-favoured-nation treatment granted in accordance with the provisions of this Title or of Title V shall not apply to the tax advantages which the Parties are providing or will provide in the future on the basis of agreements to avoid double taxation, or other tax arrangements.

2. Nothing in this Title or in Title V shall be construed to prevent the adoption or enforcement by the Parties of any measure aimed at preventing the avoidance or evasion of taxes pursuant to the tax provisions of agreements to avoid double taxation and other tax arrangements, or domestic fiscal legislation.

3. Nothing in this Title or in Title V shall be construed to prevent Member States or Russia from distinguishing, in the application of the relevant provisions of their fiscal legislation, between taxpayers who are not in identical situations, in particular as regards their place of residence.

#### Article 50

Without prejudice to Articles 32 and 37, no provision of Chapters II, III and IV hereof shall be interpreted as giving the right to:

- nationals of the Member States or of Russia respectively to enter, or stay in, the territory of Russia or the Community respectively in any capacity whatsoever, and in particular as a shareholder or partner in a company or manager or employed thereof or supplier or recipient of services,
- Community subsidiaries or branches of Russian companies to employ or have employed in the territory of the Community nationals of Russia,
- Russian subsidiaries or branches of Community companies to employ or have employed in the territory of Russia nationals of the Member States,
- Russian companies or Community subsidiaries or branches of Russian companies to supply workers who are Russian nationals to act for and under the control of other persons by temporary employment contracts,

- Community companies or Russian subsidiaries or branches of Community companies to supply workers who are nationals of the Member States to act for and under the control of other persons by temporary employment contracts.

#### Article 51

1. Treatment granted by either Party to the other hereunder shall, has from the day one month prior to the date of entry into force of the relevant obligations of the GATS, in respect of sectors or measures covered by the GATS, in no case be more favourable than that accorded by such first Party under the provisions of the GATS, and this, in respect of each service sector, sub-sector and mode of supply.

2. Without prejudice to the automatic nature of the provisions of paragraph 1, the Party which has assumed obligations under the GATS shall inform the other of the appropriate provisions and the adaptations resulting therefrom for this Agreement.

3. Within one month of receipt from the Party, which has assumed obligations under the GATS, of the information referred to in paragraph 2, the other Party may notify the first Party of its intention to make adjustments to its obligations under this Title, and make those adjustments as follows:

- where a service sector, sub-sector or mode of supply of a service has been excluded from the Agreement, its scope reduced or made subject to the fulfilment of conditions pursuant to paragraph 1, the identical sector, sub-sector or mode of supply may be excluded or its scope reduced in the same way or made subject to the fulfilment of identical or similar conditions.

4. These adjustments made by the second Party should lead to the re-establishment of a balance of obligations between the Parties.

5. In the case that a Party considers that the adjustments made under paragraph 3 have not led to the re-establishment of the balance of obligations between the Parties, such Party may request the other Party, to enter into consultations within 30 days in order to find a satisfactory solution by means of any other appropriate adjustment of its obligations under this Title.

6. If within 30 days of the opening of such consultations no satisfactory solution has been found, the procedures of Article 101 will be applicable at the request of either Party.

#### TITLE V PAYMENTS AND CAPITAL

##### Article 52

1. The Parties undertake to authorize, in freely convertible currency, any current payments between residents of the Community and of Russia connected with the movement of goods, services or persons made in accordance with the provisions of the present Agreement.

2. The free movement of capital between residents of the Community and of Russia in the form of direct investment made in companies formed in accordance with the laws of the host country and investments made in accordance with the provisions of Chapter II of Title IV, and the transfer abroad of this investment, including any compensation payments arising from measures such as expropriation, nationalization or measures of equivalent effect, and of any profit stemming therefrom shall be ensured.

3. The provisions of Part 2 shall not prevent Russia from applying restrictions on outward direct investment by Russian residents. Five years after the entry into force of this Agreement the Parties agree to consult over the maintenance of these restrictions, taking into account all the relevant monetary, fiscal and financial considerations.

4. Transfers in respect of capital movements covered under paragraph 2 shall be made on the same exchange rate conditions as those relating to current transactions.



5. Without prejudice to paragraphs 6 and 7, after a transitional period of five years as from entry into force of this Agreement, the Parties shall not introduce any new restrictions on the movement of capital and current payments connected therewith between resident of the Community and Russia and shall not make the existing arrangements more restrictive. However, the introduction of restrictions during the transitional period referred to in the first sentence of this paragraph shall not affect the rights and obligations of the Parties under paragraphs 2, 3, 4 and 9 of this Article.

6. After the prohibition in paragraph 5 has come into effect and without prejudice to paragraphs 1 and 2, where, in exceptional circumstances, movements of capital between the Community and Russia cause, or threaten to cause, serious difficulties for the operation of exchange rate policy or monetary policy in the Community or Russia, the Community and Russia, respectively, may take safeguard measures with regard to movements of capital between the Community and Russia for a period not exceeding six months if such measures are strictly necessary.

7. With reference to the provisions of this Article, until a full convertibility of the Russian currency within the meaning of Article VIII of the Articles of Agreement of the International Monetary Fund (IMF) is introduced, Russia may apply exchange restrictions connected with the granting or taking up of short and medium-term financial credits to the extent that such restrictions are imposed on Russia for the granting of such credits and are permitted according to Russia's status under the IMF.

Russia shall apply these restrictions in a non-discriminatory manner. They shall be applied in such a manner as to cause the least possible disruption to this Agreement. Russia shall inform the Cooperation Council promptly of the introduction of such measures and of any changes therein.

8. The Parties shall consult each other with a view to facilitating the movement of capital between the Community and Russia in order to promote the objectives of the present Agreement. The Parties shall particularly endeavour to further liberalize movements of capital related to portfolio investment and commercial credits, and movements of capital related to financial loans and credits granted by Community residents to Russian residents. The Cooperation Council shall make appropriate recommendations within the first five years after entry into force of this Agreement.

9. The Parties shall accord to one another most-favoured-nation treatment in respect of freedom of current payments and capital movements and in respect of methods of payment.

## TITLE VI COMPETITION; INTELLECTUAL, INDUSTRIAL AND COMMERCIAL PROPERTY PROTECTION; LEGISLATIVE COOPERATION

### Article 53 Competition

1. The Parties agree to work to remedy or remove through the application of their competition laws or otherwise, restrictions on competition by enterprises or caused by State intervention in so far as they may affect trade between the Community and Russia.

2. In order to attain the objectives mentioned in paragraph 1:

2.1. The Parties shall ensure that they have and enforce laws addressing restrictions on competition by enterprises within their jurisdiction.

2.2. The Parties shall refrain from granting export aids favouring certain undertakings or the production of products other than primary products. The Parties also declare their readiness, as from the third year from the date of entry into force of this Agreement, to establish for other aids which distort or threaten to distort competition in so far as they affect trade between the Community and Russia, strict disciplines, including the outright prohibition of certain aids. These categories of aids and the disciplines applicable to each shall be defined jointly within a period of three years after entry into force of this Agreement.

Upon request by one Party, the other Party shall provide information on its aid schemes or in particular individual cases of State aid.

2.3. During a transitional period expiring five years after the entry into force of the Agreement, Russia may take measures inconsistent with paragraph 2.2, second sentence, provided that these measures are introduced and applied in the circumstances referred to in Annex 9.

2.4. In the case of State monopolies of a commercial character, the Parties declare their readiness, as from the third year from the date of entry into force of this Agreement, to ensure that there is no discrimination between nationals and companies of the Parties regarding the conditions under which goods are procured or marketed.

In the case of public undertakings or undertakings to which Member States or Russia grant exclusive rights, the Parties declare their readiness, as from the third year from the date of entry into force of this Agreement, to ensure that there is neither enacted nor maintained any measure distorting trade between the Community and Russia to an extent contrary to the Parties' respective interests. This provision shall not obstruct the performance, in law or fact, of the particular tasks assigned to such undertakings.

2.5. The period defined in paragraphs 2.2 and 2.4 may be extended by agreement of the Parties.

3. Consultations may take place within the Cooperation Committee at the request of the Community or Russia on the restrictions or distortions of competition referred to in paragraphs 1 and 2 and on the enforcement of their competition rules, subject to limitations imposed by laws regarding disclosure of information, confidentiality and business secrecy. Consultations may also comprise questions on the interpretation of paragraphs 1 and 2.

4. The Party with experience in applying competition rules shall give full consideration to providing the other Party, upon request and within available resources, technical assistance for the development and implementation of competition rules.

5. The above provisions in no way affect a Party's rights to apply adequate measures, notably those referred to in Article 18, in order to address distortions of trade.

#### Article 54

##### Intellectual, industrial and commercial property protection

1. Pursuant to the provisions of this Article and Annex 10, the Parties confirm the importance they attach to ensure adequate and effective protection and enforcement of intellectual, industrial and commercial property rights.

2. The Parties confirm the importance they attach to the obligations arising from the following multilateral conventions:

- Paris Convention for the protection of industrial property (Stockholm Act, 1967 and amended in 1979),
- Madrid Agreement concerning the international registration of marks (Stockholm Act, 1967, and amended in 1979),
- Nice Agreement concerning the international classification of goods and services for the purposes of the registration of marks (Geneva, 1977, and amended in 1979),
- Budapest Treaty on the international recognition of the deposit of microorganisms for the purposes of patent procedure (1977, modified in 1980),
- Patent Cooperation Treaty (Washington 1970, amended and modified in 1979 and 1984),
- Protocol relating to the Madrid Agreement concerning the international registration of marks (Madrid, 1989).

3. The implementation of the provisions of this Article and Annex 10 shall be regularly reviewed by the Parties in accordance with Article 90. If problems in the area of intellectual, industrial and commercial property affecting trading conditions were to occur, urgent consultations shall be undertaken, at the request of either Party, with a view to reaching mutually satisfactory solutions.

#### Article 55 Legislative cooperation

1. The Parties recognize that an important condition for strengthening the economic links between Russia and the Community is the approximation of legislation. Russia shall endeavour to ensure that its legislation will be gradually made compatible with that of the Community.

2. The approximation of laws shall extend to the following areas in particular: company law, banking law, company accounts and taxes, protection of workers at the workplace, financial services, rules on competition, public procurement, protection of health and life of humans, animals and plants, the environment, consumer protection, indirect taxation, customs law, technical rules and standards, nuclear laws and regulations, transport.

### TITLE VII ECONOMIC COOPERATION

#### Article 56

1. The Community and Russia shall foster economic cooperation of wide scope in order to contribute to the expansion of their respective economies, to the creation of a supportive international economic environment and to the integration between Russia and a wider area of cooperation in Europe. Such cooperation shall strengthen and develop economic links to the benefit of both Parties.

2. Policies and other measures of the Parties related to this Title shall in particular be designed to bring about economic and social reforms and restructuring in Russia and shall be guided by the requirements of sustainability and harmonious social development; they shall also fully incorporate environmental considerations.

3. The cooperation shall, inter alia, cover:

- development of their respective industries and transport,
- exploration of new sources of supply and of new markets,
- encouragement of technological and scientific progress,
- encouragement of a stable social and human resources development and of local employment development,
- promotion of the regional cooperation with the aim of its harmonious and sustainable development.

4. The Parties consider it essential that, alongside with establishing a relationship of partnership and cooperation with each other, they maintain and develop cooperation with other European States and with the other countries of the former USSR with a view to a harmonious development of the region and shall make every effort to encourage this process.

5. As far as applicable economic and other forms of cooperation provided for in this Agreement may be supported by the Community on the basis of the relevant Council Regulations on technical assistance to the countries of the former USSR, taking into account the priorities agreed upon by the Parties. Support may also be provided through such other relevant Community instruments as may be available.

Special attention shall be devoted by the Parties to measures capable of fostering cooperation with the other countries of the former USSR.

6. The provisions of this Title shall not affect the enforcement of the Parties' competition rules and of the specific competition provisions of this Agreement applicable to undertakings.

#### Article 57 Industrial cooperation

1. Cooperation shall aim at promoting the following in particular:

- the development of business links between economic operators, including small and medium-size enterprises,
- the improvement of management on enterprise level,
- the process of privatization in the context of economic restructuring, and the strengthening of the private sector,
- efforts in both public and private sector, to restructure and modernize the industry, during the transition period leading towards a market economy and under conditions ensuring environment protection and sustainable development,
- the conversion of defence industries,

- the development of appropriate market-based commercial rules and practices as well as transfer of know-how.

2. Industrial cooperation initiatives shall take into account priorities determined by the Community and by Russia. The initiatives should seek in particular to establish a suitable framework for undertakings, to improve management know-how and to promote transparency as regards markets and conditions for undertakings.

#### Article 58 Investment promotion and protection

1. Bearing in mind the respective powers and competences of the Community and the Member States, cooperation shall aim to establish a favourable climate for investment, both domestic and foreign, especially through better conditions for investment protection, the transfer of capital and the exchange of information on investment opportunities.

2. The aims of this cooperation shall be in particular:

- the conclusion, where appropriate, between the Member States and Russia of agreements for the promotion and protection of investment,
- the conclusion, where appropriate, between the Member States and Russia of agreements to avoid double taxation,
- to exchange information on investment opportunities in the form of inter alia trade fairs, exhibitions, trade weeks and other events,
- to exchange information on laws, regulations and administrative practices in the field of investment.

#### Article 59 Public procurement

The Parties shall cooperate to develop conditions for open and competitive award of public procurement contracts in particular through calls for tenders.

#### Article 60 Standards and conformity assessment; consumer protection

1. Within the limits of their competence, and in accordance with their legislation the Parties shall take measures with a view to reducing the differences which exist between the Parties in the fields of metrology, standardization and certification by encouraging the use of internationally agreed instruments in those fields.

The Parties shall closely cooperate in the abovementioned areas with the relevant European and other international organizations.

The Parties shall, in particular, encourage practical interaction of their respective organizations, with the aim of starting to negotiate mutual recognition agreements in the field of conformity assessment activities.

2. The Parties shall enter into close cooperation with a view to achieving compatibility between their systems of consumer protection.

This cooperation shall be aimed in particular at establishment of permanent systems of mutual information on dangerous products, the improvement of information provided to consumers especially on prices, characteristics of products and services offered, the development of exchanges between the consumer interest representatives, and increasing the compatibility of consumer protection policies.

#### Article 61 Mining and raw materials

1. The Parties shall cooperate with a view to fostering the development of the sectors of mining and raw materials. Special attention shall be paid to cooperation in the sector of non-ferrous metals.

2. The cooperation shall focus in particular on the following areas:

- exchange of information on all matters of interest to the Parties concerning the mining and raw materials sectors, including trade matters,
- the adoption and implementation of environmental legislation,
- training.

3. Such cooperation shall be regularly reviewed by the Parties in a special committee or body to be set up in accordance with the provisions of Article 93.

4. This Article is without prejudice to Articles dealing more specifically with raw materials, in particular Articles 21, 65 and 66.

#### Article 62 Science and technology

1. The Parties shall promote bilateral cooperation in civil scientific research and technological development (RTD) on the basis of mutual benefit and, taking into account the availability of resources, adequate access to their respective programmes and subject to appropriate levels of effective protection of intellectual, industrial and commercial property rights (IPR).

2. Science and technology cooperation shall cover:

- the exchange of scientific and technical information,
- joint RTD activities,
- training activities and mobility programmes for scientists, researchers and technicians engaged in RTD in both sides.

Where such cooperation takes the form of activities involving education and/or training, it should be carried out in accordance with the provisions of Article 63.

In carrying out such cooperation activities, special attention shall be devoted to the redeployment of scientists, engineers, researchers and technicians who are or have been engaged in research on/and production of weapons of mass destruction.

3. Such cooperation shall be implemented according to specific arrangements to be negotiated and concluded in accordance with the procedures adopted by each Party, and which shall set out, inter alia, appropriate IPR provisions.

#### Article 63 Education and training

1. The Parties shall cooperate with the aim of raising the level of general education and professional qualifications, both in the public and private sectors.

2. The cooperation shall focus in particular on the following areas:

- updating higher education and training systems in Russia,
- the training of public and private sector executives and senior civil servants in priority areas to be determined,
- cooperation between universities, cooperation between universities and firms,
- mobility for teachers, graduates, young scientists and researchers, administrators and young people,
- promoting teaching in the field of European Studies within the appropriate institutions,
- teaching languages of the Community and of Russia,
- post-graduate training of conference interpreters,
- training of journalists,
- exchange of methods of training and promotion of use of modern training programmes and technical facilities,
- development of distant education and new training technologies,
- training of trainers.

3. The participation of one Party in the respective programmes in the field of education and training of the other Party could be considered in accordance with their respective procedures and, where appropriate, institutional frameworks and plans of cooperation could then be established building on participation of Russia in the Community's Tempus programme.

#### Article 64 Agriculture and the agro-industrial sector

Cooperation shall aim at the modernization, restructuring and privatization of agriculture and the agro-industrial sector in Russia in conditions which ensure that the environment is respected. This cooperation shall be through, inter alia, developing private farms and distribution channels, methods of storage, marketing and management, modernizing the rural infrastructure and improvement of agricultural land-use planning, improving productivity, quality and efficiency, and the transfer of technology and know-how. The Parties shall aim at achieving compatibility between their sanitary and phytosanitary standards.

#### **Article 65 Energy**

1. Cooperation shall take place within the principles of the market economy and the European Energy Charter, against a background of the progressive integration of the energy markets in Europe.

2. The cooperation shall include among others the followings areas:

- improvement of the quality and security of energy supply, in an economic and environmentally sound manner,
- formulation of energy policy,
- improvement in management and regulation of the energy sector in line with a market economy,
- the introduction of a range of institutional, legal, fiscal and other conditions necessary to encourage increased energy trade and investment,
- promotion of energy saving and energy efficiency,
- modernization of energy infrastructure including interconnection of gas supply and electricity networks,
- the environmental impact of energy production, supply and consumption, in order to prevent or minimize the environmental damage resulting from these activities,
- improvement of energy technologies in supply and end use across the range of energy types,
- management and technical training in the energy sector.

#### **Article 66 Nuclear sector**

Bearing in mind the respective powers and competences of the Community and its Member States, civil cooperation in the nuclear sector shall take place, inter alia, through the implementation of two agreements on thermonuclear fusion and on nuclear safety to be agreed upon between the Parties.

#### **Article 67 Space**

Without prejudice to Article 41, the Parties shall promote long term cooperation as appropriate in the areas of civil space research, development and commercial application. They shall pay particular attention to initiatives making on a mutual beneficial basis full use of the complementarity of their respective activities.

#### **Article 68 Construction**

The Parties shall cooperate in the field of construction industry, particularly in the areas covered by Articles 55, 57, 60, 62, 63 and 77 of this Agreement.

This cooperation shall, inter alia, aim at modernizing and restructuring the construction sector in Russia in line with the principles of a market economy and duly taking into account related health, safety and environmental aspects.

#### **Article 69 Environment**

1. Bearing in mind the European Energy Charter and the Declaration of the Lucerne Conference of 1993, the Parties shall develop and strengthen their cooperation on environment and human health.

2. Cooperation shall aim at combating the deterioration of the environment and in particular:

- effective monitoring of pollution levels and assessment of environment; system of information on the state of the environment,
- combating local, regional and transboundary air and water pollution,
- ecological restoration,
- sustainable, efficient and environmentally effective production and use of energy; safety of industrial plants,
- classification and safe handling of chemicals,
- water quality,

- waste reduction, recycling and safe disposal, implementation of the Basle Convention,
- the environmental impact of agriculture, soil erosion, and chemical pollution,
- the protection of forests,
- the conservation of biodiversity, protected areas and sustainable use and management of biological resources,
- land-use planning, including construction and urban planning,
- use of economic and fiscal instruments,
- global climate change,
- environmental education and awareness,
- implementation of the Espoo Convention on Environmental Impact Assessment in a transboundary context.

3. Cooperation shall take place particularly through:

- disaster planning and other emergency situations,
- exchange of information and experts, including information and experts dealing with the transfer of clean technologies and the safe and environmentally sound use of biotechnologies,
- joint research activities,
- improvement of laws towards Community standards,
- cooperation at regional level, including cooperation within the framework of the European Environment Agency, established by the Community and at international level,
- development of strategies, particularly with regard to global and climatic issues and also in view of achieving sustainable development,
- environmental impact studies.

#### Article 70 Transport

The Parties shall develop and strengthen their cooperation in the field of transport.

This cooperation shall, *inter alia*, aim at restructuring and modernizing transport systems and networks in Russia and developing and ensuring, where appropriate, compatibility of transportation systems in the context of achieving a more global transportation system.

The cooperation shall include, *inter alia*:

- the modernizing of management and operations of road transport, railways, ports and airports,
- modernization and development of railways, waterways, road, port, airport and air navigation infrastructure including the modernization of major routes of common interest and the trans-European links for the above modes,
- promotion and development of multi-modal transport,
- the promotion of joint research and development programmes,
- preparation of the legislative and institutional framework for policy development and implementation including privatization of the transport sector.

#### Article 71 Postal services and telecommunications

1. The Parties shall expand and strengthen cooperation in this area with the aim of gradual integration at the technical level of their respective telecommunications and postal networks. To this end they shall initiate notably the following actions:

- exchange information on telecommunications and postal services and TV and broadcasting policies,
- exchange technical and other information, conduct training and advisory operations,
- carry out transfer of technology and know-how,
- have the appropriate bodies from both Parties elaborate and carry out joint projects,
- promote new communication facilities first of all for the needs of commercial and public institutions,
- promote European technical standards, systems of certification and regulatory approaches,
- cooperate in securing the communication in critical circumstances, consult each other on elaboration of guidelines for operator cooperation in conditions of catastrophes, etc.

2. These activities shall focus, *inter alia*, on the following priority areas:

- development and modernization of an integrated telecommunications sector in Russia in the framework of market reforms and creation of an appropriate regulatory basis,
- modernization of Russia's telecommunications network and its integration at the technical level into European and world networks,
- cooperation in development of systems of information exchange and data transmission between organizations of the Community and Russia,
- integration at the technical level of trans-European telecommunication networks,
- modernization of Russia's postal and broadcasting services, including legal and regulatory aspects,
- the management of telecommunications, postal, TV and broadcasting services in the changing economic environments of both Parties, including inter alia, organizational structures, strategy and planning, tariff policy and purchasing principles.

#### Article 72 Financial services

The Parties shall cooperate with the aim of establishing and developing a suitable framework for the banking, insurance and other financial services sector in Russia adapted to the needs of a market economy.

The cooperation shall focus on:

- developing accounting standards which are suitable for a free market economy and which are compatible with the standards adopted by Member States,
- restructuring of the banking, insurance and financial system,
- improvement of monitoring and regulation of the banking, insurance and financial services sector,
- developing compatible auditing systems,
- exchange of information on the respective laws in force or under preparation,
- modernizing the infrastructure of commercial and private banks.

#### Article 73 Regional development

The Parties shall strengthen cooperation between them on regional development and land-use planning.

They shall encourage exchange of information by national, regional and local authorities on regional and land-use planning policy and on methods of formulation of regional policies with special emphasis on the development of disadvantaged areas.

They shall also encourage direct contacts between the respective regions and public organizations responsible for regional development planning with the aim, inter alia, to exchange methods and ways of fostering regional development.

#### Article 74 Social cooperation

1. With regard to health and safety, the Parties shall develop cooperation between them with the aim of improving the level of protection of the health and safety of workers.

The cooperation shall include notably:

- education and training on health and safety issues with specific attention to high risk sectors of activity,
- development and promotion of preventive measures to combat work related diseases and other work related ailments,
- prevention of major accident hazards and the management of toxic chemicals,
- research to develop the knowledge base in relation to working environment and the health and safety of workers.

2. With regard to employment, the cooperation shall include notably technical assistance relating to:

- optimization of the labour market,
- modernization of the job-finding and consulting services,
- planning and management of the restructuring programmes,
- encouragement of local employment development,



- exchange of information on the programmes of flexible employment, including those stimulating self-employment and promoting entrepreneurship.

3. The Parties shall pay special attention to cooperation in the sphere of social protection which, inter alia, shall include cooperation in planning and implementing social protection reforms in Russia.

These reforms shall aim to develop in Russia methods of protection intrinsic to market economies and shall comprise all directions of social security activities.

The cooperation shall also include technical assistance to the development of social insurance institutions with the aim of promoting gradual transition to a system consisting of a combination of contributory and social assistance forms of protection, as well as respective non-governmental organizations providing social services.

#### Article 75 Tourism

The Parties shall increase and develop cooperation between them, which shall include:

- facilitating the tourist trade,
- cooperation between official tourism bodies,
- increasing the flow of information,
- transferring know-how,
- studying the opportunities for joint operations.

#### Article 76 Small and medium-sized enterprises

1. The Parties shall aim to develop and strengthen small and medium-sized enterprises (SMEs) and promote cooperation between SMEs of the Community and Russia.

2. The Parties shall encourage the exchange of information and know-how, inter alia, in areas such as:

- legal, administrative, technical, tax, financial and other conditions necessary for setting up and expansion of SMEs and for cross-border cooperation,
- the provision of the specialized services required by SMEs, like management and marketing training, accounting, quality control and creation and strengthening of agencies providing such services,
- establishment of continuous and stable links between the Community and Russian operators in order to improve the flow of information to SMEs and promoting cross-border cooperation, inter alia, through access to and operation of Business Cooperation Network and Euro-Info-Correspondence Centres provided the necessary conditions are met for any of these networks.

The Parties shall closely cooperate with a view to ensuring that the necessary conditions for access to the networks are met.

#### Article 77 Communication, informatics and information infrastructure

1. The Parties shall support the development of modern methods of information handling, including the media. They shall take appropriate steps to stimulate the effective mutual exchange of information. Priority shall be given to programmes aimed at providing the general public with basic information about the Community and professional, inter alia, business circles with specialized information.

2. The Parties shall make the necessary efforts to expand and strengthen cooperation in order to establish the appropriate information infrastructure. To this end they shall initiate notably the following actions:

- the exchange of information on policies for the establishment of information infrastructures including regulatory policies,
- exploration of the possibility for joint projects on research and development in information and communication technologies, and on the establishment of an information infrastructure adapted to the needs of a market economy, taking into account the conversion potential of Russian enterprises and Russian interests for informatization and allowing for inter-operability with Community information infrastructures,

- development of joint programmes concerning the training of specialists in information technologies and information services,
- promotion of European technical standards, systems of certification and regulatory approaches.

#### Article 78 Customs

1. The aim of cooperation shall be to achieve compatibility of the customs systems of the Parties.

2. Cooperation shall include the following in particular:

- the exchange of information,
- the improvement of working methods,
- the harmonization and simplification of customs procedures regarding the goods traded between the Parties,
- the interconnection between the transit systems of the Community and Russia,
- the support in the introduction and management of modern customs information systems, including computer-based systems on the customs check points,
- mutual assistance and joint actions with respect to 'dual-use' goods and goods subject to non-tariff limitations,
- the organization of seminars and training periods.

Technical assistance shall be provided where necessary.

3. Without prejudice to further cooperation foreseen in this Agreement and in particular Articles 82 and 84, the mutual assistance between administrative authorities in customs matters of the Parties shall take place in accordance with the provisions of Protocol 2.

#### Article 79 Statistical cooperation

1. The cooperation shall aim at further development of efficient statistical systems, informational and programme-technological compatibility of statistical data, to provide, in time, reliable statistics needed to support and monitor economic cooperation between the Parties and the process of economic reform in Russia, and also to contribute to the development of private enterprise in Russia.

2. The Parties shall cooperate in particular:

- to enhance the development of an efficient statistical system in Russia, in particular to elaborate an appropriate institutional framework,
- to improve the standards of training and the professional level of the statistical personnel,
- to bring about harmonization with international, and in particular, Community methods, standards and classifications,
- to provide private and public sector economic operators with the appropriate macro- and microeconomic data,
- to guarantee the confidentiality of data,
- to exchange statistical information and to this end to build up and/or to make appropriate use of databases.

#### Article 80 Economics

The Parties shall facilitate the process of economic reform and the coordination of economic policies by cooperating to improve understanding of the fundamentals of their respective economies and the design and implementation of economic policy in market economies.

The Parties shall:

- exchange information on macroeconomic performance and prospects and on development strategies,
- analyse economic issues of mutual interest, including the framing of economic policies and implementation instruments,
- encourage extensive cooperation among economists and senior officials in order to expedite the transfer of information and know-how for the drafting of economic policies, and provide for wide dissemination of the results of policy-relevant research.

#### Article 81 Money laundering

1. The Parties agree on the necessity of making efforts and cooperating in order to prevent the use of their financial systems for laundering of proceeds from criminal activities in general and drug offences in particular.

2. Cooperation in this area shall include administrative and technical assistance with the purpose of establishing suitable standards against money laundering equivalent to those adopted by the Community and international fora in this field, including the Financial Action Task Force (FATF).

#### Article 82 Drugs

The Parties shall cooperate in increasing the effectiveness and efficiency of policies and measures to counter the illicit production, supply and traffic of narcotic drugs and psychotropic substances, including the prevention of diversion of precursor chemicals, as well as in promoting drug demand prevention and reduction. The cooperation in this area shall be based on mutual consultation and close coordination between the Parties over the objectives and measures in the various drug-related fields, and shall, inter alia, provide for exchange of training programmes and include, where available, technical assistance from the Community.

#### Article 83 Cooperation in the field of regulation of capital movements and payments in Russia

Without prejudice to Article 52, the Parties, recognizing the necessity of a stable functioning and development of the Russian domestic currency market shall cooperate in the field of creation of an effective system of regulation of capital movements and payments in Russia.

Bearing in mind the experience, competence and respective possibilities of the Member States and the Community, cooperation in this field supported by technical assistance from the Community shall cover inter alia:

- establishing links between competent authorities of the Community and its Member States and of Russia,
- exchanging information on a regular basis,
- helping in the development of appropriate regulations.

In order to permit an optimal use of the resources available the Parties shall ensure close coordination with the measures undertaken by other countries and international organizations.

### TITLE VIII COOPERATION ON PREVENTION OF ILLEGAL ACTIVITIES

#### Article 84

The Parties shall establish cooperation aimed at preventing illegal activities such as:

- illegal immigration and illegal presence of physical persons of their nationality on their respective territories, taking into account the principle and practice of readmission,
- illegal activities in the sphere of economics, including corruption,
- illegal transactions of various goods, including industrial waste,
- counterfeiting,
- the illicit traffic of narcotic drugs and psychotropic substances.

The cooperation in the abovementioned areas will be based on mutual consultations and close interactions and will provide technical and administrative assistance including:

- drafting of national legislation in the sphere of preventing illegal activities,
- creation of information centres,
- increasing the efficiency of institutions engaged in preventing illegal activities,
- training of personnel and development of research infrastructures,
- elaboration of mutually acceptable measures impeding illegal activities.

### TITLE IX CULTURAL COOPERATION

#### Article 85

1. The Parties undertake to promote cultural cooperation with the aim of reinforcing the existing links between their peoples and to encourage the mutual knowledge of their respective languages and cultures while respecting creative freedom and reciprocal access to cultural values.

2. Cooperation shall cover in particular the following areas:

- exchange of information and experience in the field of conservation and protection of monuments and sites (architectural heritage),
- cultural exchanges between institutions, artists and other persons working in the area of culture,
- translation of literary works.

3. The Cooperation Council may make recommendations for the implementation of this Article.

## TITLE X FINANCIAL COOPERATION

### Article 86

In order to achieve the objectives of this Agreement, in particular Titles VI and VII thereof, and in accordance with Articles 87, 88 and 89, Russia shall benefit from temporary financial assistance from the Community by way of technical assistance in the form of grants to accelerate the economic transformation of Russia.

### Article 87

This financial assistance shall be covered within the framework of the Tacis programme foreseen in the Community's relevant Council Regulation.

### Article 88

The objectives and the areas of the Community's financial assistance shall be laid down in an indicative programme reflecting established priorities to be agreed between the Parties taking into account Russia's needs, sectoral absorption capacities and progress with reform. The Parties shall inform the Cooperation Council thereof.

### Article 89

In order to permit optimum use of the resources available, the Parties shall ensure that Community technical assistance contributions are made in close coordination with those from other sources such as the Member States, other countries, and international organizations such as the International Bank for Reconstruction and Development and the European Bank for Reconstruction and Development.

## TITLE XI INSTITUTIONAL, GENERAL AND FINAL PROVISIONS

### Article 90

A Cooperation Council is hereby established which shall monitor the implementation of this Agreement. It shall meet at ministerial level once a year and when circumstances require. It shall examine any major issues arising within the framework of the Agreement and any other bilateral or international issues of mutual interest for the purpose of attaining the objectives of this Agreement. The Cooperation Council may also make appropriate recommendations, by agreement between the representatives within the Cooperation Council of the Parties.

### Article 91

1. The Cooperation Council shall consist of the members of the Council of the European Union and members of the Commission of the European Communities, on the one hand, and of members of the Government of the Russian Federation, on the other.

2. The Cooperation Council shall establish its rules of procedure.

3. The office of President of the Cooperation Council shall be held alternately by a representative of the Community and by a member of the Government of the Russian Federation.

### Article 92

1. The Cooperation Council shall be assisted in the performance of its duties by a Cooperation Committee composed of representatives of the members of the Council of the European Union and of representatives of the Commission of the European Communities on the one hand and of representatives of the Government of the Russian Federation on the other, normally at senior civil servant level. The office of President of the Cooperation Committee shall be

held alternately by a representative of the Community and by a representative of the Government of the Russian Federation.

In its rules of procedure the Cooperation Council shall determine the duties of the Cooperation Committee, which shall include the preparation of meetings of the Cooperation Council, and such duties as are provided for in Articles 16, 17 and 53 and in Annex 2, and how the Committee shall function.

2. The Cooperation Council may delegate any of its powers to the Cooperation Committee, which will ensure continuity between meetings of the Cooperation Council.

#### Article 93

The Cooperation Council may decide to set up any other special committees or body that can assist it in carrying out its duties and shall determine the composition and duties of such committees or bodies and how they shall function.

#### Article 94

When examining any issue arising within the framework of this Agreement in relation to a provision referring to an Article of the GATT, the Cooperation Council shall take into account to the greatest extent possible the interpretation that is generally given to the Article of the GATT in question by the Contracting Parties to the GATT.

#### Article 95

A Parliamentary Cooperation Committee is hereby established. It shall meet at intervals which it shall itself determine.

#### Article 96

1. The Parliamentary Cooperation Committee shall consist of members of the European Parliament, on the one hand, and of members of the Federal Assembly of the Russian Federation, on the other.

2. The Parliamentary Cooperation Committee shall establish its rules of procedure.

3. The Parliamentary Cooperation Committee shall be presided over in turn by a member of the European Parliament and a member of the Federal Assembly of the Russian Federation respectively, in accordance with the provisions to be laid down in its rules of procedure.

#### Article 97

The Parliamentary Cooperation Committee may request relevant information regarding the implementation of this Agreement from the Cooperation Council, which shall then supply the Committee with the requested information.

The Parliamentary Cooperation Committee shall be informed of the recommendations of the Cooperation Council.

The Parliamentary Cooperation Committee may make recommendations to the Cooperation Council.

#### Article 98

1. Within the scope of this Agreement, each Party undertakes to ensure that natural and legal persons of the other Party have access free of discrimination in relation to its own nationals to the competent courts and administrative organs of the Parties to defend their individual rights and their property rights, including those concerning intellectual, industrial and commercial property.

2. Within the limits of their respective powers, the Parties:

- shall encourage the adoption of arbitration for the settlement of disputes arising out of commercial and cooperation transactions concluded by economic operators of the Community and those of Russia,

- agree that where a dispute is submitted to arbitration, each Party to the dispute may, except where the rules of the arbitration centre chosen by the Parties provide otherwise, choose its own arbitrator, irrespective of his nationality, and that the presiding third arbitrator or the sole arbitrator may be a citizen of a third State,
- will recommend their economic operators to choose by mutual consent the law applicable to their contracts,
- shall encourage recourse to the arbitration rules elaborated by the United Nations Commission on International Trade Law (Uncitral) and to arbitration by any centre of a State signatory to the Convention on Recognition and Enforcement of Foreign Arbitral Awards done at New York on 10 June 1958.

#### Article 99

Nothing in this Agreement shall prevent a Party from taking any measures:

1. which it considers necessary for the protection of its essential security interests:
  - (a) to prevent the disclosure of information contrary to its essential security interests;
  - (b) which relate to fissionable materials or the materials from which they are derived;
  - (c) which relate to the production of, or trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
  - (d) in the event of serious internal disturbances affecting the maintenance of law and order, in time of war or serious international tension constituting threat of war or in order to carry out obligations it has accepted for the purpose of maintaining peace and international security; or
2. which it considers necessary to respect its international obligations and commitments or autonomous measures taken in line with such generally accepted international obligations and commitments on the control of dual use industrial goods and technology.

#### Article 100

1. In the fields covered by this Agreement and without prejudice to any special provisions contained therein:
  - the arrangements applied by Russia in respect of the Community shall not give rise to any discrimination between the Member States, their nationals or their companies or firms,
  - the arrangements applied by the Community in respect of Russia shall not give rise to any discrimination between Russian nationals, or its companies or firms.
2. The provisions of paragraph 1 are without prejudice to the right of the Parties to apply the relevant provisions of their fiscal legislation to taxpayers who are not in identical situations in particular as regards their place of residence.

#### Article 101

1. Each of the Parties may refer to the Cooperation Council any dispute relating to the application or interpretation of this Agreement.
2. The Cooperation Council may settle the dispute by means of a recommendation.
3. In the event of it not being possible to settle the dispute in accordance with paragraph 2, either Party may notify the other of the appointment of a conciliator; the other Party must then appoint a second conciliator within two months. For the application of this procedure, the Community and its Member States shall be deemed to be one Party to the dispute.

The Cooperation Council shall appoint a third conciliator.

The conciliators' recommendations shall be taken by majority vote. Such recommendations shall not be binding upon the Parties.

4. The Cooperation Council may establish rules of procedure for dispute settlement.

#### Article 102

The Parties agree to consult promptly through appropriate channels at the request of either Party to discuss any matter concerning the interpretation or implementation of this Agreement and other relevant aspects of the relations between the Parties.

The provisions of this Article shall in no way affect and are without prejudice to Articles 17, 18, 101 and 107.

#### Article 103

Treatment granted to Russia hereunder shall in no case be more favourable than that granted by the Member States to each other.

#### Article 104

For the purposes of this Agreement, the term 'Parties' shall mean the Community, or its Member States, or the Community and its Member States, in accordance with their respective powers, of the one part, and Russia, of the other part.

#### Article 105

In so far as matters covered by this Agreement are covered by the Energy Charter Treaty and Protocols thereto, such Treaty and Protocols shall upon entry into force apply to such matters but only to the extent that such application is provided for therein.

#### Article 106

This Agreement is concluded for an initial period of 10 years. The Agreement shall be automatically renewed year by year provided that neither Party gives the other Party written notice of denunciation of the Agreement at least six months before it expires.

#### Article 107

1. The Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall see to it that the objectives set out in the Agreement are attained.

2. If either Party considers that the other Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures. Before so doing, except in cases of special urgency, it shall supply the Cooperation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

In the selection of these measures, priority must be given to those which least disturb the functioning of the Agreement. These measures shall be notified immediately to the Cooperation Council if the other Party so requests.

#### Article 108

Annexes 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 together with Protocols 1 and 2 shall form an integral part of this Agreement.

#### Article 109

This Agreement shall not, until equivalent rights for individuals and economic operators have been achieved hereunder, affect rights assured to them through agreements binding one or more Member States, on the one hand, and Russia, on the other, except in areas falling within Community competence and without prejudice to the obligations of Member States resulting from this Agreement in areas falling within their competence.

#### Article 110

This Agreement shall apply, on the one hand, to the territories in which the Treaties establishing the European Community, the European Coal and Steel Community and the European Atomic Energy Community are applied and under the conditions laid down in those Treaties and, on the other hand, to the territory of Russia.

## Article 111

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Russian languages, each of these text being equally authentic.

## Article 112

This Agreement will be approved by the Parties in accordance with their own procedures.

This Agreement shall enter into force on the first day of the second month following the date on which the Parties notify each other that the procedures referred to in the first paragraph have been completed.

Upon its entry into force, and as far as relations between the Community and Russia are concerned, this Agreement shall replace, without prejudice to Article 22 (1), (3) and (5), the Agreement between the European Economic Community and the European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and economic and commercial cooperation signed in Brussels on 18 December 1989.

Hecho en Corfú, el veinticuatro de junio de mil novecientos noventa y cuatro.

Udfærdiget i Corfu den fireogtyvende juni nitten hundrede og fireoghalvfems.

Geschehen zu Korfu am vierundzwanzigsten Juni neunzehnhundertvierundneunzig.

ἔγιντο ἐν Κορυφῇ τῆς 24 ἡμέρας τοῦ μηνὸς Ἰουνίου τοῦ 1994.

Done at Corfu on the twenty-fourth day of June in the year one thousand nine hundred and ninety-four.

Fait à Corfou, le vingt-quatre juin mil neuf cent quatre-vingt-quatorze.

Fatto a Corfù, addì ventiquattro giugno millenovecentonovantaquattro.

Gedaan te Korfoe, de vierentwintigste juni negentienhonderd viereennegentig.

Feito em Corfu, em vinte e quatro de Junho de mil novecentos e noventa e quatro.

Pour le Royaume de Belgique

Voor het Koninkrijk België

Für das Königreich Belgien

På Kongeriget Danmarks vegne

Für die Bundesrepublik Deutschland

Ἀἰὲν ἐπὶ τῆς Ἰσπανίας

Por el Reino de España

Pour la République française

Thar cheann Na hÉireann

For Ireland

Per la Repubblica italiana

Pour le Grand-Duché de Luxembourg

Voor het Koninkrijk der Nederlanden

Pela República Portuguesa

For the United Kingdom of Great Britain and Northern Ireland

Por las Comunidades Europeas

For De Europæiske Fællesskaber

Für die Europäischen Gemeinschaften

Ἀἰὲν ἐπὶ τῶν Ἐὐρωπαϊκῶν Κοινοτήτων

For the European Communities

Pour les Communautés européennes

Per le Comunità europee

Voor de Europese Gemeenschappen

Pelas Comunidades Europeias

## ANNEX 1

## INDICATIVE LIST OF ADVANTAGES GRANTED BY RUSSIA TO THE COUNTRIES OF THE FORMER USSR IN AREAS COVERED BY THIS AGREEMENT (as of January 1994)

Advantages are granted bilaterally by respective agreements or by established practice. They provide for, inter alia:



### 1. Import/export taxation

No import duties are applied.

No export duties are applied with respect to goods delivered under annual bilateral interstate trade and cooperation arrangements within the nomenclature and volumes, stipulated therein, considered as 'exportation for Federal State needs' as defined by corresponding Russian law.

No VAT is applied on import.

No excise duties are applied on import.

### 2. Allocation of quotas and licensing procedures

Export quotas for deliveries of Russian products under annual bilateral interstate trade and cooperation agreements are opened in the same way as for 'deliveries for State needs'.

3. Special conditions for all kinds of activities in banking and the financial sector (including establishment, operation), movement of special and current payments, access to securities, etc.

4. Price system regarding Russian export of some kinds of raw materials and semi-finished products (coal, crude oil, natural gas, refined oil products)

Prices are determined on the basis of corresponding average world prices converted in roubles or respective national currency at a rate quoted by the Central Bank of Russia as of the 15th day of the month previous to the month of exportation.

### 5. Conditions of transportation and transit

As regards countries of the Commonwealth of Independent States, that are Parties to the Multilateral Agreement 'on the principles and conditions of relations in the field of transport' and/or on the basis of bilateral arrangements on transportation and transit, no taxes or fees are applied on a reciprocal basis for the transportation and customs clearing of goods (including goods in transit) and transit of vehicles.

6. Communications services, including postal, courier, telecommunications, audiovisual and other services

7. Access to information systems and databases

## ANNEX 2

### DEROGATIONS FROM ARTICLE 15 (QUANTITATIVE RESTRICTIONS)

1. Exceptional measures which derogate from the provisions of Article 15 may be taken by Russia in the form of quantitative restrictions on a non-discriminatory basis as provided for in Article XIII of the GATT. Such measures can only be taken after the end of the first calendar year following signature of the Agreement.

2. These measures may only be taken in the circumstances mentioned in Annex 9.

3. The total value of imports of goods which are subject to these measures may not exceed the following proportions of total imports of goods originating in the Community:

- 10 % during the second and third calendar years following signature of the Agreement,
- 5 % during the fourth and fifth calendar years following signature of the Agreement,

- 3 % afterwards, until Russia's accession to the GATT/WTO.

The abovementioned proportions will be determined by reference to the value of imports by Russia of goods originating in the Community during the last year prior to the introduction of quantitative restrictions for which statistics are available.

These provisions shall not be circumvented by increased tariff protection on the imported goods concerned.

4. These measures shall not be applied after Russia's accession to the GATT/WTO unless otherwise provided for in Russia's accession protocol to the GATT/WTO.

5. Russia shall inform the Cooperation Committee of any measures it intends to take under the terms of the present Annex, and consultations shall be held in the Cooperation Committee if so requested by the Community on such measures before they are taken, and on the sectors to which they apply.

### ANNEX 3

#### COMMUNITY RESERVATIONS IN ACCORDANCE WITH ARTICLE 28 (2)

##### Mining

In some Member States, a concession may be required for mining and mineral rights for non-Community controlled companies.

##### Fishing

Access to and use of the biological resources and fishing grounds situated in the maritime waters coming under the sovereignty or within the jurisdiction of Member States is restricted to fishing vessels flying the flag of a Member State and registered in Community territory unless otherwise provided for.

##### Real estate purchase

In some Member States, the purchase of real estate is subject to limitations.

##### Audiovisual services including radio

National treatment concerning production and distribution, including broadcasting and other forms of transmission to the public, may be reserved to audiovisual works meeting certain origin criteria.

##### Telecommunications services including mobile and satellite services

##### Reserved services

In some Member States market access concerning complementary services and infrastructures is restricted.

##### Professional services

Services reserved to natural persons nationals of Members States. Under certain conditions those persons may create companies.

##### Agriculture

In some Member States national treatment is not applicable to non-Community controlled companies which wish to undertake an agricultural enterprise. The acquisition of vineyards by non-Community controlled companies is subject to notification, or, as necessary, authorization.

News agency services

In some Member States limitations of foreign participation in publishing companies and broadcasting companies.

#### ANNEX 4

##### RUSSIAN RESERVATIONS IN ACCORDANCE WITH ARTICLE 28 (3)

Use of subsoil and natural resources including mining

1. A concession may be required for mining some ores and metals for non-Russian controlled companies.

2. Some special auctions for the use of subsoil and natural resources for small enterprises or defence enterprises undergoing military conversion may be closed to non-Russian controlled companies.

Fishing

Authorization from the respective governmental body is necessary for fishing.

Real estate (immovable property) purchase and brokerage

(a) Non-Russian controlled companies are not allowed to acquire plots of land. Those companies, however, can lease plots of land for a period of no more than 49 years.

(b) As an exception to paragraph (a), non-Russian controlled companies can acquire plots of land in the cases when such companies are recognized as buyers in accordance with the Law of the Russian Federation on the privatization of state and municipal enterprises in the Russian Federation and other respective legislation and regulations, including the requirements of programmes of privatization:

- within the framework of the privatization of state and municipal enterprises in the form of commercial investment tender and auction,
- within the framework of the expansion and additional construction of enterprises in the form of commercial investment tender and auction.

Telecommunications

Telecommunication services including mobile and satellite services, construction, installation, operation and maintenance of communication devices are restricted.

Mass media services

Some limitations of foreign participation in mass media companies.

Professional activities

Some activities closed, limited or subject to special requirements for natural persons who are non-Russian nationals.

Lease of Federal property

The lease of Federal property whose value exceeds 100 million roubles to companies with foreign participation is effected with the permission of the state authority empowered to manage such property. This maximum is to be raised and will be expressed in convertible currency.

#### ANNEX 5

#### CROSS-BORDER SUPPLY OF SERVICES LIST OF SERVICES FOR WHICH THE PARTIES SHALL GRANT MOST-FAVOURED-NATION (MFN) TREATMENT

(a) Sectors to be covered, according to the provisional Central Product Classification (CPC) of the United Nations Organization:

Consultancy services relating to accounting review services: part of CPC 86212 other than 'auditing services'

Consultancy services relating to bookkeeping services CPC 86220

Engineering services CPC 8672

Integrated engineering services CPC 8673

Advisory and pre-design architectural services CPC 86711

Architectural design services CPC 86712

Urban planning and landscape architectural services CPC 8674

Computer and related services:

Consultancy services related to the installation of computer hardware CPC 841

Software implementation services CPC 842

Database services CPC 844

Advertising CPC 871

Market research and opinion polling CPC 864

Management consulting services CPC 866

Technical testing and analysis services CPC 8676

Advisory and consulting services relating to agriculture, hunting and forestry

Advisory and consulting services relating to fishing

Advisory and consulting services relating to mining

Printing and publishing CPC 88442

Convention services

Translation services CPC 87905

Interior design services CPC 87907

Telecommunications:

Value-added services including (but not limited to) electronic mail, voice mail, on-line information and database retrieval, data processing, EDI, code and protocol conversion

Packet and circuit switched data services

Construction and related engineering services: site investigation work CPC 5111

Franchising CPC 8929

Adult education services by correspondence part of CPC 924

News and press agency services CPC 962

Rental/leasing services without operators related to other transport equipment (CPC 83101 private cars, 83102 goods transport vehicles, 83105) and relating to other machinery and equipment (CPC 83106, 83107, 83108, 83109)

Commission agents services and wholesale trade services related to import-export trade (part of CPC 621 and 622)

Research and development in software

Reinsurance and retrocession and the services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services

Insurance of risks relating to:

(i) maritime shipping and commercial aviation and space launching and freight (including satellites), with such insurance to cover any or all of the following: persons being transported, the goods being exported from or imported to, the same vehicle transporting the goods and any liability arising therefrom;

(ii) goods in international transit; and

(iii) accident and health insurance; and personal motor liability insurance in the case of cross-border movement.

(b) Data processing services CPC 843

Provision and transfer of financial information and financial data processing (see paragraphs B.11 and B.12 of Annex 6):

For the services listed under paragraph (b) MFN subject to Article 38 will be applied, without paragraph A of Annex 8.

ANNEX 6

## DEFINITIONS IN RELATION TO FINANCIAL SERVICES

A financial service is any service of a financial nature offered by a financial service supplier of one of the Parties. Financial services include the following activities:

### A. All insurance and insurance-related services

#### 1. Direct insurance (including co-insurance)

(i) life;

(ii) non-life.

#### 2. Reinsurance and retrocession.

#### 3. Insurance intermediation, such as brokerage and agency.

#### 4. Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services.

### B. Banking and other financial services (excluding insurance)

#### 1. Acceptance of deposits and other repayable funds from the public.

#### 2. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions.

#### 3. Financial leasing.

#### 4. All payment and money transmission services, including credit charge and debit cards, travellers cheques and bankers drafts.

#### 5. Guarantees and commitments.

#### 6. Trading for own account or for the account of customers, whether on an exchange, in an over the counter market or otherwise, the following:

(a) money market instruments (including cheques, bills, certificates of deposits, etc.);

(b) foreign exchange;

(c) derivative products including, but not limited to, futures and options;

(d) exchange rates and interest rate instruments, including products such as swaps, forward rate agreements, etc.;

(e) transferable securities;

(f) other negotiable instruments and financial assets, including bullion.

#### 7. Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues.

#### 8. Money broking.

#### 9. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services.

#### 10. Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments.

11. Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services.

12. Advisory intermediation and other auxiliary financial services on all the activities listed in points 1 to 11 above, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.

The following activities are excluded from the definition of financial services:

- (a) activities carried out by central banks or by any other public institution in pursuit of monetary and exchange rate policies;
- (b) activities conducted by central banks, government agencies or departments, or public institutions, for the account or with the guarantee of the government, except when those activities may be carried out by financial service suppliers in competition with such public entities;
- (c) activities forming part of a statutory system of social security or public retirement plans, except when those activities may be carried out by financial service suppliers in competition with public entities or private institutions.

## ANNEX 7

### FINANCIAL SERVICES

A. In respect of banking services referred to in Annex 6, Part B, the most-favoured-nation treatment granted pursuant to Article 28 (1), with regard to establishment by means of the setting up of a subsidiary only (excluding therefore establishment by means of the setting up of a branch), and the national treatment granted pursuant to Article 28 (3), by Russia means treatment no less favourable than the treatment granted by Russia to its own companies with the following exceptions:

1. Russia reserves the right:

- (a) to continue to apply to Russian subsidiaries and branches of Community companies the ceiling limiting the overall share of foreign capital in the Russian banking system which is in operation on the date of signature of the Agreement;
- (b) to apply to Russian subsidiaries of Community companies a minimum capital requirement higher than that applied to its own companies provided that this minimum capital requirement is not raised as compared with the one in force on the date of signature of the Agreement before national treatment is applied in respect of the minimum capital requirement;
- (c) to restrict the number of branches of Russian subsidiaries of Community companies;
- (d) to set a minimum level not higher than ECU 55 000 for balances on accounts of each physical person with Russian subsidiaries of Community companies;
- (e) to prohibit Russian subsidiaries of Community companies from carrying out transactions with shares and instruments convertible into shares of Russian joint stock companies;
- (f) to prohibit Russian subsidiaries of Community companies from carrying out transactions with Russian residents.

2. The exceptions in paragraph 1 may only apply under the following conditions:

- (i) provided that they are applied to subsidiaries of companies of every country; and
- (ii) for the exceptions mentioned in paragraph 1, subparagraphs (c), (d) and (e):
  - (a) until the expiry of five years from signature of the Agreement at the latest for the exceptions mentioned in subparagraphs (c) and (d) and three years for the exception mentioned in subparagraph (e); and
  - (b) where the proportion of the share capital of the Russian subsidiary of the Community company held by Russian nationals or companies does not exceed fifty percent (50 %); and
  - (c) to Russian subsidiaries of Community companies established after the entry into force of these exceptions;
- (iii) for the exception mentioned in paragraph 1, subparagraph (f), until 1 January 1996 and only to Russian subsidiaries of Community companies established after 15 November 1993 or which have not commenced their operations with Russian residents before 15 November 1993.

3. (a) After the expiry of five years from the date of signature of the Agreement, Russia will consider the possibility of:

(i) increasing the ceiling limiting the overall share of foreign capital in the Russian banking system which is in operation on the date of the signature of this Agreement, mentioned in subparagraph (a) of paragraph 1, taking into consideration all the relevant monetary, fiscal, financial and balance of payments considerations and the state of the banking system of Russia;

(ii) reducing the minimum capital requirement, mentioned in subparagraph (b) of paragraph 1, taking into consideration all the relevant monetary, fiscal, financial and balance of payments considerations and the state of the banking system of Russia.

(b) After the expiry of three years from the signature of this Agreement, Russia will consider the softening of restrictions mentioned in subparagraphs (c) and (d) of paragraph 1, taking into consideration all the relevant monetary, fiscal, financial and balance of payments considerations and the state of the banking system of Russia.

B. In respect of insurance services referred to in Annex 6, Part A, paragraphs 1 and 2 the most-favoured-nation treatment granted pursuant to Article 28 (1) with regard to establishment by means of the setting up of a subsidiary only authorized for the insurance operations is set out in the legislation and regulations applicable in Russia on the day of establishment taking into account the following conditions:

1. upon the expiry of five years from signature of the Agreement at the latest, Russia shall abolish the maximum foreign shareholding limit of 49 % in company capital;

2. during the transitional period of five years the abolition of the maximum foreign shareholding limit does not prevent Russia from introducing measures for granting licences to Community companies in some classes of insurance. These measures could be taken only in the field of compulsory insurance schemes in the social security, or for public procurement, or for the reasons described in Article 29 (2), and shall not nullify or substantially impair the effects of the abolition of the maximum foreign shareholding limit of 49 %.

## ANNEX 8

### PROVISIONS IN RELATION TO ARTICLES 34 AND 38

#### Part A

The consultations shall begin within 30 days of the request therefor by the first Party. They shall be held with a view to reaching agreement either on:

- withdrawal by the other Party of the measures which have resulted in the significantly more restrictive situation, or
- adjustments of the obligations of both Parties, or
- adjustments to be made by the first Party to compensate for the more restrictive situation created by the other Party.

If agreement is not reached within 60 days of the request for consultations made by the first Party, such first Party may make appropriate compensatory adjustments to its obligations. Such adjustments shall be made to the extent and for such time as is necessary to take account of the significantly more restrictive situation created by the other Party. Priority must be given to those measures which least disturb the functioning of the Agreement. The rights which economic operators have acquired under the Agreement at the time such adjustments are made shall not be affected by the said adjustments.

#### Part B

1. Acting in the spirit of partnership and cooperation the Government of Russia shall inform the Community, during a transitional period of three years following the signature of the Agreement, of its intentions to submit new legislation or adopt new regulations which may render the conditions for the establishment or operation of Russian subsidiaries and branches of Community companies more restrictive than the situation existing on the day preceding the date of signature of the Agreement. The Community may request Russia to communicate the drafts of such legislation or regulations and to enter into consultations about those drafts.



2. Where new legislation or regulations introduced in Russia within the transitional period mentioned in paragraph 1 would result in rendering the conditions for operation of Russian subsidiaries and branches of Community companies more restrictive than the situation existing on the day of signature of the Agreement, such respective legislation or regulations shall not apply to those subsidiaries and branches already established in Russia at the time of entry into force of the relevant act, until the expiry of a period of three years from such entry into force.

#### ANNEX 9

##### TRANSITIONAL PERIOD FOR PROVISIONS ON COMPETITION AND FOR THE INTRODUCTION OF QUANTITATIVE RESTRICTIONS

The circumstances mentioned in Article 53 paragraph 2.3 and in Annex 2, paragraph 2 are understood in respect of sectors of the Russian economy which:

- are undergoing restructuring, or
- are facing serious difficulties, particularly where these entail serious social problems in Russia, or
- face the elimination or a drastic reduction of the total market share held by Russian companies or nationals in a given sector or industry in Russia, or
- are newly emerging industries in Russia.

#### ANNEX 10

##### PROTECTION OF INTELLECTUAL, INDUSTRIAL AND COMMERCIAL PROPERTY REFERRED TO IN ARTICLE 54

1. Russia shall continue to improve the protection of intellectual, industrial and commercial property rights in order to provide, by the end of the fifth year after the entry into force of the Agreement, for a level of protection similar to that existing in the Community, including effective means of enforcing such rights.

2. By the end of the fifth year following entry into force of the Agreement, Russia shall accede to the multilateral conventions on intellectual, industrial and commercial property rights to which Member States are parties or which are de facto applied by Member States, according to the relevant provisions contained in these conventions:

- Berne Convention for the Protection of Literary and Artistic Works (Paris Act, 1971),
- International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome, 1961),
- International Convention for the Protection of New Varieties of Plants (UPOV) (Geneva Act, 1978).

3. The Cooperation Council may recommend that paragraph 2 of this Annex shall apply to other multilateral conventions.

4. From the entry into force of this Agreement, Russia shall grant to Community companies and nationals, in respect of the recognition and protection of intellectual, industrial and commercial property, treatment no less favourable than that granted by it to any third country under bilateral agreements.

5. The provisions of paragraph 4 shall not apply to advantages granted by Russia to any third country on an effective reciprocal basis and to advantages granted by Russia to another country of the former USSR.

##### PROTOCOL 1 on the establishment of a coal and steel contact group

1. A contact group is established between the Parties. The group is composed of representatives of the Community and of Russia.

2. The contact group exchanges information on the situation of the coal and steel industries in both territories and on trade between them, particularly with the purpose of identifying such problems as might arise.

3. The contact group also examines the situation of the coal and steel industries at world level, including developments in international trade.
4. The contact group exchanges all useful information on the structure of the industries concerned, the development of their production capacities, the science and research progress in the relevant fields, and the evolution of employment. The group also examines pollution and environmental problems.
5. The contact group also examines the progress made in the framework of technical assistance between the Parties, including assistance to financial, commercial and technical management.
6. The contact group exchanges all relevant information as to attitudes taken, or to be taken, in the appropriate international organizations or fora.
7. As and when both Parties agree that the presence and/or participation of representatives of the industries is appropriate, the contact group is enlarged to include them.
8. The contact group meets twice a year, alternately on the territories of each Party.
9. The chairmanship of the contact group is held alternately by a representative of the Commission of the European Communities and a representative of the Government of the Russian Federation.

## PROTOCOL 2 on mutual administrative assistance for the correct application of customs legislation

### Article 1 Definitions

For the purposes of this Protocol:

- (a) 'customs legislation' shall mean provisions applicable in the territories of the Parties and governing the import, export, transit of goods and their placing under any customs procedure, including measures of prohibition, restriction and control and adopted by the said Parties;
- (b) 'customs duties' shall mean all duties, taxes, fees or any other charges which are levied and collected in the territories of the Parties, in application of customs legislation, but not including fees and charges which are limited in amount to the approximate costs of services rendered;
- (c) 'applicant authority', shall mean a competent administrative authority which has been appointed by a Party for this purpose and which makes a request for assistance in customs matters;
- (d) 'requested authority', shall mean a competent administrative authority which has been appointed by a Party for this purpose and which receives a request for assistance in customs matters;
- (e) 'contravention', shall mean any violation of the customs legislation as well as any attempted violation of such legislation.

### Article 2 Scope

1. The Parties shall assist each other, within their competences, in the manner and under the conditions laid down in this Protocol, in ensuring that customs legislation is correctly applied, in particular by the prevention, detection and investigation of contraventions of this legislation.
2. Assistance, in customs matters, as provided for in this Protocol, applies to any administrative authority of the Parties which is competent for the application of this Protocol. It shall not prejudice the rules governing mutual assistance in criminal matters. Nor shall it cover information, including documents obtained under powers exercised at the request of the judicial authority, unless those authorities so agree.

### Article 3 Assistance on request

1. At the request of the applicant authority, the requested authority shall furnish it with all relevant information to enable it to ensure that customs legislation is correctly applied, including information regarding operations detected or planned which are, appear or would be in contravention of such legislation.
2. At the request of the applicant authority, the requested authority shall inform it whether goods exported from the territory of one of the Parties have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods.
3. At the request of the applicant authority, the requested authority shall take the necessary steps to ensure that a surveillance is kept on:
  - (a) natural or legal persons of whom there are reasonable grounds for believing that they are contravening or have contravened customs legislation;
  - (b) places where stocks of goods have been assembled in such a way that there are reasonable grounds for supposing that they are intended as supplies for operations contrary to the customs legislation of the other Party;
  - (c) movements of goods notified as possibly giving rise to contraventions of customs legislation;
  - (d) means of transport for which there are reasonable grounds for believing that they have been, or are or may be used in the contravening of customs legislation.

#### Article 4 Spontaneous assistance

The Parties shall within their competences provide each other with assistance without prior request where they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

- operations detected or planned, which are, appear or would be in contravention of such legislation,
- new means or methods employed in realizing such operations,
- goods known to be subject to substantial contravention of customs legislation on import, export, transit or any other customs procedure.

#### Article 5 Form and substance of requests for assistance

1. Requests pursuant to this Protocol shall be made in writing. Documents necessary for the execution of such requests shall accompany the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately.
2. Requests pursuant to paragraph 1 of this Article shall include the following information:
  - (a) the applicant authority making the request;
  - (b) the measure requested;
  - (c) the object of and the reason for the request;
  - (d) the laws, rules and other legal elements involved;
  - (e) indications as exact and comprehensive as possible on the natural or legal persons being the target of the investigations;
  - (f) a summary of the relevant facts.
3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to such authority.
4. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, take place.

#### Article 6 Execution of requests

1. Requests for assistance will be executed in accordance with the laws, rules and other legal instruments of the requested Party.

2. In order to comply with a request for assistance, the requested authority shall proceed, within its competence and available resources, as though it were acting on its own account or at the request of other authorities of that same Party, by supplying information already possessed, by carrying out appropriate enquiries or by arranging for them to be carried out.

3. Duly authorized officials of a Party may, with the agreement of the other Party involved and within the conditions laid down by the latter, obtain from the offices of the requested authority or other authority for which the requested authority is responsible, information relating to the contravention of customs legislation which the applicant authority needs for the purposes of this Protocol.

4. Officials of a Party may, in particular cases with the agreement of the other Party involved and within the conditions laid down by the latter, be present at enquiries carried out in the latter's territory.

5. When, in the circumstances provided for under this Protocol, officials of one Party are present at enquiries carried out in the territory of the other Party, they must, at all times, be able to furnish proof of their official capacity. They must not wear uniform nor carry arms.

#### Article 7 Form in which information is to be communicated

1. Under the conditions and within the limits laid down in this Protocol, the Parties shall communicate each other information in the form of documents, certified copies of documents, reports and the like.

2. Original files and documents may be transmitted on request only in cases where certified copies would be insufficient. Those files and documents shall be returned at the earliest opportunity.

3. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose. All relevant information for the utilization of the material shall be supplied on request.

#### Article 8 Exceptions to the obligation to provide assistance

1. The Parties may refuse to give assistance as provided for in this Protocol, provide it partially or provide it subject to certain conditions or requirements, where to do so would:

- (a) be likely to prejudice sovereignty, public policy, security or other essential interests; or
- (b) violate an industrial, commercial or professional secret.

2. Where the applicant authority asks for assistance which it would itself be unable to provide if asked so by another party, it shall draw attention to that fact in its request. It shall then be left to the requested authority to decide how to respond to such a request.

3. If assistance is withheld or denied, the decision and the reasons therefore must be notified in written form to the applicant authority without delay.

#### Article 9 Obligation to observe confidentiality

1. Any information communicated in whatsoever form pursuant to this Protocol shall be of a confidential nature. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended to like information under the relevant legislation applicable in the Party which received it and the corresponding provisions applying to the Community institutions.

2. Nominative data shall not be transmitted whenever there are reasonable grounds to believe that the transfer or the use made of the data transmitted would be contrary to the basic legal principles of one of the Parties, and, in particular, if the person concerned would suffer a prejudice to fundamental human rights. Upon request, the receiving Party shall inform the furnishing Party of the use made of the information supplied and of the results achieved.

3. Nominative data may only be transmitted to customs authorities and, in the case of need for prosecution purposes, to public prosecution and judicial authorities. Other persons or authorities may obtain such information only upon previous authorization by the furnishing authority.

4. The furnishing Party shall verify the accuracy of the information to be transferred. Whenever it appears that the information supplied was inaccurate or to be deleted, the receiving Party shall be notified without delay. The latter shall be obliged to carry out the correction or deletion.

5. Without prejudice to cases of prevailing public interest, the person concerned may obtain, upon request, information on the data stores and the purpose of this storage.

#### Article 10 Use of information

1. Information obtained shall be used solely for the purposes of this Protocol and may be used within each Party for other purposes only with the prior written consent of the administrative authority which furnished the information and shall be subject to any restrictions laid down by that authority.

2. Paragraph 1 shall not impede the use of information in any judicial or administrative proceedings subsequently instituted for failure to comply with customs legislation.

3. The Parties may, in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Protocol.

#### Article 11 Experts and witnesses

An official of a requested authority may be authorized to appear, within the limitations of the authorization granted, as expert or witness in judicial or administrative proceedings regarding the matters covered by this Protocol in the jurisdiction of another Party, and produce such objects, documents or authenticated copies thereof, as may be needed for the proceedings. The request for an appearance must indicate specifically on what matters and by virtue of what title or qualification the official will be questioned.

#### Article 12 Assistance expenses

The Parties shall waive all claims on each other for the reimbursement of expenses incurred pursuant to this Protocol, except, as appropriate, for expenses to experts and witnesses and to interpreters and translators who are not dependent upon public services.

#### Article 13 Implementation

1. The management of this Protocol shall be entrusted to the competent services of the Commission of the European Communities and, where appropriate, the customs authorities of the Member States on the one hand and the central customs authorities of Russia on the other. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection. They may recommend to the Cooperation Council amendments which they consider should be made to this Protocol.

2. The Parties shall consult each other and subsequently keep each other informed of the detailed rules of implementation which are adopted in accordance with the provisions of this Protocol.

#### Article 14 Complementarity

1. This Protocol shall complement and not impede the application of any agreements on mutual assistance which have been concluded between individual or several Member States and Russia. Nor shall it preclude more extensive mutual assistance granted under such agreements concluded or to be concluded.

2. Without prejudice to Article 10, these agreements do not prejudice Community provisions governing the communication between the competent services of the Commission and the customs authorities of the Member States of any information obtained in customs matters which could be of Community interest.

#### FINAL ACT

The plenipotentiaries of:

the KINGDOM OF BELGIUM,  
 the KINGDOM OF DENMARK,  
 the FEDERAL REPUBLIC OF GERMANY,  
 the HELLENIC REPUBLIC,  
 the KINGDOM OF SPAIN,  
 the FRENCH REPUBLIC,  
 IRELAND,  
 the ITALIAN REPUBLIC,  
 the GRAND DUCHY OF LUXEMBOURG,  
 the KINGDOM OF THE NETHERLANDS,  
 the PORTUGUESE REPUBLIC,  
 the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the EUROPEAN COMMUNITY, the Treaty establishing the EUROPEAN COAL AND STEEL COMMUNITY, and the Treaty establishing the EUROPEAN ATOMIC ENERGY COMMUNITY,

hereinafter referred to as the 'Member States', and of

the EUROPEAN COMMUNITY, the EUROPEAN COAL AND STEEL COMMUNITY and the EUROPEAN ATOMIC ENERGY COMMUNITY, hereinafter referred to as 'the Community',

of the one part, and

the plenipotentiary of the RUSSIAN FEDERATION, hereinafter referred to as 'Russia',

of the other part,

meeting at Corfu this twenty-fourth day of June in the year one thousand nine hundred and ninety-four for the signature of the Agreement on Partnership and Cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, hereinafter referred to as the 'Agreement on Partnership and Cooperation', have adopted the following texts:

The Agreement on Partnership and Cooperation including its Annexes and the following Protocols:

Protocol 1 on the establishment of a coal and steel contact group,

Protocol 2 on mutual administrative assistance for the correct application of customs legislation.

The plenipotentiaries of the Member States and of the Community and the plenipotentiary of Russia have adopted the texts of the Joint Declarations listed below and annexed to this Final Act:

Joint Declaration in relation to Title III and Article 94 of the Agreement

Joint Declaration in relation to Article 10 of the Agreement

Joint Declaration in relation to Article 12 of the Agreement

Joint Declaration in relation to Article 17 of the Agreement

Joint Declaration in relation to Article 18 of the Agreement  
 Joint Declaration in relation to Article 22 (1), second indent of the Agreement  
 Joint Declaration in relation to Article 24 of the Agreement  
 Joint Declaration in relation to Articles 26, 32 and 37 of the Agreement  
 Joint Declaration in relation to Article 28 of the Agreement  
 Joint Declaration in relation to Article 29 (3) of the Agreement  
 Joint Declaration in relation to Article 30 of the Agreement  
 Joint Declaration in relation to Article 30 (a) and (g) of the Agreement  
 Joint Declaration in relation to the notion of 'control' in Article 30 (b) and Article 45 of the Agreement  
 Joint Declaration in relation to Article 30 (h), third subparagraph of the Agreement  
 Joint Declaration in relation to Article 31 of the Agreement  
 Joint Declaration in relation to Article 34 (1) of the Agreement  
 Joint Declaration in relation to Articles 34 and 38 of the Agreement  
 Joint Declaration in relation to Article 35 of the Agreement  
 Joint Declaration in relation to Article 39 (2) (c), second subparagraph of the Agreement on opening ports  
 Joint Declaration in relation to Article 39 (2) (c), second subparagraph of the Agreement on vessels under a third flag  
 Joint Declaration in relation to Article 44 of the Agreement  
 Joint Declaration in relation to Article 46 (2) of the Agreement  
 Joint Declaration in relation to Article 48 of the Agreement  
 Joint Declaration in relation to Article 52 of the Agreement  
 Joint Declaration in relation to Article 53 paragraph 2.2 of the Agreement  
 Joint Declaration in relation to Article 54 of the Agreement  
 Joint Declaration in relation to Article 99 of the Agreement  
 Joint Declaration in relation to Article 101 of the Agreement  
 Joint Declaration in relation to Article 107 of the Agreement  
 Joint Declaration in relation to Article 107 (2) of the Agreement  
 Joint Declaration in relation to Articles 2 and 107 of the Agreement  
 Joint Declaration in relation to Article 112 of the Agreement  
 Joint Declaration in relation to Article 6 of Protocol 2.  
 The plenipotentiaries of the Member States and of the Community and the plenipotentiary of Russia have also taken note of the following exchanges of letters annexed to this Final Act:  
 Exchange of letters in relation to Article 22 of the Agreement  
 Exchange of letters in relation to Article 52 of the Agreement.  
 The plenipotentiary of Russia has taken note of the Declarations listed below and annexed to this Final Act:  
 Community Declaration in relation to Article 36 of the Agreement  
 Community Declaration in relation to Article 54 of the Agreement.  
 The plenipotentiaries of the Member States and of the Community have taken note of the Declaration listed below and annexed to this Final Act:  
 Declaration by Russia in relation to Article 36 of the Agreement.  
 Hecho en Corfú, el veinticuatro de junio de mil novecientos noventa y cuatro.  
 Udfærdiget i Corfu den fireogtyvende juni nitten hundrede og fireoghalvfems.  
 Geschehen zu Korfu am vierundzwanzigsten Juni neunzehnhundertvierundneunzig.  
 ἁείᾱ ὀδί ἘΨἢἔῶἢᾱ, ὀ῀῀ ἁἔἕἕἕ ὀΨ῀῀῀῀῀ Ἐἕἕἕἕἕ ἕἕἕἕ ἁἕἕἕἕἕἕἕ ἁἕἕἕἕἕ ὀΨ῀῀῀῀῀.  
 Done at Corfu on the twenty-fourth day of June in the year one thousand nine hundred and ninety-four.  
 Fait à Corfou, le vingt-quatre juin mil neuf cent quatre-vingt-quatorze.  
 Fatto a Corfù, addì ventiquattro giugno millenovecentonovantaquattro.  
 Gedaan te Korfoe, de vierentwintigste juni negentienhonderd vierennegentig.  
 Feito em Corfu, em vinte e quatro de Junho de mil novecentos e noventa e quatro.  
 Pour le Royaume de Belgique  
 Voor het Koninkrijk België  
 Für das Königreich Belgien  
 På Kongeriget Danmarks vegne  
 Für die Bundesrepublik Deutschland  
 Ἐεί ὀδί Ἐἕἕἕἕἕ Ἀἕἕἕἕἕἕἕ

Por el Reino de España  
 Pour la République française  
 Thar cheann Na hÉireann  
 For Ireland  
 Per la Repubblica italiana  
 Pour le Grand-Duché de Luxembourg  
 Voor het Koninkrijk der Nederlanden  
 Pela República Portuguesa  
 For the United Kingdom of Great Britain and Northern Ireland  
 Por las Comunidades Europeas  
 For De Europæiske Fællesskaber  
 Für die Europäischen Gemeinschaften  
 Ἄέα όέο ἌδñùδάúĒÝò Êίέíúòçðâò  
 For the European Communities  
 Pour les Communautés européennes  
 Per le Comunità europee  
 Voor de Europese Gemeenschappen  
 Pelas Comunidades Europeias

Joint Declaration in relation to Title III and Article 94

For the purpose of Title III and Article 94, the GATT is understood to be the General Agreement on Tariffs and Trade signed in Geneva in 1947 as amended, as applied at the date of signature of the present Agreement, if the Parties do not agree otherwise within the framework of the Cooperation Council established under Article 90.

Joint Declaration in relation to Article 10

The Parties agree that the provisions of paragraph 1 of Article 10 shall not apply to conditions of import of products to the territory of Russia under financial loans and credits granted for development and humanitarian purposes, technical and humanitarian assistance and other similar arrangements, concluded between Russia and third States or international organizations in so far as such States or international organizations require special treatment for such imports.

Joint Declaration in relation to Article 12

Article 12, within Title III on trade in goods, deals with the question of transit. It is the understanding of the Parties that Article 12 deals exclusively with the freedom of transit of goods. This is according to normal GATT practice. The issue of transit may be taken up in the future negotiations on transport agreements as indicated in Article 43.

Joint Declaration in relation to Article 17

The Community and Russia declare that the text of the safeguard clause (Article 17) does not grant GATT safeguard treatment.

Joint Declaration in relation to Article 18

It is understood that the provisions of Article 18 and those of the following paragraph are neither intended to, nor shall, slow down, hinder or impede the procedure provided for in the respective legislation of the Parties regarding antidumping and subsidies investigations.

The Parties agree that, without prejudice to their legislation and practice, when establishing normal value due account shall be taken overall, in each case on its merits, when natural comparative advantages can be shown by the manufacturers involved to be held with regard to factors such as access to raw materials, production process, proximity of production to customers and special characteristics of the product.

Joint Declaration in relation to Article 22 (1), second indent

With respect to the Community the legislation and regulations, referred to in Article 6 of the 1989 Agreement, include, inter alia, the Treaty establishing the European Atomic Energy Community and implementing regulations



thereof, in particular the provisions of those texts, which specify the rights, powers and responsibilities of the Euratom Supply Agency and of the Commission of the European Communities.

#### Joint Declaration in relation to Article 24

It is understood that the notion 'members of their family' is defined in accordance with the national legislation of the host country concerned.

#### Joint Declaration in relation to Articles 26, 32 and 37

The Parties shall ensure that the issuing of visas and residents' permits in conformity with the laws and regulations of the Member States and Russia respectively is conducted in a manner consistent with the principles of the concluding document of the CSCE Bonn Conference, in particular with a view to facilitating the prompt entry, stay and movement of businessmen in the Member States and in Russia. Such efforts shall apply in particular to key personnel referred to in Article 32 and to the sellers of cross-border services referred to in Article 37, and ensure that the administrative procedures do not nullify or impair the benefits accruing to any Party under these Articles of the Agreement.

The Parties agree that an important element in this context is the timely conclusion of re-admission agreements between the Member States and Russia.

The Cooperation Council shall regularly review the evolution of the situation in these areas.

#### Joint Declaration in relation to Article 28

Without prejudice to the provisions of Articles 50 and 51, the Parties agree that the words 'in conformity with . . . legislation and regulations' mentioned in paragraphs 1 and 4 of Article 28 mean that each Party may regulate the establishment of companies, by means of setting up subsidiaries and branches, as defined in Article 30 and the operation of branches provided that this legislation and regulations do not create reservations resulting in a less favourable treatment than that accorded to companies or branches of any third country respectively.

Without prejudice to the reservations listed in Annexes 3 and 4 and to the provisions of Articles 50 and 51, the Parties agree that the words 'in conformity with . . . legislation and regulations' mentioned in paragraphs 2 and 3 of Article 28 mean that each Party may regulate the operation of companies on its territory, provided that this legislation and regulations do not create for the operations of companies of the other Party any new reservations resulting in a less favourable treatment than that accorded to their own companies or to subsidiaries of companies of any third country whichever is the better.

#### Joint Declaration in relation to Article 29 (3)

The Parties confirm that nothing in Article 29 (3) prevents Russia from adopting any new regulations or measures which would introduce or worsen discrimination as compared to the situation existing on the date of the signature of the Agreement as regards conditions affecting the establishment of non-Community companies in its territory in comparison to its own companies.

#### Joint Declaration in relation to Article 30

The Parties confirm the importance of ensuring that the granting of licences referred to in Article 30 (a) and (g):

- shall be based on objective and transparent criteria, such as competence and the ability to supply the service,
- shall not be more burdensome than necessary to ensure the quality of the service,
- shall not in itself constitute a restriction on the supply of the service.

#### Joint Declaration in relation to Article 30 (a) and (g)

Article 30 (a), second subparagraph and (g), second subparagraph, take into account the specificity of access to financial services as it is agreed in the framework of this Agreement, and do not affect the definitions of

'establishment' and 'operation' as they apply to financial services for other purposes than the purpose of this Agreement.

Joint Declaration in relation to the notion of 'control' in Articles 30 (b) and 45

1. The Parties confirm their mutual understanding that the question of control shall depend on the factual circumstances of the particular case.

2. A company shall, for example, be considered as being 'controlled' by another company, and thus a subsidiary of such other company if:

- the other company holds directly or indirectly a majority of the voting rights, or
- the other company has the right to appoint or dismiss a majority of the administrative organ, of the management organ or of the supervisory organ and is at the same time a shareholder or member of the subsidiary.

3. Both Parties consider the criteria in paragraph 2 to be non-exhaustive.

Joint Declaration in relation to Article 30 (h), third subparagraph

Taking into account the restrictions existing at present concerning the carriage of goods and passengers by inland transport modes, the Parties agree that until such restrictions are lifted, the expression 'intermodal transport operations involving a sea-leg' is understood to mean the organization of such operations.

Joint Declaration in relation to Article 31

The provisions of Article 31 permit the Parties to apply any measure intended to prevent circumvention by a company of a third country of the measures of the Parties concerning establishment of companies of that third country in their respective territories by means of any possibility provided for in this Agreement.

Joint Declaration in relation to Article 34 (1)

Taking into account the explanations given by Russia to the Community that in certain respects and for certain sectors the treatment granted to Russian subsidiaries and branches of Community companies is better than the treatment offered to Russian companies in general, namely national treatment, the Parties agree that if measures were introduced by Russia to align the treatment of Russian subsidiaries and branches of foreign companies down to national treatment, this cannot be considered to violate the obligation on Russia to use its best endeavours contained in Article 34 (1).

Joint Declaration in relation to Articles 34 and 38

The Parties agree that if either Party were to be of the view that the other had not correctly interpreted the terms 'significantly more restrictive' in Articles 34 (2) or 38 (3), such Party may have to resort to the procedures set out in Article 101.

Joint Declaration in relation to Article 35

The Parties agree that the activities referred to in Article 35 (3), subparagraphs (a) and (b) do not include acting as a carrier.

Joint Declaration in relation to Article 39 (2) (c), second subparagraph on opening ports

On the basis of the information provided by the Russian side concerning their ports open to foreign vessels, the Community takes note that Russia intends to continue its effort to increase the number of ports open to foreign vessels. The Russian side also notes the Community's policy of maintaining open to foreign vessels all ports open to international trade. The Parties consider that the degree of openness of ports to foreign vessels is an essential feature of an assessment of the conditions necessary for the free supply of services in international maritime transport. They therefore undertake to review the situation regarding ports open to foreign vessels at least every two years through consultations to be held in the framework of the Cooperation Council. If serious difficulties arise in maintaining a port open to foreign vessels, the Party in whose territory the port concerned is situated shall inform the other Party; at the request of the latter, consultations shall be held so as to ensure that any action taken affects as little as possible the free supply of international maritime services.

Joint Declaration in relation to Article 39 (2) (c), second subparagraph on vessels under a third flag

The Parties agree after the expiry of five years from the date of entry into force of this Agreement to consider the possibility of application of the provisions of Article 39 (2) (c), second subparagraph to vessels under a third flag operated by shipping companies or nationals of a Member State or Russia respectively.

Joint Declaration in relation to Article 44

For the purposes of this Agreement, an economic integration agreement shall be an agreement in accordance with the principles set out in Article V of the General Agreement on Trade in Services. In respect of any aspect of this Agreement covering areas other than service activities an economic integration agreement shall be an agreement in accordance with the principles set out in Article XXIV of the GATT on the creation of free trade areas or customs unions.

Joint Declaration in relation to Article 46 (2)

The Parties confirm their mutual understanding that the question of whether activities are connected, even occasionally, with the exercise of official authority in their respective territories, depends upon the circumstances of each particular case. An examination, in each particular case, whether such activities are connected with:

- the right to use physical constraint, or
  - the exercise of judicial functions, or
  - the right unilaterally to enact binding regulations,
- will help to determine the answer to such questions.

Joint Declaration in relation to Article 48

The sole fact of requiring a visa for natural persons of certain Parties and not for those of others shall not be regarded as nullifying or impairing benefits under a specific commitment.

Joint Declaration in relation to Article 52 (definitions)

'Current payments' are payments connected with the movement of goods, services or persons made in accordance with normal international business practice and do not cover arrangements which materially constitute a combination of a current payment and a capital transaction, such as deferrals of payments and advances which is meant to circumvent respective legislation of the Parties in this field.

This definition does not preclude Russia from applying or enacting legislation which lays down that such payments must be carried out through those Russian banks which have received the respective licences from the Central Bank of the Russian Federation to carry out such operations in freely convertible currencies.

'Direct investment' is an investment for the purpose of establishing lasting economic relations with an enterprise such as investments which give the possibility of exercising an effective influence on the management thereof, in the country concerned by non-residents or abroad by residents, by means of:

1. creation or extension of a wholly owned enterprise, a subsidiary or a branch, acquisition of full ownership of an existing enterprise;
2. participation in a new or existing enterprise;
3. a loan of five years or longer.

'Freely convertible currency'

'A freely convertible currency' is any currency considered as such by the International Monetary Fund.

Joint Declaration in relation to Article 53, paragraph 2.2

'Primary products' are those defined as such in the GATT.

Joint Declaration in relation to Article 54

The Parties agree that for the purpose of the Agreement, intellectual, industrial and commercial property includes in particular copyright, including the copyright of computer programs, and neighbouring rights, patents, industrial designs, geographical indications, including appellations of origin, trade marks and service marks, topographies of

integrated circuits as well as protection against unfair competition as referred to in Article 10a of the Paris Convention for the protection of industrial property and protection of undisclosed information on know-how.

Joint Declaration in relation to Article 99

The Parties agree that the measures provided for in Article 99 shall not be taken with the aim to distort conditions of competition in relevant markets and thus to afford protection to domestic production.

Joint Declaration in relation to Article 101

The Parties invite the Cooperation Council to examine forthwith the rules of procedure that may be useful for dispute settlement under this Agreement.

Joint Declaration in relation to Article 107

The Parties agree, by common consent, for the purpose of its correct interpretation and its practical application that the terms 'cases of special urgency' included in Article 107 of the Agreement mean cases of material breach of the Agreement by one of the Parties. A material breach of the Agreement consists in:

- (a) repudiation of the Agreement not sanctioned by the general rules of international law; or
- (b) violation of the essential element of the Agreement set out in Article 2.

Joint Declaration in relation to Article 107 (2)

The Parties agree that 'appropriate measures' referred to in Article 107 (2) are measures taken in accordance with international law.

If a Party takes a measure in a case of 'special urgency' as provided for pursuant to Article 107 (2), the other Party may avail itself of the procedures provided for in Article 101.

Joint Declaration in relation to Articles 2 and 107

The Parties declare that the inclusion in the Agreement of the reference to the respect for human rights constituting an essential element of the Agreement and to cases of special urgency flows from:

- the Community's policy in the area of human rights, in conformity with the Declaration of the Council of 11 May 1992 which provides for the inclusion of this reference in cooperation or association agreements between the Community and its CSCE partners, as well as
- Russia's policy in this field, and
- the attachment of both Parties to the relevant obligations, arising in particular from the Helsinki Final Act and the Charter of Paris for a new Europe.

Joint Declaration in relation to Article 112

The Parties confirm that although the present Agreement replaces the Agreement of 18 December 1989 regarding relations between the Parties, the Agreement shall not prejudice or otherwise affect any measures taken before the entry into force of this Agreement or agreements made between them before that date in conformity with the 1989 Agreement and this upon the conditions and for the period of application contained in such measures or agreements.

Joint Declaration in relation to Article 6 of Protocol 2

1. The Parties agree to take the necessary measures in order to assist each other, as provided for in this Protocol and without delay, for the following movements of goods:

- (a) movement of arms, ammunition, explosives and explosive devices;
- (b) movement of objects of art and antiquity, which present significant historical, cultural or archaeological value for one of the Parties;
- (c) movement of poisonous goods as well as the substances dangerous for the environment and the public health;
- (d) movement of sensitive and strategic goods subject to non-tariff limitations in accordance with the lists agreed upon by the Parties.

2. The Parties agree, if permitted by the basic principles of their respective legal systems, to take the necessary measures to allow the appropriate use of the controlled delivery technique on the basis of mutually agreed implementing provisions adopted by them in accordance with the procedures of this Protocol.

3. The Parties agree to take all necessary measures, in accordance with their respective legislation, in order:

- to deliver all documents,
- to notify all decisions,

falling within the scope of this Protocol to an addressee, residing or established in their respective territories on the basis of mutually agreed implementing provisions adopted by them in accordance with the procedures of this Protocol. In such a case Article 5 (3) is applicable.

4. The Parties agree that when the requested authority cannot act on its own, the administrative department to which the request has been addressed by this authority shall proceed under the same conditions applicable to the requested authority.

#### EXCHANGE OF LETTERS in relation to Article 22

##### A. Letter from Russia

Sir, The purpose of this letter is to confirm that with regard to trade in nuclear materials as covered by Article 22 of the Agreement on Partnership and Cooperation signed today, we have reached the following understanding:

Russia intends to act as a stable, reliable and long-term supplier of nuclear materials to the Community and the Community recognizes that intention. The Russian Government takes note that the Community considers Russia, in particular for the purposes of its supply policy in the nuclear field, as a source of supply which is separate and distinct from other suppliers.

In order to avoid any difficulties in trade, consultations shall be held regularly or on request on developments in the trade of nuclear materials between Russia and the Community. These consultations could include a continuous and regular dialogue on market developments and forecasts.

The consultations shall be held within the framework of Article 92.

As provided in Article 13 of the Agreement on Partnership and Cooperation the regulations referred to in Article 6 of the 1989 Agreement will be implemented in a uniform, impartial and equitable manner.

I refer to our common desire to facilitate by all practicable means the process of nuclear disarmament underway. We have agreed to take all necessary steps to conduct consultations with all countries concerned, if it appears that the implementation of respective bi- and multilateral agreements causes or threatens to cause substantial injury to the facilities of the Parties. I propose that this letter and your reply will establish a formal agreement between us. Please accept, Sir, the assurance of my highest consideration.

For the Government of the Russian Federation

##### B. Letter from the Community

Sir, Thank you for your letter of today's date which reads as follows:

'The purpose of this letter is to confirm that with regard to trade in nuclear materials as covered by Article 22 of the Agreement on Partnership and Cooperation signed today, we have reached the following understanding:

Russia intends to act as a stable, reliable and long-term supplier of nuclear materials to the Community and the Community recognizes that intention. The Russian Government takes note that the Community considers Russia, in particular for the purposes of its supply policy in the nuclear field, as a source of supply which is separate and distinct from other suppliers.

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I propose that this letter and your reply will establish a formal agreement between us.  
I confirm that your letter and my reply establish a formal agreement between us.  
Please accept, Sir, the assurance of my highest consideration.  
On behalf of the European Communities

#### EXCHANGE OF LETTERS in relation to Article 52

##### A. Letter from Russia

Sir, With reference to Article 52 of the Agreement on Partnership and Cooperation, I confirm that nothing in this Article shall be construed as restricting the transfer abroad by Community residents of investments made in Russia by Community residents, including any compensation payments arising from measures such as expropriation, nationalization or measures of equivalent effect and of any profit stemming therefrom.

I propose that this letter and your reply will establish a formal agreement between us.

Please accept, Sir, the assurance of my highest consideration.

For the Government of the Russian Federation

##### B. Letter from the Community

Sir, Thank you for your letter of today's date which reads as follows:

'With reference to Article 52 of the Agreement on Partnership and Cooperation, I confirm that nothing in this Article shall be construed as restricting the transfer abroad by Community residents of investments made in Russia by Community residents, including any compensation payments arising from measures such as expropriation, nationalization or measures of equivalent effect and of any profit stemming therefrom.

I propose that this letter and your reply will establish a formal agreement between us.' I confirm that your letter and my reply establish a formal agreement between us. Please accept, Sir, the assurance of my highest consideration.

On behalf of the European Communities Community Declaration in relation to Article 36. The Community declares that the cross-border supply of services as referred to in Article 36 does not imply the movement of the service supplier into the territory of the country where the service is destined, nor the movement of the recipient of the service into the territory of the country from which the service comes.

Community Declaration in relation to Article 54

The provisions of the Agreement are without prejudice to the competences of the European Community and its Member States in matters of intellectual, industrial and commercial property.

Declaration by Russia in relation to Article 36

Russia declares that the suppliers in the Community Declaration in relation to Article 36 could not be considered as natural persons, who are representatives of a Community or Russian company and are seeking temporary entry for the purpose of negotiating the sales of cross-border services or entering into agreements to sell cross-border services for that company.

Minutes of signing of the Agreement on Partnership and Cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part  
The plenipotentiaries of the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Portuguese Republic, the United Kingdom of Great Britain and Northern Ireland, the European Community, the European Coal and Steel Community and the European Atomic Energy Community, and the plenipotentiaries of the Russian Federation signed the Agreement on Partnership and Cooperation between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, on 24 June 1994 in Corfu.

On that occasion, the French Republic made the following Declaration:

The French Republic notes that the Agreement on Partnership and Cooperation with the Russian Federation does not apply to the overseas countries and territories associated with the European Community pursuant to the Treaty establishing the European Community.'

This Declaration has been brought to the attention of the Russian Federation, which raised no objection.

These Minutes will be published in the Official Journal of the European Communities.

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Sumber: [www.eur-lex.europa.eu](http://www.eur-lex.europa.eu) (diunduh tanggal 23 Agustus 2009 13:47)

EU-Russia Energy Dialogue

# Synthesis Report



Presented by  
Russian Vice-Prime Minister Victor Khristenko  
and  
European Commission Director-General François Lamoureux

Brussels/Moscow September 2001



## **I. A SHARED VISION**

The European Union and the Russian Federation have decided at the Paris Summit in October 2000 to establish a strategic Energy Partnership. So far energy links have been limited to simple producer-consumer relations. A strong momentum has been generated by the Summit to develop a political partnership in this area, with the new significance given to energy security.

Overall, Russia and the EU share the same concerns for ensuring stable energy markets, reliable and growing imports and exports, a pressing need to modernise the Russian energy sector, to improve energy efficiency and to reduce greenhouse gas emissions from energy production and use in their respective economies. Against this background, a number of common and complementary interests can be identified, such as the short and long-term reliability of energy supplies, energy efficiency, a desire to secure long term investments, opening up energy markets, diversifying the range of energy products traded and enhancing the technology base of the energy sector of the economy.

Five major themes of mutual interest underpin these strategies : ensuring the security of energy supplies of the European continent, the development of the vast potential of the Russian economy, in particular Russia's energy resources, the opportunities of the pan-European market, the challenge of climate change and the conditions framing the use of nuclear energy.

Based on the extensive preparatory work conducted by four thematic groups since the Paris Summit and thriving on the concurrent medium to long term energy strategies<sup>1</sup>, the interlocutors have come to a common assessment of the situation and identified concrete actions for both the short and medium term.

## **II. A COMMON ASSESSMENT**

Russia recognises that the development of the EU's internal market is building the world's largest and most integrated energy market in its immediate proximity. This will provide opportunities for improving Russia's export portfolio, including energy, towards more value-added products. The EU appreciates the efforts of Russia to the structural reform of its economy and the energy sector and providing the necessary framework to attract EU investments.

The forthcoming EU enlargement will geographically, economically and technologically enhance the long-standing EU-Russian energy ties. The extension of the EU internal energy market to the Accession countries will build upon Russia's long-established commercial relations with these countries, bearing in mind the main principles of the existing co-operation with these countries, thus further involving Russia in the pan-European energy market.

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<sup>1</sup> Russia's "*Energy Strategy of Russia until the year 2020*" and the Commission's Green Paper "*Towards a European Strategy for the Security of Energy Supply*"

According to the expert groups, a number of areas could yield practical results in the near future, while others require further work for commitments to be taken under the Partnership and Co-operation Agreement (PCA) and will need ad hoc, focussed discussions involving EU and Russian representatives from the industrial and financial community. This process will continue to be supported by the parties.

### III. ISSUES LEADING TO RAPID RESULTS

It is proposed that the forthcoming EU-Russia Summit defines an agreed set of mutual commitments in order for them to be approved within the PCA framework and hence become legally binding for both parties.

#### 1. LEGAL SECURITY FOR LONG TERM SUPPLIES

Over the last 30 years Russia has been a reliable supplier of gas to the EU market. Long term “take or pay” contracts have contributed to this, in particular by ensuring adequate finance for the large-scale capital investments required, both in production and in the transportation infrastructure.

Investment decisions related to gas production and transport from Russia to Europe are based on long-term contracts and a sharing of risks between producers and importers. Long-term contracts are an essential element for energy security and should continue to supply the European market.

**The current discussions about existing long-term contracts, in the context of the completion of the EU internal energy market and its forthcoming enlargement, need to be concluded swiftly.**

With respect to security of supply for nuclear material, the EURATOM/Russia negotiations should be pursued. The discussions on nuclear safety and nuclear research are progressing positively, while discussions on trade in nuclear materials should also be part of the future agreement. This would complete the provisions of Article 22 of the PCA.

With the high energy interdependence and complementarity, as well as the significant exports of energy from Russia into the EU, the use of the Euro as the reference currency in energy contracts could be considered.

#### 2. NEW STRATEGIC TRANSPORT INFRASTRUCTURE OF COMMON INTEREST

The growing EU demand for energy calls for the development of new strategic projects of common interest, integrating the development of new energy production and transportation in Russia, and the non-discriminatory access for the transit of energy. Such projects, as well as the choice of routes, are the responsibility of the companies involved. For security of supply reasons, the parties are concerned however to ensure appropriate transport routes and hence qualify some of them as being of common interest. Such a “label” will serve to facilitate their development.

Networks such as the parties’ electricity systems interconnections, the Northern Trans-European gas pipeline and the Yamal-Europe gas pipeline transiting Belarus and Poland seem to fall in this category, as does the development of the Shtokman

field. Russia considers as a priority the implementation of the connecting gas pipeline Kobrin-Velke Kapoushany. Similarly for oil, the integration of the Druzhba transmission system, transiting through Belarus and the Ukraine, with the Adria network, will enhance Russian exports to the international market from Croatian and possibly Italian terminals and supply oil to Central European countries en route. Transit, in particular of North Caspian oil from Kazakhstan, through existing and newly-built Russian pipelines, the future Burgas-Alexandroupolis pipeline and the network created and used by Russia could permit increased supplies to the EU and the Accession countries.

**It is proposed that the discussions on a co-operation mechanism involving all relevant bodies (States, companies, International Financial Institutions, private actors) be initiated by 2002 with a remit to identify those transport links and transit issues of common interest for the security of energy supply from Russia to the EU.**

### 3. IMPROVEMENT OF THE ENERGY PRODUCTION AND TRANSPORT LEGAL FRAMEWORK.

Large-scale investments into the Russian economy and its energy sector depend, to a considerable extent, on measures aimed at improving the legal framework, including Production Sharing Agreements (PSA). Building on the priority placed on this issue by the Russian Federation, normative acts should be completed as soon as possible. An important precondition for boosting investments in production is the application of appropriate rules, existing or to be developed, in order to provide for a framework governing access to the energy transport networks. The Community is prepared to provide technical assistance for improving the legal and regulatory framework. **By the end of 2002, the EU and Russia should take stock of the above, in the framework of the Partnership and Co-operation Agreement.**

The European Commission recommends that the few remaining problems hampering the ratification of the Energy Charter Treaty and completion of its protocol on Transit ought to be reconciled.

These improvements should attract investment in the short term. Over the longer term, consideration should be given to exploring various legal frameworks for implementing energy projects in order to facilitate entrepreneurial activity in energy exploration, production and transportation sectors, for example through the creation of Joint Ventures and concessions.

### 4. SECURITY OF THE TRANSPORT NETWORKS.

The security of energy supply goes beyond trading terms. The physical security of energy transportation systems is equally important. Updating and optimising the transport system is a key to improving energy security. Priority areas for co-operation include addressing the existing transport systems handling the exports of Russian hydrocarbons and electricity to the EU, the security of supplies of the Kaliningrad Oblast, the multi-modal interstate system for the transport of hazardous petroleum products (e.g. LPG by rail) and the development of a regional satellite accident prevention monitoring system for the oil and gas infrastructures.

A continuous assessment of the existing energy transportation systems developed by Russia is essential in order to determine the scale and nature of priority upgrades and extensions. Where and when it is considered necessary by the Parties, the EU is ready to assist in the continuing evaluation of the Russian export transmission system. Russian participation should be considered in the ongoing and planned EU-Central and Eastern European regional projects for the upgrading, extension and optimisation of the transit and energy transportation systems. EU, Russian and transit country technical assistance should be mobilised to initiate the work and to identify possibilities for attracting banks and industry in the financing of such undertakings.

**A comprehensive, continuous assessment of the state of transport networks is essential for ensuring the security of energy supplies. In this context, where and when it is considered necessary by the Parties, the EU is ready to assist in the evaluation of the Russian export transmission system.**

#### 5. ENERGY EFFICIENCY

Energy efficiency is both a short and a long-term undertaking. Any increase in energy efficiency will contribute to the protection of the environment and improve pan-European energy security. **It is recommended that, in a first phase, integrated programmes are proposed for two pilot regions, namely the Archangelsk and Astrakhan Oblasts. These could be rapidly implemented by initiating, in the course of 2002, regional in-depth energy efficiency reviews supported by multi-sourced European funding - including industry - and subsequently serve as a basis for other regional projects.**

#### 6. ONE STOP SHOP.

Russia has recently established a special body under the Ministry of Economic Development and Trade to facilitate investors' relations with all levels of the administration. This constitutes a significant initiative towards the development of a mechanism for potential or existing investors in the energy sector, aimed primarily at simplifying administrative and licensing procedures. **Its success will be measured by the efficient realisation of a selected number of pre-identified investment projects.**

### IV. LONGER TERM INITIATIVES

The measures identified for implementation in 2001-2002 are just a first element of the dialogue. As the Partnership is a symbol of closer political ties, it calls for measures of a broader scope and longer time horizon. Considering the importance of the objectives sought, these need further work to be successfully implemented. In this spirit, the two interlocutors have already identified seven promising issues. A formal proposal on these will be submitted in a year's time on the occasion of the autumn 2002 EU-Russia Summit.

#### 1. INVESTMENT SUPPORT SCHEME

The necessary infrastructure investments in Russia's energy sector are considerable and funding sources for such investments would be difficult to identify without the involvement of foreign investors and international financial institutions.

Adequate funding of priority energy investments in Russia would therefore require

financing from various sources, involving a mix of technical assistance, equity and loan funds. The limited funding capacity of the main international financial institutions and the need for private sector involvement calls for well-targeted financial incentives from the EU/Russia partnership in support of priority investments. This should also make it easier for the European Investment Bank to play a significant role primarily in energy transport infrastructure to supply energy resources from Russia to EU markets, notably through the territories of the Accession countries.

In this spirit, and without prejudging the pattern of a fully-fledged EU/Russia financial co-operation in the Energy Sector, it was agreed to further explore:

- **The critical thresholds for projects, both for European and Russian investors;**
- **The potential and merits of an EU/Russia co-sponsored investment support scheme specifically targeted to mitigate risks of a non-commercial nature, to be designed in co-operation with the EBRD. Russia would also like to see the involvement of the EIB.**

## 2. CO-OPERATION IN THE FIELD OF CLIMATE CHANGE

The EU and Russia are in a complementary situation vis-à-vis their international obligations in this field. The EU advocates ambitious policies to reduce emissions of greenhouse gases and is presently struggling to meet the corresponding targets, while Russia has practically no difficulties in meeting them. The Russian need for investment in modernising the energy sector can partly be met through the financial transfers foreseen under the flexible mechanisms (emission trading, joint implementation) in the Kyoto Protocol.

The necessary first step is to ensure that the Kyoto Protocol comes into force. Ratification by both the EU and Russia, plus Japan and the EU candidate countries is necessary for the Protocol to come into force. The EU and Russia would be evident drivers of this process. As an immediate concrete result of the Partnership, talks should start concerning future Kyoto Protocol implementation mechanisms, with a particular emphasis on the participation of industry. **The objective is to agree by the end of 2002 the quantities, type of mechanisms (emissions trading and/or joint implementation) and the financial programmes (modalities and levels of transfers).**

## 3. TECHNOLOGY CO-OPERATION

Combined efforts of European and Russian partners on technology co-operation and the exchange of know-how offer substantial opportunities. While this is inescapable in the energy field, no substantial co-operation has, regretfully, ever taken place so far.

The introduction of advanced technologies would significantly enhance extraction of energy resources, improve transportation and energy production - notably for depleted oil fields - efficiency rates, improve safety and limit the environmental damage (in particular, polluted soil recovery).

Technology co-operation could contribute to the energy audits aimed at modernising existing district heating systems in the two Oblasts identified previously (Section III, point 5). This could include not only the municipal district heating plants themselves, but the whole heat and hot water supply pipeline network. It could also address the issues of grid insulation, thermostats and the metering of residential consumption as well as thermal insulation of buildings.

Solid fuels play a significant role in electricity generation in both Russia and the EU. The use of cleaner, more efficient coal burning technologies is therefore an issue of mutual interest. The retrofitting of existing power plants with emission reduction equipment and the joint development and application of cleaner combustion technologies could be considered.

Similarly, nuclear energy contributes significantly to the security of energy supplies in both Russia and the EU. It is in their mutual interest to ensure appropriate safety levels, including the phased closure of those nuclear units that cannot be upgraded, and to find a long-lasting solution on waste treatment. An interest has also been expressed for co-operation in the development of the new generation of reactors and nuclear fuel cycle with intrinsic safety which enhances the non-proliferation regime by technological means, as well as security of supply for nuclear goods and material.

**The establishment of an EU-Russia Energy Technology Centre (ETC) would enhance such collaboration and also permit the mutual recognition of technical norms and standards.** Such a centre could be built along the lines of the successful International Science and Technology Centre (ISTC) in Moscow. The forthcoming Community Sixth Research Framework Programme will provide the primary support to establish this Centre. The Commission is ready to provide the necessary technical assistance from existing programmes for setting up the Centre so that it can be operational by the end of 2002. For its part, Russia will host the Centre.

#### 4. TRADE IN ELECTRICITY

The EU energy market is now becoming the world's largest and most integrated market; Russia deserves to gain access to it. In this respect, there are a number of prerequisites, such as enough generating capacity for the Russian market, cost-based pricing, environmental protection and, for electricity, a high level of nuclear safety comparable to that of the EU Member states.

Use of the existing studies, as well as an additional examination of the prospects for trade in electricity, actual and potential bottlenecks in interconnection should be undertaken to assess the prospects for investment. **It would be useful to exchange the experience of the EU in establishing the internal market along the aforementioned principles.**

#### 5. ENERGY EFFICIENCY AND RENEWABLES

Energy saving options at the level of the consumer must be considered on an equal footing with traditional supply side alternatives. The following actions are proposed:

- The establishment of a catalogue of projects in Russia which could be considered for financing through the Joint Implementation mechanism of the Kyoto Protocol (e.g. the implementation of Clean Coal Technologies in a pilot project in a coal power plant in Russia).

- Industrial co-operation to introduce new equipment for all consumers, including meters, building and insulation materials, variable speed motors, energy-efficient lighting and appliances etc. Industrial co-operation could lead to increased EU-Russian trade, establishment of joint ventures, and equipment development and manufacturing in Russia.

Both parties attach great importance to an extensive use of ecologically clean renewable sources of energy, i.e. wind, solar energy, biomass, etc. However, currently such energy sources are still not in a position to substitute for traditional fuels without appropriate support by state policies.

#### 6. CORPORATE GOVERNANCE

The energy sector needs to maintain international commercial competitiveness within a secure investment environment. This covers in particular issues such as the adoption of international accounting standards and the protection of minority shareholder's rights. **Specialised training seminars in corporate governance issues** should be organised in view of universally applying internationally recognised standards into corporate management.

#### 7. FAST-TRACK DISPUTE SETTLEMENT PROCEDURE

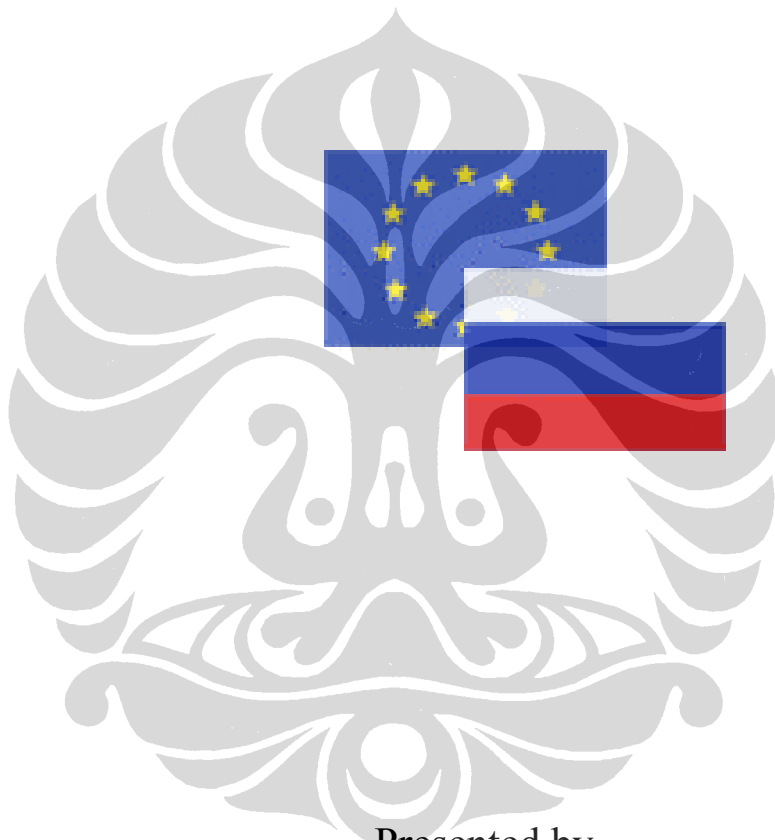
A procedure for fast track dispute settlement between Russia and the EU is an important element for accelerating investment flows.

François Lamoureux

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EU-Russia Energy Dialogue

# Second Progress Report



Presented by  
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## **I. INTRODUCTION**

A year after the initiative was launched and following the submission of our joint Synthesis Report based upon the work of the EU and Russian energy experts, the EU-Russia Summit of October 2001 agreed on the future direction of the Energy Dialogue between the European Union and the Russian Federation. The Joint Statement from the Summit recognised that the exploratory phase of the Dialogue had been completed and listed a number of issues from our Report on which progress could be achieved both in the short term and over the medium term in the next, operational stage of the Dialogue.

Since the Summit, we have met on three occasions; in December 2001 in Moscow, in March 2002 in Brussels and more recently again in Moscow in May 2002. We can report progress in all the areas identified for action in the short term at the Summit, as well as in some of those identified as requiring further examination. This clearly demonstrates that the Dialogue has effectively moved into its concrete, implementation phase.

## **II. PROGRESS ON THE THEMES AGREED AT THE SUMMIT**

### **1. IMPROVEMENT OF THE ENERGY PRODUCTION AND TRANSPORT LEGAL FRAMEWORK.**

To attract investments in the short term, we recognise the importance of swiftly completing the legal framework for Production Sharing Agreements (PSA), in particular the secondary legislation and the relevant amendments to the tax code. We agree to charge our experts to prepare a concise joint report on the current state of play and the proposals in the current draft legislation. This report should be submitted in time for consideration before the November EU-Russia Summit.

Over the longer term, we believe that consideration should be given to exploring other legal frameworks for implementing energy projects in order to facilitate entrepreneurial activity in energy exploration, production and transportation sectors, for example through the creation of Joint Ventures and concessions.

We also underline the importance of appropriate rules, existing or to be developed, in order to provide a framework governing non-discriminatory access to the energy transport networks.

### **2. SECURITY OF THE TRANSPORT NETWORKS.**

Both parties have agreed, in the framework of an observatory, to collaborate to ensure the safety and security of the energy transport infrastructure. In particular, we note that technical assistance will be agreed in 2002 and provided in 2003, in the framework of TACIS and a continual assessment of the rehabilitation and investment needs for improving the safety and efficiency of the hydrocarbon export network both inside and outside Russia will also be funded. The early identification of gas leaks and dangerous or under-performing gas transport infrastructures will have a positive environmental impact by reducing the leakage of gas into the atmosphere,

increase the utilisation of the existing capacity and improve the security of energy supplies of both Russia and the European Union.

We also welcome the understanding reached with Gazprom to construct an EU-Russia gas certification centre for testing and adopting modern, efficient, gas related technologies.

We also recognise the potential for a regional satellite accident prevention monitoring system for the oil and gas infrastructures involving all the countries of eastern European, Central Asian and the Caucasus. Such a surveillance system could make use of the Russian GLONASS and the future European GALILEO navigational systems. The feasibility of such a system will be studied in the framework of TACIS.

### 3. LEGAL SECURITY FOR LONG TERM SUPPLIES

Providing a secure legal framework and regulatory environment for the supply of gas is of fundamental interest to both the E.U. and Russia. Detailed discussions are continuing, with a particular emphasis on long-term contracts for gas. Both the E.U. and Russia consider that these contracts have not only underpinned investments in Russia in new capacity in the past, but will remain necessary in the future. The Commission has made it clear that long-term take-or-pay gas contracts are indispensable. The Commission will, together with Russia in the context of the dialogue, closely monitor the developing situation, and the Commission is determined to ensure that contractual and regulatory conditions continue to exist that enable the financing of the major investment necessary to ensure future E.U. gas security of supply.

Considerable progress has been made in agreeing how to amend or delete the so-called "destination clauses" in future contracts, and both the E.U. and Russia have underlined their determination, and the importance of reaching a mutually agreeable solution to this issue for existing contracts.

Russia raises the issue of possible E.U. or Member State import limits on energy resources. We propose that a group of experts of Russia and the E.U. including experts from the Member states, should examine this in detail with all parties concerned.

We also note, with satisfaction, the meeting of Russian and Commission experts on the general issue of energy trade which took place on 22 April 2002 in Brussels, at which problematic issues were identified. The Parties have agreed that such consultations should continue with the objective of addressing existing issues and a view to creating a more transparent and favourable treatment of energy flows between the Russian Federation and the EU.

### 4. NEW STRATEGIC TRANSPORT INFRASTRUCTURE OF COMMON INTEREST

In our discussions, we have agreed on the importance of increasing the multiplicity of transportation routes. This will enhance the security of energy supplies by reducing the threat of bottlenecks and the repercussions should a problem arise in

any particular part of the network. While it is clear that the projects we have identified in our Synthesis Report as being of “common interest” will remain a matter for private sector decisions based upon economic and commercial judgements and on the authorities of the States involved, it is necessary to facilitate the practical realisation of these projects.

For this reason, we have mandated a high level team of independent experts to assess each project of potential “common interest”. They will consult the interested parties to clearly define the technical requirements, the level of financing necessary and the time scales envisaged. Evidently it will be vital to the success of this work to concentrate only on those projects of clear mutual interest that will enhance the security of energy supplies of the EU and to ensure the close co-operation of all the public authorities and companies involved. The assessment prepared for each project must be as complete and accurate as possible.

For the limited number of projects selected, the high level team of independent experts will then assist in promoting the financing of the investments required through “round tables” consisting of the Governments involved, financial institutions, the private financial sector and the energy companies.

In parallel, we have mandated these experts to design a specific and practicable scheme to mitigate the residual non-commercial risks associated with the limited number of projects selected. This could be achieved either through the establishment of a specialised Investment Guarantee Trust or through other comparable arrangements involving appropriate International Financial Institutions and regional banks, export credit agencies, the authorities of participating countries and private sector insurers and investors.

We have confirmed the understanding on the quickest launch of the activities of the group of experts to develop, together with the companies, the projects of “common interest” and we have recommended that all assistance necessary for the work to be successfully concluded should be provided by the parties concerned.

## 5. ENERGY EFFICIENCY

In order to give practical and achievable objectives to the challenging task of improving the rational use of energy and promoting energy saving, it has been agreed that pilot projects be carried out in two climatically different regions of Russia – Arkhangelsk and Astrakhan.

For each region, a number of immediate priorities have been identified:

- In the Astrakhan Oblast, the construction of a connecting pipeline from the local “TEZ-2” gas-fired power plant to the hot water distribution system in the city would permit the hot water currently wasted by the power plant to be used in the city, thereby reducing the demand on the city’s district heating plants. The overall improvement of the district heating system, both in the distribution system and in the use of heat in the individual houses, also appears to offer a significant potential for energy savings. The addition of a 130 MW CCGT (Combined Cycle Gas Turbine) to the existing 100 MW “GRES” gas-fired combined heat and power plant, including waste

heat utilisation, and the construction of around 10 small, decentralised gas-fired Combined Heat and Power (CHP) plants in towns throughout the region.

- In the Archangelsk Oblast, efficiency improvements in the outdated and badly maintained domestic heating system (boilers, distribution system, equipment in houses) could be very cost effective since most of the region uses large amounts of expensive (due to high transportation costs) coal and fuel oil. Feasibility studies show that conversion to biomass, which is locally available from timber, pulp and paper industry would offer very attractive investments with a pay back period of less than 3 years. Energy savings and switch towards locally available biomass seems to be both economically and environmentally the best options.

We agree that the Russian Ministry of Energy, together with the regions in question, will request a technical assistance programme to be financed under the TACIS programme 2003. The formulation of the programme will reflect the outcome of the missions to the regions.

We agree to consider the extension of the energy efficiency programmes to include the Kaliningrad Oblast.

The potential of the Kyoto Protocol to offer economic incentives for energy savings and improved energy efficiencies is significant. This calls for the earliest possible ratification of the Kyoto Protocol by all participants.

Once the Protocol is in force, any co-operative project in energy savings or improved energy efficiency which “generates” a reduction in CO<sub>2</sub> emissions, will allow the resulting CO<sub>2</sub> credit to be transferred to the investor (for example in the EU) in accordance with the modalities in the Protocol. This possibility will create an additional economic incentive for such projects over and above the incentive of the value of the energy saved.

We note with satisfaction that the EU is financing two projects to facilitate the technology transfer of relatively low cost methods to improve the efficiency and environmental performance of conventional coal-fired power plants in Russia and to assess the perspectives for rebuilding/rehabilitating them.

## 6. TECHNOLOGY CO-OPERATION

We both recognise that reinforcing energy research and technology co-operation is a key element for deepening the Energy Dialogue. Since the creation of an EU-Russia Energy Technology Centre (ETC) will act as a catalyst and a focus for increasing such co-operation, we consider it a major priority. The ETC should have at its disposal all premises and equipment required to perform its function and to permit conferences, workshops etc.

We confirm the understandings reached at the 2001 Brussels EU-Russia Summit on the establishment of the ETC in Russia, either in Moscow or in Saint Petersburg, in premises provided by the Russian authorities together with the required

infrastructure. Funding from the European Commission will be provided for an initial period of three years.

The Parties will sign in the nearest future a Memorandum of Understanding which ensures the ETC inauguration before the end of this year.

### **III. OTHER AREAS OF MUTUAL INTEREST.**

Recognising the importance of developing the Energy Dialogue towards a real Energy Partnership, our discussions have identified a number of other issues on which fruitful discussions and joint analyses between our experts could be very productive.

#### **1. INTERCONNECTION OF ELECTRICITY NETWORKS AND TRADE IN ELECTRICITY**

We welcome the signature in Warsaw on 20 March 2002, in the framework of a conference on the EU-Russia Energy Dialogue, of the Protocol on close co-operation between the CIS Electric Power Council (CIS EPC) and the Union of the Electricity Industry (EURELECTRIC) as an important step forward. It is encouraging that there is a willingness by the two Parties to make progress in promoting interconnections of the electricity systems. Russia believes that a synchronous operation is the best technological solution.

The EU stresses that a number of preconditions need to be fulfilled before a substantial trade in electricity can take place, such as reciprocity in market opening, cost-based pricing, environmental protection and a high level of nuclear safety comparable to that which exists in the EU Member states.

Russia indicates that the safety assessment of units in nuclear power plants is the exclusive responsibility of the national supervisory body (GosAtomNadzor) exercising its activities on the basis of national regulations developed in accordance with generally recognised international standards.

We believe that a prior examination with RAO UES of the prospects for interconnection and trade in electricity, the actual and potential bottlenecks and the technical issues related to the interconnection of the Russian electricity system with that of continental Europe should be undertaken.

#### **2. JOINT ASSESSMENT OF THE OIL MARKET**

In the context of the uncertainties and significant price fluctuations that we have seen on the international oil market, and the negative impact this has had both on the Russia and EU economies, we recommend that a constructive dialogue on this issue would be beneficial to both Parties.

The two Parties consider that it is essential that a regular dialogue is developed between producer and consumer countries. Such a dialogue could address

the possible options for increasing market stability and include issues such as jointly assessing developments on the international oil market as well as the policies with respect to enhancing supply security and forming reliable market price indicators. In this context, we believe that it would be interesting to examine the role that stocks could play in helping to reduce market volatility.

### 3. TRADE IN NUCLEAR MATERIALS

We recognise that, over the last decade, the question of the trade in nuclear materials has been a delicate issue between the EU and Russia.

The European Commission stresses in the light of possible increasing supplies available from Russia, the EURATOM Supply Agency has applied a policy of ensuring a diversification of the sources of supply of natural and enriched uranium through quantitative limits to imports. Russia stresses that qualitative limitations in trade of nuclear materials between Russia and the EU are discriminatory.

However, with the context of the nuclear market having changed significantly in Russia, as it has in Europe, combined with the perspective of the enlargement of the EU in the near future, a reassessment of the EURATOM Supply Agency's long term supply policy is necessary. Indeed, some of the candidate countries have intergovernmental agreements and long term supply contracts with Russia which need to be respected, in conformity with Article 105 of the EURATOM Treaty.

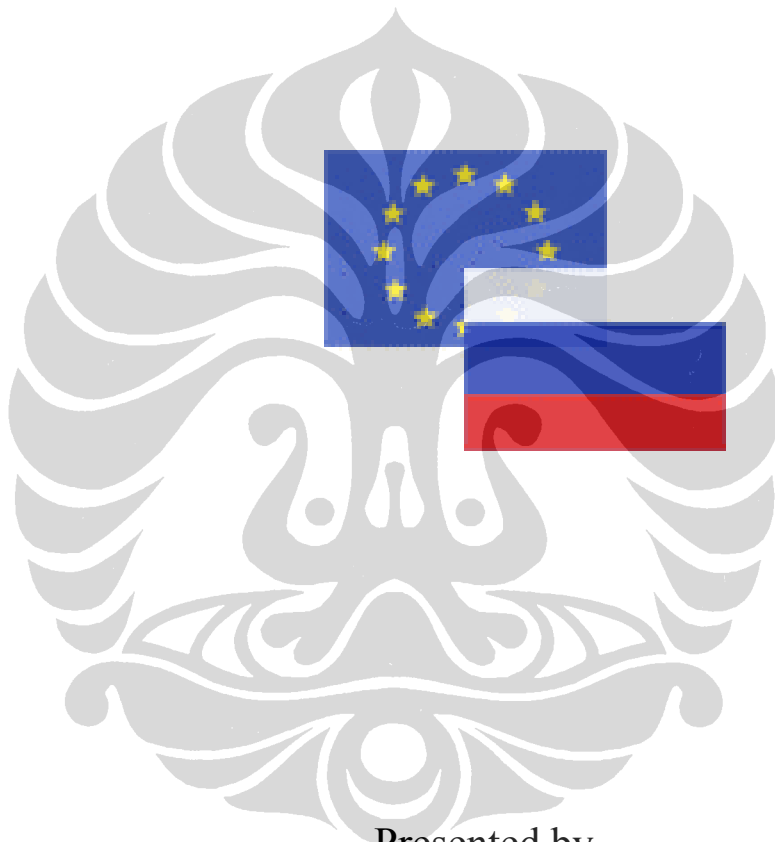
Recognising the importance of this issue, we agreed in accordance with article 22 of the PCA and in the context of EU enlargement, to find a mutually acceptable solution.

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EU-Russia Energy Dialogue

# Third Progress Report



Presented by  
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Brussels/Moscow November 2002

In the framework of the Energy Dialogue, this third report clarifies the status of the work on the themes identified at the EU-Russia Summits of October 2001 and May 2002.

## **PROGRESS ON THE THEMES AGREED.**

### **1. ENERGY PROJECTS OF COMMON INTEREST.**

The October 2001 Summit identified a number of projects of “common interest”. While these projects will remain a matter for private sector decisions based upon economic and commercial judgements and on the authorities of the States involved, it is necessary to facilitate their practical realisation.

A joint group of independent experts has been mandated to assess projects of “common interest” and has carried out consultations with representatives of the major Russian and EU companies involved in the energy sector, as well as with legal, financial and insurance specialists. As a result of the work carried out, the experts note that the projects of common interest previously identified remain of mutual strategic interest and worthy of the support of the EU and Russian authorities. The experts recommend that the list be expanded by including new projects that they believe can also be included into the list of potential projects of “common interest”. In order to mobilise the appropriate funding, the joint group of independent experts recommend the creation of an arbitral award guarantee fund which would help to protect investors and other parties against the risk of non-enforceability of their contractual rights. The creation of such a fund would involve the appropriate International Financial Institutions and regional banks, export credit agencies, the authorities of participating countries and private sector insurers and investors.

The Parties note the validity of recommendations provided by the group of independent experts about giving special attention to the implementation of projects of common interest, that is to say the northern trans-European gas pipeline, the Shtokman field, the Yamal gas pipeline and the Adria/Druzhba network and the necessity to carry on the work of experts in the framework of the projects of common interest.

### **2. IMPROVEMENT OF THE ENERGY PRODUCTION AND TRANSPORT LEGAL FRAMEWORK.**

The Parties welcome the progress which has been achieved in the work on the Tax Code as it applies to Production Sharing Agreements (PSA). An important element for improving the legal framework in this field could be the work on the remaining outstanding normative acts, the dispute settlement procedures, access to foreign markets, the hydrocarbon reserves available for development via PSAs and the further development of the “one stop shop” investors’ facility.

Given the importance, over the medium term, of also using other legal frameworks such as concessions and joint ventures for investments, it is important to ensure appropriate access to the energy transport networks. An important precondition for significantly increasing investments are appropriate rules providing a stable framework to ensure non-discriminatory access to the energy transport networks. As it is clearly a commercial imperative for investing companies that at least the capital and operating costs can be recovered, it is important that energy prices reflect this.



The application by the parties of the Energy Charter Treaty contributes to improving the climate for investments.

### 3. ALLEGED LIMITATION ON EU IMPORTS OF FOSSIL FUELS.

Russia has expressed repeated concerns with respect to a possible EU or Member State legal requirement to limit natural gas imports from a single non-EU supplier to 30% of consumption. The European Commission has organised a meeting with experts from the EU Member states in order to assess these concerns. The conclusion is that in the EU there is no such requirement on quantitative limits for importing different kinds of fossil fuels from Russia.

The Parties note, with satisfaction, that a further meeting of officials from the Russian administration and the European Commission on the general issues of energy markets and policies took place on 4 October 2002 in Brussels. They stress that continuing such consultations are important for contributing to the transparency of the energy markets of Russia and the EU in the framework of opening them to competition and for discussing concerns as they arise, including in the context of the enlargement of the EU.

Russia asks for an indication that the EU's policy of opening up the electricity and natural gas markets to competition is not being conceived in a way that would limit the presence of Russian supplies in the EU.

### 4. LEGAL SECURITY FOR LONG TERM SUPPLIES.

The Parties note the importance of the existence of a secure legal framework and regulatory environment for the supply of gas from Russia to the EU. Both the EU and Russia recognise that long term gas contracts played and still play an important role in developing the European gas market by providing a risk sharing arrangement between producers and buyers. They will continue to remain important for financing major new investment projects in the future.

Russia believes that the conclusion and implementation of long-term gas supply contracts do not contradict Community law.

The European Commission underlines that all long-term contracts need to be in conformity with Community law.

The legal environment adopted in the context of the creation of the Internal Gas Market will ensure the continued existence of such contracts. In addition, we take note that the European Commission has proposed, for adoption by the EU Council of Ministers, additional measures which could, if necessary, be taken to guarantee the existence of an arrangement for ensuring security of energy supplies in the context of an increasingly globalised market. Both the EU and Russia have underlined the importance of reaching a mutually agreeable solution on so-called "destination clauses" that respects Russia's interests as well as EU competition law and the EU's other legitimate interests.

## 5. TECHNOLOGY CO-OPERATION.

The EU-Russia Energy Technology Centre was inaugurated on 5<sup>th</sup> November 2002 in Moscow with the support of both the European Commission and the Russian authorities.

This Centre will provide a forum for the exchange of ideas and information and, through the creation of a network linking the existing sectorally-focused energy technology centres, to facilitate a more structured framework for co-operation. The Centre will provide training to specific target groups on energy technologies, technical assistance for the introduction of advanced energy technologies and undertake information dissemination and communication activities.

The main areas of activity will be split by sector – hydrocarbons, coal and electricity, renewables, energy savings and efficiency.

The Centre will be led by two co-directors, one from the European Commission and the other from the Russian Federation. The Centre is a joint project of the Government of the Russian Federation and the European Commission. The principles of the management of the Centre, its internal structure, its functioning as well as its working programme has to be agreed by the two sole interlocutors. The implementation of specific projects will be developed under the responsibility of the two co-directors. Each sole interlocutor will appoint its respective co-director.

## 6. SECURITY OF THE ENERGY TRANSPORT NETWORKS.

Technical assistance under the TACIS National Action Programme for 2003 has been identified to initiate the agreed joint evaluation of the rehabilitation of energy transport networks and the level of investments needed. An overall budget of 10 million Euro is foreseen under TACIS to initiate this work in the hydrocarbons sector.

In the framework of energy security, the European Commission intends to establish an observatory in Brussels, in which Russia could be associated.

## 7. ENERGY EFFICIENCY.

Technical work has begun in order to launch an important energy efficiency project in Kaliningrad, in the light of the considerable energy savings which could be made in this Oblast (potentially 40%). On 15-16 October 2002, a team of officials from the European Commission went to Kaliningrad in order to evaluate the needs and elaborate concrete proposals. An integrated demonstration project targeting a population of 30,000 people will be considered with a view to identifying the technological, economic and institutional improvements needed to reduce energy losses and optimise energy efficiency. Work is ongoing in preparing the technical specifications for the pilot projects in the Archangelsk and Astrakhan regions.

## 8. INTERCONNECTION OF ELECTRICITY NETWORKS AND TRADE IN ELECTRICITY.

Technical studies will be initiated to examine the physical requirements for interconnecting the networks, involving the Union for the Co-ordination of Transmission of Electricity (UCTE) from the EU and the Unified Power System/Interconnected Power System (IPS/UPS) from Russia. The Trans-European Networks (TEN's) will contribute to these studies. Russia believes that a synchronous operation is the best technological solution.

Both parties believe it is important to jointly analyse the potential for electricity trade between the EU and Russia. If results of these studies are positive, the conditions for non-discriminatory access to markets should be addressed to assist system flexibility and exchanges of electricity. The European Commission indicates that nuclear safety and environment should also be addressed.

#### 9. JOINT ASSESSMENT OF THE OIL MARKET

With the EU being Russia's most important external market for oil and with Russia being the single most important external supplier of oil into the EU, it is clear that we must enhance the scope of our dialogue on oil matters to examine ways to jointly promote energy security and market stability on the European continent. The Parties wish to reinforce the exchange information on the oil market and regret its continued volatility, believing that a better co-operation could be developed, inter alia, with respect to energy emergency measures.

#### 10. TRADE IN NUCLEAR MATERIALS

The last two Summits agreed to reach a mutually acceptable solution to the issue of trade in nuclear materials in accordance with Article 22 of the PCA and in the context of EU enlargement. The European Commission is therefore requesting from the Council a mandate to negotiate in order to update its current supply policy in this area.

Russia believes that the objective of the negotiations should be to bring the existing EURATOM supply policy into compliance with the intergovernmental agreements and long-term contracts in the supply of nuclear materials from Russia to applicant countries and to ensure conditions for extending the general treatment for trade in common goods to cover the trade in nuclear materials.

The European Commission stresses the importance of reaching a mutually acceptable agreement in conformity with the relevant provisions of the EURATOM Treaty and the necessity for ensuring reliable, secure and safe supplies for the enlarged EU. In this context, the European Commission will take into account the evolution in the market.

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EU-Russia Energy Dialogue

# Fourth Progress Report



Presented by  
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Moscow/ Brussels November 2003

This report takes stock of the progress achieved to date in the framework of the EU-Russia Energy Dialogue. This process contributes to the practical development of the Common European Economic Space.

It has been agreed that, in the framework of the Energy Dialogue, the Russian Federation and the European Union shall regularly undertake joint analyses of energy strategies. In the light of the recently approved Russian Energy Strategy to 2020 and the publication of the latest European Energy and Transport Trends to 2030, a Round Table was held in Moscow on 17<sup>th</sup> October 2003 on Energy Strategies. This brought together representatives of the EU and the Russian Federation, including the European Commission and Russian Federation ministries and agencies, as well as the energy industries of the EU and Russia.

The exchange of views underlined the growing mutual interdependency and interest of pursuing legislative and regulatory approximation, as well as the convergence of technical norms and standards in the energy sector. As a net energy importer, the EU strategy places an important emphasis not only on ensuring secure and stable supplies and promoting more sustainable sources of energy, but also on energy efficiency and energy demand management. Russia's energy strategy, as a major energy producer and exporter, focuses more substantially on developing and enhancing energy supplies. It is therefore important to develop together a shared analysis and a better understanding of each other's strategic energy priorities in order to ensure our growing energy integration.

In addition, the evolving legislative frameworks of our respective energy markets call for a further sharing of experience.

For oil, we recognise the necessity of increasing co-operation through the exchange of information on production, consumption, prices and forecasts. It is noted that the European Commission intends to establish, in its services, an observatory for monitoring the oil market, to which Russia could be associated.

While recognising that denominating Russia's oil and gas exports in Euros is a matter for the individual suppliers and their clients, it would be a clear signal of the deepening relations of Russia and the European Union in the energy sector.

At the next meeting of the EU-Russian Industrialists Round Table, it is intended that an industry "steering group" of high-level representatives of EU and Russian energy companies will be created. This will foster the deeper involvement of the energy industry. The Energy Dialogue is contributing to improving the investment climate and, in this context, mutual investments into the energy sector will be welcomed.

Building upon the successful co-operation to date, we can also highlight priority areas on which a special emphasis will be given in the near future.

## 1. INTEGRATION OF ENERGY MARKETS

Both parties support the objective of gradually integrating the Community and Russian energy markets, including electricity. Such an integration would bring important benefits, in terms of security of supply, business opportunities and competition for both EU and Russian industry.

As regards electricity markets, the significant opportunities for both the Russian Federation and the EU offered by increased market integration was highlighted at a Round Table on Electricity that was hosted by RAO UES in Moscow on 16<sup>th</sup> October 2003. At this event it was underlined that, in order to bring this matter forward, it is now necessary to make rapid progress with regard to the establishment of a common view on the extent to which current and planned EU and Russian market and environmental rules are equivalent. With respect to the necessary interconnection of the two systems, the Union for the Co-ordination of the Transmission of Electricity (UCTE) and the Integrated Power System/Unified Power System (IPS/UPS) were encouraged in their common efforts to continue all necessary investigations to define under which conditions an interconnection of the two systems could be feasible and operated under stable conditions. The working group should now make rapid progress and submit a report of all relevant issues by mid-2004. Following this, a common strategy on a progressive integration of the European and Russian networks and electricity markets should be developed, including options for a conclusion of a respective Agreement.

Further integration in the gas sector based on agreed regulatory principles as well as long term contracts will permit an increase in the security of supply and create mechanisms for financing important infrastructure projects of common interest. We note further progress towards reaching mutually-acceptable solutions for territorial restriction clauses in some long-term gas supply contracts which take into account the legal interests of Russia and EU, including Community legislation.

The Parties note that long term “take or pay” export contracts have played and will continue to play an important role in ensuring the stable and reliable supplies of Russian natural gas to the EU market. The Russian Party considers that the forthcoming EU enlargement should not affect the existing long-term contracts and should not make conditions for these supplies worse. Consultations on these issues will continue.

Furthermore it is important that Russia participates, on a regular basis, in the meetings of the Florence Forum of electricity regulators and the Madrid European Gas Regulatory Forum. These fora, which consist of the national regulatory authorities, the EU Member States, the European Commission, Transmission System Operators, suppliers and traders, consumers, network users, and gas exchanges, have been established to discuss issues regarding the creation of a true EU internal electricity and gas markets which are not addressed in the market opening Directives.

## 2. ENERGY INFRASTRUCTURE PROJECTS OF COMMON INTEREST.

We note that the North European Gas Pipeline project is now recognised both as one of the EU priority projects in the framework of the Trans-European Networks and also, at the October 2001 Summit, as an energy infrastructure project of common interest in the framework of the Energy Dialogue. We welcome the EU decision to co-finance a feasibility study of the North Trans-European Gas Pipeline, which will examine in particular its environmental impact.

Further work should be carried out to examine the opportunity of expanding the list of agreed projects of “common interest” to include the enhancement of the existing pipeline infrastructures to carry oil.

## 3. TRADE IN NUCLEAR MATERIALS

The importance of reaching a mutually acceptable solution to the issue of trade in nuclear materials, in accordance with Article 22 of the PCA and in the context of EU enlargement, has been recognised at recent Summits. The negotiations on this issue should start not later than 1<sup>st</sup> January 2004 and be completed as soon as possible.

## 4. CO-OPERATION IN THE FIELD OF NUCLEAR ENERGY.

Nuclear energy policy is an integral part of the EU and Russian energy strategies. Taking into account the importance of ensuring secure nuclear energy, we agree that this sector is an important field for co-operation between the Russian Federation and the European Commission. The agreement on Co-operation in the field of nuclear safety signed between the Russian Federation and EURATOM in October 2001 could serve as one of the basic elements for such collaboration.

Recognising the contribution that has already been made by our existing co-operation in various areas, the Parties have suggested that enhance co-operation between the Russian Federation and the European Union in the field of nuclear energy as a whole, including the issues of its development, improvement of security, enhancement of fuel cycle and treatment of radio-active waste, as well as the issues of non-proliferation, accounting and control of nuclear materials.

It is proposed that our nuclear safeguards specialists should meet in the near future and draw up a proposal for a joint programme of co-operation before the end of this year.

## 5. ARBITRAL AWARD GUARANTEE FUND.

As noted at the October 2001 EU-Russian Federation Summit, the potential and merits of an investment support scheme to mitigate non-commercial risks warranted further examination and technical study. The realisation of such a scheme could have a real impact on investment flows into the Russian energy sector and for this reason a study is now underway by the European Investment Fund, in collaboration with the European Bank for Reconstruction and Development. The results of this study will be available in six months and the possible implementation of the scheme then discussed in the framework of the EU-Russia Partnership and Co-operation Agreement.

## 6. SAFETY OF THE ENERGY TRANSPORT NETWORKS.

Recognising the importance of ensuring high levels of safety for the transportation of hydrocarbons, the Parties will examine the possibility of using a regional satellite monitoring system that could be deployed on the basis of the Russian GLONASS and the future European GALILEO navigational systems.

Both Parties recognise the importance of launching consultations, at a political level, on associating Russia on the above-mentioned issues.

## 7. MARITIME SAFETY.

It is necessary to ensure the maximum possible environmental safety levels for the transportation of crude oil and oil products. Therefore it is also important to not only address the pipeline network, but also the infrastructure and handling facilities at oil terminals and the resilience of the maritime tankers operating quite often in difficult climatic conditions. The European Party appreciates the constructive comments and active support received from the Russian Federation in response to the EU proposal to accelerate the phasing out of single hull tankers and to ban the transport of heavy oils in single hull tankers in the framework of the International Maritime Organisation. Both Parties have agreed to work closely together in order to agree, in the short run, on measures on maritime safety.

## 8. ENERGY TECHNOLOGY CENTRE.

The main objective of the Centre is to strengthen co-operation between Russia and the EU in the sphere of advanced energy technologies in the sectors of oil, gas, coal, electricity, new and renewable energies, and energy savings. With the purpose of fulfilling this task, the Centre will:

- Promote the necessary conditions for exchange of information about advanced energy technologies and organise and co-ordinate activities which will facilitate contacts between EU and Russian energy sector actors;
- Identify, evaluate, facilitate and assist in promoting concrete, large-scale, technology co-operation projects in the above-mentioned energy sectors,
- To liaise and co-ordinate joint activities with other Russian and EU Energy Centres operating in Russia and the EU, and to promote the creation of a common information space for disseminating energy technologies.

The Parties note that the activities of this Centre will contribute to attracting mutually-beneficial investments into the spheres covered by the Centre.

We welcome the nomination of the co-directors representing the Russian Federation and the European Commission, and note that they are preparing a work programme for our consideration. We also note with satisfaction that the Centre has begun its activities. Round tables on more efficient, coal combustion technologies, with the participation of scientific, business and financial circles, have been held in Novosibirsk, Ekaterinburg and Moscow and a workshop has been held on the use of coal-bed methane in Russia. We also take note of the conference planned for 5-6 February 2004 in Moscow on “Project Opportunities in the Russian Power Generation Sector”.



The Centre has also begun collecting proposals regarding the technology projects of potential mutual benefit.

#### 9. ENERGY EFFICIENCY

For the pilot projects for rational energy use and energy savings for Astrakhan, Archangelsk and Kaliningrad, it is noted that work is now underway to produce the specifications for technical assistance projects that will be financed under the TACIS programme for 2003.

Both Parties suggest that work be undertaken to develop efficient frameworks for reducing energy consumption. Following the strategy set out in the European Commission's Green Paper on the Security of Energy Supplies, the practical experience of the European Union in preparing legislative proposals to address energy efficiency in the construction and renovation of buildings, as well as in the transport sector and co-generation could be usefully shared with the Russian Federation.

Over the coming months, energy issues related to the transport sector will be examined jointly, in particular the use of alternative energy sources. The use of compressed natural gas in the transportation sector could also be an area of co-operation.

#### CONCLUSIONS

Important progress has been achieved in areas such as the common understanding of energy strategies, the goal of interconnecting the electricity networks, reaching mutually acceptable solutions relating to territorial restriction clauses in certain long-term contracts for natural gas and paving the way for the forthcoming negotiations on the trade in nuclear materials.

The time has come to reflect upon the establishment of an institutionalised relationship between Russia and the EU in the field of energy, which would pave the way for the creation of a real Energy Community.

François Lamoureux

Victor Khristenko

EU-Russia Energy Dialogue

# Fifth Progress Report



Presented by  
Russian Minister of Energy and Industry Victor Khristenko  
and  
European Commission Director-General François Lamoureux

Moscow/ Brussels November 2004

Since the previous report of November 2003, events have modified the context of the EU-Russia energy dialogue: ten new Member States have joined the European Union; the prices of raw materials have increased significantly on the international market; the European Union has given its support to Russian accession to the WTO; and the Russian Federation has made clear its intention to ratify the Kyoto protocol. These developments will favour the growing integration of the continent's energy markets and thereby help facilitate investment.

The agreement of April 2004 to extend the EU-Russia Partnership and Cooperation Agreement to the enlarged Union, as was reflected in the Joint Statement on EU Enlargement and EU-Russia Relations, permitted a number of energy issues to be additionally clarified, notably the importance of long term gas contracts and the absence of quantitative restrictions on fossil fuel imports, the confirmation of the supply contracts for nuclear material concluded by Russia before enlargement with the new Member States and the free transit of energy products including electricity to the Kaliningrad Oblast.

Consultations on the issues related to the recent EU enlargement will continue, taking into the account the process of the new Member States' integration into the EU internal energy market.

Close cooperation has enabled an agreement to be reached between the EU and Russia on the future accession of the Russian Federation to the World Trade Organisation, including in relation to certain energy trade issues.

Recognising the importance of sustainable development and in part building on the discussions held within the framework of the Energy Dialogue, the ratification of the Kyoto Protocol by the Russian Federation is welcomed. Ratification will permit the EU and the Russian Federation to engage in joint implementation projects and in emission trading. In the energy sector, it will encourage the additional efforts necessary to improve energy efficiency and to develop non-polluting energies, notably renewable energy sources.

The current situation on the international energy market underlines the importance for both the Russian Federation and the EU of further progress in the Energy Dialogue, recognising the damaging consequences that the sharp rise in oil prices can have on the world economy. In this context, it might be useful to jointly examine the contribution that strategic stocks can make to enhancing the stability of the oil market.

Further developing co-operation through the EU-Russia Energy Technology Centre created in 2002, Russia's association with the energy market observation system established by the European Commission in 2004, and the energy industry "steering group" will contribute to the continued improvement of the investment climate between the EU and Russia, and identify more clearly the issues to be tackled.

This latest report provides guidelines for the future development of the EU-Russia energy dialogue which will contribute to the practical implementation of the Common European Economic Space. Creation of investment support mechanisms, energy efficiency, maritime safety, the interconnection of electricity grids and Trans-European energy networks are among the priority themes for further progress.

## 1. ENERGY EFFICIENCY

Increasing energy efficiency offers significant opportunities for co-operation, particularly industrial co-operation with the exchange of good practices and technologies between Russian and EU companies.

The EU-Russia Energy Technology Centre is proving a valuable focal point, organising in October 2004 Round Tables in Moscow and Nizhny Novgorod on renewable energy and energy efficiency in buildings, and on sustainable regional energy policies and strategies respectively.

In addition, the TACIS technical assistance for the energy efficiency pilot projects in Archangelsk, Astrakhan and Kaliningrad will shortly become available.

Particular attention should be given to energy efficiency in Kaliningrad, which is 90% dependent upon transit of energy and where savings could reach as high as 35-40%.

The Parties note that their discussions on energy have embraced issues relating to transport, a sector with rapidly rising energy consumption. Transport accounts for significant and rising emissions of CO<sub>2</sub> and greater efficiency, particularly of urban transport, could significantly improve the environmental impact of the sector. Closer cooperation on targeted projects could be profitable for both the EU and the Russian Federation.

A seminar on transport strategies in Moscow in May 2004 brought together representatives from the EU and the Russian Federation. The exchange of views helped to define areas for co-operation in the coming years, including the need to harmonise legislative and regulatory measures, the convergence of technical norms and standards in the oil maritime transport sector, the interoperability of the railway network, environmental concerns linked with the transport demand growth, particularly in urban transport, and energy efficiency.

With the objective of helping to foster a more favourable framework for developing renewable energies, the EU-Russia Energy Technology Centre organised a Round Table in Moscow on 22<sup>nd</sup> June 2004. Seminars have also been organised on fuel cells, CO<sub>2</sub> sequestration and biomass with a view to considering Russia's participation in the European Union's Research Framework Programme on these issues.

## 2. INVESTMENT SUPPORT MECHANISMS

Encouraging mutual investments into the Russian and EU energy sectors remains a key objective of the Energy Dialogue, with the view to ensuring both the security of supply and the security of demand in the context of increased energy interdependency. Significant reforms have been carried out within Russia to create a more competitive and attractive investment climate. However Russian companies active in certain energy sectors face hurdles in accessing international money markets, particularly very long term financing.

The Parties therefore welcome the work conducted with the help of the European Investment Fund to develop a scheme for mitigating non-commercial risks. They agree to work together to explore the proposal in greater detail. The European Party has transmitted a first document describing the principle of a guarantee mechanism. After reaching an agreement between the Parties on a guarantee mechanism, it would be possible to consider its development within the framework of the

Partnership and Co-operation Agreement (PCA). A meeting of experts and representatives from the Russian and European industries will be held in Brussels (or Luxemburg) by the end of 2004 in order to prepare an orientation paper.

The Parties will also evaluate the opportunity of establishing an investment or guarantee fund for energy efficiency projects given the potential for energy savings in Russia.

### 3. ELECTRICITY INTERCONNECTIONS

In the context of integrating the EU and Russian electricity markets, both Parties recognise the importance of a level playing field, with equivalent basic rules with respect to the degree of market opening and other important market rules, such as regulation of network access and unbundling. It is also imperative to make further progress towards a common view on the extent to which current and planned EU and Russian market and environmental rules are equivalent. The Parties recognise that the participation of Russian representatives in the Florence Forum of electricity regulators is increasing co-operation and the convergence of the regulatory framework.

The Parties welcome the feasibility study which will start in January 2005 to examine the synchronous interconnection of the systems of the Union for the Co-ordination of Transmission of Electricity (UCTE) and of the Integrated Power System/United Power System (IPS/UPS). This important study which will be funded on equal basis with 75% and 25% of the European costs covered by the European Commission and UCTE respectively, will be completed at the latest in 2006.

### 4. TRADE IN NUCLEAR MATERIALS

On 17 May 2004, the European Commission has presented a draft agreement on the trade in nuclear materials to the Russian Federation. The text is currently being analysed by the Russian authorities. The experts of the European Commission and of the Russian government are conducting discussions on this draft agreement.

## 5. INFRASTRUCTURE PROJECTS OF COMMON INTEREST

The Parties confirm the importance of the projects of common interest, defined in the framework of the Energy Dialogue at the October 2001 Summit, for enhancing the security of energy supplies across the European continent via an increased diversification of transportation routes. In particular, for gas, they stress the priority of the Northern Trans-European Gas Pipeline. The Parties welcome the ongoing expansion of the Yamal-Europe pipeline.

The Parties underline the importance of further work to expand this list, in particular by including oil pipelines, to optimally operate the existing ones or even to develop the rail transportation of crude oil and oil products, including enhancing co-operation on railway interoperability, given the environmental risks and safety concerns posed by the increasing density of maritime traffic.

The reliable functioning of energy transport networks is another important field of cooperation. In 2004, technical assistance of up to 3 million euros for the state of infrastructures, entitled “Gas and Oil Transport Network observation system and modernisation plans”, was foreseen in the framework of TACIS.

## 6. GALILEO-GLONASS: AN INSTRUMENT TO STRENGTHEN INFRASTRUCTURE SAFETY

The Parties recognise the benefits satellite navigation can bring for the whole energy chain: exploration, construction, transport, and site monitoring.

Noting the ambitious national programme for the modernisation of the Russian global satellite navigation system (GSNS) GLONASS of double application, and the European GALILEO programme, which aims to establish the first global satellite navigation system specifically designed for civilian and commercial applications by 2008, the complementary use of the two networks could significantly reinforce the safety of energy transport infrastructures and energy production.

The Energy Dialogue has helped to revive the negotiations on preparing an intergovernmental agreement on compatibility and complementary use of the two GSNS systems: the existing GLONASS and planned GALILEO system

In addition to the discussions about the technical compatibility and complementary use of GLONASS and GALILEO, it is planned to initiate co-operation on joint development of GSNS signal receivers, as well as specific applications of GSNS to the energy field (exploration, construction and maintenance of transport infrastructure).

## 7. MARITIME SAFETY

With the increasing density of maritime traffic and the heightened risk of accidents and pollution, maritime safety is a very sensitive issue and an important area for EU-Russia co-operation. The European Party welcomes the undertaking given by Russia to strengthen its checks on tankers that discharge in its ports and the support given by Russia to the EU on the basis of the Russian position at the International Maritime Organisation (IMO). Both Parties recognise the importance of a rapid implementation of IMO standards.

## 8. EU-RUSSIA ENERGY TECHNOLOGY CENTRE

The Parties welcome the increasingly important practical role of the Centre in promoting the exchange of information about advanced energy technologies and encouraging contacts between EU and Russian energy sector actors. Among the numerous events the Centre has organised, specific mention should be made of the Round Tables held on modern technologies for the exploitation of hard-to-recover oil reserves, gas-to-liquids (GTL) technologies and their perspectives in Russia, oil refining in Russia with specific emphasis on EU fuel quality standards, implementing advanced coal preparation technologies in Russia, the technical regulation of power plants to assure the stability of the grid, the EU experience of promoting renewable energies and its relevance for Russia, and a Round Table on energy efficiency and renewable energies in buildings.

In parallel with the identification of a number of project proposals, the Parties welcome the work of the Centre with respect to investment promotion, where a workshop has been held with the European Bank for Reconstruction and Development (EBRD) on project financing with International Financial Institutions and another on bankable projects in the oil and gas sector.

The activities of the Centre are aimed at facilitating the creation of a more favourable climate for implementing joint projects in the priority fields of



the Energy Dialogue, including identifying financial sources for such projects. The Parties will assist the Centre in accomplishing this important task.

## CONCLUSIONS

The Parties recognise that the future priorities for the Dialogue should include:

- Continued efforts to encourage investments;
- Closer collaboration in promoting energy savings, energy efficiency and renewable energy;
- Improving the safety and security of the energy transportation infrastructure, including its expansion across the European continent;
- Renewed emphasis to the work on electricity market integration, including the issues of market and environment equivalent rules.

The Parties recognise the important contribution that the energy market observation system being developed within the services of the European Commission, to which Russian experts will be associated, will make in enhancing the transparency of energy markets.

Strengthening co-operation of the Russian and EU industry, in particular via the “steering group of the industry”, will contribute to the further development of the Energy Dialogue.

Furthermore, thematic groups involving experts from the Russian, Commission and Member states’ administrations will be developed.

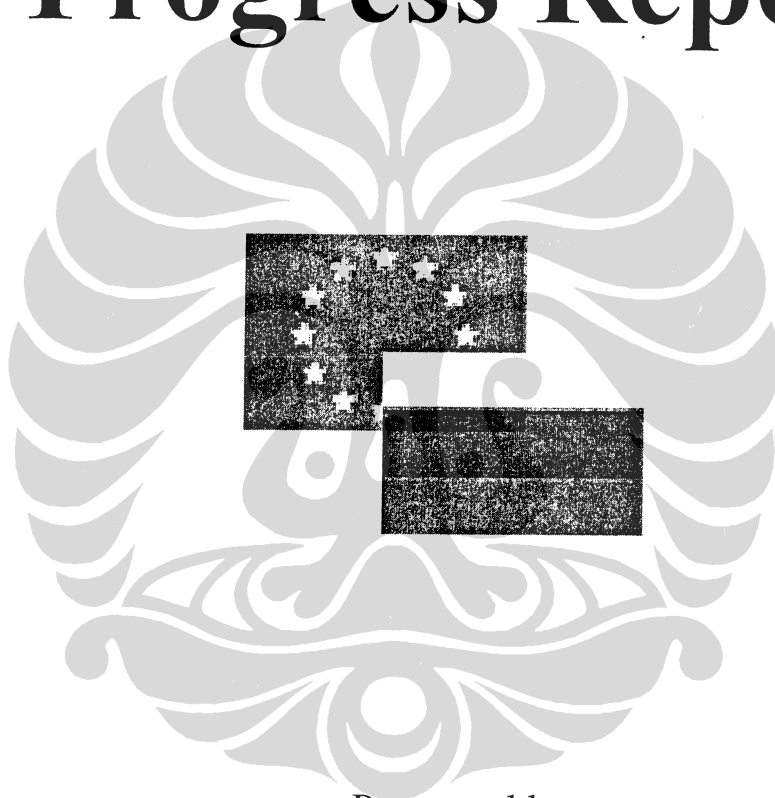
François Lamoureux

Victor Khristenko



EU-Russia Energy Dialogue

# Sixth Progress Report



Presented by  
Russian Minister of Industry and Energy Victor Khristenko  
and  
European Commission Director-General François Lamoureux

Moscow/ Brussels October 2005

The flexible structure of the Energy Dialogue has contributed to the success and dynamism of this unique partnership. It has permitted frank and constructive discussions involving representatives of the government of the Russian Federation, the European Commission, the EU Member States and the Russian and EU industry. This has contributed to helping to solve a number of important misunderstandings and problems between the EU and the Russian Federation in the energy sector and, in the process, has strengthened the security of energy supplies and the mutually beneficial cooperation in the energy sector. This has included underlining the importance of long term gas contracts, resolving the question of destination clauses which existed in some long term gas supply contracts, confirming the absence of any EU limit of 30% on imports of fossil fuels from a single external source, addressing certain energy trade issues in the context of the negotiations for Russia's future membership of the World Trade Organisation and confirmation of the supply contracts for nuclear materials concluded by Russia prior to EU enlargement.

A key objective of the Road Map for the Common Economic Space, adopted at the EU-Russia Summit of 10 May 2005, is the intensification of cooperation in the energy area, with particular emphasis on addressing issues related to the sustainability and continued reliability of the production, distribution, transportation and efficient use of energy. The Parties consider the EU-Russia Dialogue as one of the important instruments to achieve these objectives.

The Parties welcome the progress that is now being achieved in the four bilateral Thematic Groups that have been established following the suggestion of the Energy Steering Group of the EU-Russia Industrialists Round Table to discuss, respectively, investments, infrastructures, trade and energy efficiency issues, and to prepare related proposals for the Energy Dialogue. These groups first met in July and subsequently in September. In bringing together more than 100 European and Russian experts from the private sector and from the administrations, the groups are permitting an unprecedented exchange of views by efficiently drawing together the experience and priorities of all the interested parties to address the concerns of the Russian and EU energy industries.

In the context of volatile and currently very high oil prices, both Parties underline the importance of increasing co-operation and exchange of information. They note the importance of a joint examination of all related issues, including refining capacities, increasing the supply of oil and gas,

and the importance of strategic stocks of oil and oil products, noting that the Commission will shortly be launching a new initiative in this area.

The first Permanent Partnership Council dedicated to energy issues, which will take place in London on 3<sup>rd</sup> October 2005, is a highly visible sign of the increasing political importance of our energy relations.

The proposed Energy Market Observation System, which is currently being developed within the Commission services, will assist in enhancing the transparency of the energy markets and offer another excellent opportunity for practical co-operation.

In addition, a number of technical projects to support and complement the Energy Dialogue are about to be launched or are envisaged.

This latest report underlines the significant progress achieved to date and suggests issues where further joint work could bring practical results, while further deepening the Energy Dialogue.

#### 1. INCREASED SECURITY FOR SUPPLIERS AND CONSUMERS

The Parties welcome the important progress that has already been achieved to facilitate the trade in energy products between Russia and the EU.

The “Joint Statement on EU Enlargement and EU-Russia Relations” of 27 April 2004 permitted a number of energy trade-related issues to be resolved, including the issue of alleged restrictions on hydrocarbon imports in the European Union, the importance of long term contracts for the supply of natural gas and the launching of negotiations on a Euratom-Russia agreement on trade in nuclear materials.

The Parties stress the importance of rapidly reaching an agreement on the trade in nuclear materials.

This was complemented by the results of the bilateral negotiations for the accession of Russia to the World Trade Organisation in May 2004.

#### 2. ENHANCING THE INVESTMENT CLIMATE

The Parties note that facilitating the continued development of an attractive, stable and predictable investment climate in Russia that foresees an active role for foreign investors has been a key objective from the outset. They also note the importance of work to address any barriers to Russian investments in the EU energy sector.

They welcome the existing recognition that the key energy sectors for investment include enhancing the production at existing sites, upgrading the oil refineries, building new and upgrading old power plants and developing and upgrading the energy transportation infrastructure. The identification of possible enhancements to the legal and regulatory framework, and on the optimisation of the fiscal aspects of the current investment legislation are to be welcomed. Examining practical mechanisms for financing joint projects, including public-private partnerships, and of identifying any perceived or actual legal and fiscal barriers to investments are also key issues.

In addition, the Parties underline the importance of examining options that could facilitate investments into the Russian energy sector by reducing the associated costs, as well as guarantee mechanisms for promoting investments in energy efficiency.

### 3. THE ENERGY DIALOGUE AND SUSTAINABLE DEVELOPMENT

The Parties welcome the entry into force of the Kyoto Protocol in February of this year which opens a major opportunity within the Joint Implementation mechanism for promoting climate-friendly investments. They highlight the importance of seizing this opportunity for an exchange of experience in the development of regulatory frameworks to promote energy efficiency, energy savings and managing energy demand in order to meet our respective goals of reducing the energy intensity of our economies. This is in addition to facilitating industrial co-operation in best practices and more efficient energy technologies. In this context, it is importance to co-operate to address any barriers to the development, deployment and transfer of technology.

In the context of the current very high oil prices, both Russia and the EU have recognised the political and economic importance of reinforcing effective measures to reduce energy demand. The Parties recognise that the Commission's recent Green Paper on Energy Efficiency contains many proposals which could usefully be examined together. They also note the Round Tables which have been organised by the EU-Russia Energy Technology Centre on facilitating investments in the energy efficiency sector and suggest that consideration be given to ways of co-operating on clean fossil technologies. The Parties recognise the significant potential for reducing the flaring of associated gas, estimated at over 100 billion cubic metres per year and the possibilities this offers for co-operation both on technology and on promoting a regulatory framework to attract the

necessary investments. They also note the TACIS projects on “Energy Efficiency at a Regional Level (Archangelsk, Astrakhan and Kaliningrad)” and on “Renewable Energy Policy and Rehabilitation of Small Scale Hydro Power Plants”.

The exchange of experience between the EU and Russia on energy efficiency technologies, incentives, methods of financing and instruments to encourage activities will facilitate a deeper understanding of the approaches and methods to use energy efficiency as a means to ensure security of energy supply on a sustainable and cost effective basis.

The energy sector, industry, the building and transport sectors, district heating and CHP will be the most important sectors to address due to their huge energy efficiency potential.

#### 4. TRANSPORTATION OF OIL AND OIL PRODUCTS

The Parties note that the question of the safe and reliable transportation of energy resources, especially crude oil and oil products, including transport by rail, is an important sector of co-operation. The readiness to consider specific actions aimed at minimizing the risk of the negative impact on the environment caused by oil and oil products transportation has been confirmed at the Russia-EU Summit in May 2005. The activities undertaken in this direction under the Energy Dialogue could be continued in the framework of the EU-Russia Transport Dialogue.

#### 5. EU-RUSSIA ENERGY TECHNOLOGY CENTRE

The creation, three years ago in Moscow, of the EU-Russia Energy Technology Centre was a very practical and concrete example of our co-operation. The Centre, designed to promote co-operation in advanced energy technologies, encourage industrial partnerships and to facilitate investments in priority projects, has been very active in bringing together Russian and EU energy industry representatives. The Parties take note of the report on the activities of the Centre over a period of 2002-2005.

The Centre is fulfilling an important role of technical assistance by organising round tables and seminars on important issues of mutual interest as well as facilitating the development of bankable energy projects and in the identification of sources of finance. The Parties welcome the participation of the Centre in the work of the Thematic Groups.

Amongst the numerous events that the Centre has organised, special mention should be made of the discussions at Round Tables on the

harmonisation of technical norms and standards in the electricity sector, on the legal framework for the refining industry and for the use of renewable energies, on advanced technologies for the safety of underground coal mining and on the possible participation of EU businesses in the Russian domestic gas market.

The Parties recognise the importance of strengthening the Centre's project facilitation role for projects promoting the use of cleaner and more efficient energy technologies. For the continued efficient functioning of the Centre its further funding in the framework of the TACIS programme would be appropriate.

## 6. ESTABLISHMENT OF A PAN-EUROPEAN ENERGY MARKET

With the EU's internal energy market being one of the most open and attractive markets in the world, it is important to ensure that a level playing field exists in terms of safety, market opening, fair competition and environmental protection. Regulatory convergence and enhancing the security and reliability of the energy transportation network will permit the progressive integration of the EU and Russian energy markets. In this context, the project on the "Harmonisation of EU-Russia Energy Policies" which has recently got underway could play an important facilitating role.

The Parties note the good progress which has been made in the initial list of projects of common interest that were identified at the EU-Russian Summit of October 2001. The Parties welcome the practical developments in relation to gas transport infrastructure and in particular the increase achieved in the capacity of the Yamal-Europe gas pipeline and the agreement in principle between the concerned companies on the realisation of the North European gas pipeline project. For the further development of oil transport via pipelines, they underline the importance of the integration of the "Druzhba" and "Adria" oil pipelines and of the Burgas-Alexandroupolis oil pipeline project.

Recognising the importance of meeting the increasingly stringent specifications for oil products, special attention should also be given to attracting investments into the oil refining sector to meet this challenge.

With respect to the integration of Russian and EU energy markets, the Parties note the importance of equal conditions and equivalent basic rules relating to market opening and other significant aspects of their functioning. The Parties support the continuation of the work, including the activities within the framework of the "road map" of the Common Economic Space between Russia and the EU, on a common understanding



regarding the degree of correspondence between Russian and EU energy markets.

The Parties note the start of the joint comprehensive feasibility study on the interconnection of the transmission systems of the Union for the Co-ordination of Transmission of Electricity (UCTE) and the Integrated Power System/United Power System (IPS/UPS). Taking into account the necessity for stability and reliability of each power system, as well as of the whole interconnected system, the Parties note the intention to investigate the opportunities for modern methods of power flow control management technologies.

The Parties confirm their interest in receiving the conceptual report not later than 2006. The Parties also welcome the agreement in principle between the CIS Electric Power Council and Eurelectric on the market and environmental roadmaps reached in Vienna on 14 June 2005.

Recognising the importance of the benefits that satellite navigation can bring for the whole energy chain, the Parties expect good progress in the negotiations on preparing an agreement on the compatibility and complementary use of the two global satellite navigation systems: the existing GLONASS and the planned GALILEO.

#### 7. ENHANCING CO-OPERATION IN THE FIELD OF NUCLEAR ENERGY.

The Parties also note the intention to extend co-operation in the field of nuclear energy as a whole, as agreed in the Road Map for the Common Economic Space. They note the importance of reinforcing the co-operation in the area of safety and reliability of the functioning of the nuclear sector in particular and the creation of stable and predictable conditions for the long-term trade of nuclear materials. Necessary steps will be taken.

Recognising the importance of research on nuclear fusion, the Parties note the co-operation agreement which entered into force in April 2002 and welcome the decision taken in June 2005 to build ITER in Europe.

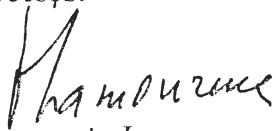
## CONCLUSIONS

Steady progress continues to be made on enhancing and deepening relations in the energy sector between the EU and Russia. Taking into account that energy is an important element for sustainable development and, at the same time, is a key sector to be addressed in order to tackle climate change, the EU and Russia will continue to develop practical cooperation in this sector.

The Parties support the continuation of work on the further approximation of energy strategies and the principles and regulatory measures in the EU and Russia, as well as finalising the preparation of an agreement on trade in nuclear materials, cooperation in the framework of the observation system for oil markets being developed by the European Commission, and the development of mechanisms to facilitate investments, in particular in the electricity and energy efficiency sectors.

The Parties highly appreciate the activities undertaken within the framework of the EU-Russia Industrialists Round Table, support the initiatives developed by the Task Forces and recognise the importance of further active business involvement into the Russia-EU Energy Dialogue process, bearing in mind its further development, deepening and institutionalisation. In this context, the Parties also welcome the opportunities, presented by the establishment of four Thematic Groups under the Energy Dialogue, for a deeper analysis of the issues of interest to the EU and Russian energy sectors.

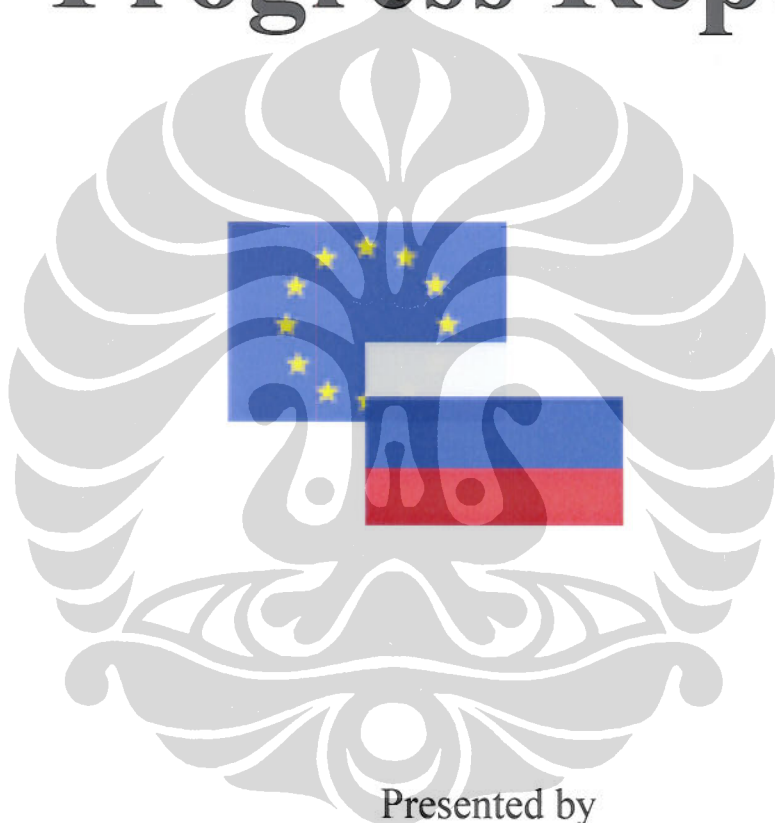
The parties consider the development of the oil and gas transport infrastructures for the realisation of concrete projects as one of the most important areas for cooperation. They welcome the results in this area (North European gas pipeline, Yamal-Europe gas pipeline, Burgas-Alexandroupolis oil pipeline, Druzhba/Adria oil pipelines), as well as the work on the interconnection of the electricity networks. The Parties intend to continue to work to identify and support new projects in the interest of guaranteeing and increasing the security of the Russian and EU energy sectors.

  
François Lamoureux

  
Victor Khristenko

EU-Russia Energy Dialogue

# Seventh Progress Report



Presented by  
Russian Minister of Industry and Energy Victor Khristenko  
and  
European Commissioner for Energy Andris Piebalgs

Moscow/ Brussels November 2006

This report presents the results that have been achieved in the EU-Russia Energy Dialogue for the period from October 2005 to November 2006.

The Thematic Groups on Investments, Infrastructure, Trade and Energy Efficiency have become an important new element of the Dialogue. The reports submitted by these groups include an in-depth examination of major issues of common interest and recommendations for the further convergence of the Parties' positions concerning outstanding issues of common interest, as well as proposals for deepening relations between Russia and the EU in the energy field.

In 2006 the Russia-EU Energy Dialogue has been continuing to develop, also in the context of the debate on global energy security prioritised under Russia's presidency of the G8. The Parties recognise that ensuring energy security is a key challenge that will remain a central issue in the energy cooperation between Russia and the European Union.

The report also highlights important issues such as the improvement of the investment climate, promotion of infrastructure projects of common interest and enhancing the trade in energy products, including nuclear materials.

With respect to the joint "EU-Russia Energy Efficiency Initiative" launched in May 2006, an update on priorities is presented in the report in a separate section.

The activity of the Energy Technology Centre is evaluated and its future priorities identified.

## 1. INCREASED ENERGY SECURITY

The Parties take note of the important discussions on energy security undertaken during Russia's Presidency of the G8 and in particular welcome and share the statement on Global Energy Security Principles agreed at the St. Petersburg Summit in July 2006. These principles continue to be a fundamental part of the EU-Russia Energy Dialogue, in particular the commitments to open, transparent, efficient and competitive markets for energy production, supply, use, transmission and transit services as well as the recognition that transparent, equitable, stable and effective legal and regulatory frameworks are fundamental to generate sufficient, sustainable investments throughout the energy chain. The Parties also share the commitment to promote energy savings and energy efficiency, which will help to secure a reliable energy supply to Russia and the EU. The deployment of clean energy technologies, the promotion of transparency and good governance and the development of co-operative energy emergency responses are also important priorities.



The Parties welcome the results of the joint conference on the complementarities of the EU and Russian Energy Strategies held in Moscow on 30<sup>th</sup> October 2006. Within the framework of this high level event, an exchange of information took place on major trends and developments in the energy policy of the EU and Russia, which were outlined in the Energy Strategy of Russia for a period up to 2020 and in the Green Paper prepared by the European Commission in March 2006. Possible scenarios and forecasts in the development of the energy sectors of Russia and the EU were also presented at this event.

One of the overriding messages from the conference is the necessity of strengthening mutual confidence and encouraging a closer convergence of Russian and EU positions on a wide range of issues in the energy sector in order to increase energy security. An important tool in achieving this is to enhance transparency by having a regular flow of information and data and having a greater awareness and knowledge of each other's energy policies, scenarios and strategies.

In this context, the Parties support a seminar on energy strategies to be organised in the first half of 2007 as a practical follow-up to the conference to permit a review and evaluation of different investment scenarios and their influence on the long-term prospects of cooperation, including the trade in energy resources.

The Parties also support the intention of the Russian and EU regulatory authorities to increase their exchange of information.

## 2. ENHANCING THE INVESTMENT CLIMATE

The Parties give high priority to the necessity of enhancing the investment climate, without which the objective of ensuring a sustainable and reliable supply of energy will be seriously threatened as demand continues to grow.

The Parties underline the importance of a deep and overall analysis of the factors hindering investments across the whole energy chain in order to permit integration of energy markets through reciprocal participation of European and Russian companies in the whole energy chain, including through their asset swaps.

Taking into account the projected growth of demand for natural gas in both Russia and the European Union countries, and the growing EU dependence on gas imports, the Parties confirm the great importance of attracting investments into exploration, production and transportation of gas. They also underline the important role of long term contracts in this context.

The Parties underline the importance of ensuring appropriate risk sharing in the development of major new energy supply resources and infrastructure, and also the necessity to ensure the security of transit of energy resources.

The Parties attach great importance to further in-depth study of the problems connected with subsoil use, taxation, and support of joint energy projects, both in Russia and in the EU.

Regular exchange of analytical information on the aspects of energy strategies which can create uncertainty and risks for investors would also help to improve the investment climate in Russia and the EU.

### 3. PROJECTS OF COMMON INTEREST

The Parties underline the progress in advancing the projects of common interest for Russia and the EU which were identified in the first joint report in 2001.

Both Parties welcome the decision to prioritise gas supplies from the Shtockman field to Europe, as well as the implementation, according to the plan, of the Nord Stream gas pipeline project and underline importance of the project for creation of additional gas supply infrastructure from Russia to the EU.

The Parties also recognise the timely investments which have permitted an expansion in the capacity of the Yamal-Europe gas pipeline in line with market needs. The Parties take into account the continuation of the study on the interconnection of the electricity systems and the ongoing work on the preparation of an agreement concerning the Burgas-Alexandroupolis oil pipeline.

With respect to the electricity sector, the Parties recognise the importance of co-operating to attract investments into extending and modernising the electricity infrastructure of Russia and the EU.

The Parties also highlight the importance of the work that has been carried out by EURELECTRIC and the CIS Electric Power Council in developing joint roadmaps "Towards Compatible Electricity Markets in the EU and CIS countries" and "Key Environmental Protection Issues of the EU and CIS Power Markets Integration".

The Russian Party believes it is important to expand the concept of a feasibility study of the project on interconnecting the Unified /Interconnected Power System and UCTE, taking into account the inclusion of the investigations necessary for studying the requests of Ukraine and Moldova to join UCTE. The Russian Party believes that all investigations



in this direction should be conducted within the framework of the development of the Project feasibility study.

#### 4. ENHANCING THE TRADE IN ENERGY PRODUCTS

The Parties recognize that there is a great mutual interest in identifying and addressing the remaining barriers to trade in energy products.

The Parties consider, that further work should concentrate, inter alia, on:

- looking at contractual market instruments such as long term supply, storage, sales and transit of energy resources;
- examining the possibilities for increasing co-operation on the improvement of coal mine safety and on clean coal technologies, including carbon dioxide capture and sequestration;
- achieving a mutually acceptable solution to the issue of trade in nuclear materials and the Parties will do their utmost to speed up the process to reach the needed agreement;
- possibilities for increasing cooperation in energy technologies and the services sectors.

#### 5. ENERGY EFFICIENCY

In the field of energy efficiency, the Parties underline the importance of giving more prominence in the Dialogue to energy savings both in the EU and in Russia.

In this connection, the Parties recommend continuation of the work on implementation of joint EU-Russia Energy Efficiency Initiative, the underlying objectives of which are:

- increasing energy efficiency while promoting economic growth;
- improving the standard of living of the population and expanding the range and level of services on offer;
- harmonizing the legal and regulatory base, and making it more effective;
- reducing the impact on the environment by introducing new energy efficient and environmentally clean technologies and renewable sources of energy.

The Parties also note that the European Commission's recent Action Plan on Energy Efficiency has the objective of reducing the EU's energy consumption in 2020 down to the level of 1990, which translates into a

reduction of 20% or some 390 million tonnes of oil equivalent. This is similar to the potential of energy savings in Russia.

The Parties recommend that further work should concentrate, inter alia, on:

- examining the creation of financial and tax incentives facilitating the market penetration of energy efficient technologies.
- facilitating the implementation of energy-efficient technologies in the buildings of government agencies.
- reducing the energy losses during production and transportation, including reducing the amount of associated gas flared, and the leaks in the gas and oil pipelines.
- enhancing energy efficiency in the transport and household sectors.
- strengthening and improving the statistical recording system in the field of energy efficiency.

In addition, the Parties stress the importance of developing close contacts between regional and local energy efficiency centres in Russia and the EU.

## 6. EU-RUSSIA ENERGY DIALOGUE TECHNOLOGY CENTRE

The Parties highly value the activities of the joint Energy Technology Centre as an element of the Energy Dialogue. The work undertaken by the Centre in 2006 has been concentrated on a more in-depth analysis of associated gas utilization, safety of coal mines, heavy oil processing, efficient supplies in the energy sector, and the utilization of mini-hydropower plants.

The Parties, acknowledging that addressing energy efficiency is one of key objectives both for the EU and for Russia, agree that the Centre should increase its focus on solving this important issue across all energy sectors.

The parties agree that it is important that the Centre should be provided with the necessary means to implement its activities. By June 2007, the Centre will submit an Action Plan.

The Parties note the creation of the Centre for Sustainable Energy Development in Russia under the aegis of UNESCO and believe that close co-operation of this new body and the EU-Russia Energy Technology Centre would be beneficial.

## CONCLUSIONS

The Parties note the substantial and fruitful work of the Thematic Groups, which have prepared joint reports highlighting the opportunities for



increased cooperation between Russia and the EU in the fields of investments, infrastructure, energy efficiency and trade.

Acknowledging that the Thematic Groups in their current format have largely fulfilled the initial tasks set, the Parties recommend altering the number and structure of the groups in order to follow up the practical recommendations.

The Parties express their mutual interest in the continuation of the activities of the Energy Technology Centre as an important institutional tool in implementing the Russia-EU Energy Dialogue, and they agree that the Centre's main focus, in the context of the implementation of the Russia-EU Joint Initiative on Efficiency, will be on issues related to effectively promoting energy efficiency. In this context, it would be useful to involve international financial institutions in the implementation of projects in this field.

The positive results of the Conference on Comparative Analysis of Energy Strategies of Russia and the European Union, which was held on October 30, 2006 in Moscow on the joint initiative of the Russian and European Parties, testifies to the utility of a regular exchange of information and will contribute to enhancing the complementarity and harmonization of the energy policies of Russia and the European Union.

In order to continue identifying ways of increasing the complementarity of the energy policies of Russia and the European Union over the longer term, the Parties recognize the value of creating an efficiently operating mechanism for the mutual exchange of information and data, which will promote the mutual appreciation of the energy situation in the European Union and the Russian Federation.

The Parties note the substantial progress in advancing the infrastructure projects of mutual interest and intend to go on with work for the purpose of preparing proposals on new joint investment projects in different sectors of energy industry



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EU-Russia Energy Dialogue

# **Eighth Progress Report**



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The European Union and Russia are important strategic partners in the continued mutually beneficial cooperation in the energy sector. The EU is and will remain a significant energy consumer and importer. Russia is and will remain an important energy supplier and exporter to the European Union. Russia currently accounts for over 25% of oil and gas deliveries to the EU countries.

The EU-Russia strategic partnership in the energy sector should provide certainty, security and predictability in the long run in an open market environment. This will create favourable conditions for the necessary long-term mutual investments in existing and new production installations and transport infrastructures.

Therefore, the EU and Russia are objectively interested in strengthening the mutually beneficial cooperation in the energy sector, which is the aim of the EU-Russia Energy Dialogue.

The EU and its Member States share with Russia a common objective to promote trust and transparency in the EU-Russia energy relationship, including through exchange of information on current and planned legislative, regulatory and energy policy developments. A key objective of the Road Map for the Common Economic Space, adopted at the EU-Russia Summit of 10 May 2005, is the intensification of cooperation in the energy area, including issues related to the sustainability and continued reliability of the production, distribution, transportation and efficient use of energy. The Parties consider the EU-Russia Dialogue as the main instrument to achieve these objectives. The Parties acknowledge the importance of bilateral energy cooperation between the EU Member States and Russia and of relations with the European Commission.

The Parties decided to restructure the Thematic Groups of the Energy Dialogue. Following the second meeting of the EU-Russia Permanent Partnership Council (PPC) on Energy in Moscow in December 2006, the Parties have agreed to set up a new Thematic Group to address the issues of Energy Strategies, Forecasts and Scenarios. The Parties have also decided to merge the existing Thematic Groups on Trade, Investments and Infrastructure into a single Thematic Group to address the key issues of Energy Market Developments. The Parties approved to prolong the mandate of the existing Thematic Group on Energy Efficiency.

This Progress Report reflects the results of the EU-Russia Energy Dialogue achieved between November 2006 and October 2007 and defines avenues for further joint work to deepen and develop the Energy Dialogue.

## 1. ENERGY STRATEGIES AND FORECASTS

The Parties note that ensuring long-term security and safety of energy demand and supplies is becoming the priority issue in the framework of the EU-Russia Energy Dialogue. Progress on this issue requires an improvement in the relevant information exchange and a greater coordination of energy strategies of the Energy Dialogue parties.

In this respect Parties welcome the first meeting of the Thematic Group on Strategies, Forecasts and Scenarios held in Moscow on 26 September 2007 during which:

- Russia presented the current state of play in energy and its decision to prepare an updated version of Russia's Energy Strategy until 2030 that foresees, inter alia, further growth of hydrocarbon exports to the EU and the strengthening of renewable energy and energy efficiency measures in Russia;
- The EU presented information on the Action Plan on Energy policy for Europe, approved by the Heads of States and Governments at the European Council on 9 March 2007, underlining the importance of secure energy supplies for the EU and environmental sustainability, including combating climate change.

Both Parties note the importance of the Thematic Group's work in strengthening cooperation between the EU and Russia as stable and reliable energy partners. The Thematic Group's work should focus on the medium and long term. A work programme should be developed by the Group and presented for approval by the Coordinators of the Energy Dialogue.

The Parties agreed to establish a Subgroup on Energy Economic Issues of the Thematic Group to address the following issues:

- energy production and consumption forecasts in the EU and Russia in the long, medium and short term;
- energy strategies priorities in the EU and Russia, taking into account security and safety of energy sector development under the conditions of different scenarios for both parties;
- opportunities and potential results of the EU-Russia collaboration in coordination and realisation of energy strategies;
- tasks, structure and phases of establishing the bilateral energy data exchange and monitoring systems.

Members of the Group and experts from the EU and Russia will be invited to participate in preparation of a draft joint interim report to be presented for the EU-Russia Spring 2008 Summit.

## 2. DEVELOPMENT OF ENERGY MARKETS IN RUSSIA AND THE EU

The Parties note that developments in the energy markets in the EU and Russia, including trade and investment climate in the EU Member States, have to contribute toward increasing the level of security and predictability of energy markets regarding supply, demand and transit. Further mutual activities are necessary to improve the investment climate and trade in energy products. Both sides welcome the mutual willingness to address barriers to investment in order to develop an attractive, stable and predictable investment climate both in Russia and the EU that foresees, among others, an active role for foreign investors.

In that context, the Parties value the first meeting of the Thematic Group on Market Developments that took place in Moscow on 18 September 2007, where presentations were made on the status and potential developments of energy markets, including



regulatory aspects, on electricity interconnections and trade in nuclear materials, on key issues of the current investment policy, on the new internal market proposed rules for electricity and gas in the EU, and on recent legislative developments in energy sector in the EU and Russia. The terms of reference have been signed and timeline was established to develop the joint work plan. The agreement was reached to form subgroups, in particular the one on investments, which has already started its work.

The Russian participants of the Thematic Group confirmed the importance of strengthening cooperation in the area of safety and security of the nuclear energy sector, in particular by developing stable and predictable conditions for long-term trade in nuclear materials, and explained the appropriateness of preparing a draft agreement on trade in nuclear materials.

The Thematic Group agreed to timely and regularly exchange information on the following issues:

- the EU Party intends to reply on the status of trade on nuclear materials;
- the Russian Party intends to provide information on legislative developments in the energy field.

The Parties highly value cooperation on energy infrastructure projects of common interest. The Parties positively view the results of cooperation in energy markets in developing projects of common interest for the EU and Russia

- the progress made in July 2007 on the development of the Shtokman gas field project, which is an important step in strengthening cooperation between the EU and Russia;
- an intergovernmental cooperation agreement on construction and operation of the Burgas-Alexandroupolis oil pipeline, which is a new supply route and which also provides a solution to the problem of overcrowded straits in the Black Sea, was signed in came into force in March 2007;
- work to realize the Nord Stream project, which is continuing successfully. The Parties stress the importance of the environmental impact assessment study, which is underway;
- the preliminary results of the feasibility study on the synchronous interconnection of the power systems of the CIS and Baltic States (IPS/UPS) to UCTE that have not shown any technical barriers to their potential synchronous work. In order to complete the feasibility study by Summer 2008, the Parties will take necessary steps and will agree on the timeline for completing the study.
- work on integrating electricity markets of the EU and CIS, with the development of necessary elements and principles of trans-border trade in the region that encompasses Belarus, Moldova, Russia, Ukraine on the CIS side and Latvia, Lithuania, Estonia, and Finland on the EU side being the first step in this context.

The EU Party confirms the importance of its TEN-Energy infrastructure projects to diversify its energy supply routes and the priority that has to be given to maritime safety for the transportation of oil and gas.

The Coordinators ask the Thematic Group to update the list of projects of common interest for the inclusion in the next Progress Report.

The Parties share the view that technologies and human capital play a major role in the development of energy markets. They stress the need for continued steps in this direction. Technology will continue to be vital to ensure the necessary levels of production. Developing human capital, investing in education and improvement of professional skills are necessary in a modern time energy industry that requires highly professional employees, possessing strong theory knowledge as well as practical skills.

The Parties recommend that the Thematic Group on Market Developments addresses this issue and suggest concrete cooperation projects.

The Parties consider it necessary to evaluate further the possible barriers to energy trade between the EU and Russia, existing or likely to appear in the future, whether they are of a political, legal, economic, financial or technical nature and to promote their removal. Such cooperation will be based on the analysis of contractual instruments available in energy trade and on the examination of the energy infrastructure policies in the EU and Russia that highlights the optimal use of the existing infrastructure, the need for upgrades, new projects and transportation routes.

The Parties note the need to evaluate possible barriers to energy investment between the EU and Russia, existing or likely to appear in the future, whether they are of a political, legal, economic, financial or technical nature; to identify strategic investment projects and to discuss different investment options and their influence on the long term impacts.

The Parties confirm the interest in evaluating possible barriers to the development of efficient energy markets in the EU and Russia, based on the principles of mutual benefit, balance of interests and non-discrimination.

### 3. ENERGY EFFICIENCY

Within the EU – Russia Energy Dialogue increasing energy efficiency is identified as an important area of cooperation of common interest. In this regard, the Parties underline the progress achieved in implementing the joint EU – Russia Energy Efficiency Initiative and in particular the Action Plan approved at the Permanent Partnership Council on Energy in December 2006. Since 2006, common EU and Russia projects have been implemented in areas such as legislation and regulation in the fields of energy efficiency, including the regional level, and wide use of renewable energy sources.

The Parties agree that this Group will use the results of prior work, including the Action Plan identifying joint actions to foster energy efficiency, as well as the recommendations of activities undertaken within the framework of the Plan:

- the thematic seminar on ESCO's and gas flaring (Russia, October 2006);



- the International Conference of Energy Agencies (Kazan, December 2006);  
and the recommendations stemming from activities carried out by the EU Member States and Russia.

The Parties approve the results of the meeting of the Joint Thematic Group on Energy Efficiency held on 27 September 2007, which analysed the state of play and discussed the next steps on improving energy efficiency in the EU and Russia.

The representatives of the EU presented the main principles of the project for setting up a Platform for International Cooperation on Energy Efficiency. The Representatives of the European Bank for Reconstruction and Development (EBRD) presented the Sustainable Energy Initiative of the EBRD in Russia, particularly in the regions of Russia.

The Parties underline the importance of exchange of information and experience on energy efficiency and on reducing greenhouse gas emissions in the energy sector.

Two seminars on legislation on energy efficiency and renewable energies in Russia and the EU and on the implementation of investment projects, including capacity building, in these fields at the regional level will be organised by the end of 2007. The modalities of implementing a jointly financed project to reduce greenhouse gas emissions in Russian regions through improvement of energy efficiency will be prepared.

The Parties agreed in the medium term to continue work on the implementation of activities of the joint EU – Russia Energy Efficiency Initiative, which includes projects on:

- approximation of legislation and regulations in the field of energy efficiency, heat supply and renewable energies,
- cooperation at the regional level, strengthening partnership programs between local and regional energy efficiency centres in the EU and Russia,
- co-operation on attracting investments into energy efficiency projects,
- promotion of the use of the Kyoto Protocol mechanisms for improvement of energy efficiency,
- providing support to exchange information and development of renewable energy and energy efficiency pilot projects,
- energetic use of associated gas.

#### 4. THE EARLY WARNING MECHANISM

Based on the agreement in principle by leaders at the EU-Russia Summit in Samara in May 2007, the Parties pursue the establishment of an Early Warning Mechanism on supply and demand of gas and oil. They intend to use this mechanism to identify potential supply and demand problems and risks well in advance and allow for preparedness of Russia and the EU to minimise the impact of potential disruptions.

The Early Warning Mechanism is based on procedures for the Parties to receive, exchange and agree on the analytical information regarding potential problems in this area and ways of resolving them, with the relevant results to be used, among others, for the preparation of Progress Reports within the framework of the EU-Russia Energy Dialogue, in which the industry on both sides actively participates.

The Early Warning Mechanism utilises the existing modalities of cooperation, in the framework of:

- work of the Thematic Group on Market Developments and the Thematic Group on Energy Strategies, Forecasts and Scenarios;
- regular conferences, as well as meetings and consultations of the coordinators of the EU-Russia Energy Dialogue.

The Parties indicate that the terms of reference of the mentioned Thematic Groups have to be supplemented in order to develop the format, contents and organization of cooperation activities to analyse potential hydrocarbon supply problems and to prepare suggestions for the Progress Reports.

Additionally, in relevant cases, operational contact by the designated officials on both sides, who have access to the relevant energy industry information, will be ensured in the framework of the Early Warning Mechanism. The Parties commit to inform each other as soon as significant supply or demand difficulties occur.

## CONCLUSIONS

The Parties note substantial and fruitful work of the newly created Thematic groups on Energy Strategies, Forecasts and Scenarios, on Market Developments, and on Energy Efficiency, that has contributed significantly to the EU-Russia energy cooperation.

The Parties note considerable progress in the advancement of infrastructure projects and intend to continue work to update the list of projects of common interest for the inclusion in the next Progress Report.

In order to continue determining ways to supplement the energy policies of the EU and Russia in the long-term as well as to improve energy security, the Parties agree to the appropriateness of establishing an effective Early Warning Mechanism, aimed at timely identification of potential supply (as well as transit) and demand problems and risks in order to minimise the impact of possible interruptions.

The Parties agreed to hold meetings of the Thematic Group at least twice a year and to report on the meetings to the coordinators of the EU-Russia Energy Dialogue and the Permanent Partnership Council (PPC). The final reports of the Groups have to be presented in October 2008 for the preparation of the 9<sup>th</sup> Progress Report.



*Andris Piebalgs*



*Victor Khristenko*





12 июля 2008 года,

Пр-1440

## КОНЦЕПЦИЯ ВНЕШНЕЙ ПОЛИТИКИ РОССИЙСКОЙ ФЕДЕРАЦИИ

### I. Общие положения

Концепция внешней политики Российской Федерации (далее - Концепция) - система взглядов на содержание, принципы и основные направления внешнеполитической деятельности России.

Настоящая Концепция дополняет и развивает положения Концепции внешней политики Российской Федерации, утвержденной Президентом Российской Федерации 28 июня 2000 г.

Основу настоящей Концепции составляют Конституция Российской Федерации, федеральные законы, общепризнанные принципы и нормы международного права, международные договоры Российской Федерации, нормативные правовые акты Российской Федерации, регулирующие деятельность федеральных органов государственной власти в сфере внешней политики, а также Концепция национальной безопасности Российской Федерации, Военная доктрина Российской Федерации и другие аналогичные документы.

Эволюция международных отношений в начале XXI века и укрепление России потребовали по-новому взглянуть на общую ситуацию вокруг нее, переосмыслить приоритеты российской внешней политики с учетом возросшей роли страны в международных делах, повышения ее ответственности за происходящее в мире и открывшихся в связи с этим возможностей участвовать не только в реализации международной повестки дня, но и в ее формировании. В международной обстановке, наряду с позитивной тенденцией - укреплением позиций Российской Федерации на международной арене, проявились и негативные тенденции, которые необходимо учитывать при проведении внешнеполитического курса России на конкретных направлениях.

В соответствии с высшим приоритетом национальной безопасности - защитой интересов личности, общества и государства - главные внешнеполитические усилия должны быть сосредоточены на достижении следующих основных целей:

обеспечение безопасности страны, сохранение и укрепление ее суверенитета и территориальной целостности, прочных и авторитетных позиций в мировом сообществе, в наибольшей мере отвечающих интересам Российской Федерации как одного из влиятельных центров современного мира и необходимых для роста ее политического, экономического, интеллектуального и духовного потенциала;

создание благоприятных внешних условий для модернизации России, перевода ее экономики на инновационный путь развития, повышения уровня жизни населения, консолидации общества, укрепления основ конституционного строя, правового государства и демократических институтов, реализации прав и свобод человека и, как следствие, обеспечение конкурентоспособности страны в глобализирующемся мире;

воздействие на общемировые процессы в целях установления справедливого и демократического миропорядка, основанного на коллективных началах в решении международных проблем и на верховенстве международного права, прежде всего на положениях Устава ООН, а также на равноправных и партнерских отношениях между государствами при центральной и координирующей роли ООН как основной организации, регулирующей международные отношения и обладающей уникальной легитимностью;

формирование отношений добрососедства с сопредельными государствами, содействие устранению имеющихся и предотвращению возникновения новых очагов напряженности и конфликтов в прилегающих к Российской Федерации регионах и других районах мира;

поиск согласия и совпадающих интересов с другими государствами и межгосударственными объединениями в процессе решения задач, определяемых национальными приоритетами России, создание на этой основе системы двусторонних и многосторонних партнерских отношений, призванной обеспечить устойчивость международного положения страны к колебаниям внешнеполитической конъюнктуры;

всесторонняя защита прав и законных интересов российских граждан и соотечественников, проживающих за рубежом;

содействие объективному восприятию Российской Федерации в мире как демократического государства с социально ориентированной рыночной экономикой и независимой внешней политикой;

поддержка и популяризация в иностранных государствах русского языка и культуры народов России, вносящих уникальный вклад в культурно-цивилизационное многообразие современного мира и в развитие партнерства цивилизаций.

## **II. Современный мир и внешняя политика Российской Федерации**

Современный мир переживает фундаментальные и динамичные изменения, глубоко затрагивающие интересы Российской Федерации и ее граждан. Новая Россия, встав на твердую почву национальных интересов, обрела полноценную роль в глобальных делах.

Стираются различия между внутренними и внешними средствами обеспечения национальных интересов и безопасности. В этих условиях внешняя политика становится одним из важнейших инструментов поступательного развития страны, обеспечения ее конкурентоспособности в глобализирующемся мире.

Являясь постоянным членом Совета Безопасности ООН, участницей «Группы восьми» и целого ряда других влиятельных международных и региональных организаций, механизмов межгосударственного диалога и сотрудничества, обладая значительным потенциалом и ресурсами во всех областях жизнедеятельности, интенсивно развивая отношения с ведущими государствами и объединениями всех регионов мира, последовательно интегрируясь в мировую экономику и политику, Россия оказывает существенное влияние на формирование новой архитектуры международных отношений.

Кардинальная трансформация международных отношений, прекращение идеологической конфронтации и последовательное преодоление наследия «холодной войны» и связанных с ней предрассудков и стереотипов, укрепление России и ее международных позиций - все это существенно расширило возможности сотрудничества на мировой арене. Снижена опасность развязывания крупномасштабной войны, в том числе ядерной.

На современном этапе традиционные громоздкие военно-политические союзы уже не могут обеспечить противодействия всему спектру современных вызовов и угроз, являющихся трансграничными по своему характеру. На смену блоковым подходам к решению международных проблем приходит сетевая дипломатия, опирающаяся на гибкие формы участия в многосторонних структурах в целях коллективного поиска решений общих задач.

На передний план в качестве главных факторов влияния государств на международную политику, наряду с военной мощью, выдвигаются экономические, научно-технические, экологические, демографические и информационные. Все большее значение приобретают: уровень защищенности интересов личности, общества и государства; духовное и интеллектуальное развитие населения; рост его благосостояния; сбалансированность образовательных, научных и производственных ресурсов; в целом уровень инвестиций в человека; эффективное использование механизмов регулирования мировых рынков товаров и услуг, диверсификации экономических связей; сравнительные преимущества государств в интеграционных процессах. Экономическая взаимозависимость государств становится одним из ключевых факторов поддержания международной стабильности. Создаются предпосылки для становления более кризисоустойчивой международной системы.

Новые вызовы и угрозы (прежде всего международный терроризм, наркотрафик, организованная преступность, опасность распространения оружия массового уничтожения и средств его доставки, региональные конфликты, демографические проблемы, глобальная бедность, в том числе энергетическая, а также нелегальная миграция, изменение климата) носят глобальный характер и требуют адекватного ответа со стороны всего международного сообщества и солидарных усилий для их преодоления. Существенно возрастает роль экологического фактора, все более актуальной становится проблема профилактики и борьбы с инфекционными заболеваниями. Сложность стоящих перед международным сообществом задач требует выработки сбалансированной стратегии их решения, исходящей из взаимосвязанности проблем безопасности, социально-экономического развития и защиты прав человека.

Противоречивость тенденций, определяющих современное состояние международных отношений, обуславливается переходным периодом их развития. Эти тенденции также отражают различия в понимании реального значения и последствий окончания «холодной войны». Глобальная конкуренция впервые в новейшей истории приобретает цивилизационное измерение, что предполагает конкуренцию между различными ценностными ориентирами и моделями развития в рамках универсальных принципов демократии и рыночной экономики.

По мере преодоления сдерживающего воздействия биполярной конфронтации все более громко заявляет о себе культурно-цивилизационное многообразие современного мира. Возрастает значение религиозного фактора в формировании системы современных международных отношений, в частности их нравственного основания. Эту задачу невозможно решить без обращения к общему нравственному знаменателю, всегда существовавшему у основных мировых религий.

Реакция на перспективу утраты историческим Западом своей монополии на глобализационные процессы находит свое выражение, в частности, в инерции политико-психологической установки на «сдерживание» России, включая попытки использовать в этих целях избирательный подход к истории, прежде всего к истории Второй мировой войны и послевоенного периода.

Как никогда актуальной становится задача выработки международным сообществом общего видения современной исторической эпохи, что возможно только при условии открытых и честных дискуссий, в ходе которых будут обсуждаться по существу стоящие перед человечеством проблемы. Необходимо обеспечить условия ученым для профессиональной работы по установлению исторической правды, не допускать превращения исторической темы в инструмент практической политики.

Стратегия односторонних действий дестабилизирует международную обстановку, провоцирует напряженность и гонку вооружений, усугубляет межгосударственные противоречия, разжигает национальную и религиозную рознь, создает угрозу безопасности других государств, ведет к росту напряженности в межцивилизационных отношениях. Применение принудительных мер с использованием вооруженной силы в обход Устава ООН и ее Совета Безопасности не способно устранить глубокие социально-экономические, межэтнические и другие противоречия, лежащие в основе конфликтов, подрывает основы международного права и ведет к расширению конфликтного пространства, в том числе в непосредственном геополитическом окружении России.

ООН призвана сыграть фундаментальную роль в налаживании полноценного межцивилизационного диалога, направленного на достижение согласия между представителями различных религий, конфессий и культур.

Россия будет продолжать добиваться укрепления многосторонних начал в мировых делах, формирования такой архитектуры международных отношений, которая основывалась бы на признании международным сообществом принципов неделимости безопасности в современном мире и отражала бы его многоликость.

Интересы России непосредственно связаны и с другими мировыми тенденциями, среди которых:

глобализация мировой экономики. Наряду с дополнительными возможностями социально-экономического прогресса, расширения человеческих контактов, такая тенденция порождает и новые опасности, особенно для экономически слабых государств. Усиливается вероятность крупномасштабных финансово-экономических кризисов, создается угроза углубления диспропорций в развитии различных регионов мира из-за неравенства стартовых позиций и внутренних потенциалов для ответа на вызовы модернизации. Глобализации противостоит растущее стремление отдельных стран защитить свой экономический суверенитет, причем нередко такой протекционизм приобретает форму экономического национализма, когда прагматические интересы подменяются политическими соображениями. Натиск

глобализации испытывает на себе культурная самобытность подавляющего большинства стран и народов;

объективное повышение роли многосторонней дипломатии, международных институтов и механизмов в мировой политике и экономике, вызванное усилением взаимозависимости государств, необходимостью повышения управляемости мирового развития;

наращивание экономического потенциала новых центров глобального роста, связанное в том числе с более равномерным распределением ресурсов развития вследствие либерализации мировых рынков. Экономический подъем в таких странах и регионах конвертируется в их политическое влияние, при этом дальнейшее развитие получает тенденция к полицентричному миропорядку;

развитие региональной и субрегиональной интеграции на пространстве Содружества Независимых Государств (СНГ), в Евро-Атлантическом и Азиатско-Тихоокеанском регионах, Африке и Латинской Америке. Интеграционные объединения приобретают все большее значение в мировой экономике, становятся существенным фактором региональной и субрегиональной безопасности, включая миротворчество;

военно-политическое соперничество региональных держав, рост сепаратизма, этнонационального и религиозного экстремизма. Интеграционные процессы, в частности в Евро-Атлантическом регионе, имеют зачастую избирательно-ограничительный характер. Попытки принизить роль суверенного государства как основополагающего элемента международных отношений, ввести в практику разделение государств на категории с различным объемом прав и обязанностей несут в себе угрозу подрыва международного правопорядка, а также чреваты произвольным вмешательством во внутренние дела суверенных государств;

игнорирование отдельными государствами и группами государств основных принципов международного права. Россия выступает за то, чтобы общепризнанные нормы международного права были подлинно универсальными с точки зрения их понимания и применения.

Укрепление международных позиций России, а также решение задач, связанных с установлением равноправных, взаимовыгодных, партнерских отношений со всеми странами, успешное продвижение ее внешнеэкономических интересов, обеспечение политического, экономического, информационного и культурного влияния за рубежом требуют задействования всех имеющихся в распоряжении государства финансово-экономических рычагов и адекватного ресурсного обеспечения внешней политики Российской Федерации.

Российская Федерация располагает реальным потенциалом для того, чтобы занять достойное место в мире. Определяющее значение при этом имеют укрепление российской государственности, устойчивый экономический рост, дальнейшие политические и экономические преобразования, решение социальных проблем, преодоление ресурсно-сырьевой ориентации экономики и ее перевод на инновационный путь развития, улучшение демографической ситуации. Важными факторами являются также укрепление институтов гражданского общества и государственная поддержка национальных неправительственных организаций, заинтересованных в обеспечении российских внешнеполитических интересов.

Россия проводит открытую, предсказуемую и прагматичную внешнюю политику, продиктованную ее национальными интересами. Свое международное сотрудничество Россия строит на основах равноправия, взаимного уважения интересов и взаимной выгоды.

Отличительная черта российской внешней политики - ее сбалансированность и многовекторность. Это обусловлено геополитическим положением России как крупнейшей евразийской державы, ее статусом одного из ведущих государств мира и постоянного члена Совета Безопасности ООН. Интересы страны в современных условиях диктуют настоятельную необходимость активного продвижения позитивной повестки дня по всему спектру международных проблем.

Россия всецело осознает свою ответственность за поддержание безопасности в мире как на глобальном, так и на региональном уровне и готова к совместным действиям со всеми другими заинтересованными государствами в целях решения общих задач. Если партнеры не будут готовы к совместным действиям, Россия для защиты своих национальных интересов будет вынуждена действовать самостоятельно, но всегда на основе международного права.

Россия не даст вовлечь себя в затратную конфронтацию, в том числе в новую гонку вооружений, разрушительную для экономики и пагубную для внутреннего развития страны.

### III. Приоритеты Российской Федерации в решении глобальных проблем

Многообразие и сложность международных проблем и кризисных ситуаций предполагают своевременную оценку приоритетности каждой из них во внешнеполитической деятельности Российской Федерации. Использование политико-дипломатических, правовых, военных, экономических, финансовых и иных инструментов при решении внешнеполитических задач должно быть соразмерно их реальному значению для обеспечения внешнеполитических интересов России и осуществляться при должной скоординированности действий всех ветвей власти и соответствующих ведомств.

#### 1. Формирование нового мироустройства

Россия заинтересована в стабильной системе международных отношений, основанной на принципах равноправия, взаимного уважения и взаимовыгодного сотрудничества государств и опирающейся на международное право. Такая система призвана обеспечить надежную и равную безопасность каждого члена мирового сообщества в политической, военной, экономической, информационной, гуманитарной и иных областях. Ее главный инструмент - многосторонняя дипломатия.

Центром регулирования международных отношений и координации мировой политики в XXI веке должна оставаться ООН, которая доказала свою безальтернативность и наделена уникальной легитимностью. Россия поддерживает усилия по укреплению ее центральной и координирующей роли. Это предполагает:

неуклонное соблюдение целей и принципов, зафиксированных в Уставе ООН;

рациональное реформирование ООН в целях ее планомерной адаптации к меняющимся политическим и экономическим реалиям в мире;

дальнейшее повышение эффективности деятельности Совета Безопасности ООН, несущего главную ответственность за поддержание международного мира и безопасности, придание этому органу в процессе реформирования большей представительности при обеспечении должной оперативности в его работе. Любые решения по созданию дополнительных мест в Совете Безопасности ООН должны приниматься на основе самого широкого согласия государств - членов ООН. Статус пяти постоянных членов Совета Безопасности ООН должен быть сохранен.

Россия придает большое значение повышению управляемости мирового развития, созданию саморегулируемой международной системы, что требует коллективного лидерства ведущих государств мира, которое должно быть представительным в географическом и цивилизационном отношении и осуществляться при полном уважении центральной и координирующей роли ООН. В этих целях Россия будет наращивать взаимодействие в таких форматах, как «Группа восьми» и ее диалог с традиционными партнерами, «тройка» (Россия, Индия и Китай), «четверка» БРИК (Бразилия, Россия, Индия и Китай), а также с использованием других неформальных структур и диалоговых площадок.

#### 2. Верховенство права в международных отношениях

Россия последовательно выступает за укрепление правовых основ в международных отношениях, добросовестно соблюдает международно-правовые обязательства. Поддержание и укрепление международной законности - одно из приоритетных направлений ее деятельности на международной арене. Верховенство права призвано обеспечить мирное и плодотворное сотрудничество государств при соблюдении баланса их зачастую не совпадающих интересов, а также при обеспечении интересов мирового сообщества в целом. Соблюдение международного права важно для обеспечения интересов нашей страны, ее граждан и юридических лиц. Россия намерена:

добиваться соблюдения участниками международных отношений международных обязательств как перед Россией, так и перед международным сообществом в целом; бороться с нарушениями международного права со стороны государств, международных организаций, негосударственных образований и отдельных лиц. В условиях глобализации вызовов и угроз безопасности и устойчивому развитию еще более важной становится роль Совета Безопасности ООН как универсального механизма обеспечения международной законности;

противодействовать попыткам отдельных государств или групп государств подвергнуть ревизии общепризнанные нормы международного права, отраженные в универсальных документах - Уставе ООН,

Декларации о принципах международного права, касающихся дружественных отношений и сотрудничества между государствами в соответствии с Уставом ООН, 1970 года, а также в Заключительном акте СБСЕ 1975 года. Для международного мира и правопорядка особенно опасны осуществляемое в угоду политической конъюнктуры и интересам отдельных государств произвольное толкование таких важнейших международно-правовых норм и принципов, как неприменение силы и угрозы силой, мирное разрешение международных споров, уважение суверенитета государств и их территориальной целостности, право народов на самоопределение, а также попытки выдать нарушения международного права за его «творческое» применение. Такие действия размывают содержание международного права и наносят его авторитету непоправимый урон;

содействовать кодификации и прогрессивному развитию международного права, прежде всего осуществляемому под эгидой ООН, достижению универсального участия в международных договорах ООН, их единообразному толкованию и применению, в целом - бережному отношению к этим уникальным правовым инструментам и созданным ими режимам;

работать в направлении укрепления международно-правовых основ сотрудничества в рамках СНГ, в других региональных и субрегиональных форматах, постановки на твердую и современную правовую основу наших стратегических отношений с Европейским союзом, построения подлинно общеевропейского правового пространства под эгидой Совета Европы;

вести дело к завершению международно-правового оформления государственной границы Российской Федерации, а также границ морских пространств, в отношении которых она осуществляет суверенные права и юрисдикцию.

### *3. Укрепление международной безопасности*

Россия последовательно выступает за снижение роли фактора силы в международных отношениях при одновременном укреплении стратегической и региональной стабильности. В этих целях Российская Федерация:

неукоснительно соблюдает свои международные обязательства по международным договорам в сфере нераспространения оружия массового уничтожения, контроля над вооружениями и разоружения, а также принимает меры по укреплению доверия в военной сфере; участвует в разработке и заключении новых договоренностей в этих областях, отвечающих ее национальным интересам, на основе принципов равноправия и неделимости безопасности;

подтверждает неизменность своего курса на развитие многосторонних основ нераспространения ядерного оружия, других видов оружия массового уничтожения и средств их доставки; выступает за соблюдение Договора о нераспространении ядерного оружия, Конвенции о запрещении разработки, производства и накопления запасов бактериологического (биологического) и токсинного оружия и об их уничтожении, а также Конвенции о запрещении разработки, производства, накопления и применения химического оружия и о его уничтожении; активно участвует в международных усилиях в сфере контроля за оборотом материалов и технологий двойного назначения; содействует скорейшему вступлению в силу Договора о всеобъемлющем запрещении ядерных испытаний; выступает за создание глобального режима ракетного нераспространения на основе юридически обязывающей договоренности;

готова вести переговоры со всеми ядерными державами в целях сокращения стратегических наступательных вооружений (межконтинентальные баллистические ракеты, баллистические ракеты на подводных лодках и тяжелые бомбардировщики, а также размещенные на них боезаряды) до минимального уровня, достаточного для поддержания стратегической стабильности;

выступает за недопущение вывода оружия в космос, за создание системы коллективного реагирования на возможные ракетные угрозы на равноправной основе и против односторонних действий в области стратегической противоракетной обороны, дестабилизирующих международную обстановку;

считает, что фундаментальные тенденции современного развития, включая нарождающуюся многополярность, и диверсификация рисков и угроз подводят к выводу о том, что решение проблем стратегической стабильности не может более оставаться только сферой взаимоотношений между Российской Федерацией и США. Объективно приходит время открыть эти рамки для ведущих государств, прежде всего ядерных, заинтересованных в совместных действиях, направленных на обеспечение общей безопасности. В этом - смысл стратегической открытости, лежащей в основе российских инициатив, в частности по коллективному противодействию возможным ракетным угрозам Европе и по приданию глобального характера режиму Договора между Союзом Советских Социалистических Республик и

Соединенными Штатами Америки о ликвидации ракет средней дальности и меньшей дальности 1987 года;

последовательно выступает за недопущение гонки вооружений, противодействует попыткам создания и развертывания дестабилизирующих, в том числе новых видов, вооружений: ядерных зарядов малой мощности, межконтинентальных баллистических ракет с неядерными боеголовками, систем стратегической противоракетной обороны;

уделяет особое внимание обеспечению международной информационной безопасности в качестве важного элемента укрепления стратегической стабильности;

поддерживает международные усилия по противодействию незаконному обороту легкого и стрелкового оружия;

намерена и далее содействовать укреплению региональной стабильности в Европе путем участия в процессах ограничения и сокращения обычных вооруженных сил, а также применения мер укрепления доверия в военной области на основе соблюдения принципа равной безопасности всех сторон;

считает международное миротворчество действенным инструментом урегулирования вооруженных конфликтов и решения задач государственного строительства на посткризисной стадии и намерена наращивать свое участие в международной миротворческой деятельности под эгидой ООН и в рамках взаимодействия с региональными и международными организациями; будет вносить активный вклад в совершенствование превентивного антикризисного потенциала ООН;

твердо исходит из того, что санкционировать применение силы в целях принуждения к миру правомочен только Совет Безопасности ООН;

рассматривает статью 51 Устава ООН как адекватную и не подлежащую ревизии правовую основу для применения силы в порядке самообороны, в том числе в условиях существования таких угроз миру и безопасности, как международный терроризм и распространение оружия массового уничтожения;

рассматривает как важнейшую национальную и внешнеполитическую задачу борьбу с международным терроризмом, исходя из необходимости системного и комплексного использования политико-правовых, информационно-пропагандистских, социально-экономических и специальных мер с упором на превентивную составляющую такого противодействия; выступает за разработку дальнейших мер по сплочению глобальной антитеррористической коалиции под эгидой ООН с участием региональных организаций, без двойных стандартов и на основе универсальных антитеррористических конвенций и решений Совета Безопасности ООН; будет добиваться обеспечения права каждого человека вне зависимости от его национальности, расы, пола, религиозной принадлежности на защиту от терроризма и террористических актов. В соответствии с международным правом и своим законодательством Россия будет применять все необходимые меры по отражению и предотвращению террористических нападений на нее и ее граждан, по их защите от террористических актов, по недопущению на своей территории деятельности, имеющей целью организацию подобных актов против граждан и интересов других стран, по непредоставлению убежища и трибуны террористам и подстрекателям к террору;

будет добиваться политико-дипломатического урегулирования региональных конфликтов на основе коллективных действий международного сообщества, исходя из того, что современные конфликты не имеют силовых решений, их решение следует искать через вовлечение всех сторон в диалог и переговоры, а не через изоляцию какой-то из них;

целенаправленно противодействует незаконному обороту наркотиков и организованной преступности, сотрудничая с другими государствами в многостороннем формате, прежде всего в рамках специализированных международных органов, и на двусторонней основе;

поддерживает создание под эгидой ООН и других международных и региональных организаций эффективных структур взаимодействия по реагированию на стихийные бедствия и крупные техногенные катастрофы, другие чрезвычайные ситуации, включая наращивание возможностей по преодолению их последствий и укрепление систем раннего предупреждения и прогнозирования;

участвует в международном сотрудничестве по регулированию процессов миграции, обеспечению прав трудящихся-мигрантов;

как многонациональное и многоконфессиональное государство, способствует диалогу и партнерству между культурами, религиями и цивилизациями, последовательно проводит эту линию в рамках ООН, ЮНЕСКО, ОБСЕ, Совета Европы и других международных и региональных организаций, в контексте сотрудничества с Организацией Исламская конференция; поддерживает соответствующие инициативы гражданского общества, активно взаимодействует с Русской православной церковью и другими основными конфессиями страны.

#### *4. Международное экономическое и экологическое сотрудничество*

Своими устойчиво высокими темпами экономического роста, во многом основанного на расширяющемся внутреннем спросе, природными и накопленными финансовыми ресурсами Россия вносит значительный вклад в обеспечение стабильности глобальной экономики и финансов. Соответственно, Россия намерена активно содействовать, в том числе посредством своего присоединения к Всемирной торговой организации и Организации экономического сотрудничества и развития, формированию справедливой и демократической глобальной торгово-экономической и валютно-финансовой архитектуры в целях полноправного и эффективного участия в ней.

Главным приоритетом политики Российской Федерации в сфере международных экономических отношений является содействие развитию национальной экономики в условиях глобализации посредством обеспечения равноправных позиций страны и российского бизнеса в системе мирохозяйственных связей. Для достижения этой цели Российская Федерация:

добивается максимальных выгод и сведения к минимуму рисков при дальнейшей интеграции России в мировую экономику с учетом необходимости обеспечения экономической, энергетической и продовольственной безопасности страны;

создает благоприятные политические условия для диверсификации российского присутствия на мировых рынках за счет расширения номенклатуры экспорта и географии внешнеэкономических и инвестиционных связей России;

принимает меры торговой политики для защиты интересов Российской Федерации в соответствии с международными правилами и противодействует торгово-политическим мерам иностранных государств, ущемляющим права Российской Федерации и российских предприятий;

оказывает государственное содействие российским предприятиям и компаниям в освоении новых и развитии традиционных рынков, противодействует дискриминации отечественных инвесторов и экспортеров, особенно на рынках наукоемкой продукции и товаров с высокой степенью обработки;

содействует привлечению иностранных инвестиций в наукоемкие и другие приоритетные сферы российской экономики;

продолжает наращивание потенциала и модернизацию топливно-энергетического комплекса, подтверждая репутацию ответственного партнера на рынках энергоресурсов, обеспечивая устойчивое развитие своей экономики и способствуя сбалансированности мировых энергорынков;

укрепляет стратегическое партнерство с ведущими производителями энергетических ресурсов, активно развивает диалог со странами-потребителями и странами транзита, основываясь на принципах обеспечения энергобезопасности, зафиксированных в итоговых документах Санкт-Петербургского саммита «восьмерки» 2006 года, и исходя из того, что меры, гарантирующие надежность поставок энергоресурсов, должны последовательно подкрепляться встречными мероприятиями по обеспечению стабильности спроса и надежности транзита;

активно использует возможности региональных экономических и финансовых организаций для отстаивания интересов Российской Федерации в соответствующих регионах, уделяя особое внимание деятельности организаций и структур, способствующих укреплению интеграционных процессов на пространстве СНГ;

в соответствии с нормами международного права использует все имеющиеся в ее распоряжении экономические рычаги и ресурсы, а также конкурентные преимущества для защиты своих национальных интересов.



Российская Федерация выступает за расширение международного сотрудничества в целях обеспечения экологической безопасности и противодействия изменению климата на планете, в том числе с привлечением новейших энерго- и ресурсосберегающих технологий, в интересах всего мирового сообщества. Среди приоритетов в данной сфере - дальнейшие разработки научно обоснованных подходов к сохранению благоприятной природной среды и наращивание взаимодействия со всеми государствами мира по вопросам охраны окружающей природной среды для обеспечения устойчивого развития нынешнего и будущих поколений. Российская Федерация:

рассматривает устойчивое социально-экономическое развитие всех стран как необходимый элемент современной системы коллективной безопасности и исходит из того, что содействие международному развитию должно быть нацелено на поиск эффективных путей поддержки усилий по ликвидации дисбалансов в развитии различных регионов. В этих целях Россия, используя свой донорский потенциал, проводит активную и целенаправленную политику в сфере содействия международному развитию как на многостороннем, так и на двустороннем уровне;

поддерживает международное сотрудничество в области охраны здоровья при ведущей роли Всемирной организации здравоохранения в качестве одного из приоритетов глобальной повестки дня, неотъемлемого компонента обеспечения устойчивого развития.

В условиях возрастающего как с экономической точки зрения, так и в плане укрепления безопасности значения морских пространств актуальной задачей становится их эффективное использование. В этих целях Российская Федерация будет добиваться обеспечения отвечающих национальным интересам режимов безопасного судоходства, ответственного рыболовства и научно-исследовательской деятельности в Мировом океане в сочетании с мерами по защите морской среды, борьбе с терроризмом и распространением оружия массового уничтожения. Россия намерена установить в соответствии с международным правом внешние границы своего континентального шельфа, расширяя тем самым возможности для разведки и разработки его минеральных ресурсов.

#### *5. Международное гуманитарное сотрудничество и права человека*

Россия, приверженная универсальным демократическим ценностям, включая обеспечение прав и свобод человека, видит свои задачи в том, чтобы:

добиваться уважения прав и свобод человека во всем мире путем конструктивного международного диалога на основе Всеобщей декларации прав человека, использования других возможностей, в том числе на региональном уровне, в сфере прав человека, а также недопущения двойных стандартов, уважения национальных и исторических особенностей каждого государства в процессе демократических преобразований без навязывания кому-либо заимствованных систем ценностей;

защищать права и законные интересы российских граждан и соотечественников, проживающих за рубежом, на основе международного права и действующих двусторонних соглашений, рассматривая многомиллионную русскую диаспору - Русский мир - в качестве партнера, в том числе в деле расширения и укрепления пространства русского языка и культуры;

способствовать консолидации организаций соотечественников в целях более эффективного обеспечения ими своих прав в странах проживания, сохранению этнокультурной самобытности русской диаспоры и ее связей с исторической Родиной, последовательно создавать условия для содействия добровольному переселению в Российскую Федерацию тех соотечественников, кто сделает такой выбор;

способствовать изучению и распространению русского языка как неотъемлемой части мировой культуры и инструмента межнационального общения;

твердо противодействовать проявлениям неофашизма, любых форм расовой дискриминации, агрессивного национализма, антисемитизма и ксенофобии, попыткам переписать историю и использовать ее в целях нагнетания конфронтации и реваншизма в мировой политике, подвергнуть ревизии итоги Второй мировой войны;

развивать, в том числе используя ресурсы, потенциал и инициативы институтов гражданского общества в сфере общественной дипломатии, международное культурное и гуманитарное сотрудничество как средство налаживания межцивилизационного диалога, достижения согласия и обеспечения взаимопонимания между народами, уделяя особое внимание межрелигиозному диалогу;

наращивать взаимодействие с международными и неправительственными правозащитными организациями в целях укрепления универсальных, без двойных стандартов норм защиты прав человека, их сопряжения с ответственностью личности за свои действия, прежде всего в плане недопущения оскорбления чувств верующих и укоренения толерантности, укрепления в диалоге по правам человека нравственных начал;

расширять на основе изложенного участие в международных конвенциях и соглашениях в области прав человека, приводя в соответствие с ними законодательство Российской Федерации.

#### *6. Информационное сопровождение внешнеполитической деятельности*

Важным направлением внешнеполитической деятельности Российской Федерации является доведение до широких кругов мировой общественности полной и точной информации о ее позициях по основным международным проблемам, о внешнеполитических инициативах и действиях Российской Федерации, о процессах и планах ее внутреннего социально-экономического развития, о достижениях российской культуры и науки.

В рамках публичной дипломатии Россия будет добиваться своего объективного восприятия в мире, развивать собственные эффективные средства информационного влияния на общественное мнение за рубежом, обеспечивать усиление позиций российских средств массовой информации в мировом информационном пространстве, предоставляя им необходимую государственную поддержку, активно участвовать в международном сотрудничестве в информационной сфере, принимать необходимые меры по отражению информационных угроз ее суверенитету и безопасности.

#### **IV. Региональные приоритеты**

Приоритетным направлением внешней политики России является развитие двустороннего и многостороннего сотрудничества с государствами - участниками СНГ.

Россия выстраивает дружественные отношения с каждым из государств - участников СНГ на основе равноправия, взаимной выгоды, уважения и учета интересов друг друга. С государствами, которые проявляют готовность к этому, развиваются отношения стратегического партнерства и союзничества.

Россия подходит к торгово-экономическим связям с государствами - участниками СНГ с учетом достигнутого уровня сотрудничества, последовательно придерживаясь рыночных принципов в качестве важного условия развития подлинно равноправных взаимоотношений и укрепления объективных предпосылок для продвижения современных форм интеграции.

Россия активно способствует развитию взаимодействия государств - участников СНГ в гуманитарной сфере на базе сохранения и приумножения общего культурно-цивилизационного наследия, которое в условиях глобализации является важным ресурсом СНГ в целом и каждого государства-участника в отдельности. Особое внимание уделяется поддержке соотечественников, проживающих в государствах - участниках СНГ, согласованию на основе взаимности договоренностей о защите их образовательных, языковых, социальных, трудовых, гуманитарных и иных прав и свобод.

Россия будет наращивать сотрудничество с государствами - участниками СНГ в сфере обеспечения взаимной безопасности, включая совместное противодействие общим вызовам и угрозам, прежде всего международному терроризму, экстремизму, наркотрафику, транснациональной преступности, незаконной миграции. Первостепенными задачами являются нейтрализация террористической угрозы и наркоугрозы, исходящих с территории Афганистана, недопущение дестабилизации обстановки в Центральной Азии и Закавказье.

В этих целях Россия будет:

работать над дальнейшей реализацией потенциала СНГ как региональной организации, форума для многостороннего политического диалога и механизма многопланового сотрудничества с приоритетами в сферах экономики, гуманитарного взаимодействия, борьбы с традиционными и новыми вызовами и угрозами;

продолжать согласованную линию на создание условий для эффективного строительства Союзного государства через поэтапный перевод отношений между Россией и Белоруссией на рыночные принципы в процессе формирования единого экономического пространства;

активно работать в рамках Евразийского экономического сообщества (ЕврАзЭС) с Белоруссией и Казахстаном над созданием Таможенного союза и единого экономического пространства, содействовать подключению к этой работе других государств - членов ЕврАзЭС;

принимать меры по дальнейшему укреплению ЕврАзЭС как ядра экономической интеграции, механизма содействия реализации крупных водноэнергетических, инфраструктурных, промышленных и иных совместных проектов;

всемерно развивать Организацию Договора о коллективной безопасности (ОДКБ) в качестве ключевого инструмента поддержания стабильности и обеспечения безопасности на пространстве СНГ, делая акцент на адаптации ОДКБ как многофункциональной интеграционной структуры к меняющейся обстановке, на надежном обеспечении способности государств - членов ОДКБ к своевременным и эффективным совместным действиям, на превращении ОДКБ в стержневой институт обеспечения безопасности в зоне ее ответственности.

Россия продолжит активно содействовать мирному разрешению конфликтов на пространстве СНГ на основе международного права, уважения достигнутых ранее договоренностей и поиска согласия между вовлеченными в них сторонами, ответственно реализуя свою посредническую миссию в переговорном процессе и миротворчестве.

Отношение России к субрегиональным образованиям и иным структурам без российского участия на пространстве СНГ определяется исходя из оценки их реального вклада в обеспечение добрососедства и стабильности, их готовности на деле учитывать законные российские интересы и уважать уже существующие механизмы сотрудничества, такие как СНГ, ОДКБ, ЕврАзЭС, а также Шанхайская организация сотрудничества (ШОС).

В этом русле будут выстраиваться подходы России к развитию всестороннего практического взаимодействия в Черноморском и Каспийском регионах на основе сохранения индивидуальности Организации Черноморского экономического сотрудничества и укрепления механизма сотрудничества Прикаспийских государств.

Главной целью российской внешней политики на европейском направлении является создание настоящего открытой, демократической системы общерегиональной коллективной безопасности и сотрудничества, обеспечивающей единство Евро-Атлантического региона - от Ванкувера до Владивостока, не допуская его новой фрагментации и воспроизводства прежних блоковых подходов, инерция которых сохраняется в нынешней европейской архитектуре, сложившейся в эпоху «холодной войны». Именно на это направлена инициатива заключения Договора о европейской безопасности, старт разработке которого можно было бы дать на общеевропейском саммите.

Россия выступает за достижение подлинного единства Европы, без разделительных линий, путем обеспечения равноправного взаимодействия России, Европейского союза и США. Это способствовало бы укреплению позиций государств Евро-Атлантического региона в глобальной конкуренции. Россия, как крупнейшее европейское государство с многонациональным и многоконфессиональным обществом и многовековой историей, готова сыграть конструктивную роль в обеспечении цивилизационной совместимости Европы, гармоничной интеграции религиозных меньшинств, в том числе с учетом тенденций в сфере миграции.

Россия выступает за укрепление роли Совета Европы в качестве самостоятельной универсальной общеевропейской организации, определяющей уровень правовых стандартов во всех государствах - членах Совета Европы без дискриминации и привилегий для кого бы то ни было, важного инструмента устранения разделительных линий на континенте.

Россия заинтересована в том, чтобы ОБСЕ добросовестно выполняла возложенную на нее функцию - форума для равноправного диалога государств - участников ОБСЕ и коллективной выработки консенсусных решений на основе всеобъемлющего и основывающегося на балансе интересов подхода к безопасности в ее военно-политическом, экономическом и гуманитарном аспектах. Полноценная реализация этой функции возможна через перевод всей работы ОБСЕ на прочную нормативную базу, обеспечивающую верховенство прерогатив коллективных межправительственных органов.

В военно-политической сфере Россия будет добиваться исправления дисбалансов, сложившихся в области ограничения обычных вооружений и вооруженных сил в Европе, и принятия новых мер доверия.

Российская Федерация будет развивать отношения с Европейским союзом как с одним из основных торгово-экономических и внешнеполитических партнеров, выступать за всемерное укрепление механизмов взаимодействия, включая последовательное формирование общих пространств в сферах экономики, внешней и внутренней безопасности, образования, науки, культуры. Долговременным интересам России отвечает согласование с Европейским союзом Договора о стратегическом партнерстве, устанавливающего особые, максимально продвинутое формы равноправного и взаимовыгодного сотрудничества с Европейским союзом во всех областях с перспективой выхода на безвизовый режим.

Российская Федерация заинтересована в укреплении Европейского союза, развитии его способности выступать с согласованных позиций в торгово-экономических, гуманитарных, внешнеполитических областях и в сфере безопасности.

Развитие взаимовыгодных двусторонних связей с Германией, Францией, Италией, Испанией, Финляндией, Грецией, Нидерландами, Норвегией и некоторыми другими государствами Западной Европы является важным ресурсом продвижения национальных интересов России в европейских и мировых делах, содействия переводу российской экономики на инновационный путь развития. Россия хотела бы, чтобы в этом же русле использовался потенциал взаимодействия с Великобританией.

Россия развивает поступательное практическое взаимодействие со странами Северной Европы, включая реализацию в рамках многосторонних структур совместных проектов по сотрудничеству в Баренцевом/Евроарктическом регионе и Арктике в целом, учитывая при этом интересы коренных народов.

Россия открыта для дальнейшего расширения прагматичного, взаимоуважительного сотрудничества с государствами Центральной, Восточной и Юго-Восточной Европы с учетом реальной готовности к этому каждого из них.

Российская Федерация настроена на взаимодействие с Латвией, Литвой и Эстонией в духе добрососедства, на основе обоюдного учета интересов. Принципиальное значение для России сохраняют вопросы соблюдения прав русскоязычного населения в соответствии с принципами и нормами общеевропейского и международного права, а также вопросы жизнеобеспечения Калининградской области.

Реально оценивая роль НАТО, Россия исходит из важности поступательного развития взаимодействия в формате Совета Россия - НАТО в интересах обеспечения предсказуемости и стабильности в Евро-Атлантическом регионе, максимального использования потенциала политического диалога и практического сотрудничества при решении вопросов, касающихся реагирования на общие угрозы, - терроризм, распространение оружия массового уничтожения, региональные кризисы, наркотрафик, природные и техногенные катастрофы.

Россия будет выстраивать отношения с НАТО с учетом степени готовности альянса к равноправному партнерству, неукоснительному соблюдению принципов и норм международного права, выполнению всеми его членами взятого на себя в рамках Совета Россия - НАТО обязательства не обеспечивать свою безопасность за счет безопасности Российской Федерации, а также обязательств по военной сдержанности. Россия сохраняет отрицательное отношение к расширению НАТО, в частности к планам приема в члены альянса Украины и Грузии, а также к приближению военной инфраструктуры НАТО к российским границам в целом, что нарушает принцип равной безопасности, ведет к появлению новых разъединительных линий в Европе и противоречит задачам повышения эффективности совместной работы по поиску ответов на реальные вызовы современности.

Россия выстраивает отношения с США с учетом не только их огромного потенциала для взаимовыгодного двустороннего торгово-экономического, научно-технического и иного сотрудничества, но и их ключевого влияния на состояние глобальной стратегической стабильности и международной обстановки в целом. Россия заинтересована в эффективном использовании существующей разветвленной инфраструктуры взаимодействия, включая постоянный диалог по проблемам внешней политики, безопасности и стратегической стабильности, который позволяет находить взаимоприемлемые решения на основе совпадающих интересов.

Для этого необходимо перевести российско-американские отношения в состояние стратегического партнерства, перешагнуть барьеры стратегических принципов прошлого и сосредоточиться на реальных угрозах, а там, где между Россией и США сохраняются разногласия, работать над их урегулированием в духе взаимоуважения.

Россия последовательно выступает за достижение новых договоренностей с Соединенными Штатами в сфере разоружения и контроля над вооружениями в интересах сохранения преемственности этого процесса, укрепления мер доверия и транспарентности в области космической деятельности и противоракетной обороны, а также по вопросам нераспространения оружия массового уничтожения, безопасного развития мирной ядерной энергетики, наращивания сотрудничества в сфере противодействия терроризму и другим вызовам и угрозам, урегулирования региональных конфликтов.

Россия заинтересована в том, чтобы действия США на мировой арене строились в соответствии с принципами и нормами международного права, прежде всего Устава ООН.

Долгосрочные приоритеты российской политики на американском направлении - подведение под отношения с США солидного экономического фундамента, обеспечение совместной выработки культуры управления разногласиями на основе прагматизма и соблюдения баланса интересов, что позволит обеспечить большую стабильность и предсказуемость российско-американских отношений.

Важным элементом сбалансированной политики России на североамериканском направлении являются отношения с Канадой, которые традиционно носят стабильный характер и мало подвержены воздействию политической конъюнктуры. Россия заинтересована в дальнейшем наращивании динамики двусторонних торгово-экономических связей и инвестиционного сотрудничества, во взаимодействии в Арктике.

В контексте многовекторной внешней политики Российской Федерации важное и всевозрастающее значение имеет Азиатско-Тихоокеанский регион, что обусловлено принадлежностью России к этому динамично развивающемуся району мира, заинтересованностью в использовании его возможностей при реализации программ экономического подъема Сибири и Дальнего Востока, необходимостью укрепления регионального сотрудничества в сфере противодействия терроризму, обеспечения безопасности и налаживания диалога между цивилизациями. Продолжится активное участие России в основных интеграционных структурах Азиатско-Тихоокеанского региона – форуме «Азиатско-тихоокеанское экономическое сотрудничество», механизмах партнерства с Ассоциацией государств Юго-Восточной Азии (АСЕАН), включая региональный форум АСЕАН.

Особое место отводится дальнейшему укреплению ШОС, продвижению ее инициативы по созданию сети партнерских связей между всеми интеграционными объединениями в Азиатско-Тихоокеанском регионе.

Важнейшим направлением российской внешней политики в Азии является развитие дружественных отношений с Китаем и Индией. Россия будет наращивать российско-китайское стратегическое партнерство во всех областях на основе совпадения принципиальных подходов к ключевым вопросам мировой политики в качестве одной из базовых составляющих региональной и глобальной стабильности. Главной задачей в области двусторонних связей является приведение объема и качества экономического взаимодействия в соответствие с высоким уровнем политических отношений.

Углубляя стратегическое партнерство с Индией, Россия проводит принципиальную линию на упрочение взаимодействия по актуальным международным проблемам и всемерное укрепление взаимовыгодных двусторонних связей по всем направлениям, особенно на обеспечение существенного подъема в торгово-экономической сфере.

Россия разделяет заинтересованность Китая и Индии в налаживании эффективного внешнеполитического и экономического взаимодействия в трехстороннем формате Россия - Индия - Китай.

Российская Федерация выступает за отношения добрососедства и созидательного партнерства с Японией в интересах народов обеих стран. Унаследованные от прошлого проблемы, над общеприемлемым решением которых работа будет продолжена, не должны становиться препятствием на этом пути.

Россия настроена и далее развивать отношения с Турцией, Египтом, Алжиром, Ираном, Саудовской Аравией, Сирией, Ливией, Пакистаном и другими ведущими региональными государствами в двустороннем и многостороннем форматах.

Российская внешняя политика направлена на наращивание позитивной динамики отношений с государствами Юго-Восточной Азии, прежде всего на развитие стратегического партнерства с Вьетнамом, а также многопланового сотрудничества с Индонезией, Малайзией, Таиландом, Филиппинами, Сингапуром и другими странами региона.

Принципиальное значение для России имеет общее оздоровление ситуации в Азии, где сохраняются источники напряженности и конфликтов, увеличивается опасность распространения оружия массового уничтожения. Усилия будут сосредотачиваться на деятельном участии России в поисках политического решения ядерной проблемы Корейского полуострова, на поддержании конструктивных отношений с КНДР и Республикой Корея, на поощрении диалога между Пхеньяном и Сеулом, на укреплении безопасности в Северо-Восточной Азии.

Россия будет всемерно способствовать политико-дипломатическому урегулированию ситуации вокруг ядерной программы Ирана на основе признания права всех государств - членов Договора о нераспространении ядерного оружия на использование ядерной энергии в мирных целях и обеспечения неукоснительного соблюдения требований режима нераспространения ядерного оружия.

Углубляющийся кризис в Афганистане создает угрозу безопасности южных рубежей СНГ. Россия во взаимодействии с другими заинтересованными странами, ООН, ОДКБ, ШОС и иными многосторонними институтами будет прилагать последовательные усилия в целях недопущения экспорта терроризма и наркотиков из Афганистана, достижения прочного и справедливого политического урегулирования проблем этой страны при уважении прав и интересов всех населяющих ее этнических групп, постконфликтного восстановления Афганистана в качестве суверенного миролюбивого государства.

Россия будет вносить весомый вклад в стабилизацию обстановки на Ближнем Востоке, используя свой статус постоянного члена Совета Безопасности ООН и участника квартета международных посредников. Главная цель состоит в мобилизации коллективных усилий для достижения на международно-признанной основе всеобъемлющего и долгосрочного урегулирования арабо-израильского конфликта во всех его аспектах, включая создание независимого палестинского государства, сосуществующего в мире и безопасности с Израилем. Такое урегулирование должно быть достигнуто с участием и при учете законных интересов всех государств и народов, от которых зависит стабильность в регионе. Российская Федерация выступает за наращивание коллективных усилий на основе взаимного уважения, направленных на содействие прекращению насилия и на достижение политического урегулирования в Ираке путем национального примирения и восстановления полноценной государственности и экономики этой страны.

В целях дальнейшего расширения взаимодействия с государствами мусульманского мира Россия будет использовать возможности своего участия в качестве наблюдателя в Организации Исламская конференция и Лиге арабских государств, проводить активную линию в рамках реализации Инициативы партнерства «Группы восьми» с регионом Ближнего Востока и Северной Африки. Приоритетное внимание будет уделено развитию взаимовыгодного экономического сотрудничества, в том числе в энергетике, с государствами этого стратегически важного для российских национальных интересов района мира.

Россия будет расширять разноплановое взаимодействие с африканскими государствами на двусторонней и многосторонней основе, включая диалог и сотрудничество в рамках «Группы восьми», содействовать скорейшему урегулированию региональных конфликтов и кризисных ситуаций в Африке. Будет развиваться политический диалог с Африканским союзом и субрегиональными организациями, будут использоваться их возможности для подключения России к экономическим проектам на континенте.

Россия будет стремиться к налаживанию стратегического партнерства с Бразилией, наращивать политическое и экономическое сотрудничество с Аргентиной, Мексикой, Кубой, Венесуэлой и другими странами Латинской Америки и Карибского бассейна и их объединениями, опираясь на серьезный прогресс, достигнутый в отношениях с государствами этого региона за последние годы, расширять взаимодействие с этими государствами в международных организациях, поощрять экспорт в латиноамериканские страны российской наукоемкой промышленной продукции, осуществлять совместные проекты в сфере энергетики, инфраструктуры, высоких технологий, в том числе в рамках планов, разрабатываемых в региональных интеграционных объединениях.

## **V. Формирование и реализация внешней политики Российской Федерации**

Президент Российской Федерации в соответствии со своими конституционными полномочиями осуществляет руководство внешней политикой страны и как глава государства представляет Российскую Федерацию в международных отношениях.

Совет Федерации Федерального Собрания Российской Федерации и Государственная Дума Федерального Собрания Российской Федерации в рамках своих конституционных полномочий ведут

работу по законодательному обеспечению внешнеполитического курса страны и выполнению ее международных обязательств, а также способствуют повышению эффективности парламентской дипломатии.

Правительство Российской Федерации осуществляет меры по реализации внешней политики страны.

Совет Безопасности Российской Федерации ведет работу по оценке вызовов и угроз национальным интересам и безопасности России в международной сфере, осуществляет подготовку предложений Президенту Российской Федерации для принятия главой государства решений по вопросам внешней политики Российской Федерации в области обеспечения национальной безопасности, а также по координации деятельности федеральных органов исполнительной власти и органов исполнительной власти субъектов Российской Федерации в процессе реализации принятых решений в области обеспечения национальной безопасности, дает оценку эффективности этих решений.

Министерство иностранных дел Российской Федерации разрабатывает общую стратегию внешней политики Российской Федерации, представляет соответствующие предложения Президенту Российской Федерации и ведет работу по реализации внешнеполитического курса Российской Федерации в соответствии с настоящей Концепцией, а также осуществляет координацию внешнеполитической деятельности федеральных органов исполнительной власти.

Субъекты Российской Федерации развивают свои международные связи в соответствии с Конституцией Российской Федерации, Федеральным законом от 4 января 1999 г. № 4-ФЗ «О координации международных и внешнеэкономических связей субъектов Российской Федерации» и другими законодательными актами. Министерство иностранных дел Российской Федерации и другие федеральные органы исполнительной власти оказывают содействие субъектам Российской Федерации в осуществлении ими международного и внешнеэкономического сотрудничества при строгом соблюдении суверенитета и территориальной целостности России, используя в этих целях возможности действующих при Министерстве иностранных дел Российской Федерации Совета глав субъектов Российской Федерации и Консультативного совета субъектов Российской Федерации по международным и внешнеэкономическим связям. Развитие регионального и приграничного сотрудничества является важным резервом двусторонних связей с соответствующими странами и регионами в торгово-экономической, гуманитарной и иных областях.

При подготовке внешнеполитических решений федеральные органы исполнительной власти на постоянной основе взаимодействуют с палатами Федерального Собрания Российской Федерации, политическими партиями, неправительственными организациями, академическим сообществом и объединениями деловых кругов России, содействуя их участию в международном сотрудничестве. Широкое вовлечение гражданского общества во внешнеполитический процесс соответствует тенденциям внутреннего развития России, отвечает задаче поддержания в стране согласия по вопросам внешней политики и способствует ее эффективной реализации.

При финансировании внешнеполитических мероприятий должны шире использоваться возможности федерального бюджета, а также привлекаться внебюджетные средства в рамках государственно-частного партнерства на добровольной основе.

Последовательное осуществление государственной внешней политики призвано создавать благоприятные условия для реализации исторического выбора народов Российской Федерации в пользу правового государства, демократического общества, социально ориентированной рыночной экономики.

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**DAILY NEWS BULLETIN**

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**FOREIGN POLICY CONCEPT OF THE RUSSIAN FEDERATION**

Approved by  
the President of the Russian Federation  
V.Putin  
June 28, 2000

**THE FOREIGN POLICY CONCEPT OF THE RUSSIAN FEDERATION**

**I. General principles**

The foreign policy concept of the Russian Federation is a system of views on the content and main areas in the foreign policy activities of Russia.

The legal basis of this concept consists of the Constitution of the Russian Federation, the Federal laws, other legislative acts of the Russian Federation that regulate the activity of Federal bodies of state power in foreign policy, generally recognized principles and norms of international law, and international treaties of the Russian Federation, as well as the Concept of National Security of the Russian Federation that was approved by Decree No. 24 of the President of the Russian Federation on January 10, 2000.

The international situation that has taken shape by the beginning of the XXI century has required reevaluation of the overall situation around the Russian Federation, of the priorities of Russian foreign policy and the possibilities of ensuring it with resources. Along with certain strengthening of the international positions of the Russian Federation, negative tendencies are in evidence as well. Certain plans related to establishing new, equitable and mutually advantageous partnership relations of Russia with the rest of the world, as was assumed in the Basic principles of the foreign policy concept of the Russian Federation, endorsed by Directive No. 284-rp of the President of the Russian Federation on April 23, 1993, and in other documents have not been justified.

The uppermost priority of the foreign policy course of Russia is to protect the interests of the individual and the society. Within the framework of that process, the main efforts should be directed towards attaining the following main objectives:

To ensure reliable security of the country, to preserve and strengthen its sovereignty and territorial integrity, to achieve firm and prestigious positions in the world community, most fully consistent with the interests of the



Russian Federation as a great power, as one of the most influential centers of the modern world, and which are necessary for the growth of its political, economic, intellectual and spiritual potential;

To influence general world processes with the aim of forming a stable, just and democratic world order, built on generally recognized norms of international law, including, first of all, the goals and principles in the U.N. Charter, on equitable and partnership relations among states;

To create favorable external conditions for steady development of Russia, for improving its economy, enhancing the standards of living of the population, successfully carrying out democratic transformations, strengthening the basis of the constitutional system and observing individual rights and freedoms;

To form a good-neighbor belt along the perimeter of Russia's borders, to promote elimination of the existing and prevent the emergence of potential hotbeds of tension and conflicts in regions adjacent to the Russian Federation;

To seek concord and coinciding interests with foreign countries and interstate associations in the process of resolving the tasks that are determined by the national priorities of Russia, and on this basis, to build a system of partnership and allied relations that improve the conditions and parameters of international cooperation;

To uphold in every possible way the rights and interests of Russian citizens and fellow countrymen abroad; and

To promote a positive perception of the Russian Federation in the world, to popularize the Russian language and culture of the peoples of Russia in foreign states.

## II. The modern world and the foreign policy of the Russian Federation

The modern world is going through fundamental and dynamic changes that profoundly affect the interests of the Russian Federation and its citizens. Russia is an active participant in this process. Being a permanent member of the U.N. Security Council, possessing a substantial potential and resources in all spheres of vital activity and maintaining intensive relations with the leading states of the world, Russia exerts significant influence on the formation of a new world order.

The transformation of international relations, the end of confrontation, steady elimination of the consequences of the "Cold War," and the advancement of Russian reforms have substantially broadened the possibilities for cooperation in the world arena. The threat of a global nuclear conflict has been reduced to a minimum. While the military power still retains significance in relations among states, an ever greater role is being played by economic, political, scientific and technological, ecological, and information factors. Coming to the fore as the main components of the national might of the Russian Federation are its intellectual, information and communications capabilities, the well-being and education level of the population, the degree of combining of scientific and production resources, and concentration of financial capital and diversification of economic ties. The overwhelming majority of states are firmly set on pursuing market methods of managing the economy and democratic values. The major breakthrough in a number of key areas of scientific and technological progress leading to the formation of a single, worldwide information environment, the deepening and diversification of international economic ties add a global nature to interdependence of states. Prerequisites are being created for build a more stable and crisis-resistant world structure.

At the same time, new challenges and threats to the national interests of Russia are emerging in the international sphere. There is a growing trend towards the establishment of a unipolar structure of the world with the economic and power domination of the United States. In solving principal questions of international security, the stakes are being placed on western institutions and forums of limited composition, and on weakening the role of the U.N. Security Council.

The strategy of unilateral actions can destabilize the international situation, provoke tensions and the arms race, aggravate interstate contradictions, national and religious strife. The use of power methods bypassing existing international legal mechanisms cannot remove the deep socio-economic, inter-ethnic and other contradictions that underlie conflicts, and can only undermine the foundations of law and order.

Russia shall seek to achieve a multi-polar system of international relations that really reflects the diversity of the modern world with its great variety of interests.

Taking into account mutual interests is the guarantee of effectiveness and reliability of such a world order. The world order of the XXI century must be based on mechanisms of collective resolution of key problems, on the priority of law and broad democratization of international relations.

Russia's interests are directly related to other tendencies as well, such as:

Globalization of the world economy. Along with additional possibilities for socio-economic progress, the expansion of human contacts, this tendency gives rise to new dangers, especially for economically weak states, and increases the probability of large-scale financial and economic crises. There is a growing risk of dependence of the economic system and information environment of the Russian Federation on outside impact;

Intensification of the role of international institutions and mechanisms in world economics and politics ("Group of 8", the IMF, the World Bank and others), caused by an objective growth of interdependence of states, and the need to enhance management of the world financial-economic system in contemporary conditions;

Development of regional and sub-regional integration in Europe, the Asia-Pacific region, Africa and Latin America. Integrated associations are acquiring an ever greater importance in the world economy, and are becoming a significant factor of regional and sub-regional security and peacemaking;

Military-political rivalry among regional powers, growth of separatism, ethnic-national and religious extremism. Integration processes, in particular, in the Euro-Atlantic region are quite often pursued on a selective and limited basis. Attempts to belittle the role of a sovereign state as the fundamental element of international relations generate a threat of arbitrary interference in internal affairs. The problem of proliferation of the weapons of mass destruction and means of their delivery is acquiring serious dimensions. Unregulated or potential regional and local armed conflicts pose a threat to international peace and security. The growth of international terrorism, transnational organized crime, as well as illegal trafficking in drugs and weapons are beginning to exert significant influence on global and regional stability.

The threats related to these tendencies are aggravated by the limited resource support for the foreign policy of the Russian Federation, making it difficult to uphold its foreign economic interests and narrowing down the framework of its information and cultural influence abroad.

Yet the Russian Federation has a real potential for ensuring itself a worthy place in the world. Further strengthening of Russia's statehood, consolidation of civil society and the rapid transition to stable economic growth are of decisive importance in this respect.

In the past decade Russia has been able to utilize additional possibilities of international cooperation that are opening up as a result of radical transformations in the country; Russia has advanced significantly along the road of integrating in the system of world economic ties; it has joined a number of influential international organizations and institutions. Through its intensive efforts, Russia has managed to strengthen its positions in a number of principal areas in the world arena.

The Russian Federation is pursuing an independent and constructive foreign policy. It is based on consistency and predictability, on mutually advantageous pragmatism. This policy is maximally transparent; it takes into consideration the legitimate interests of other states and is aimed at seeking joint decisions.

Russia is a reliable partner in international relations. Its constructive role in resolving acute international problems has been generally acknowledged.

A distinguishing feature of Russia's foreign policy is that it is a balanced one. This has been predetermined by the geopolitical position of Russia as one of the largest Eurasian powers, requiring an optimal combination of efforts along all vectors. Such an approach predetermines Russia's responsibility for maintaining security in the world both on a global and regional level, and presupposes the development and mutual complementarity of foreign policy activity both bilaterally and multilaterally.

### III. Priorities of the Russian Federation in resolving global problems

A successful foreign policy of the Russian Federation must be based on maintaining observance of a reasonable balance between its objectives and possibilities for attaining these objectives. Concentration of politico-diplomatic, military, economic, financial and other means on resolving foreign political tasks must be commensurate with their real significance for Russia's national interests, while the scope of participation in international affairs must be adequate to the actual contribution to strengthening the country's positions. The diversity and complexity of international problems, and the existence of crisis situations assume a timely evaluation of the priorities of each of them in the foreign political activity of the Russian Federation. There is a need for enhancing the efficiency of political, legal, foreign economic and other instruments for protecting the state sovereignty of Russia and its national economy in conditions of globalization.

#### 1. Forming a new world order

Russia is interested in a stable system of international relations based on principles of justice, mutual respect and mutually advantageous cooperation. Such a system is called upon to ensure reliable security for each member of the world community in political, military, economic, humanitarian and other areas.

The United Nations must remain the main center for regulating international relations in the XXI century. The Russian Federation shall resolutely oppose attempts to belittle the role of the United Nations and its Security Council in world affairs.

Intensification of the consolidating role of the United Nations in the world presupposes:

Strict observance of the fundamental principles in the U.N. Charter, including the preservation of the status of the permanent members of the U.N. Security Council;

A rational reform of the United Nations Organization seeking to develop a mechanism of rapidly reacting to world developments, including the enhancement of its potential for averting and settling crises and conflicts.

Further enhancing the efficiency of the U.N. Security Council which bears the main responsibility for maintaining international peace and security and, giving that body broader representation by including new permanent members in its composition, first of all, authoritative developing countries. The reform of the United Nations must be based on the immutable right of veto by all permanent members of the U.N. Security Council.

Russia attaches great importance to its participation in the Group of 8 of the most industrially developed states. Regarding the mechanism of consultations and coordinating positions on the most important problems of the day as one of the important means of upholding and advancing its foreign political interests, the Russian Federation intends to build up its cooperation with partners in this forum.

#### 2. Strengthening international security

Russia calls supports for further decrease of the role of the power factor in international relations, along with the simultaneous enhancement of strategic and regional stability. Toward this end, the Russian Federation shall: unswervingly fulfill the commitments its has taken upon itself in compliance with treaties and agreements in the spheres of limiting and reducing armaments, and its participation in negotiating working out and concluding new accords consistent both with its national interests and the security interests of other states;

Russia is prepared to consent for a further reduction of its nuclear potential on the basis of bilateral agreements with the United States of America, and — in a multilateral format - with the participation of other nuclear powers on condition that strategic stability in the nuclear sphere will not be upset. Russia shall seek preservation and observance of the 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems - the cornerstone of strategic stability. The implementation of the plans of the United States to create a national missile defense system will inevitably compel the Russian Federation to adopt adequate measures for maintaining its national security at a proper level;

Russia reaffirms its unswerving course toward participating jointly with other states in averting the proliferation of nuclear weapons, other weapons of mass destruction and means of their delivery, as well as relevant materials and technologies. The Russian Federation is an ardent supporter of strengthening and developing relevant international regimes, including the creation of a Global system of control over non-proliferation of missiles and missile technologies. The Russian Federation firmly adheres to its commitments under the Treaty on a comprehensive ban on nuclear tests, and urges all countries of the world to join it;

Russia attaches special attention to such an aspect of consolidating strategic stability as ensuring information security;

Russia intends to further promote the strengthening of regional stability by participating in the processes of reducing and limiting conventional armed forces, as well as adopting confidence-building measures in the military sphere;

Russia regards international peacemaking as an effective instrument for resolving armed conflicts, and calls for the strengthening of its legal foundation in strict accor-

dance with the principles in the U.N. Charter. Supporting the measures to build up and modernize the potential of the United Nations' anti-crisis rapid response, the Russian Federation intends to continue its active participation in peacekeeping operations conducted both under the auspices of the United Nations, as well as in specific cases of regional and sub-regional organizations. The need for and degree of such participation shall be measured against the national interests and international commitments of our country. Russia proceeds from the premise that only the U.N. Security Council has the authority to sanction use of force for the purpose of achieving peace;

Russia proceeds from the premise that the use of force in violation of the U.N. Charter is unlawful and poses a threat to the stabilization of the entire system of international relations. Attempts to introduce into the international parlance such concepts as "humanitarian intervention" and "limited sovereignty" in order to justify unilateral power actions bypassing the U.N. Security Council are not acceptable. Being prepared for a constructive dialogue on upgrading the legal aspects of employing force in international relations in conditions of globalization, the Russian Federation proceeds from the fact that the search for concrete forms of response on the part of the international community in different acute situations, including humanitarian crises, must be conducted collectively on the basis of strict observance of the norms of international law and the U.N. Charter;

Russia shall participate in activities conducted under the auspices of the United Nations and other international organizations to eliminate natural and man-made disasters, other emergency situations, as well as in rendering humanitarian aid to the suffering countries;

Russia regards as its most important foreign policy task to combat international terrorism which is capable of destabilizing the situation not only in individual states, but in entire regions.

The Russian Federation calls for the further measures to intensify cooperation among states in this area. It is the direct duty of every state to protect its citizens against terrorist encroachments, to prevent any activity on its territory aimed at organizing such acts against citizens and interests of other countries, and not to provide asylum to terrorists;

Russia shall purposefully combat illegal drug trafficking and the growth of organized crime; it shall collaborate with other states in a multilateral format, first of all, within the framework of specialized international agencies, and on a bilateral level.

### 3. International economic relations

The main priority in the foreign policy of the Russian Federation in international economic relations is to promote the development of the national economy, which, in conditions of globalization, is unthinkable without broad integration of Russia in the system of world economic ties. In order to achieve these objectives, it is necessary:

To ensure favorable external conditions for forming a market-oriented economy in our country, and the establishing a renewed foreign economic specialization of the Russian Federation, one that would guarantee maximum economic returns on its participation in the international division of labor;

Russia shall seek to reduce to a minimum the risks relating to Russia's further integration in the world economy, bearing in mind the need to ensure the country's economic security;

Russia shall promote the formation of a fair international trade system with a full-fledged participation of the Russian Federation in international economic organizations that ensure protection of the national interests of our country in those organizations.

Russia shall assist the expansion of domestic export and rationalization of import into the country, as well as Russian entrepreneurship abroad, uphold its interests in foreign markets and oppose discrimination of domestic manufacturers and exporters, strict compliance by Russian subjects of the foreign economic activity with Russian legislation in performing such operations;

Russia shall actively work to attract foreign investments, first of all, into the real sector and priority spheres of Russia's economy;

Russia shall seek to ensure the preservation and optimal utilization of Russian property abroad;

Russia shall service its foreign debt in accordance with the country's real possibilities, and shall strive to achieve maximum recovery of funds from the credits provided to foreign states;

Russia shall form a comprehensive system of Russian legislation and international legal and treaty basis in the economic sphere;

Russia must be prepared to utilize all its available economic levers and resources for upholding its national interests.

Taking into account the growing threat of global disasters of a natural and man-made nature, the Russian Federation calls for an expansion of international cooperation to ensure environmental security, including with the use of state-of-the-art technologies, in the interests of the entire international community.

#### 4. Human rights and international relations

Committed to the values of a democratic society, including respect for human rights and freedoms, Russia sees its goals as being the following:

to seek respect for human rights and freedoms the world over on the basis of respecting the norms of international law;

to protect the rights and interests of Russian citizens and compatriots abroad on the basis of international law and operative bilateral agreements. The Russian Federation will seek to obtain adequate guarantees for the rights and freedoms of compatriots in states where they permanently reside and to maintain and develop comprehensive ties with them and their organizations;

to develop international cooperation in the humanitarian exchange area;

to expand participation in international conventions and agreements in the human rights area;

to continue bringing legislation of the Russian Federation in conformity with Russia's international obligations.

#### 5. Information support for foreign policy activities

An important area in the foreign policy activities of the Russian Federation is communicating to the broad sectors of the world public objective and accurate information about its positions on the main international problems, foreign policy initiatives and actions by the Russian Federation, as well as on the accomplishments of Russian culture, science, and intellectual work. Coming to the fore is the goal of forming a positive perception of Russia abroad and a friendly attitude to it. An integral element of this work should be purposeful efforts aimed at explaining to the public at large outside of

this country the essence of the internal policy of Russia and of the processes going on inside the country. Emerging as a pressing task a rapid development in the Russian Federation of its own effective means of informational influence on the public opinion abroad.

#### IV. Regional priorities

A priority area in Russia's foreign policy is ensuring conformity of multilateral and bilateral cooperation with the member states of the Commonwealth of Independent States (CIS) to national security tasks of the country.

The emphasis will be made on the development of goodneighborly relations and strategic partnership with all CIS member states. Practical relations with each of them should be structured with due regard for reciprocal openness to cooperation and readiness to take into account in a due manner the interests of the Russian Federation, including in terms of guarantees of rights of Russian compatriots.

Proceeding from the concept of different-speed and different-level integration within the CIS framework, Russia will determine the parameters and character of its interaction with CIS member states both in the CIS as a whole and in narrower associations, primarily the Customs Union and the Collective Security Treaty. A priority task is to strengthen the Union of Belarus and Russia as the highest, at this stage, form of integration of two sovereign states.

We attach a priority importance to joint efforts toward settling conflicts in CIS member states, and to the development of cooperation in the military-political area and in the sphere of security, particularly in combating international terrorism and extremism.

Serious emphasis will be made on the development of economic cooperation, including the creation of a free trade zone and implementation of programs of joint rational use of natural resources. Specifically, Russia will work for the elaboration of such a status of the Caspian Sea as would enable the littoral states to launch mutually advantageous cooperation in using the region's resources on a fair basis and taking into account the legitimate interests of each other.

The Russian Federation will make efforts to ensure fulfillment of mutual obligations on the preservation and augmentation of the joint cultural heritage in the CIS member states.

Relations with European states is Russia's traditional foreign policy priority. The main aim of Russian foreign policy in Europe is the creation of a stable and democratic system of European security and cooperation. Russia is interested in the further balanced development of the multi-functional character of the Organization for Security and Cooperation in Europe (OSCE) and will make efforts in this direction.

It is important to fully use the rule-making potential which continues to be fully valid, that this organization has accumulated after the adoption in 1975 of the Helsinki Final Act. Russia will strongly oppose the narrowing down of the OSCE functions, specifically the attempts to redirect its specialized activities to the post-Soviet space and the Balkans.

Russia will work for making the adapted Treaty on the Conventional Armed Forces in Europe into an effective means of European security and for imparting a comprehensive nature to confidence-building measures, including, specifically, coalition activities and naval activities.

Proceeding from its own requirements to the building of a civic society, Russia intends to continue its participation in the activities of the Council of Europe.

Of key importance are relations with the European Union (EU). The on going processes within the EU are having a growing impact on the dynamic of the situation in Europe. These are the EU expansion, transition to a common currency, the institutional reform, and emergence of a joint foreign policy and a policy in the area of security, as well as a defense identity. Regarding these processes as an objective component of European development, Russia will seek due respect for its interests, including in the sphere of bilateral relations with individual EU member countries.

The Russian Federation views the EU as one of its main political and economic partners and will strive to develop with it an intensive, stable and long-term cooperation devoid of expediency fluctuations.

The character of relations with the EU is determined by the framework of the June 24, 1994 Agreement on Partnership and Cooperation, establishing partnership between the Russian Federation, on the one hand, and the European communities and their member states on the other, which is yet to achieve its full effectiveness. Concrete problems, primarily the problem of an adequate respect for the interests of the Russian side in the process of the EU expansion and reform, will be dealt with on the basis of the Strategy for the Development of Relations between the Russian Federation and the European Union, approved in 1999. The EU's emerging military-political dimension should become an object of particular attention.

Realistically assessing the role of the North Atlantic Treaty Organization (NATO), Russia proceeds from the importance of cooperation with it in the interests of maintaining security and stability in the continent and is open to constructive interaction. The necessary basis for that was laid in the Founding Act on Mutual Relations, Cooperation and Security between the Russian Federation and the North Atlantic Treaty Organization of May 27, 1997. The intensity of cooperation with NATO will depend on its compliance with key clauses of this document, primarily those concerning non-use or threat of force, and non-deployment of conventional armed forces groupings, nuclear weapons and their delivery vehicles in the territories of the new members.

At the same time, on a number of parameters, NATO's present-day political and military guidelines do not coincide with security interests of the Russian Federation and occasionally directly contradict them. This primarily concerns the provisions of NATO's new strategic concept, which do not exclude the conduct of use-of-force operations outside of the zone of application of the Washington Treaty without the sanction of the UN Security Council. Russia retains its negative attitude towards the expansion of NATO.

Substantive and constructive cooperation between Russia and NATO is only possible if it is based on the foundation of a due respect for the interests of the sides and an unconditional fulfillment of mutual obligations assumed.

Interaction with states of Western Europe, primarily with such influential ones as Britain, Germany, Italy and France, represents an important resource for Russia's defense of its national interests in European and world affairs, and for the stabilization and growth of the Russian economy.

A topical task in relations with the states of Central and Eastern Europe is, as before, the preservation of the existing human, economic, and cultural ties, the overcoming of the crisis phenomena, and providing an additional impetus to cooperation in accordance with the new conditions and the Russian interests.

There are good prospects for the development of the Russian Federation's relations with Lithuania, Latvia and Estonia. Russia stands for putting these relation onto the track of goodneighborliness and mutual cooperation. An indispensable condition here is respect by those states of the Russian interests, including in the key question of respect for the rights of the Russian-speaking population.

Russia will give an all-out assistance to the attainment of a just settlement of the situation in the Balkans, one based on the coordinated decisions of the world community. It is of fundamental importance to preserve the territorial integrity of the Federal Republic of Yugoslavia, and to oppose the partition of this State, something that is fraught with the threat of emergence of a pan-Balkan conflict with unpredictable consequences.

The Russian Federation is prepared to overcome considerable latter-day difficulties in relations with the U.S., and to preserve the infrastructure of Russian - American cooperation, which has been created over almost 10 years. Despite the presence of serious, and in a number of cases, fundamental differences, Russian - American

interaction is the necessary condition for the amelioration of the international situation and achievement of global strategic stability.

Above all, this concerns problems of disarmament, arms control and non-proliferation of weapons of mass destruction, as well as prevention and settlement of the more dangerous regional conflicts. It is only through an active dialogue with the U.S. that the issues of limitation and reduction of strategic nuclear weapons may be resolved. It is in our mutual interests to maintain regular bilateral contacts at all levels, not allowing pauses in relations and setback in the negotiating processes on the main political, military and economic matters.

Asia enjoys a steadily growing importance in the context of the entire foreign policy of the Russian Federation, something which is due to Russia's direct affinity with this dynamically developing region and the need for an economic upturn in Siberia and the Far East. The emphasis will be on the invigoration of Russia's participation in the main integration structures of the Asia-Pacific Region - the Asia-Pacific Economic Cooperation forum, the regional forum on security of the Association of South East Asian Nations (ASEAN), and the Shanghai Five (Russia, China, Kazakhstan, Kirghizia, Tajikistan), in whose creation Russia played an active role.

One of the crucial directions in the Russian foreign policy in Asia is developing friendly relations with the leading Asian states, primarily with China and India. The concurrence of the fundamental approaches of Russia and the PRC to the key issues of world politics is one of the basic mainstays of regional and global stability. Russia seeks to develop mutually advantageous cooperation with China in all areas. The main task is, as before, bringing the scale of economic interaction in conformity with the level of political relations.

Russia intends to strengthen its traditional partnership with India, including in the international affairs, and to aid overcome problems persisting in South Asia and strengthen stability in the region.

Russia views the signing by India and Pakistan of the Comprehensive Nuclear Test Ban Treaty and their accession to the Treaty on the Non-Proliferation of Nuclear Weapons as an important factor of stability in the Asia-Pacific Region. It will support the line for the creation of nuclear weapons-free zones in Asia.

The Russian Federation comes out for a stable development of relations with Japan and for the attainment of a true goodneighborliness corresponding to the interests of both countries. Within the framework of the existing negotiating mechanisms, Russia will continue a search for a mutually acceptable solution of the formalization of an internationally recognized border between the two states.

Russian foreign policy is aimed at building up the positive dynamism of relations with the states of South East Asia.

It is important to develop further relations with Iran.

Improving the overall situation in Asia, which is faced with growing geopolitical ambitions of a number of states, a mounting arms race, and preservation of sources of tensions and conflicts, is of fundamental importance for Russia. Of greatest concern is the situation in the Korean Peninsula. Efforts will be focused on assuring Russia equitable participation in the solution of the Korean problem, and on maintaining balanced relations with both Korean States.

The protracted conflict in Afghanistan creates a real threat to security of the southern CIS borders and directly affects Russian interests. Russia, in cooperation with other states concerned, will make consistent efforts with a view to achieving a lasting and fair political settlement of the Afghan problem and interdicting the exportation of terrorism and extremism from that country.

Russia will work to stabilize the situation in the Middle East, including the Persian Gulf zone and Northern Africa, taking into account the impact which the situation in the region has on the situation the world over. Based on its status as a co-sponsor of the peace process, Russia intends to pursue an active participation in the normalization of the post-crisis situation in the region. Russia's priority in this context will be restoring and strengthening its positions, particularly the economic ones, in this region of the world, so rich and important for our interests.



Viewing the Greater Mediterranean as a hub of such regions as the Middle East, the Black Sea region, the Caucasus, and the Caspian Sea basin, Russia intends to steer a purposeful course toward for turning it into a zone of peace, stability and goodneighborliness, something that will help advance Russian economic interests, including in the matter of the choice of routes for important energy flows.

Russia will expand interaction with African states and assist an earliest possible settlement of regional military conflicts in Africa. It is also necessary to develop a political dialogue with the Organization of African Unity (OAU) and with sub-regional organizations and to use their capabilities for enabling Russia to join multilateral economic projects in the continent.

Russia seeks a higher level of political dialogue and economic cooperation with countries of Central and South America, relying on a serious progress achieved in its relations with this region in the 1990's. It will strive, specifically, to expand interaction with the states of Central and South America in international organizations, to encourage Russian science-intensive industrial exports to Latin American countries, and to develop with them military-technical cooperation.

While defining regional priorities of its foreign policy, the Russian Federation will take into account the intensity of and trends in the formation of the main world centers and the degree of preparedness on the part of their members for the expansion of bilateral interaction with Russia.

#### V. The shaping and implementation of foreign policy of the Russian Federation

The President of the Russian Federation, in conformity with his constitutional powers, shall provide guidance of the country's foreign policy and as the Head of State shall represent the Russian Federation in international relations.

The Federation Council and the State Duma of the Federal Assembly of the Russian Federation, within the framework of their constitutional powers, shall pursue legislative work to support the foreign policy course of the Russian Federation and fulfillment of its international obligations.

The Security Council of the Russian Federation shall execute preparation of decisions of the President of the Russian Federation in the area of international security and control over their implementation.

The Ministry of Foreign Affairs of the Russian Federation shall provide direct implementation of the foreign policy course approved by the President of the Russian Federation. The Foreign Ministry of Russia shall be in charge of coordination of foreign policy activities pursued by federal bodies of executive power and of control over them in conformity with Decree by the President of the Russian Federation of March 12, 1996, #375 "On the Coordinating Role of the Ministry of Foreign Affairs of the Russian Federation during the Conduct of Unified Foreign Policy Line of the Russian Federation.

The Russian Federation's constituent entities shall promote their international ties in accordance with the Constitution of the Russian Federation, the Federal Law "On Coordination of International and External Economic Ties of the Subjects of the Russian Federation" and other legislative acts. The Foreign Ministry of Russia and other federal bodies of executive power shall give aid to subjects of the Russian Federation in the course or their realization of international cooperation, in strict respect for sovereignty and territorial integrity of the Russian Federation.

During the preparation of decisions on the conduct of the State's foreign policy course, the federal bodies of executive power shall cooperate, if necessary, with Russia's non-governmental organizations. A broader involvement of non-governmental organizations in the sphere of the country's foreign policy activities is consistent with the task of ensuring maximum support by the civic society for the state foreign policy and is capable of contributing to its effective implementation.

Consistent execution of foreign policy creates favorable conditions for the fulfillment of the historic choice of the peoples of the Russian Federation in favor of the rule-of-law State, democratic society, and a socially oriented-market-economy.

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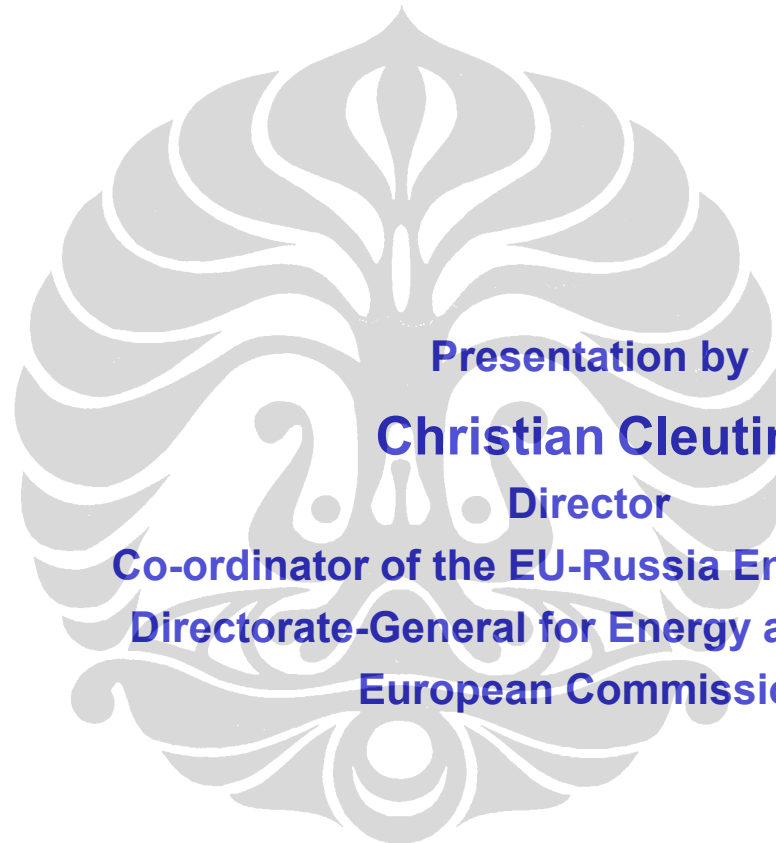


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4. Makalah Presentasi dari Christian Cleutinx 2000-2020 *The EU Russia Energy Dialogue*

## *The EU-Russia Energy Dialogue*

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Presentation by

**Christian Cleutinx**

Director

Co-ordinator of the EU-Russia Energy Dialogue

Directorate-General for Energy and Transport

European Commission

*Eurasian Natural Gas : Opportunities and Risks*

*EU-RUSSIA ENERGY DIALOGUE:  
European Commission co-ordination group*



# Importance of EU-Russia energy relations

## Russia

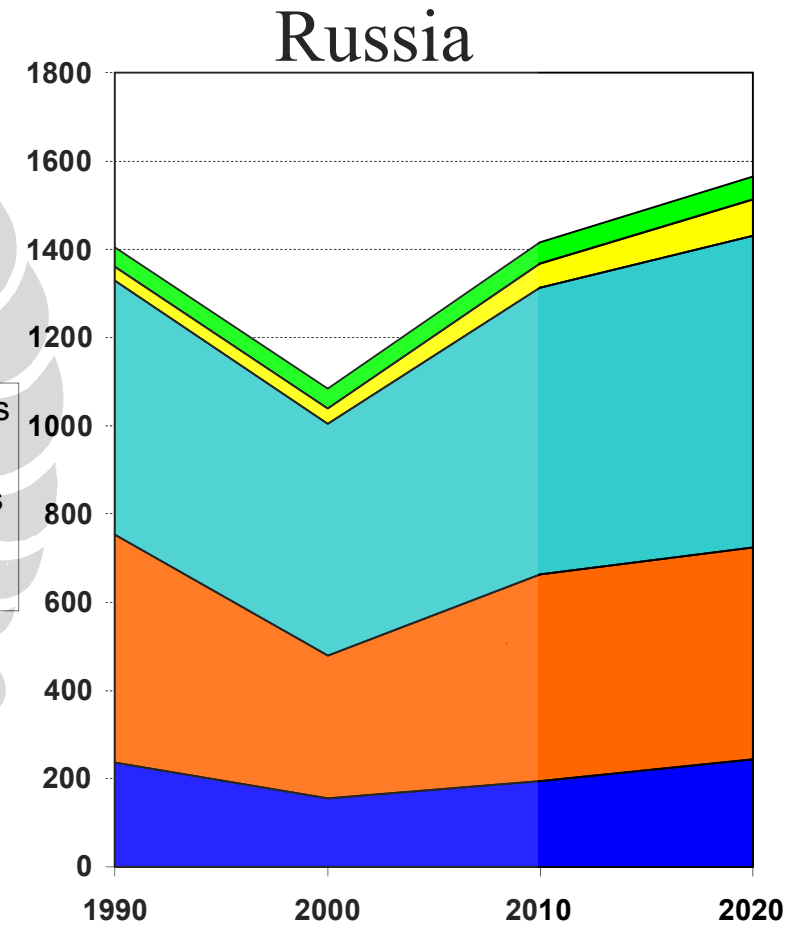
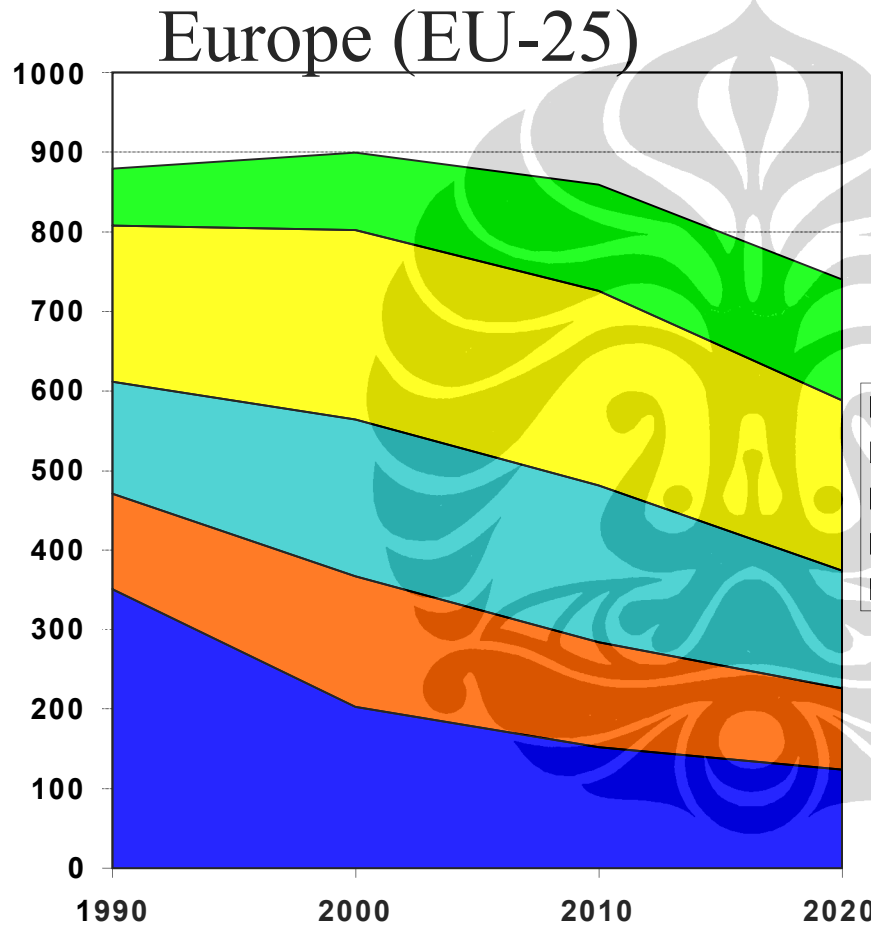
- f* energy sector contribution to GDP approx 20%
- f* energy exports: 45% of Russia's exports to EU
- f* oil exports to the EU: 53% of oil exported
- f* gas imports: 36% of gas exported

## EU

- f* 21% of net oil imports from Russia (16% of EU total cons.)
- f* 41% of gas imports from Russia (19% of EU total cons.)



# Energy Security: Indigenous energy production (Mtoe)



**70% EU-30 external energy dependency by 2030!**

Sources: Russian federation : Russia's strategy until 2020, European Commission : trends to 2030

*Eurasian Natural Gas : Opportunities and Risks*

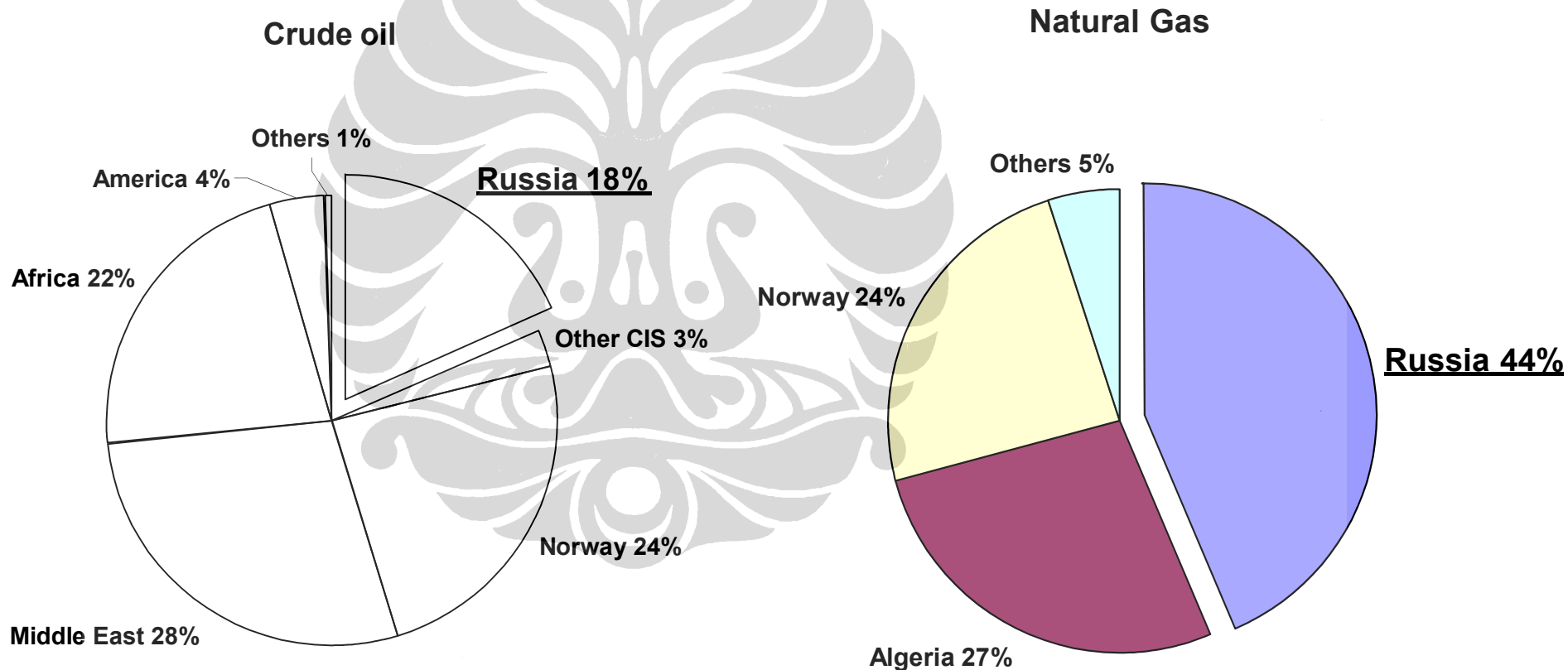
*EU-RUSSIA ENERGY DIALOGUE:  
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# Energy Security:

## Russia: a major & reliable supplier of energy

### The origin of imports into the EU in 2001



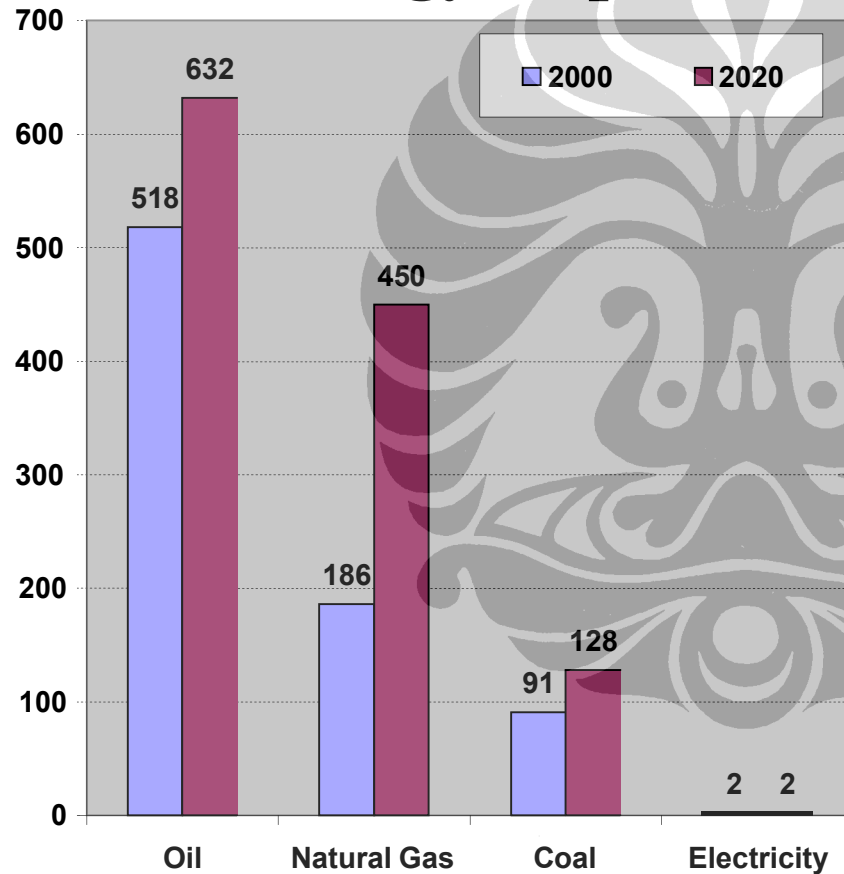
*Eurasian Natural Gas : Opportunities and Risks*

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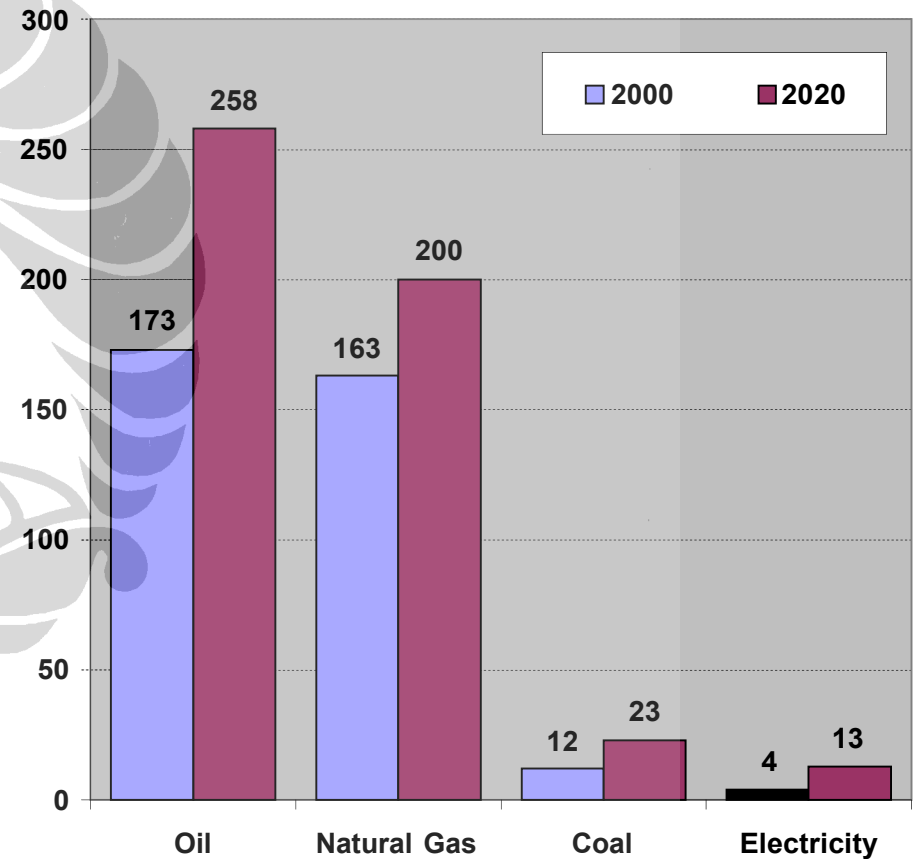


# Energy Security: Energy imports and exports (in mtoe)

## EU Energy Imports



## Russian Energy Exports



Sources: Russian federation : Russia's strategy until 2020, European Commission : trends to 2030

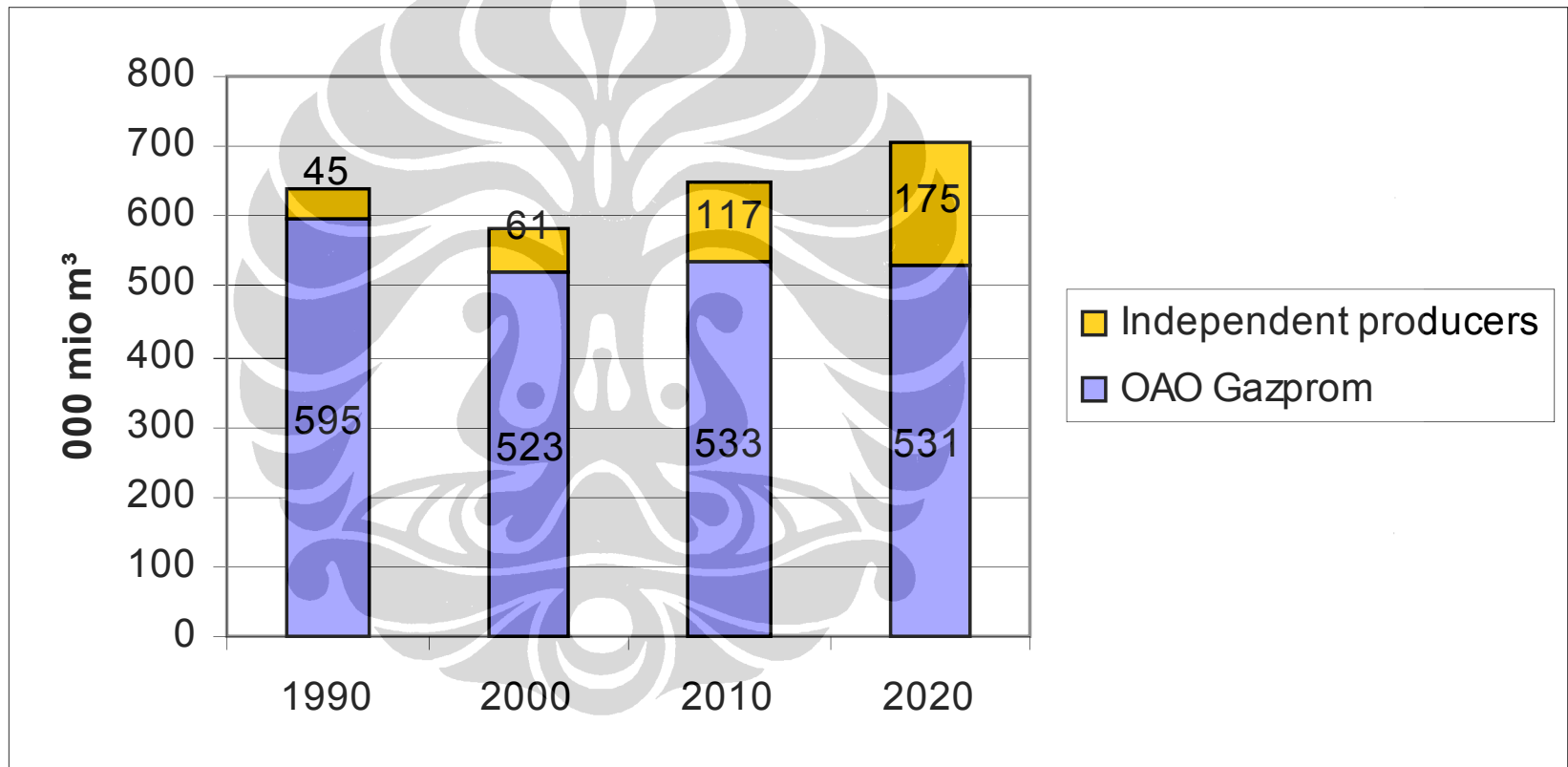
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# Russian natural gas production

## 2000 - 2020



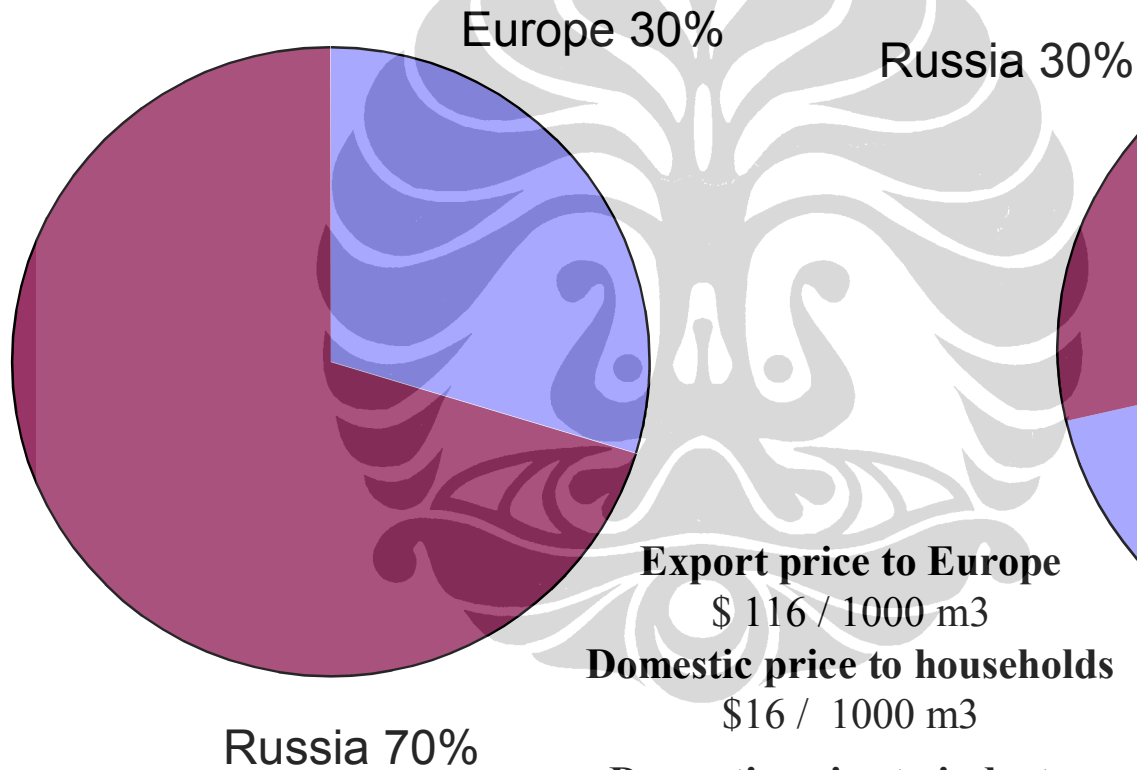
Sources: Russian federation : Russia's strategy until 2020



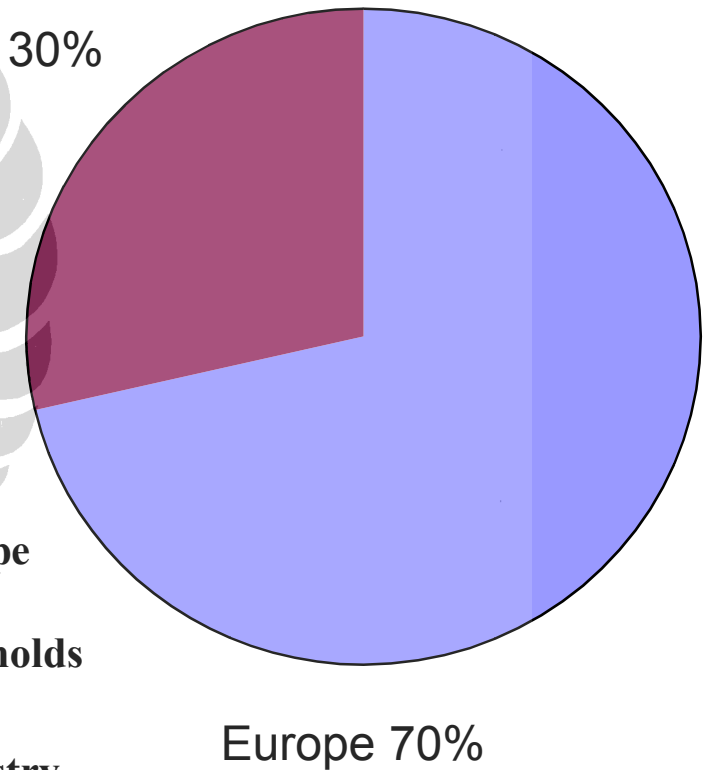
# The importance of the European market

## GAZPROM Sales and Receipts

### Gas volumes



### Receipts from gas sales



**Export price to Europe**  
\$ 116 / 1000 m<sup>3</sup>  
**Domestic price to households**  
\$16 / 1000 m<sup>3</sup>  
**Domestic price to industry**  
\$ 15-\$22 / 1000 m<sup>3</sup>

Sources : IEA, European Commission

*Eurasian Natural Gas : Opportunities and Risks*

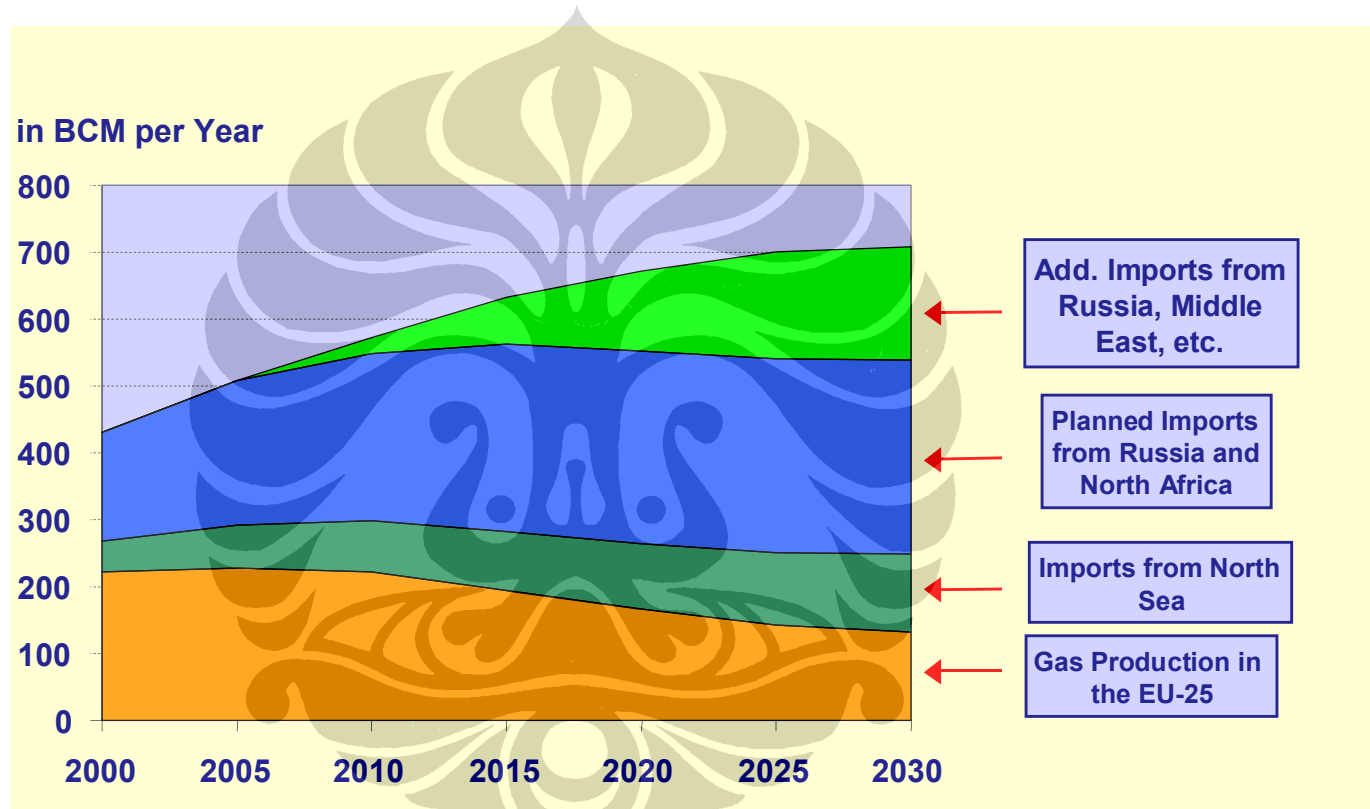
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# Natural Gas Supply of the EU

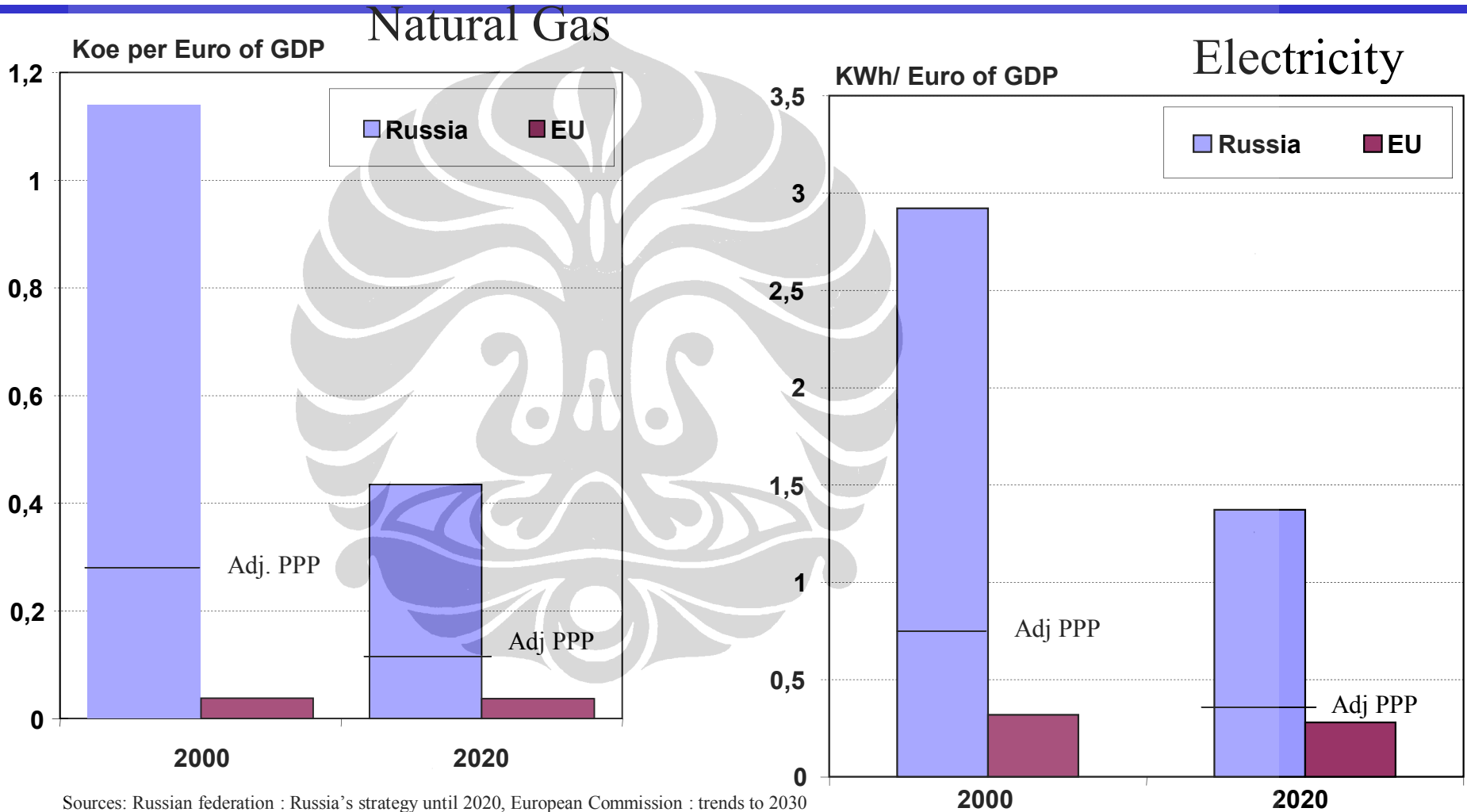
2000 - 2020



- Supply must deliver 18,000 BCM in 30 years of which 10,000 imported from Russia, North Africa and Middle-East, 2,500 imported from North Sea and 5,500 produced in the EU



# Energy Intensity

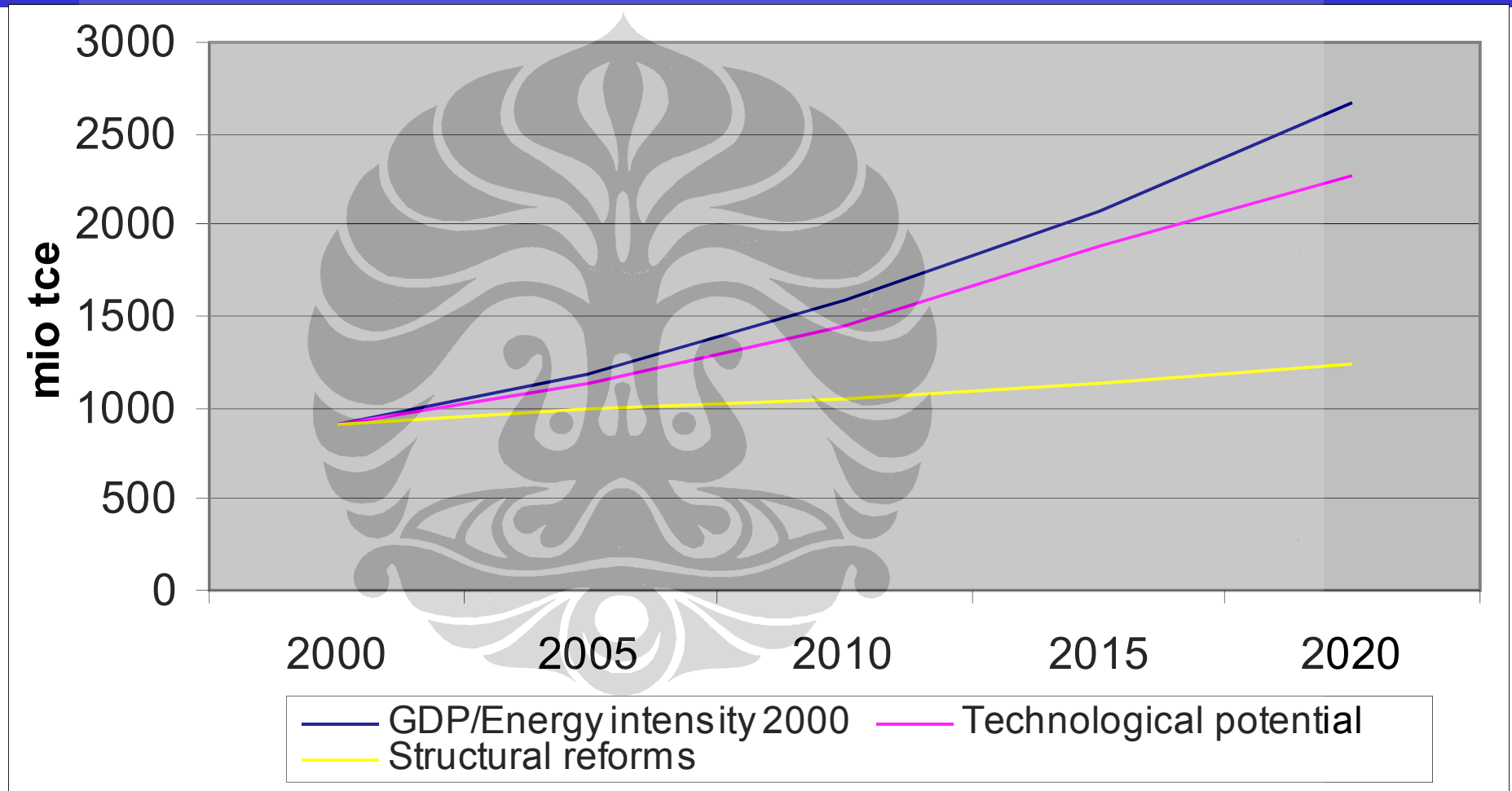


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# Potential for energy conservation in Russia



A. Mastepanov, Ministry of Energy, Russian Federation

*Eurasian Natural Gas : Opportunities and Risks*

Kebijakan Vladimir, Endang Septryani Sari, FIB UI, 2010

*EU-RUSSIA ENERGY DIALOGUE:  
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# Russia's 2003-2020 Energy Strategy: general objectives (1)

## Assets

- 30 % of world gas reserves
- 10 % of world oil reserves
- 20% of world coal reserves
- 14 % of world uranium reserves

## Aim:

- f* maximise the effective use of fuel and energy resources
- f* harness the sector's potential to contribute to socio-economic development
- f* enhance energy efficiency, protect the environment



# Russia's 2003-2020 Energy Strategy: A summary

- f Oil: 9-10,5 million bpd (2010). Oil exports of 5–5,5 million bpd (2010)*
- f Natural gas: 635-665 bn m<sup>3</sup>/year (2010) 680-730 th.mio m<sup>3</sup>/year (2020)*
- f Gas prices required to finance investments : US \$ 41/1000 m<sup>3</sup> by 2006)  
US \$ 62/1000 m<sup>3</sup> (2010) not including  
VAT, transportation through gas distr.networks, logistics and distribution  
services.*
- f Pipeline policy development: 4 “directions” for oil exports*
- f Electricity: increase of 45 % 2010 1 040 th mio KWh/year  
2020 1290th mio KWh/year*
- f Nuclear power: share to raise from 15% today to 23% by 2020.*
- f Investment requirements: € 715 000 mio*

*Eurasian Natural Gas : Opportunities and Risks*

*EU-RUSSIA ENERGY DIALOGUE:  
European Commission co-ordination group*



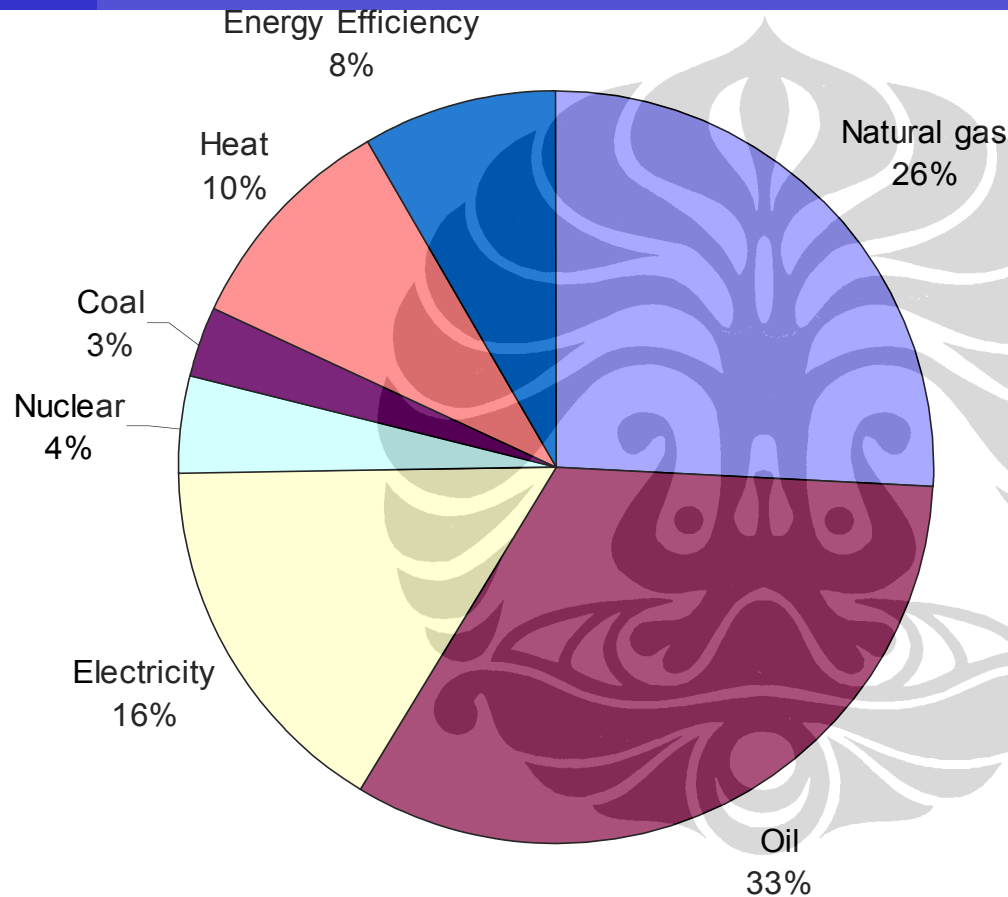
# Russia's 2003-2020 Energy Strategy: general objectives (2)

## Assumptions & scenarios:

- ▣ GPD growth forecast “moderate”: factor 2,5 in 2020 compared with 2000 (base year) and “optimistic”: factor 3,3
- f* Energy intensity: should drop 2 – 2,5 times by 2020, hinting at increased levels of energy efficiency in the economy.
- f* Energy conservation potential that could reach 430 million tonnes



# Russia Energy Sector Investment requirements



Total requirements 2003-2020  
€ 715 thousand million

Sources : Russian federation : Russia's Energy strategy until 2020 and European Commission.

*Eurasian Natural Gas : Opportunities and Risks*

Kebijakan Vladimir, Endang Septryani Sari, FIB UI, 2010

*EU-RUSSIA ENERGY DIALOGUE:  
European Commission co-ordination group*



# The Energy Dialogue is born

- Î Where : The EU-Russia Summit in Paris
- Î When : 30th October 2000
- Î Objective : *Extract from the Joint Declaration*

« The European Union and Russia have decided to institute, on a regular basis, an energy dialogue which will enable **progress to be made in the definition of an EU-Russia energy partnership** and arrangements for it. This will provide an opportunity to raise all the questions of common interest relating to the sector, including the introduction of **cooperation on energy saving, rationalisation of production and transport infrastructures, European investment possibilities, and relations between producer and consumer countries**. The planned ratification of the **Energy Charter Treaty** by Russia and the improvement of the investment climate will be important aspects in this context.»





## Energy dialogue: Gas related results to date

### *Integration of energy markets*

$\frac{3}{4}$  Objective: integrate gradually EU and RF energy markets

- f* Security of supply
- f* Business opportunities
- f* competition

$\frac{3}{4}$  Progress achieved at Round Tables on:

- f* Gas (10th December 2002)
- f* Electricity (16th October 2003)
- f* Energy strategies (17th October 2003)



## Energy dialogue: Gas related results to date

### *Integration of energy markets: Natural Gas*

*f* further integration to be based on agreed regulatory principles of internal markets as well as on long-term supply contracts.

### Long-term natural gas supply contracts

*f* EU recognized their importance

$\frac{3}{4}$  crucial for the development of the EU gas market

$\frac{3}{4}$  provide a risk sharing arrangement between Russian producer(s) and EU buyers

$\frac{3}{4}$  enable important new production & infrastructure projects to be undertaken

$\frac{3}{4}$  contribute to EU security of energy supplies

*f* **BUT:** must respect EU Competition law and the existence of the EU internal market !

<sup>TM</sup> free circulation of gas in the EU Member States.



## Energy dialogue: Gas related results to date

### *Integration of energy markets: Natural Gas*

#### **“Destination clauses” (IT, D, A) in long-term contracts**

- $\frac{3}{4}$  06.10.2003: Commission announced settlement was reached between oil & gas company ENI and Gazprom re. a number of territorial restriction clauses in their existing contracts.
- $\frac{3}{4}$  On contracts with Germany & Austria: Commission expresses confidence that agreement will soon be found leading to the deletion of the contested clauses.
- $\frac{3}{4}$  On Russia/EU accession countries' contracts: these will also need to be compatible with EU law



# Energy dialogue: Results to date

*Energy infrastructure projects  
of “common interest”*

**Which projects?** (EU/Russia Summit, October 2001).

## **Northern Trans European gas pipeline**

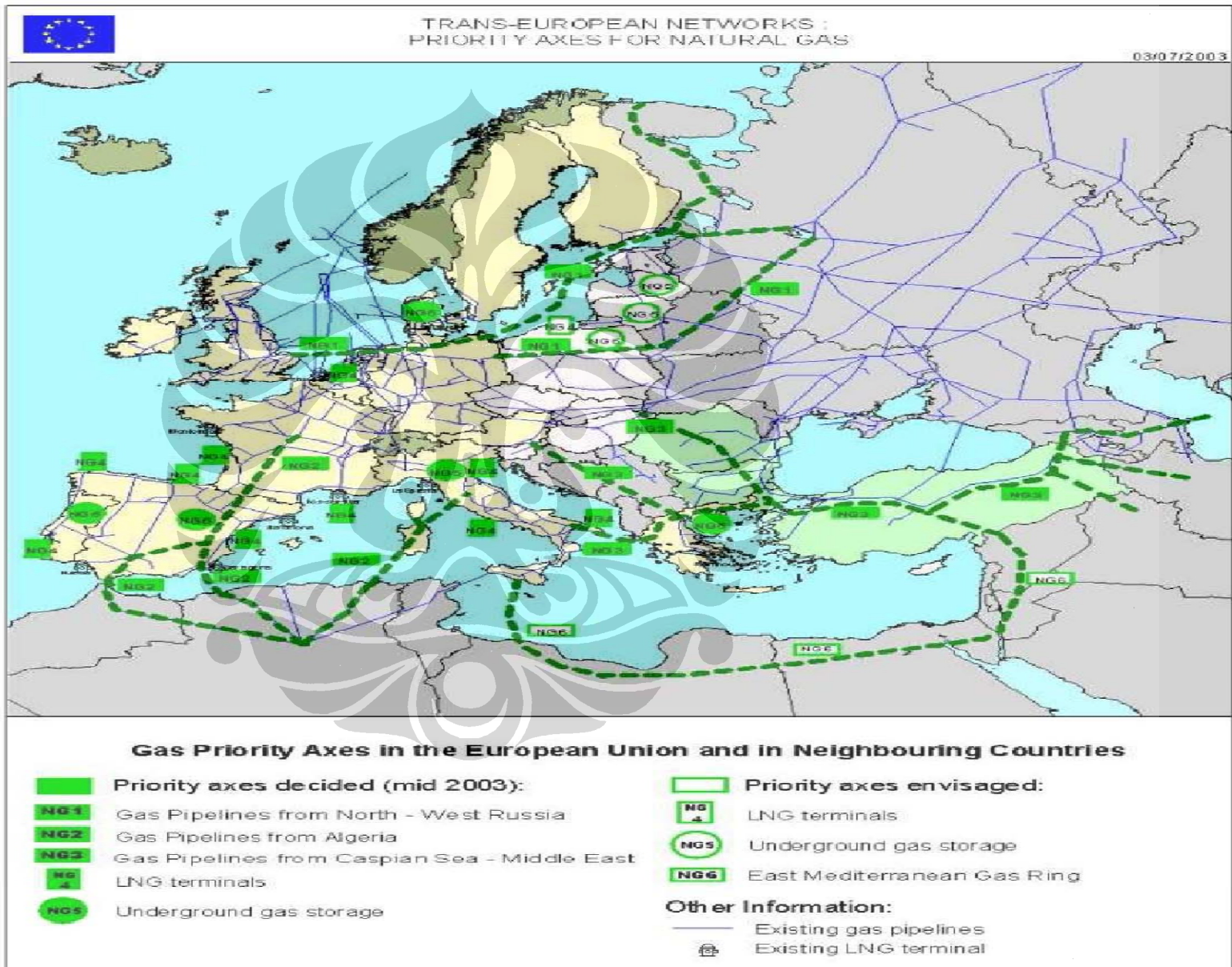
European Commission decision to co-finance a feasibility study

$\frac{3}{4}$  **Yamal-Europe Gas pipeline**

$\frac{3}{4}$  **Shtockman Gas field**

$\frac{3}{4}$  **Drouzba-Adria Gas pipeline connection**

$\frac{3}{4}$  **Interconnection of electricity grids**





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## 5. Teks Pidato Putin dan Pertemuan negara\

a)Teks Petersburg Dialogue Russian German Civic Forum

President of Russia  
Official Web Portal

*Заключительное слово на заседании форума «Петербургский диалог»*

9 апреля 2002 года Веймар

В.ПУТИН: Если позволите, я начну с самого простого – с роли государства по отношению к средствам массовой информации. Речь идет прежде всего об обеспечении их экономической свободы и правовой защиты. Если государство обеспечит эти два основополагающих условия, то все остальное приложится.

Теперь позвольте несколько слов в порядке комментария к тому, что я услышал в предыдущих выступлениях. Особо важными и интересными представляются несколько тем, которые я хотел бы выделить. Прежде всего это европейская и международная безопасность, роль России и Германии в процессе строительства мировой системы безопасности.

Хотел бы вас проинформировать, что позитивно развивается диалог между Россией и НАТО, и здесь мы пользуемся поддержкой и Федерального канцлера, и Германии в целом. Как вы знаете, мы активно работаем над созданием политической «двадцатки», в рамках которой предполагается решать определенный набор вопросов на равноправной основе.

Я бы хотел с вами как с представителями общественности поделиться нашим беспокойством, которое заключается в том, что мы исходим из необходимости создания нового качественного уровня в отношениях между Россией и Западом в целом, между Россией и НАТО. Это новое качество будет достигнуто только тогда, когда эта «двадцатка» будет равноправной, не будет предварительных консультаций девятнадцати стран НАТО по какому-то вопросу, а потом это как согласованное решение будет предлагаться России.

Если мы сохраним именно этот порядок, то никакого нового качества, никакой новизны в вопросах безопасности мы не достигнем. Это для нас принципиальный вопрос, я уверен, что и для вас тоже, если мы хотим добиться общей цели: изменения качества отношений между Россией и западным миром в важнейшем вопросе современности – в вопросе безопасности.

Что же касается нашего взаимодействия с Европой, с ЕС в строительстве европейской безопасности, то мне представляется, что построение наших отношений с Североатлантическим блоком – это пролог развития подобных отношений со всей Европой. Это условие, это мост.

Хочу обратить ваше внимание, что сегодня, к сожалению, нет еще полноценной системы европейской безопасности. Мы готовы принять в этом участие с того момента, как это будет создано, или если нам предложат сейчас работать на равноправной основе над созданием этой системы.

Я обратил бы особое внимание на проблемы экономической безопасности наших государств и Европы в целом. Для нас эта проблема, конечно, имеет много аспектов, но я хотел бы обратить ваше внимание на то, что является бесспорным. Это прежде всего энергетическая безопасность. И в связи с тем, что происходит в мире, на Ближнем Востоке, мы с вами понимаем, насколько это важно.

Хочу подчеркнуть, что даже в самый драматический период истории России – в период распада Советского Союза – наша страна ни на день не приостановила выполнение своих обязательств в энергетической сфере перед нашими зарубежными партнерами. Это свидетельствует о том, насколько устойчивая система была создана в Советском Союзе. Она сохранилась, она развивается.

Сегодня вся Европа получает огромное количество энергетических ресурсов из России. Германия на одну треть обеспечивает свои потребности в газе из нашей страны и на

четверть – потребности в нефти. Это по данным статистики, а на практике, я думаю, еще больше.

На что бы мне хотелось обратить внимание? Если Европа будет рассматривать Россию как чужеродный элемент, то тогда, конечно, мы будем строить препятствия на пути расширения этого взаимодействия. А если Европа будет относиться к нам как к равноправному партнеру, тогда в отношении России не будут действовать правила, согласно которым страна ЕС не может более 30 процентов энергоресурсов получать из страны, не являющейся членом этого сообщества. Сегодня такие правила действуют, и они реально могут привести к ограничению нашего сотрудничества. А в Европе и в Германии они неизбежно приведут к повышению цен, в том числе для бытовых потребителей.

И напротив, если мы выстроим эту работу на долгосрочной основе и отменим необоснованные правила в отношении России, то она гарантирует доброкачественное, своевременное исполнение своих обязательств. Это стабилизирует экономику Европы и будет способствовать устойчивости цен как для промышленности, так и для бытового потребителя. Считаю это чрезвычайно важным.

Очень обнадеживающим я считаю заявление одной из немецких коллег по поводу возможного использования средств, которые получает Германия от России в рамках расчетов за кредиты бывшего Советского Союза, для использования в области культуры и образования. По сути дела, это предложение инвестировать российские долги в интеллектуальный продукт. Сразу вам говорю: мы согласны.

Я могу ошибаться, но, насколько мне известно, в Германии существует закон, согласно которому долги иностранных государств автоматически зачисляются в доходную часть бюджета. Значит, для того чтобы предложения нашей немецкой коллеги были реализованы, нужно, чтобы парламентом Германии было принято соответствующее решение, а господин Федеральный канцлер должен его активно поддержать. Мы же реализуем это мгновенно, тем более что мы в принципе договариваемся по тем проблемам, которые считались до сих пор неразрешенными. Чуть попозже мы расскажем об этом средствам массовой информации.

Чрезвычайно важным я считаю работу с молодежью. Все, что было об этом сказано, я поддерживаю целиком и полностью, присоединяясь к тому оптимизму, с которым выступил Герхард Шредер, когда говорил о молодежных форумах, которые намечаются сейчас в России и Германии. Со своей стороны мы готовы всячески это поддержать. Благодарю за внимание, спасибо

Sumber:website-Kremlin

[http://archive.kremlin.ru/appears/2002/04/09/0002\\_type63376type63377\\_28863.shtml](http://archive.kremlin.ru/appears/2002/04/09/0002_type63376type63377_28863.shtml)  
(diunduh tanggal 13 Januari 2010 09:00)

### Versi Bahasa Inggris

WEIMAR. Vladimir Putin and Gerhard Schroeder met with delegates of the Petersburg Dialogue Russian-German Civic Forum. 9 April 2002.

VLADIMIR PUTIN: With your permission I will start with the simplest thing: the role of the state with regard to the mass media. We are talking above all about ensuring its economic freedom and legal protection. If the state complies with these two main principles, the rest will take care of itself. Now I would like to say a few words commenting on what I have heard from previous speakers. I would like to single out several topics as particularly important and interesting. First of all, European and international security and the role of Russia and Germany in the building of a world security system.

I would like to tell you that the dialogue between Russia and NATO is developing positively, and there we have the full support of the Federal Chancellor and Germany. As you know we are actively working to create a political “twenty”, which would solve a certain range of issues on an equal basis. I would like to share with you, representatives of the public, some of our concerns stemming from the fact that we believe it is necessary to achieve a qualitatively new level in the relations between Russia and the West as a whole and between Russia and NATO. That new

quality will only be achieved when the “twenty” becomes equal and there are no preliminary consultations of the 19 NATO countries on certain issues before Russia is told of the agreed decision.

If that procedure remains in place, there will be no new quality nor innovation in the security area. It is an issue of principle to us and to you, I am sure. If we want to achieve the common goal of changing the quality of the relations between Russia and the Western world on the key issue of our time, the issue of security needs to be addressed. As regards our interaction with Europe and the EU in building European security, I think that the building of our relations with NATO is a prologue of the development of similar relations with the whole of Europe. It is a condition, a bridge.

Unfortunately, no adequate system of European security yet exists. We are ready to participate in it from the moment it is created if we are given a chance to equally contribute to its creation. I would like to pay particular attention to the problem of the economic security of our states and Europe as a whole. There are many aspects of that problem for us, but I would like to draw your attention to those that are indisputable. Above all, it is energy security. And we are all aware of it by looking at what is happening in the world and in the Middle East.

I would like to stress that even during the most dramatic period in Russia’s history, the disintegration of the Soviet Union, our country never suspended its compliance with its obligations in the energy sphere to our foreign partners. It shows how stable the system created in the Soviet Union was. It has remained in place and is evolving. Today the whole of Europe gets a huge amount of energy from Russia. Our country provides one-third of Germany’s gas needs and one-quarter of its oil needs. That’s what statistics say, but in reality I think the figures are even larger.

What do I want to stress? If Europe considers Russia as an alien element, then we will be placing obstacles in the way of broader cooperation. But if Europe treats us as an equal partner, then it will not apply the rule that no EU country can get more than 30% of its energy from a non-member country. Today such rules apply and they may set limits to our cooperation. And in Europe and Germany they will inevitably increase prices, including for households.

By contrast, if we pursue this work on a long-term basis and drop the unjustified rules with regard to Russia, proper and timely performance of its obligations will be guaranteed. That will stabilise the European economy and will contribute to price stability both for industry and for consumers. I think that is very important. I find the remarks by a German colleague regarding the possible use of the assets Germany gets from Russia as part of the settlement for the credits of the former Soviet Union in the field of culture and education very encouraging. It amounts to a proposal to invest Russian debts in an intellectual product. Let me tell you at once that we agree.

I may be mistaken, but as far as I know there is a law in Germany whereby the debts of foreign states automatically become part of the budget revenue. So, if the proposals of our German colleague are to be implemented, the German Parliament must pass a corresponding decision and the Federal Chancellor must give it a strong backing. As for us, we will implement it instantly because we are reaching agreements on the problems that were previously thought to be intractable. We will tell the media about it a little later. I consider work with the youth to be extremely important. I subscribe to everything that has been said about it and to the optimism expressed by Gerhard Schroeder when he spoke about the youth forums being planned in Russia and Germany. For our part, we are ready to give every kind of assistance to that project. Thank you for your attention.

Sumber: website Kremlin

[http://eng.kremlin.ru/text/speeches/2002/04/09/0000\\_type82914type84779\\_149800.shtml](http://eng.kremlin.ru/text/speeches/2002/04/09/0000_type82914type84779_149800.shtml)

(diunduh tanggal 14 Desember 2009 12:31)



**(c)Teks Russian-European Summit, Constantine Palace-Strelna**

*Вступительное слово на пленарном заседании встречи на высшем уровне Россия – Европейский союз 31 мая 2003 года  
Стрельна, Константиновский дворец*

В.ПУТИН: Уважаемые дамы и господа! Дорогие коллеги, гости!  
Позвольте сердечно поприветствовать вас в Петербурге, в России.

Мы рады видеть всех, но с особыми словами приветствия хочу прежде всего обратиться к Премьер-министру Люксембурга [Жан-Клоду Юнкеру]. Это была именно его идея собраться в таком составе в Петербурге. Если Вы помните, я имел честь присутствовать на саммите ЕС в Стокгольме [23 марта 2001 года]. И совершенно неожиданно в конце дискуссии наш коллега из Люксембурга сказал очень приятные для России слова. Он сказал, что многие приветствуют то, что происходит в стране, поэтому давайте в связи с приближающимся 300-летием Северной столицы России приедем в Петербург, продемонстрируем там флаги Европы. Так родилась идея провести саммит в таком необычном, расширенном формате.

Должен сказать, что наш уважаемый коллега из Люксембурга не только подал великолепную идею собраться в таком составе, но и, по сути, инициировал восстановление этого прекрасного места, которым, уверен, будет гордиться не только Россия, но и вся Европа. Этот дворец был задуман, строился еще основателем Петербурга Петром Великим, однако, к сожалению, в советские времена пришел в полную негодность. Между тем это памятник архитектуры, выдающееся произведение российской и европейской архитектуры.

На реконструкцию этого здания наши специалисты затратили чуть больше года. Думаю, что и по качеству, и по срокам исполнения это хороший результат. Надеюсь, что это место будет востребовано и в России, и в Европе для проведения полезных для континента мероприятий. Мы, во всяком случае, открыты и предлагаем это место для проведения крупных международных и европейских форумов.

Теперь позвольте перейти непосредственно к нашей работе и еще раз поприветствовать вас в стенах восстановленного Константиновского дворца. Признательны руководителям стран – членов Европейского союза, а также Председателю Комиссии Европейских сообществ за готовность разделить чувство гордости россиян в связи с 300-летием Северной столицы. Особо хочу отметить присутствие здесь лидеров десяти присоединяющихся к Европейскому союзу государств, будущих участников Соглашения о партнерстве и сотрудничестве Россия–ЕС.

Вижу особый символизм в том, что нынешняя встреча Россия–ЕС на высшем уровне в беспрецедентно широком составе проходит именно в Санкт-Петербурге. Вся яркая история этого города, его жизнь на протяжении трех веков неразрывно связаны с историей Европы. Город на Неве олицетворяет преемственность сделанного Россией в те далекие времена выбора в пользу глубокого и разностороннего взаимодействия с Европой, основанного на общности цивилизационных ценностей и корней. Наша встреча предоставляет прекрасную возможность обогатить доверительный диалог, вывести его на новый качественный уровень, углубить партнерство России и ЕС на благо единой Европы.

Уникальный формат этого саммита обязывает нас подняться над текущими вопросами, пусть порой весьма важными, и взглянуть на наше взаимодействие шире, вместе наметить будущие контуры наших отношений, определить генеральный курс их развития на перспективу. Это особенно важно в сфере происходящих сейчас поистине исторических процессов на континенте, которые самым существенным образом меняют весь облик европейской архитектуры.

Рассматриваем предстоящее расширение Евросоюза как закономерный результат суверенного волеизъявления народов нынешних и будущих стран – членов ЕС. Россия уважает этот выбор. Вместе с тем процветание, стабильность, безопасность, интеграция не могут и не должны строиться за чей-либо счет.

Нас объединяет общая заинтересованность в том, чтобы расширение Евросоюза не нарушало, а приумножало исторические связи России с европейскими странами, в том числе и с теми, кто вступает в ЕС, с Европейским союзом в целом. Прием в ЕС новых членов создает объективные предпосылки для расширения и качественного развития сотрудничества России с Евросоюзом и вступающими в него странами. Для того чтобы в полной мере воспользоваться открывающимися в будущем возможностями, нам предстоит вместе конструктивно поработать над сведением к минимуму сопряженных с

процессом расширения издержек. Мы с вами много на этот счет говорили, и опасность возникновения таких издержек существует.

Давайте приложим максимум усилий к тому, чтобы в оставшееся до мая 2004 года время сообща решить возникающие проблемы, избежать появления «правового вакуума» в отношениях между Россией и расширяющимся Евросоюзом. Успех в этом деле будет облегчать последующую процедуру распространения действия нашего Соглашения о партнерстве и сотрудничестве на новых членов Евросоюза.

Уверен, что многие из присутствующих здесь руководителей государств и правительств – будущих членов ЕС согласятся со мной в том, что их страны связывают с Россией многолетние узы сотрудничества и взаимодействия. Многое связано с экономикой наших стран, и процедуры ЕС, которые будут распространяться на новых членов, не должны разрушать сложившиеся за десятилетия связи. Тем более что вступление в Евросоюз не предусматривает автоматизма в присоединении к СПС, а это мы должны будем обязательно сделать в отношении к новым членам ЕС. Исходим из того, что соответствующие решения будут приниматься после урегулирования имеющихся проблем и вопросов, в том числе гуманитарного характера.

Анализ нашего взаимодействия свидетельствует о верности избранного Россией и ЕС курса на строительство стратегического партнерства, расширение спектра задач, решаемых общими усилиями в интересах всех людей и народов Европы. Подтверждением тому служит совместная работа над концепцией Общего европейского экономического пространства, развивающийся энергодиалог Россия–ЕС, активизирующееся взаимодействие в сфере внутренних дел и юстиции и в рамках европейской политики в области безопасности и обороны. Это тот позитив, который мы должны приветствовать и всячески наращивать.

Следует, однако, признать, что не на всех направлениях углубляющегося сотрудничества между Россией и Евросоюзом, которое зачастую прямо затрагивает интересы рядовых граждан наших стран, мы в полной мере преуспели в одинаковой степени. Всех нас должно тревожить – и об этом много раз говорили, скажу прямо об этом и сегодня, – нас тревожит то обстоятельство, что некоторые из этих проблем нам не удалось решить на протяжении нескольких лет. Они не решаются сами по себе и лишь становятся более болезненными.

Не в первый раз мы говорим о таких вопросах, как режим торговли ядерными материалами, антидемпинговые и квотные ограничения, взаимный доступ на рынки некоторых товаров и услуг, необоснованное субсидирование экспорта, например сельхозпродукции, «энергетический затор» в переговорах о присоединении России к ВТО, «зависшее» обсуждение проблемы калининградского транзита грузов, целый ряд других проблем. Считаю, что мы с вами подошли к рубежу, когда уже трудно продвигаться вперед, оставляя за спиной нерешенные вопросы, игнорируя законные озабоченности, от которых зависит качество жизни миллионов людей. Предлагаю провести детальную инвентаризацию всех этих вопросов (например, в формате Председатель Правительства России – руководство Комиссии ЕС) и разработать к следующему саммиту программу их скорейшего урегулирования.

Я назвал проблемы, но много было сделано. Мы не должны забывать об этом, и мы помним об этом. Сказав, например, сейчас о проблеме транзита грузов в Калининградскую область, я знаю, что многие из присутствующих здесь сделали многое для того, чтобы решить проблему передвижения людей, прежде всего проблему пассажирского транзита. Я очень благодарен за то содействие, которое оказали многие главы государств и правительств, благодарен нашим литовским партнерам. Это только один вопрос, но их гораздо больше.

Очевидно, что образование «завалов» на ряде направлений нашего взаимодействия во многом вызвано недостаточной эффективностью работы нынешних механизмов сотрудничества России и ЕС. Эти органы и структуры были сформированы на заре нашего тесного взаимодействия и с тех пор во многом отстали от жизни. С удовлетворением отмечаем близость наших подходов по этому вопросу, с интересом воспринимаем предложение проводить сессии Совета сотрудничества Россия–ЕС несколько раз в год на уровне отраслевых министерств и регулярные консультации на экспертном уровне с участием России, всех стран ЕС и КЕС. Это действительно упростило бы механизм сотрудничества, сделало бы его более транспарентным и понятным для каждой из сторон, позволило бы сосредоточить внимание регулярных саммитов Россия–ЕС в расширенном составе на действительно узловых вопросах двустороннего взаимодействия.

В контексте этой темы вынужден поднять вопрос о четкости в выполнении принятых на высшем политическом уровне решений. С сожалением должен отметить: примеров достаточно вольной интерпретации на исполнительском уровне принятых на

политическом уровне решений много. Думаю, нам не нужно заниматься тем, чтобы искать виновных. Однако главное – то, что «самодеятельность» чиновников наносит определенный ущерб нашему взаимодействию, ущерб авторитету форума.

Хочу особо остановиться на принципиальной проблеме, которая самым непосредственным образом затрагивает интересы и чаяния рядовых граждан наших стран, ради которых в конечном итоге мы и ведем диалог. Речь идет об одной из фундаментальных свобод человека – свободе передвижения. Глубоко убежден в том, что общей целью, нашим политическим, моральным долгом является скорейшее устранение всяких барьеров для передвижения людей, разделяющих сегодня многие миллионы российских граждан и страны ЕС, их знакомых, друзей, родственников в странах ЕС.

Скажу откровенно: в глазах простых россиян нынешнее положение дел иначе как новая, в данном случае шенгенская, стена не воспринимается. Между тем ситуация грозит еще больше осложниться с распространением шенгенского режима на новых членов Евросоюза. К сожалению, вынужден констатировать, что пока так и не удалось реализовать мою договоренность с Председателем КЕС господином Романо Проди о начале работы специальной экспертной группы по вопросам перехода в перспективе к безвизовым поездкам граждан России и стран ЕС. Это один из наиболее наглядных примеров того, о чем нам до сих пор договориться не удалось.

Мы, разумеется, не рассчитываем, что такой режим будет введен уже завтра. Мы понимаем все проблемы, все сложности на пути к решению этого вопроса. Но граждане «большой Европы» должны знать, когда, как и какой ценой будет достигнута подлинная свобода перемещения – одно из наиболее значимых прав каждого человека. Предлагаю поручить нашим соответствующим министерствам совместно с Комиссией ЕС приступить к проработке всех связанных с переходом на безвизовый режим вопросов и представить римскому саммиту Россия–ЕС [6 ноября 2003 года] соображения по срокам и этапам достижения этой цели. У многих наших коллег – и у канцлера ФРГ, и у председателя правительства Италии – были свои предложения по путям, по этапам решения этой проблемы. У наших польских друзей были соответствующие предложения. Все это можно обобщить, оформить и вывести на уровень экспертов для того, чтобы постепенно, я повторяю, по мере созревания обстановки, двигаться к решению этой задачи.

И еще об одной важной проблеме, которая затрагивает всех нас, здоровье и благополучие наших семей, наших обществ. Я имею в виду наркоугрозу, в борьбе с которой мы стоим по одну сторону баррикад. К сожалению, мы наблюдаем взрывной, многократно увеличивающийся поток этого зелья, этой угрозы из Афганистана и в Россию, и транзитом через Россию в Европу. Достаточно сказать, и наш уважаемый коллега, мой друг Премьер-министр Великобритании, знает, что 90 процентов «тяжелых» наркотиков поступает на рынок Великобритании из Афганистана. Все это проходит транзитом через Россию, другие страны СНГ и восточноевропейские страны. Энергичные усилия с целью переломить эту негативную тенденцию предпринимаются мировым сообществом в рамках ООН, «восьмерки», вместе с переходной администрацией Афганистана. Следует органично дополнить эту работу совместными действиями России и Евросоюза. Предлагаю поручить нашим министерствам иностранных дел и руководителям других компетентных ведомств разработать к следующему саммиту конкретную программу подобных мер. Думаю, что в практическом плане нам нужно подумать над тем, как объединить усилия в борьбе с этой угрозой.

Приглашаю коллег к концептуальному разговору о нынешнем и будущем взаимодействии России и Евросоюза.

Sumber: website Kremlin

<http://archive.kremlin.ru/events/detail/2003/05/161223.shtml>

(diunduh tanggal 20 Desember 2009 00:00)

### Versi Bahasa Inggris

*Transcript of a Plenary Session of the Russia-European Union Summit  
Constantine Palace, Strelina 31 May 2003*

VLADIMIR PUTIN: Ladies and gentlemen,  
Colleagues and guests,

It is my great pleasure to welcome you to St Petersburg.

We are happy to see all of you, but I would like to give a special greeting to the Prime Minister of Luxembourg [Jean-Claude Juncker]. It was his idea for all of us to gather here in this

format. You may remember that I had the honour of attending the EU summit in Stockholm [March 23, 2001]. And at the end of our discussion our Luxemburg colleague surprised us by saying something that was very pleasant for Russia. He said that many people welcomed what was happening in the country, so why not come to St Petersburg for the approaching 300th anniversary of the foundation of Russia's northern capital and show the flags of Europe? That gave us the idea to hold the summit in such an unusual expanded format.

I must say that our esteemed colleague from Luxembourg not only came up with the splendid idea of gathering in this format, but in fact initiated the reconstruction of this wonderful palace, which I am sure will be the pride not only of Russia but of the whole Europe. This palace was conceived and built by Peter the Great, the founder of St Petersburg. But unfortunately it fell into disrepair during Soviet times. And yet it is an architectural landmark, an outstanding work of Russian and European architecture.

Our experts spent a little over a year repairing it. I think that it is a good result in terms of quality and speed. I hope the venue will be useful both for Russia and Europe for holding events that are relevant to the whole continent. For our part we are open and offer this as a venue for major international and European forums.

Now allow me to move on to our work and once again welcome you to the rebuilt Constantine Palace. We are grateful to the heads of the European Union countries and the Chairman of the European Commission for sharing Russia's pride in connection with the 300th anniversary of the northern capital. I would like to note the presence here of the leaders of the ten European Union accession countries, the future members of the Agreement on Partnership and Cooperation between Russia and the EU.

I see special symbolism in the fact that this Russia-EU summit in an unusually expanded format is taking place in St Petersburg. The brilliant history of the city and its life over the three centuries have been inseparably linked with the history of Europe. The city on the Neva River embodies the continuity between the choice Russia made in those distant times in favour of deep and diversified interaction with Europe based on shared values and roots. Our meeting offers an excellent opportunity for enriching the trusting dialogue, taking it to a new level, and deepening the partnership between Russia and the EU for the benefit of a united Europe.

The unique format of this summit makes it necessary for us to rise above the current issues, however important they may be, and take a broader look at our interaction and together outline the shape of our relations and the general course of their development in the longer term. This is particularly important in light of the truly historic processes taking place on the continent, which are dramatically changing the entire European framework.

We see the upcoming enlargement of the European Union as a logical result of the sovereign expression of the will of the peoples of the current and future EU member countries. Russia respects that choice. At the same time prosperity, stability, security and integration cannot and must not be achieved at anyone's expense.

We are all interested in seeing the European Union expand in a way that does not impede, but rather multiplies the historical links between Russia and European countries, including those that are joining the EU, and with the European Union as a whole. The admission of new EU members creates objective prerequisites for the expansion and qualitative development of Russia's cooperation with the European Union and its new members. In order to make full use of the opportunities that are opening up, we should together do some constructive work in order to minimise the costs of expansion. We have discussed this at length, and the danger of such costs exists.

Let us exert our best efforts to solve all the problems that arise in the time remaining before May 2004 to prevent a "legal vacuum" in relations between Russia and the expanding European Union. Success in this field will aid the subsequent step of extending our Partnership and Cooperation Agreement (PCA) to include the new members of the European Union.

I am sure that many of the heads of state and government of the future EU members will agree with me that their countries have long-standing bonds of cooperation and interaction with Russia. Many of these bonds have to do with the economies of our countries, and the EU procedures that will be applied to the new members must not disrupt the links that had been forged over the decades; all the more so because accession into the European Union does not automatically imply accession to the Agreement on Partnership and Cooperation. It will have to be done with regard to the new EU members. We assume that such decisions will be taken after existing problems and issues, including humanitarian ones, have been settled.

The analysis of our interaction vindicates the course chosen by Russia and the EU towards building a strategic partnership, broadening the spectrum of challenges being tackled through common efforts in the interests of all the peoples and nations of Europe.. Proof of this is our joint work on the concept of the common European economic space, the growing energy dialogue between Russia and the EU, and the increased interaction between internal affairs and justice agencies within the framework of the European security and defence policy. These are positive things that we should welcome and build upon.

One has to admit, however, that our success has not been uniform in all the areas of deepening cooperation between Russia and the European Union, some of which directly affect the interests of ordinary citizens in our countries. We should all be worried – we have said it many times and I will say it again today – we are worried that some of these problems have been with us for years. They are not likely to go away and they are becoming worse and worse.

This is not the first time we have raised such issues as the regulation of the trade in nuclear materials, anti-dumping and quota restrictions, mutual access to the markets of some goods and services, unwarranted export subsidies, for example, of farm produce, “the energy stalemate” in the talks on Russia’s accession into the WTO, the “stalled” discussion of the cargo transit to Kaliningrad and a number of other problems. I think we have reached a point when it is hard to move forward leaving behind these outstanding issues, and ignoring the legitimate concerns on which the quality of life of millions of people depends. I suggest that we take stock of all these issues (for example, in the format including the Russian Prime Minister and the top officials of the European Commission) and develop a programme for their early settlement by the time of the next summit.

I have mentioned the problems, but there is much that has been accomplished. We should not forget it, and we do remember it. For example, while I have mentioned the problem of the cargo transit to the Kaliningrad Region, I know that many of those present have done a great deal to solve the problem of the movement of people, above all the problem of passenger transit. I appreciate the cooperation of the many heads of state and government and I am grateful to our Lithuanian partners. That is just one issue, but there are many more.

Obviously, the existence of “log jams” in some areas of our interaction owes much to the shortcomings of the current mechanisms of cooperation between Russia and the EU. These bodies and structures were formed at the dawn of our close interaction and have since failed to keep up with the times. We are gratified to note the similarity of our approaches to this issue, and we are interested in the proposal to hold the sessions of the Russia-EU Cooperation Council several times a year at the level of industrial ministries and regular consultations of experts involving Russia, all the EU countries and the European Commission. That would streamline the mechanism of cooperation, make it more transparent and understandable for each of the parties, would enable the regular Russia-EU enlarged summits to focus on truly key issues of bilateral interaction.

While on this topic I have to raise the issue of strict compliance with the decisions taken at the summit on a political level. I regret to say that there are many instances when the executors of decisions taken at the political level interpret them very loosely. I don’t think pointing fingers would be appropriate, but my point is that the arbitrary actions of officials cause some damage to our interaction and undermine the authority of this forum.

I would like to mention a fundamental problem that directly affects the interests and aspirations of the ordinary citizens of our countries, for whose sake we are conducting this dialogue. I am referring to one of the fundamental human freedoms, the freedom of movement. I am deeply convinced that it is our common goal and our political and moral duty to eliminate all the barriers that today separate millions of Russian citizens and their acquaintances, friends and family in EU countries.

Let me tell you honestly: in the eyes of ordinary Russians, the Schengen zone is perceived plainly as a new “wall”. The situation threatens to become even more complex with the spread of the Schengen zone to the new European Union members. Unfortunately, I must say that my understanding with the President of the European Commission, Mr Romano Prodi, on a special panel of experts and on the eventual elimination of visas for the travel of Russian and EU citizens has not been implemented. This is one example of the issues on which we have yet to come to an agreement.

Needless to say, we do not expect such a system to be introduced tomorrow. We are aware of all the problems and complexities down the road. But the citizens of Greater Europe must know when, how and at what price genuine freedom of movement, one of the most important

human rights, will be achieved. I suggest that we instruct our relevant ministries, jointly with the European Commission, to start work on all the issues connected with the transition to a visa-free system and report to the Rome Russia-EU summit [November 6, 2003] on the timeframe and stages of working towards that goal. Many of our colleagues – the German Chancellor and the Italian Prime Minister – had their own proposals on the ways and stages of solving this problem. Our Polish friends had corresponding proposals. All this can be summarised and put before the experts so as to gradually, I repeat, as conditions ripen, move towards solving this task.

And one more important problem that affects all of us, the health and well-being of our families and our societies. I am referring to the threat of drugs, an issue on which we are on the same side. Unfortunately we are witnessing an explosion, a huge increase in the flow of drugs from Afghanistan both to Russia and to Europe via Russia. Suffice it to say, and our esteemed colleague and my friend, the Prime Minister of Britain, knows it, that 90% of “heavy” narcotics come to the British market from Afghanistan. All this passes through Russia and other CIS and Eastern European countries. Vigorous efforts to reverse this negative trend are being exerted by the world community within the framework of the UN, the G8, and together with the Interim Administration of Afghanistan. The joint efforts of Russia and the European Union should fit into that work. I suggest that we instruct our foreign ministries and the heads of other competent agencies to submit a concrete programme for such measures to our next summit. I think we should see how we can combine our efforts in combating this threat in a practical way.

I invite my colleagues to join the discussion on the present and future interaction between Russia and the European Union. It gives me great pleasure to give the floor to Konstantinos Simitis, President of the European Council and the Prime Minister of the Republic of Greece.

Sumber: website Kremlin

[http://eng.kremlin.ru/speeches/2003/05/31/0003\\_type82914type82917\\_163826.shtml](http://eng.kremlin.ru/speeches/2003/05/31/0003_type82914type82917_163826.shtml) (diunduh tanggal 14 Desember 2009 20:30)

#### **(d) Teks Pertemuan Putin dengan Pimpinan Gazprom Alexei Miller**

*Начало встречи с председателем правления ОАО «Газпром» Алексеем Миллером  
6 августа 2004 года*

**В.ПУТИН:** Алексей Борисович, несколько слов о результатах деятельности компании.

**А.МИЛЛЕР:** Прошлый год стал самым успешным за всю историю «Газпрома». И сегодня можно констатировать установление «Газпрома» как международной вертикально интегрированной энергетической компании, которая является серьезным участником международного энергетического рынка.

**В.ПУТИН:** Прирост добычи?

**А.МИЛЛЕР:** Прирост составил 20 миллиардов. И в этом году мы идем выше плановых показателей, которые поставили для себя, по итогам первого полугодия. Объем сверхплановой добычи составил полтора миллиарда кубических метров газа. И это, конечно же, очень важный фактор для продолжения программы газификации. Мы в этом году планируем ввести почти что в два раза больше газораспределительных сетей. Если в прошлом году было введено около 1300 километров, то в этом году мы планируем, что объемы ввода составят 2600 километров. В прошлом году было газифицировано более 300 новых населенных пунктов. Объемы потребления на внутреннем рынке выросли на семь с половиной миллиардов кубических метров, и мы планируем, что и в этом году также объемы потребления на внутреннем рынке будут расти.

**В.ПУТИН:** Что со структурой поставок?

**А.МИЛЛЕР:** Что касается структуры поставок, конечно же, приоритеты – это электроэнергетика, это население, это комбыт. И сегодня мы видим, что растут объемы потребления в экспортно-ориентированных отраслях промышленности: «Газпром» в очень большой степени сориентирован сегодня на экспортный рынок, все-таки до сих пор экспорт является для нас и по объемам валовой выручки, и объемам рентабельности продаж очень важным направлением работы. Объемы экспорта растут, и в прошлом году они составили 132,9 миллиарда кубических метров газа.

В.ПУТИН: Есть и другие составляющие.

А.МИЛЛЕР: Конечно же, с экономической точки зрения с учетом хорошей конъюнктуры на мировых рынках для нас – очень высокая эффективность продаж. И в этой связи объемы поставок на экспорт растут: за первое полугодие по сравнению с показателями предыдущего года объемы выросли на 7 миллиардов кубических метров газа – это где-то прирост 10 процентов. И в дальнейшем мы планируем, что объемы поставок на экспорт будут ежегодно расти на 5-6 миллиардов кубических метров газа.

Благодаря нашим долгосрочным контрактам у нас на долгие годы вперед сформирован портфель, и в этой связи очень важная задача сейчас – поднимать рентабельность продаж на внутреннем рынке.

Правительство приняло решение о повышении тарифов в 2005 году до уровня, который бы нам позволял выходить на безубыточность продаж на внутреннем рынке. Но, к сожалению, та динамика цен на металл, которая сейчас сложилась у нас внутри страны, такова, что, по-видимому, «Газпрому» не удастся и в этом году, а может быть, даже и в будущем году преодолеть уровень нулевой рентабельности.

В.ПУТИН: Алексей Борисович, но все-таки рентабельность у вас по первому полугодью этого года составила 17 процентов, насколько мне известно, несмотря на рост цен в металлургической отрасли.

А.МИЛЛЕР: Рост цен в металлургической отрасли привел к тому, что мы будем вынуждены сократить нашу инвестиционную программу почти что на 500 миллионов долларов. Это та дополнительная нагрузка, которая сегодня легла на «Газпром» благодаря тому, что за первые семь месяцев цена на металл выросла почти что на 80 процентов.

В.ПУТИН: Я понимаю. Тем не менее Вы не ответили на мой вопрос. У вас в прошлом году во втором полугодии, насколько мне известно, – может быть, это неточные цифры – рентабельность была 50 процентов – очень высокая рентабельность, а в том году в связи с ростом цен на металлопродукцию она составила в первом полугодии 17 процентов. Это, конечно, гораздо меньше, чем 50, но это все-таки большая рентабельность.

А.МИЛЛЕР: Да, но это та средняя рентабельность, которая складывается с учетом продаж на внешнем рынке, а то, что касается внутреннего рынка, мы, к сожалению, еще пока имеем отрицательную рентабельность. Если мы говорим о необходимости увеличения объемов поставок на внутренний рынок, то компания, конечно же, должна работать на внутреннем рынке с плюсом. В противном случае, увеличивая объемы поставок, конечно же, мы увеличиваем свои убытки. Таким образом, мы снижаем свою рентабельность.

В.ПУТИН: Согласен. Так называемая энергетическая стратегия, которая была принята Правительством некоторое время назад, – в части, касающейся «Газпрома», соблюдается?

А.МИЛЛЕР: К сожалению, тот уровень роста цен, который был заложен в этой энергетической стратегии, пока не выдерживается. Но те показатели, которые есть на сегодняшний день в энергетической стратегии, мы считаем вполне приемлемыми, оптимальными. В частности, средняя цена на газ к 2006 году в соответствии с энергетической стратегией должна составить 41 доллар за тысячу кубов, и, если этих показателей удастся достигнуть в течение ближайших двух лет, это было бы хорошим фактором развития и российской экономики, и газовой отрасли.

В.ПУТИН: Вы знаете, безусловно, не хуже меня, а даже лучше, с чем связаны последние решения – прежде всего с необходимостью выхода на исчисление налогов, прежде всего НДС, по стране назначения. И там у нас выпадающих доходов примерно на 36 миллиардов, так? Те решения, которые были приняты по НДС по газу, «Газпром» устраивают?

А.МИЛЛЕР: Решения были по НДС по газу таковы, что из объемов, касающихся возмещения НДС по стране назначения, 20 миллиардов ложится на «Газпром». Это, конечно, дополнительная нагрузка. С Правительством у нас был конструктивный диалог, было найдено компромиссное решение для 2005 года. По-видимому, мы должны сейчас продолжить диалог с Правительством в отношении возможности дополнительного

увеличения тарифов на газ для промышленности, и мы такую аргументацию в самое ближайшее время планируем в Правительство представить.

В.ПУТИН: Насколько мне известно, в Правительстве есть разные точки зрения по этому вопросу. Я надеюсь, что решение будет сбалансированным. Во всяком случае, я согласен с Вами в том, что компания должна выходить на прибыльную работу внутри страны. Конечно, идти к этой цели нужно очень аккуратно, не ставя в трудное положение потребителей – прежде всего, конечно, бытовых.

А.МИЛЛЕР: Приоритеты населения, приоритеты комбыта, приоритеты электроэнергетики – они всегда стояли во главе угла нашей работы и будут стоять.

Хотел бы особо отметить развитие сотрудничества с нашими ближайшими соседями. «Газпром» сейчас вернулся во все республики бывшего СССР. Мы начали реализовывать комплексную программу «Средняя Азия – Центр». Подписано очень важное соглашение с Украиной по формированию долгосрочного совместного российско-украинского баланса газа, и определены условия нашей совместной работы в газовой сфере до 2028 года.

Что касается вопросов повышения эффективности компании, то хотелось бы отметить, что сейчас мы завершили первый этап реформирования «Газпрома». На первом этапе работа была сосредоточена на оптимизации структуры управления головной компании, введении регламентирующих процедур и систем бюджетирования.

Сейчас мы перешли ко второму этапу реформы «Газпрома», которая предусматривает оптимизацию системы работы компании уже на уровне наших дочерних предприятий, выделение и консолидацию основных видов деятельности, то есть создание стопроцентных компаний, которые будут специализироваться только на добыче, только на транспорте, только на подземном хранении и на газораспределении. Мы планируем, что эта работа будет завершена к концу этого года, и в новый год «Газпром» войдет уже с новой структурой.

Новая стратегия «Газпрома», которая направлена на становление компании как международной вертикально интегрированной компании, базируется на ряде программ, которые совсем недавно были приняты.

Это, во-первых, программа развития минерально-сырьевой базы компании до 2030 года. Основу этой программы составляют два новых добычных региона – Ямал, Восточная Сибирь и Дальний Восток. Также мы ставим задачу перед «Газпромом», чтобы объемы пополнения наших запасов были выше объемов ежегодной добычи.

Другая программа – это программа синхронизации добычи, транспорта и сбыта. И в этой связи хотелось бы отметить, что если в рамках инвестиционной программы прошлого года соотношение объемов инвестиций, которые были направлены на транспорт и добычу, было 40 процентов и 40 процентов, то есть в равных объемах, то в этом году соотношение объемов инвестиций следующее: на добычу – 30 процентов и на транспорт – 60 процентов. Эта тенденция сохранится и дальше.

Сегодня не является критичным вопрос по добыче – сейчас нам надо работать в плане новых газотранспортных маршрутов, надо работать в отношении диверсификации наших маршрутов, и в этой связи мы с нашими европейскими партнерами разрабатываем сейчас проект Североевропейского газопровода. Этот проект позволит обеспечить более высокую надежность и стабильность поставок для наших европейских потребителей. Определено базовое месторождение для реализации проекта – это Южнорусское месторождение.

При этом мы планируем, что этот проект может быть реализован на совершенно новых принципах сотрудничества с нашими зарубежными коллегами. Мы считаем возможным, чтобы наши зарубежные партнеры могли участвовать в добыче. Но в свою очередь «Газпром» будет участвовать в активах по всей цепочке – от добычи до конечного потребителя. Это означает наше участие в активах газораспределительных сетей в Германии и в других европейских странах и участие в активах конечных потребителей, в первую очередь в электроэнергетике.

Основу нашей стратегии составляет программа диверсификации продуктов: это в первую очередь сжиженный газ, синтетические жидкие углеводороды, и сейчас мы в качестве



нового вида своей основной деятельности рассматриваем электроэнергетику и планируем в самое ближайшее время в этой области быть представлены более активно.

Для «Газпрома» всегда нефть являлась профильным видом деятельности, и в рамках второго этапа реформы мы планируем создать новую компанию «Газпромнефть», которая специализировалась бы только на добыче и переработке жидких углеводородов. Сейчас объем добычи жидких углеводородов в «Газпроме» составляет где-то около 11 миллионов тонн, и, по нашим оценкам, только реструктуризация этого бизнеса и создание самостоятельного юридического лица позволит на базе наших газпромовских месторождений в течение ближайших лет увеличить объемы добычи до 40-50 миллионов тонн.

В.ПУТИН: Я думаю, что консолидация усилий вместе с нашими партнерами в Средней Азии и ваши шаги, направленные на интеграцию в европейскую экономику, – это, конечно, две очень важные составляющие развития энергетики в целом и «Газпрома» в частности. Вместе с тем я бы хотел вернуться к тому, о чем Вы сказали чуть выше, а именно: я просто абсолютно уверен, что повышение прозрачности «Газпрома», улучшение менеджмента, улучшение структуры компании – то, о чем мы с Вами только что говорили, – это большие резервы повышения качества работы «Газпрома» и повышения его рентабельности. Стратегия развития компании должна быть под Вашим постоянным личным вниманием, и в диалоге с Правительством нужны шаги, которые были предусмотрены в этом направлении, а там, я знаю, у Вас есть соответствующие планы, их нужно аккуратно, но последовательно реализовывать.

Sumber: website resmi Kremlin  
[http://archive.kremlin.ru/appears/2004/08/06/1100\\_type63378\\_75162.shtml](http://archive.kremlin.ru/appears/2004/08/06/1100_type63378_75162.shtml) (diunduh 13 Januari 2010 08:20)

### Versi Bahasa Inggris

6 Agustus 2004 Meeting with Head of Gazprom Alexei Miller

VLADIMIR PUTIN: Alexei Borisovich, please say a few words about the results of the company's work. Alexei Miller: Last year was the most successful in the entire history of Gazprom. And today we can state that Gazprom has established itself as an international, vertically integrated energy company, which is a serious player on the international energy market. Last year the growth of gas production was around 20 billion cubic metres, making a total amount of 540 billion.

VLADIMIR PUTIN: What was the growth in gas production?

ALEXEI MILLER: The growth was 20 billion. And this year we are going higher than the planned figures that we set for the results of the first half of the year. The volume of extra production was one and a half million cubic metres of gas. And this, of course, is a very important factor for continuing the programme of gasification. This year, we plan to open almost twice as many gas networks. If around 1,300 kilometres was opened last year, this year we plan to open 2,600 kilometres. Last year, over 300 new areas were gasified. The volumes of consumption on the domestic market grow by 7.5 billion cubic metres, and we plan that this year these volumes of consumption on the domestic market will also grow.

VLADIMIR PUTIN: What about the structure of deliveries?

ALEXEI MILLER: As for the structure of deliveries, of course the priorities are electrical energy, the population, and municipal gas. And today we can see that the volumes of consumption in export-oriented industries are growing, although today Gazprom is to a very large degree focused on the export market, and export is still a very interesting area of work, both in volumes of gross receipt and volumes of profitable sales. Export volumes are growing, and last year they came to 132.9 billion cubic metres of gas.

VLADIMIR PUTIN: The most interesting above all from the economic viewpoint...

ALEXEI MILLER: From the economic viewpoint....

VLADIMIR PUTIN: There are also other factors.

ALEXEI MILLER: Of course, from the economic viewpoint, taking into account the good situation for us on international markets, there is a very high effectiveness of sales. And thus volumes of export deliveries are growing, and in the first half of the year volumes grew by 7 billion cubic metres of gas in comparison with the figures for last year. This is a growth of about 10%. And in future, we plan that export delivery volumes will grow yearly by 5-6 billion cubic metres of gas.

Thanks to our long-term contracts, we have formed a portfolio for many years ahead, and thus it is now very important to understand the profitability of sales on the domestic market.

The government has taken a decision to increase tariffs in 2005 to a level which would allow us to break even on the domestic market. But unfortunately, the price dynamic on metals which currently exists in the country is such that evidently, Gazprom will not be able to pass a level of zero profitability this year, or perhaps even next year. Evidently, issues of increasing prices for industry should now be very important in dialogue between Gazprom and the government, because this state of affairs does not in any way help to increase the delivery volumes of our industry, as the company, if the current trends continue, will simply increase its losses at the expense of increasing volumes of sales.

I would like to make special mention of the development of cooperation with our close neighbours. Gazprom has now returned to all republics of the former USSR. We have begun to realise the programme "Central Asia – Centre", and a very important document has been signed with Ukraine on forming a long-term joint Russian-Ukrainian balance of gas, and the conditions of our joint work in the gas sphere until 2028 have been determined.

As for issues of increasing the effectiveness of the company, I would like to note that we have now completed the first stage of reforming Gazprom. At the first stage, work has been concentrated on optimising the management structure of the head company, introducing regulating procedures and systems of budgeting.

We have now moved to a second stage of reforming Gazprom, which involves optimising the system of the company's work at the level of our branch enterprises, separating and consolidating the main types of activity, i.e. creating full companies which will specialise in gas production only, in transport only, in underground storage and gas distribution. We plan that this work will be finished by the end of this year, and in the new year Gazprom will have a new structure.

The new strategy of Gazprom, which is designed to establish the company as an international, vertically integrated company, is based on a series of programmes which were passed quite recently.

There is a programme of developing the raw mineral base of the company up until 2030, and the basis of this programme is two new production regions – Yamal, Eastern Siberia, and the Far East. And we also set Gazprom the task of ensuring that the replenishment volumes of our resources are greater than the volumes of yearly production.

Another programme involves synchronisation of production, transport and sale. I would like to note that if in the volumes of the investment programme of last year, the ratio of volume of investments which were directed towards transport and production were 40% and 40%, i.e. in equal volumes, this year the ratio of investment volumes directed towards production is 30%, and 60% towards transport. This trend will continue in future.

Today the issue of production is not critical, but we need to work on new gas transport routes, in diversifying our routes, and we are currently working on a project of a North European gas pipeline with our European partners. This project will make it possible to ensure a greater reliability and stability of deliveries for our European consumers. The base gas field for realising this project has been determined – the South Russian gas field.

At the same time, we plan that this project may be realised on completely new principles of cooperation with our foreign colleagues. We think it is possible that our foreign partners may take part in production. But, in its turn, Gazprom will take part in assets at all stages in the process – from production to the end consumer, i.e. we will take part in assets in gas distribution networks in Germany and in final consumer assets, above all in electrical energy.

The basis of our strategy is a programme of diversification, diversification of products. This is primarily liquefied gas, synthetic liquid hydrocarbons, and now we are

examining electrical energy as a new form of our main activity, and plan in the near future to be represented more actively in this area.

For Gazprom, oil has always been a profile form of activity, and as part of the second stage of reform we plan to create a new company, Gazpromneft, which will specialise only in mining and processing liquid hydrocarbons. Currently, the volume of liquid hydrocarbons mined by Gazprom comes to around 11 million tons, and according to our calculations, only reconstructing this business and creating an independent legal body will make it possible to increase volumes to 40-50 million tons on the basis of our Gazprom fields in the years to come.

VLADIMIR PUTIN: I think the consolidation of efforts with our partners in Central Asia and your steps towards integration in the European economy are certainly two very important components for developing the energy sector as a whole and Gazprom in particular. At the same time I would like to return to what I said a little earlier: I am simply convinced that increasing the transparency of the company, improving the management and improving the structure of the company – which we have just talked about – are excellent means for increasing the quality of the company's work and increasing its profitability. The company's strategy should be under your constant personal control, and in dialogue with the Government, steps are needed that were envisaged in this area, and I know you have according plans here, which need to be carefully but gradually realised.

Sumber: website Kremlin

[http://eng.kremlin.ru/text/speeches/2004/08/06/1807\\_type84779\\_75180.shtml](http://eng.kremlin.ru/text/speeches/2004/08/06/1807_type84779_75180.shtml)

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### **(e) Kutipan Pertemuan Liberalisasi Saham Gazprom dengan Anggota Dewan Keamanan**



23 декабря 2005 года, Ново-Огарево

*Выдержки из стенографического отчета о совещании с постоянными членами Совета Безопасности (о либерализации рынка акций ОАО «Газпром»)*

В.ПУТИН: Добрый день, уважаемые коллеги!

Начнем нашу сегодняшнюю встречу с экономической проблематики.

Вчера и сегодня мною подписаны указы Президента, касающиеся либерализации ценных бумаг акционерного общества «Газпром». Это – завершение достаточно большой работы, которая была проделана Правительством РФ и самой компанией. Попрошу Дмитрия Анатольевича Медведева прокомментировать это событие и ожидаемые последствия.

Д.МЕДВЕДЕВ: Изменения, которые подписаны Президентом, означают снятие всех ограничений с рынка акций «Газпрома». Они действительно готовились достаточно долго. Теперь на фондовом рынке у нас не существует ценных бумаг, которые циркулировали бы по каким-то особым, своеобразным правилам.

Это знаковое событие для всего нашего фондового рынка. Его долго ждали. Для «Газпрома» это, безусловно, означает выход на возможность привлечения новых инвестиций, в том числе от высококлассных иностранных инвесторов. Это означает возможность получения дополнительных источников финансирования на самых разных финансовых рынках. И в целом означает возможность для роста капитализации компании в обозримой перспективе. Причем мы надеемся, что рост капитализации компании будет проходить по нарастающей и в ближайшее время «Газпром» сможет войти в элитный клуб самых крупных компаний по размеру своего капитала.

Для всего фондового рынка – это, безусловно, очень важное событие, поскольку акции «Газпрома» являются индикаторами развития всей фондовой системы Российской Федерации.

### **Versi Bahasa Inggris**

23 December 2005 The Kremlin, Moscow

Excerpts from the Transcript of the Meeting on the Liberalization of Gazprom's Shares with the Permanent Members of the Security Council

VLADIMIR PUTIN: Good afternoon dear colleagues!

Let us begin our meeting today by talking about economic issues. Yesterday and today I signed decrees concerning the liberalization of Gazprom's shares. This marks the completion of quite a lot of work done by the Government of the Russian Federation and Gazprom. I shall ask Dmitry Anatolevich Medvedev to comment on this event and the expected outcomes.

DMITRY MEDVEDEV: The changes signed by the President provide for the removal of all restrictions on Gazprom's share trading. They have really been prepared over a long time. Now we no longer have shares on the stock market which are traded according to special or unique rules. This is a significant event for the Russian stock market as a whole. We have been waiting for this for a long time. For Gazprom this undoubtedly signifies opportunities to attract new investments, including from high-quality foreign investors. It suggests the opportunity to receive additional sources of financing on various financial markets. And as a whole this means that the company's capitalization will be able to grow in the foreseeable future. Moreover, we hope that the growth of the company's capitalization will progressively increase and that in the near future Gazprom will be able to enter the exclusive club of the largest corporations measured by their market capitalization. This is undoubtedly a significant event for the stock market as a whole since Gazprom's shares are an indicator of the development of the whole Russian stock market.

Sumber: website Kremlin

[http://eng.kremlin.ru/text/speeches/2005/12/23/1750\\_type82913\\_99413.shtml](http://eng.kremlin.ru/text/speeches/2005/12/23/1750_type82913_99413.shtml)

(diunduh tanggal 14 Desember 2009 14:35)

#### **(f) Kutipan Teks Munich Conference**



Президент России  
Официальный сайт

10 февраля 2007 года, Мюнхен

*Выступление и дискуссия на Мюнхенской конференции по вопросам политики безопасности*

Госпожа Федеральный канцлер упомянула уже об этом. Так, суммарный ВВП Индии и Китая по паритетной покупательной способности уже больше, чем у Соединенных Штатов Америки. А рассчитанный по тому же принципу ВВП государств группы БРИК – Бразилия, Россия, Индия и Китай – превосходит совокупный ВВП Евросоюза. И, по оценкам экспертов, в обозримой исторической перспективе этот разрыв будет только возрастать.

Не стоит сомневаться, что экономический потенциал новых центров мирового роста будет неизбежно конвертироваться в политическое влияние и будет укреплять многополярность.

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Камни и бетонные блоки Берлинской стены давно разошлись на сувениры. Но нельзя забывать, что ее падение стало возможным и благодаря историческому выбору, в том числе нашего народа – народа России, выбору в пользу демократии и свободы, открытости и искреннего партнерства со всеми членами большой европейской семьи.

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В этой связи подробнее остановлюсь на международном энергетическом сотрудничестве. Госпожа Федеральный канцлер тоже об этом коротко, но упомянула, затронула эту тему. В энергетической сфере Россия ориентируется на создание единых для всех рыночных принципов и прозрачных условий. Очевидно, что цена на энергоносители должна

определяться рынком, а не являться предметом политических спекуляций, экономического давления или шантажа.

Мы открыты для сотрудничества. Зарубежные компании участвуют в наших крупнейших энергетических проектах. По различным оценкам, до 26 процентов добычи нефти в России – вот вдумайтесь в эту цифру, пожалуйста, – до 26 процентов добычи нефти в России приходится на иностранный капитал. Попробуйте, попробуйте привести мне пример подобного широкого присутствия российского бизнеса в ключевых отраслях экономики западных государств. Нет таких примеров! Таких примеров нет.

Напомню также о соотношении инвестиций, поступающих в Россию и идущих из России в другие страны мира. Соотношение – примерно пятнадцать к одному. Вот вам зримый пример открытости и стабильности российской экономики.

Экономическая безопасность – это сфера, где всем следует придерживаться единых принципов. Мы готовы честно конкурировать.

Для этого у российской экономики появляется все больше возможностей. Такую динамику объективно оценивают эксперты и наши зарубежные партнеры. Так, недавно был повышен рейтинг России в ОЭСР: из четвертой группы риска наша страна перешла в третью. И хотел бы, пользуясь случаем, здесь, сегодня в Мюнхене, поблагодарить наших германских коллег за содействие в принятии вышеназванного решения.

Далее. Как вы знаете, процесс присоединения России к ВТО вышел на финальную стадию. Отмечу, что в ходе долгих непростых переговоров мы не раз слышали слова о свободе слова, о свободе торговли, о равных возможностях, но почему-то исключительно, применительно к нашему, российскому рынку.

И еще одна важная тема, прямо влияющая на глобальную безопасность. Сегодня много говорят о борьбе с бедностью. Что здесь происходит на самом деле? С одной стороны, на программы помощи беднейшим странам выделяются финансовые ресурсы – и подчас немаленькие финансовые ресурсы. Но по-честному, и об этом здесь многие тоже это знают, зачастую под «освоение» компаниями же стран-доноров. Но в тоже время, с другой стороны, в развитых странах сохраняются субсидии в сельском хозяйстве, ограничивается для других доступ к высоким технологиям.

И давайте называть вещи своими именами: получается, что одной рукой раздается «благотворительная помощь», а другой – не только консервируется экономическая отсталость, а еще и собирается прибыль. Возникающее социальное напряжение в таких депрессивных регионах неизбежно выливается в рост радикализма, экстремизма, подпитывает терроризм и локальные конфликты. А если все это вдобавок происходит, скажем, на Ближнем Востоке в условиях обостренного восприятия внешнего мира как несправедливого, то возникает риск для глобальной дестабилизации.

Очевидно, что ведущие страны мира должны видеть эту угрозу. И, соответственно, выстраивать более демократическую, справедливую систему экономических отношений в мире – систему, дающую всем шанс и возможность для развития.

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ВОПРОС: Вы можете прокомментировать опыт, который сложился у российских военнослужащих в Чечне? О Вашем примечании по энергетике: Вы изложили вкратце, что касается рыночной роли энергии в политике. Европейский союз заинтересован в том, чтобы добиться заключения партнерского соглашения, чтобы были зафиксированы принципы в области политики. Вы готовы обеспечить надежность поставок ресурсов и

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В.ПУТИН: Прежде всего хочу вас поблагодарить за эти вопросы. Очень интересно. Жалко, что у нас мало времени, я с удовольствием бы с каждым из вас провел отдельную дискуссию. Я это люблю, мне нравится.

Начну с последнего вопроса по поводу однополярности российского правительства. В российском парламенте сегодня представлены Коммунистическая партия Российской Федерации, партия «Единая Россия», Либерально-демократическая партия, представлены другие политические силы, которые принципиально, по своим основополагающим взглядам, отличаются друг от друга. Если Вам это неизвестно, побеседуйте с руководством Коммунистической партии Российской Федерации, а потом с

лидером наших либеральных демократов господином Жириновским. И Вы сразу же увидите разницу. Если Вам сейчас не видно, побеседуйте с ними. Здесь нет никаких проблем – приехать в Москву и поговорить.

Что касается того, как мы в будущем планируем это делать. Мы бы хотели, чтобы у нас была зрелая политическая система, чтобы у нас была многопартийная система с ответственными политиками, которые могут прогнозировать развитие страны и ответственно действовать не только в период выборов и после них, а и на длительную историческую перспективу. Вот будем к этому стремиться. Но эта система, конечно же, будет многопартийной. Все наши действия внутри страны, в том числе касающиеся изменения порядка избрания в Государственную Думу, в парламент России, направлены именно на укрепление многопартийной системы в стране.

Теперь о том, в состоянии ли наше Правительство действовать ответственно при решении проблем энергетических поставок и по обеспечению энергетической безопасности. Конечно, да! Более того, все, что мы делали до сих пор и делаем сейчас, направлено на достижение только одной цели: перевести наши отношения с потребителями и с транзитерами наших углеводородов на рыночные, прозрачные принципы и в долгосрочные контракты.

Напомню вам, и здесь напротив меня сидит мой коллега, Президент Украины, он это знает так же, как и я: до прошлого года, пока мы с ним в трудной дискуссии не приняли соответствующих решений, поставки наших энергоносителей, прежде всего газа в Европу, в течение 15 лет зависели от того, договорятся ли Украина и Россия между собой по условиям и по ценам поставок нашего газа в саму Украину, а если не договорятся – все, европейские потребители сидели бы без газа. Такая ситуация вас устраивает? Думаю, нет. И несмотря на все скандалы там и прочее, защиту интересов, борьбу мнений и так далее, мы смогли договориться с Президентом Ющенко. Я считаю, что он принял ответственное, исключительно правильное, абсолютно рыночное решение: мы подписали контракты отдельно на поставку в Украину нашего газа и отдельно – на транзит в Европу на пять лет вперед. Спасибо нам нужно сказать, и нам, и Украине, за это решение. И за Ваш вопрос спасибо, вопрос хороший.

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### Versi Bahasa Inggris

*Speech and the Following Discussion at the Munich Conference on Security Policy 10 February 2007 – Munich*

Madam Federal Chancellor already mentioned this. The combined GDP measured in purchasing power parity of countries such as India and China is already greater than that of the United States. And a similar calculation with the GDP of the BRIC countries – Brazil, Russia, India and China – surpasses the cumulative GDP of the EU. And according to experts this gap will only increase in the future.

There is no reason to doubt that the economic potential of the new centres of global economic growth will inevitably be converted into political influence and will strengthen multipolarity.

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The stones and concrete blocks of the Berlin Wall have long been distributed as souvenirs. But we should not forget that the fall of the Berlin Wall was possible thanks to a historic choice – one that was also made by our people, the people of Russia – a choice in favour of democracy, freedom, openness and a sincere partnership with all the members of the big European family.

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In connection with this I shall talk about international energy cooperation in more detail. Madam Federal Chancellor also spoke about this briefly – she mentioned, touched on this theme. In the energy sector Russia intends to create uniform market principles and transparent conditions for all. It is obvious that energy prices must be determined by the market instead of being the subject of political speculation, economic pressure or blackmail.

We are open to cooperation. Foreign companies participate in all our major energy projects. According to different estimates, up to 26 percent of the oil extraction in Russia – and please think about this figure – up to 26 percent of the oil extraction in Russia is done by foreign capital. Try, try to find me a similar example where Russian business participates extensively in key economic sectors in western countries. Such examples do not exist! There are no such examples.

I would also recall the parity of foreign investments in Russia and those Russia makes abroad. The parity is about fifteen to one. And here you have an obvious example of the openness and stability of the Russian economy. Economic security is the sector in which all must adhere to uniform principles. We are ready to compete fairly.

For that reason more and more opportunities are appearing in the Russian economy. Experts and our western partners are objectively evaluating these changes. As such, Russia's OECD sovereign credit rating improved and Russia passed from the fourth to the third group. And today in Munich I would like to use this occasion to thank our German colleagues for their help in the above decision.

Furthermore. As you know, the process of Russia joining the WTO has reached its final stages. I would point out that during long, difficult talks we heard words about freedom of speech, free trade, and equal possibilities more than once but, for some reason, exclusively in reference to the Russian market.

And there is still one more important theme that directly affects global security. Today many talk about the struggle against poverty. What is actually happening in this sphere? On the one hand, financial resources are allocated for programmes to help the world's poorest countries – and at times substantial financial resources. But to be honest -- and many here also know this – linked with the development of that same donor country's companies. And on the other hand, developed countries simultaneously keep their agricultural subsidies and limit some countries' access to high-tech products.

And let's say things as they are – one hand distributes charitable help and the other hand not only preserves economic backwardness but also reaps the profits thereof. The increasing social tension in depressed regions inevitably results in the growth of radicalism, extremism, feeds terrorism and local conflicts. And if all this happens in, shall we say, a region such as the Middle East where there is increasingly the sense that the world at large is unfair, then there is the risk of global destabilisation.

It is obvious that the world's leading countries should see this threat. And that they should therefore build a more democratic, fairer system of global economic relations, a system that would give everyone the chance and the possibility to develop.

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QUESTION: Can you comment on the experiences of Russian servicemen in Chechnya? And about your comments on energy: you briefly mentioned the market role energy plays in politics. The EU is interested in reaching a partnership agreement that contains fixed policy principles. Are you ready to guarantee reliable energy deliveries, including in the agreement?

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PRESIDENT VLADIMIR PUTIN: First of all I would like to thank you for your questions. Very interesting. It is a shame that we have little time left because I would be pleased to have a separate discussion with all of you. I very much enjoy this, I like it.

I will begin with the last question about the unipolar nature of the Russian government. Today the Communist Party of the Russian Federation, the United Russia Party, the Liberal Democratic Party and other political forces as well sit in the Russian parliament. And their basic positions differ significantly. If you aren't aware of this then just have a talk with the leadership of the Communist Party of the Russian Federation and then with the leader of our liberal democrats, Mr Zhirinovskiy. You will see the difference at once. If you cannot see it now, then have a talk with them. There is no problem here, simply go to Moscow and talk to them.

About our future plans. We would like to have a mature political system, a multi-party system with responsible politicians who can anticipate the country's development and not only work responsibly before elections and immediately after, but in a long-term future as well. That is what we aspire to. And this system will certainly be a multi-party one. All our actions within

Russia, including changing the State Duma election regime, the election regime in the Russian parliament, are designed to strengthen a multi-party system in Russia.

And now about whether our government cabinet is able to operate responsibly in resolving issues linked to energy deliveries and ensuring energy security. Of course it can! Moreover, all that we have done and are doing is designed to achieve only one goal, namely to transfer our relations with consumers and countries that transport our energy to market-based, transparent principles and long-term contracts.

I will remind you and my colleague, the President of Ukraine, who is sitting opposite from me, also knows this. For fifteen years prior to 2006, as long as we did not make the corresponding decisions during our difficult talks, deliveries of Russian energy and, first and foremost, of gas to Europe depended on the conditions and prices for the deliveries of Russian gas to Ukraine itself. And this was something that Ukraine and Russia agreed among themselves. And if we reached no agreement, then all European consumers would sit there with no gas. Would you like to see this happen? I don't think so. And despite all the scandals, the protection of interests, and differences of opinion we were able to agree with President Yushchenko. I consider that he made a responsible, absolutely correct and market-oriented decision. We signed separate contracts for the delivery of our gas to Ukraine and for delivering Russian gas to Europe for the next five years. You should thank us, both Russia and Ukraine, for this decision. And thank you also for your question.

It would have been better if I answered your questions at once.

Now about the energy agreement with the European Union, since this is how I understood the question. We have said many times that we are not against agreeing on the principles underlying our energy relations with the EU. Moreover, the principles contained in the Charter are generally comprehensible. But the Charter itself is not so acceptable to us. Because not only Russia but also our European partners do not adhere to its principles. It is enough to remember that the market for nuclear materials remains closed for us. Nobody has opened this market to us.

There are also other moments which I simply do not want to draw attention to now. But as to the principles themselves, we are already using these principles in our work with German companies. I shall remind you of the transaction that took place between Gazprom and BASF. As a matter of fact, this was an asset swap. We are ready to continue to work this way. We are ready. But in each concrete instance we must understand what we give, what our partners give, calculate, have an independent international expert evaluation, and then make a decision. We are ready to engage in this work. We have actually just recently done something similar with our Italian partners, with the company ENI. And we did more than simply sign an agreement about deliveries until 2035 – I think – we also talked about swapping assets. And we are studying this same type of cooperation with our Ukrainian friends. This is going ahead.

And is it necessary to fix these principles in a possible future fundamental text between Russia and the EU? It is possible to have different opinions on this issue. I consider that it is not necessary because, in addition to energy, we have other spheres in which we cooperate with the EU, including agriculture, high-tech and transportation. And all of this is very important and very interesting. And we cannot put all of this in one fundamental act that should act as a framework document. Or would you want us to put only what you need in the document and leave what we need outside of the framework? Let's discuss things honestly with one another and take mutually acceptable decisions.

Sumber: website Kremlin

[http://eng.kremlin.ru/speeches/2007/02/10/0138\\_type82912type82914type82917type84779\\_118123.shtml](http://eng.kremlin.ru/speeches/2007/02/10/0138_type82912type82914type82917type84779_118123.shtml) (diunduh tanggal 14 Desember 2009 18:20)