

Legal aspects of the relations between Russia and EU

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**Section 2. Legal backgrounds of
the EU-Russia relations:
a history and the present**

Section 2. Legal backgrounds of the EU-Russia strategic partnership: a history and the present

- Historical aspect of the legal backgrounds of the EU-Russia relations
- Legal definition of the EU-Russia strategic partnership
- Basic principles of the EU-Russia strategic partnership
- System of the legal backgrounds of the EU-Russia strategic partnership

Historical aspect of the legal backgrounds of the EU-Russia relations



USSR founders and European idea



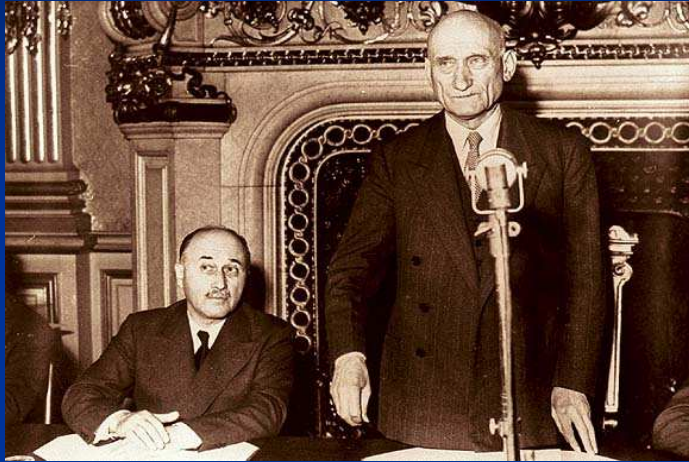
- Lenin: The United States of Europe is impossible or a reactionary concept
- Trotsky: The United States of Europe is a revolutionary perspective (Idea of economic area from Lisbon to Vladivostok)

Soviet position after the WW II



- Molotov: many small independent States in Europe are a guarantee of the USSR's security after the WW II
- Negative Soviet reaction on the Schuman Declaration 1950

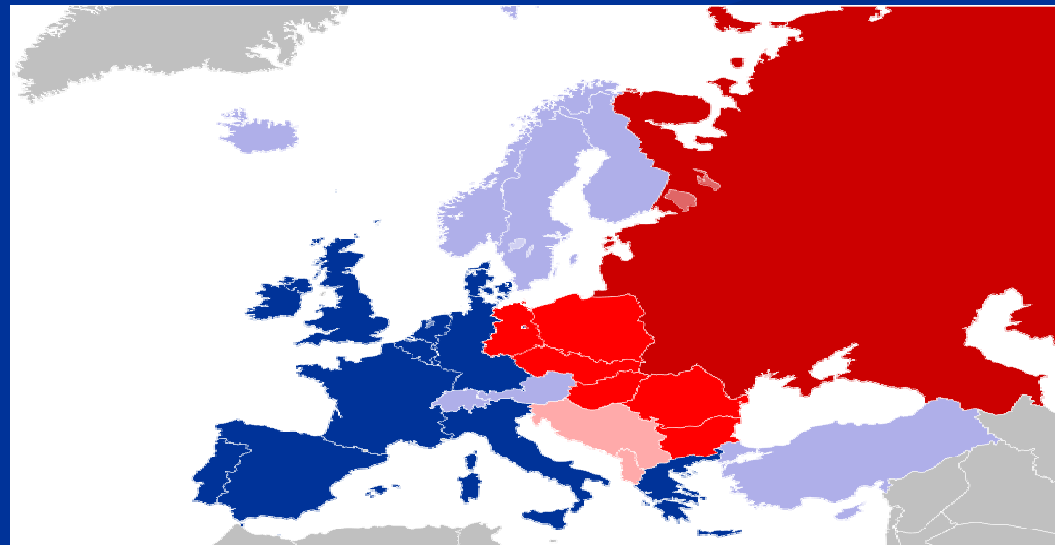
Schuman Declaration 1950



Question of John Reston (NYT) during the Press-
Conference after the presentation
“Are Russians Europeans?”

Cold War

- 1960th: the USSR ignored the Communities
- 1970th: the USSR and the EEC were not able to make any official arrangements



Warm flow under Ice

- The EEC secondary legislation concerning relations with the USSR since the end of 1960th
- The case law of the ECJ in Soviet cases since the beginning of 1980th



Perestroika



- EEC/COMECON Joint Declaration 24 June 1988



- Agreement between the EEC and the Euratom and the USSR on trade and commercial and economic cooperation 1989

Partnership and cooperation

- The Russian Federation and the EU are the same age
- The EU-Russia Partnership and Cooperation Agreement (PCA) 1994



Strategic Partnership



- The term “Strategic Partnership” since 2000
- The concept of the Common European Economic Space 2001-2003
- The concept of the EU-Russia Common Spaces

EU-Russia Selective Engagement (1)

“Substantial changes in relations between the EU and Russia are premised upon full respect for international law. At the same time, we will engage Russia to discuss disagreements and cooperate if and when our interests overlap.”



EU-Russia Selective Engagement(2)

Selective engagement could take place over matters of European interest too, including

- climate, the Arctic, maritime security, education, research and cross-border cooperation;
- deeper societal ties through facilitated travel for students, civil society and business.



Economic Principles of the EU- Russia Relations

- Market economy
 - Since 2002 in relations with Russia (extra vires)
 - Status of country in transition in the PCA 1994
 - The WTO Membership



Legal Principles of the EU-Russia Relations

- International law principles
- Art. 2 PCA
- Direct applicability and primacy of the PCA's provisions in internal legal order
- Approximation clause

System of the legal backgrounds of the EU-Russia Relations

The present day relationship of strategic partnership is based on three blocks of norms

- The First block consists of the norms of the Partnership and Cooperation Agreement between Russia and the EU (PCA) and of specific agreements made on the basis of the PCA as strict grounds of the relationship.
- The Second block consists of "roadmaps" on the Four Common Spaces and other soft law.
- The Third block includes norms of Russian legislation, and the EU rules concerning the relations between the Parties.

Legal foundations of the EU-Russia Relations

EU LAW

RUSSIAN LAW

Legal foundations of the EU-Russia Relations

EU-RUSSIA SOFT LAW

EU LAW

RUSSIAN LAW

Legal foundations of the EU-Russia Relations

**EU-RUSSIA BILATERAL
AGREEMENTS**

EU-RUSSIA SOFT LAW

EU LAW

RUSSIAN LAW

Review

- When were the relations between the USSR and the Communities established?
- When was the first the USSR/Community agreement signed?
- Are the relations of partnership integration relations?
- What is the difference between the «partnership» and «strategic partnership»?
- What does a strategic partnership in the economic sense imply?
- What does a strategic partnership in the political sense imply?
- What category of principles does the Russia-EU strategic partnership include?
- What kind of norms are at the basis of the Russia-EU strategic partnership?

The End of the Section 2