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THE EUROPEAN UNION'S NEW CENTRAL ASIA STRATEGY: TIME FOR HISTORICAL OVERVIEW REFLECTION AND AGENDA SETTING FOR THE FUTURE*

*Avrupa Birliđi'nin Yeni Orta Asya Stratejisi: Tarihsel Sürece Genel Bir Bakış
Gelecek için Bir Yansıma ve Gündem Belirleme*

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Abstract

The relations between the European Union (EU) and Central Asia (CA) have a peculiar history and development trends. The mutual relations of Central Asia states with the European Union differ from relations with other international organisations. This article pays close attention to the current state and proposes to upgrade these relations through enhancement of public diplomacy tools. Therefore, it primarily tries to re-assess the 27-year old history between the EU and CA, in order to identify existing problems and areas of inefficiency and help find solutions to the issues through academic and scientific instruments.

Keywords: European Union, Commonwealth of Independent States, Central Asia, Strategy, Foreign Policy.

Öz

AB ve Orta Asya arasındaki ilişkilerin kendine özgü bir tarihi ve gelişme düzeni vardır. Orta Asya ülkelerinin Avrupa Birliđi ile olan karşılıklı ilişkileri diğerk uluslararası örgütlerle olan ilişkilerinden oldukça farklıdır. Bu nedenle de makalede ikili ilişkilerdeki mevcut duruma özel bir önem verilmekte ve ikili ilişkilerin kamu diplomasisi araçlarıyla geliştirilmesi önerilmektedir. Bu makale, halihazırda gelişmekte olan AB'nin Orta Asya'ya Yönelik Yeni Stratejisi ile bağlantılı olarak hazırlanmıştır. Bundan dolayı öncelikle AB ve OAC arasındaki 27 yıllık ilişki yeniden gözden geçirilmeye çalışılmakta, mevcut sorunlar ve sonuç vermeyen alanlar tespit edilmekte ve bu konulara bilimsel bulmaya uğraşmaktadır.

Anahtar Kelimeler: Avrupa Birliđi, Bağımsız Devletler Topluluđu, Orta Asya, Strateji, Dış Politika.

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Introduction

The EU-CA relations have a different nature. Throughout the years it faced many complications and it is difficult to state that the relationship between the parties involved will be smooth in the future. This article is dedicated to the European Union's relations with Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) and discusses the historical as well as current situation. A specific attention is given to the EU-Uzbekistan relation due to the distinctive interest of the EU in this country. However, this discussion should not exclude other countries of Central Asia since several features of the EU-Uzbekistan relations are also applicable to other countries of the region. Hence, the thoughts and conclusions proposed in this article are not only applicable to the EU-Uzbekistan relation but are also quite relevant to other neighbouring republics.

Furthermore, this article endeavours to analyse the legal foundations of these relations. For this reason, the issue and development of the Partnership and Cooperation Agreements (PCAs) are studied in depth. To this end, the article draws the reader's attention to the PCAs concluded between the Central Asian republics, on the one hand, and the European Communities and their member states, on the other. Moreover, the research work casts light on specific features of the institutional frame of the bilateral relations. It also gives an analysis of normative guidelines, respectively of the Central Asian republic in question and the European Union, which aims to further develop EU-CA relations.

The expansion of relations between the EU and Central Asian countries is a paramount agenda. Conceptualising (or creating and developing a conceptual foundation) of these relations has become a core interest. To extend the issue of conceptualisation, this article provides insights on "The EU and Central Asia: Strategy for a New Partnership"¹ document elaborated under Germany's EU Presidency in 2007.

1 "The EU and Central Asia: Strategy for a New Partnership", *Council of the European Union*, 31 May 2007, <http://register.consilium.europa.eu/pdf/en/07/st10/st10113.en07.pdf>, (Date of Accession: 25.09.2018).

Historical Background

The history between the EU and CA states dates to more than a quarter century. The issue of recognising the new states that became independent in the Central Asian region came forth before the European Community (EC)² at the end of the 20th century. With the “Joint Declaration of Twelve” issued on 31 December 1991, the European Community recognised the independence of Central Asian republics.³ The recognition the statehood of the new Central Asian republics developed in the following way: first, a new understanding (or approach) regarding the procedure of recognising the independence of the newly emerged states was worked out. This understanding was a part of the document entitled “Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union” adopted on 16 December 1991 in Brussels.⁴ Although the Declaration was not of a binding character, it paved the way for the European Community member states to recognise the newly independent states of the former Soviet Union. With “Declaration of Twelve” of 31 December 1991, the independence of nine members of the Commonwealth of Independent States (CIS) was recognised.⁵ “Memorandums of Understanding (MoU)” between the republics of Central Asia and the European Commission were signed in 1992. The first representative office of the EU in Central Asia was inaugurated in Almaty, the capital of Kazakhstan, which was followed by the establishment of diplomatic relations. Subsequently, the Mission of the CA republics to EU started to function in Brussels.⁶

2 “Community” refers to the European Community (EC). The other two communities since their existence never played an independent role. After July 2003, the European Coal and Steel Community (ECSC) and the European Atomic Energy Community (EAEC/Euratom) have been absorbed into the EC, which explains why the name “Community” is mostly used as a singular form in numerous literature.

3 Bulletin de CE, 1-2, 1992, <http://ec.europa.eu/archives/bulletin/en/welcome.htm>, (Date of Accession: 25.09.2018).

4 “Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union”, John P. Grant-J. Craig Barker, ed., *Encyclopaedic Dictionary of International Law*, Oxford University Press, Oxford 2009, p. 208-213.

5 Jean Charpentier, “Les Déclarations des Douze Sur la Reconnaissance des Nouveaux Etats”, *Revue General de Droit International Public (RGDIP)*, Paris 1992, p. 348.

6 “Decree of the Cabinet of Ministers of the Republic of Uzbekistan 162 - On Opening the Embassy of the Republic of Uzbekistan in the Kingdom of Belgium”, *Lex-uz*, 6 May 1995, <http://www.lex-uz>, (Date of Accession: 25.09.2018).

Relations between the European Community and the republics of Central Asia started in this manner. Recognition of the newly independent states by the European Community led to two types of practical and theoretical issue in International Law. The first is the recognition of the primary subjects of international law (Nation-States) by a secondary subject, i.e. intergovernmental regional organisation such as the European Community, while the second problem is the development of new criteria and requirements for the recognition of newly independent states.

Until that moment there was no precedent in the history of the international relations when an international organisation (despite the EU/EC are considered more than international organisation) recognised the independence of newly created State. The other important point is that there weren't any universal requirements regulating the procedure of recognising new independent states. "Montevideo Convention on the Rights and Duties of the States" of 26 December 1933 only mentions the classical selective criteria that are necessary for their recognition of a state. However, the criteria and the procedure on recognition new states was always regarded as a matter falling within the internal competence of every state and in practice, there were no specific requirements.

In this regard, the declaration "Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union" brought by new requirements. These new requirements differed from traditional prerequisites and it is important to point that "None of the members of the Commonwealth of Independent States (CIS) expresses any objection to such a policy by the European Community".⁷

One more specific feature of those relations is the mutual recognition and establishment of diplomatic relations between the European community and the newly independent states of Central Asia occurred simultaneously, in parallel but separately, with the mutual recognition and establishment of diplomatic relations

⁷ I. Lukashuk-A.Saidov, *Bases of the Modern International Law Theory: Academic Textbook*, Tashkent 2006, p. 106.

between each member states of the European Community and Central Asian republics.

For example, Uzbekistan established diplomatic relations with the Kingdom of Denmark on 25 January 1992, the United Kingdom of Great Britain and Northern Ireland on 18 February 1992, the Republic of Finland on 26 February 1992, the Republic of France on 1 March 1992, the Federative Republic of Germany on 6 March 1992, the Kingdom of Belgium on 10 March 1992, with the Republic of Greece on 16 March 1992, with the Kingdom of Spain on 17 March 1992, with the Republic of Italy on 24 March 1992, with the Republic of Austria on 25 March 1992, with Grand Duchy of Luxembourg on 10 July 1992, with the Republic of Portugal on 12 August 1992, with the Kingdom of the Netherlands on 24 November 1992, with the Republic of Ireland on 7 November 1997.

It is important to keep in mind that it is not necessary to establish mutual diplomatic relations at the same time with the diplomatically presence in the form of opening diplomatic establishments, and usually latter one depends on procedural, material and financial issues.

Strategic Interests and Dilemma

The relations of the EU with the countries of the Central Asian region have never been linear. Studies showcase an evolution between the EU and Central Asia states whereby, the EU has shifted its strategy, position and policy numerous times. Lack of information about the region in general, and countries in particular, the immaturity of common external policy and institutional arrangements at that time could be seen as the main reasons. However, pertinent transformations in the region are undoubtedly pushing the EU to modify its strategic priorities in the region.

Historically, CA has a centuries-old tradition of bringing Europe and Asia together as it lies at a strategically important intersection between the two continents. The Central Asian states have undergone serious political and economic transformations since

the beginning of their independence. When Central Asian countries were instituted to the international scene as independent states 27 years ago, several European countries started establishing a permanent dialogue with them.

The break-up of the Soviet Union and the emergence of newly independent states in CA in the 1990s led to significant geopolitical changes. The republics of CA were formed during a crucial moment in the history of international relations and caused immense changes to the geopolitics of the Eurasian continent, causing world powers to adjust their interests accordingly. With its rich natural resources, important geographical position and high human potential, the Central Asian region is within the partnership and collaborative interests of the European Union. Particularly, the EU Commission made a special emphasis on EU's strategic interests in CA in its "Communication on Relations with Newly Independent States of Central Asia"⁸ in 1995. It voiced in the communication that "the Union has important interests in Central Asia. These interests are of economic and geopolitical significance. Especially, based on the fact that European Union being the provider of services, various products, and investment capital to Central Asia, and at the same time potential consumer of the region's energy products, it is particularly interested in the development of energy sector in Central Asia".

The interests of the EU in Central Asia are manifested in the following points:

First, with its territory of about 3.5 million km² and 70 million population, CA is a great consumer market for the EU. The continued increase of population and high consuming capacity of the region makes it even more attractive. In other words, there is a diversified market for all products produced in Europe.

Second, EU member states are massive consumers of Central Asian energy resources. Deposits of gas, oil, uranium and precious

⁸ "Les Relations de l'UE Avec les Nouveaux états Indépendants d'Asie Centrale : Communication//UE/Commission Européenne.", *European Union* <http://ec.europa.eu/archives/bulletin/en/welcome.htm>, (Date of Accession: 27.09.2018).

metal have been an intrigue for European businesses. Central Asia's richness in gas and oil reserves makes the region especially attractive. The EU seeks to secure energy supplies, especially in view of its dependency on Russia, which delivers a substantial part of its oil and gas imports.

Third, located among Russia, China, India and Iran, the region is the most sensitive part of the geopolitical balance of the Eurasian continent. The disturbance of this balance may provoke strategic threats of various kinds. For example, the potential threats within the region: extremism, separatism, nationalism, parochialism, drug traffic, and other kinds of threats could constitute a source of threat for Europe's security as well. That includes the situation in Afghanistan, which is an integral part of the regional security of CA.

Finally, with its rich history, traditions, national and local peculiarities, enlightenment and other features, CA is an attractive region to Europe. The increase in the flow of tourists to the region is the best proof for such a statement. This region has promising chances of becoming a "spiritual and cultural resort" or "relaxing base" for Europe in the near future.

In its turn, having united 28 states, with a half billion people and 4.324.782 square kilometre landmass, third by population number, after China and India and seventh biggest by territory, the EU has a significant rank in the foreign policy of Central Asian republics. Multilateral and bilateral relations with the EU and its member states is considered one of the main foreign policy targets of the countries of the region.

The significance of bilateral relations for Central Asia is reflected in the following statements:

First, the leading states (Germany, France, Italy, Spain and so far, Great Britain) of the European Union constitute the source of high technologies to CA. Applying modern western technologies in aircraft construction, mechanical engineering, agriculture, pharmaceuticals, construction and generally, in all aspects of the

production is of vital importance for developing small and medium enterprises in CA.

Second, the EU, taken as a whole, represents the second biggest, after CIS, consumer-market for supplies of Central Asian countries.

Third, Western Europe is not only the main commercial partner of the region but also the main source of investments. From initial periods of independence, one of the central concerns was to attract foreign investments into the region, and hence favourable investment environments have been created for them.

Finally, ensuring and maintaining common stability and security in Eurasia is an urgent task for both parties. The EU and Central Asia are equally concerned with fighting threats such as international terrorism, drug trade, extremism and providing regional stability. However, along with this, US, Russian, Chinese and Iranian interests are also at stake. This means a region is also a place of fierce competition for the EU, which defines the place of Europe in the 21st-century world politics.

At the beginning of the 21st century, the time has come for a new partnership between the EU and Central Asia states in a globalised world. The common goal of achieving stability and prosperity by means of a peaceful inter-action led to better cooperation between Europe and Central Asia. Strong EU commitment towards its Eastern neighbours within the framework of the European Neighbourhood Policy has also brought Europe and Central Asia closer to each other, both in terms of political cooperation and economic development.

These relations have significantly developed and revealed closeness in values, economic and security interests. The growth dynamics of bilateral relations between the EU members and the countries of Central Asia also confirmed that there is a significant potential for strategic cooperation between the EU and CA region.

However, EU-CA relationship has not reached its peak yet. Within the framework of current relationships, there are many

unutilised spaces, and these are areas of opportunity. Prospects of future cooperation will depend on the effective utilisation of those missed opportunities. Particularly, many challenges facing the globalized world affect Europe and Central Asia alike and warrant a common response. Considering their geographical location, in particular, with respect to Afghanistan, Pakistan and Iran, security questions and regional economic development require close cooperation of the EU with each Central Asian state. This applies to developments in the areas of border management, migration, the fight against organised crime and international terrorism, as well as human, drugs, and arms trafficking.

The dependency of the EU on external energy sources and the need for a diversified energy supply policy in order to increase energy security open further perspectives for cooperation between the EU and Central Asia. EU efforts to strengthen local energy markets will also aid in improving investment conditions, increase energy production and efficiency in Central Asia and diversify energy supply and distribution in the region.

At the time of the European Union's recognition in the international arena as a major economic and financial institute; the necessity of taking Central Asian political, economic, trade and cultural relations with this organisation and its member states to a new level requires elaboration and thorough analysis of politico-legal and economic bases of these bilateral relations. New prospects of partnership and cooperation relations have exposed the prerequisite necessity for broadening and consolidating treaty-legal foundations of bi- and multilateral relations. These types of situations determine the pressing need for examining all aspects and legal sources of the European Union–Central Asia interactions.

Treaty-based Foundations: Partnership and Cooperation Agreements

Partnership and Cooperation Agreements (PCAs) are the main instrument regulating the relations between the EU and the independent states of Central Asia that appeared after the collapse

of the Soviet Union. They replaced the “Agreement on Trade and Economic Cooperation” signed in December 1989 between the European Economic Community (EEC) and the Soviet Union.

PCAs were signed with Uzbekistan on June 21, 1996, Kazakhstan on January 23, 1995,⁹ and Kyrgyzstan on February 9, 1995. All of them entered into force on July 1, 1999. Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, and the Republic of Tajikistan, has been signed on November 11, 2004, and came into force as of January 1, 2010. The PCA with Turkmenistan, it was signed on May 24, 1998.

PCAs cover a broad spectrum of issues such as trade in goods, economic cooperation including investment promotion and protection among others, energy, environment, transport, tourism besides financial cooperation, cross-border supply of services and others. From the point of view of some authors, “...despite this broadness the established relations are not very deep, e.g. the PCAs do not create a free trade area but contain at most a “prospect” of it.”¹⁰

Moreover, all PCAs include human rights and democracy clauses which still have been a topic of endless discussions. Human rights and democracy clauses referred to as, “essential element clause” have similar wordings among twelve PCAs including those signed with Central Asian republics. The PCAs with Kyrgyzstan and Kazakhstan contain the following “essential element clause”: “Respect for democracy, principles of international law and human rights constitute an essential element of partnership and of this Agreement”.

The PCA with Turkmenistan mentions in Art.2: “Respect for democratic principles and fundamental and human rights

9 “European Parliament Ratifies Enhanced Partnership and Cooperation Agreement (PCA) Partnership with #Kazakhstan”, *Eureporter*, 12 December 2017, <https://www.eureporter.co/frontpage/2017/12/12/51104>, (Date of Accession: 30.09.2018).

10 Berdi Berdiyev, “EC Human Rights and Democracy Clauses in the Partnership and Cooperation Agreements with States of Former Soviet Union”, *Central Asian Journal*, 3(2), p. 31.

constitute an essential element of this Agreement". In addition to the "essential element" clauses, the PCAs also contain a "suspension" or "non-compliance" clauses, laying down the procedure to be followed in cases of human rights violations. These clauses are identical in all PCAs.

This type of suspension clause was first used in 1994 in the association agreements with Bulgaria and Romania. Later, it replaced the so-called "Baltic suspension clause", used in the treaties with the Baltic states and Albania, which did not refer to the possibility of negotiations and demanded "serious violations" of human rights. Consequently, the "appropriate measures" referred to in the clause mean a partial or complete suspension or termination of the agreement.

Although the EU uses human rights clauses for several years, no treaty so far has been suspended solely due to human rights violations. There were some cases of treaty suspension with some states like Rwanda, Somali, Sudan but the suspension was not only due to human rights violations but also due to a general non-fulfilment of a treaty mixed with human rights violations e.g. civil wars.¹¹ As for Central Asian republics, this practice has not been a real case so far.

Last eastern enlargement¹², the European integration enhancement and its impact on the EU-CA relations, internal and external factors requiring some changes that are necessary to make this agreement work more effectively, need thorough investigation from the perspective of the European Union and International Law. One of the main problems here is that after the last enlargement, all new member states became part of the PCA (Central and Eastern European countries in 2005, Bulgaria and Romania in 2008 and Croatia in 2014) under the requests of

11 Berdiyev, *op. cit.*, p. 39.

12 Ronald Inglehart, *Modernization and Postmodernism: Cultural, Economic and Political Change in 43 Societies*, Princeton University Press, New Jersey 1997; Piotr Sztompka, *The Sociology of Social Change*, Blackwell 1993; Kjell Goldmann, *Transforming the European Nation-State*, Stockholm University, Sweden 2001; Norman Davies, *Europe: A History*, The Bodley Head, London 2014.

the EU Law without considering its complex nature. The point of this problem is that since then all of the EU member states have been seeking replacement of the bilateral agreements with the given country of the region (Central Asia) by the PCA, as far as the European Union Law (including international treaties) is supreme over national legal systems. The serious questions that lawyers and politicians encounter today and are required to find a clear answer to are: *Does the PCA cover all scope of bilateral agreements? What kind of implementation instruments compatible with their national interests exists? How to achieve the main goals of the PCA and take benefits from it* etc. Due to a particular status and legal nature of the PCA, both the European and Central Asian scholars and practising lawyers have been definitely seeking the best solution, but things still go in the non-identified direction.

The current process of revising bilateral agreements between new member states of the European Union and Central Asian republics and then promoting those relations by replacing the previously bilateral treaty-legal frame with multilateral “mixed agreements” where the EU and the Member States act jointly, still remains a main point of discussion.

Institutional Frame

The relations between the EU and Central Asian republics are put into a stable institutional system. Such institutions are responsible for the prosperous development of mutual relations, as well as taking care of every day related issues.

Institutional system of bilateral relations consists of diplomatic, conventional, and unilateral (non-conventional) institutions. Diplomatic institutions are meant to realise diplomatic missions and are formed at a high level. The conventional institutions are comprised of the Partnership and Cooperation Agreements. Unilateral institutions are formed for assisting and developing bilateral relations within various ministers, governmental bodies and agencies of each part. They also perform other related tasks.

Diplomatic institutions are amount to all diplomatic representative offices, delegations and missionaries of both parties. In majority parts, Central Asian Republics' Embassy to the Kingdom of Belgium also serves as the mission to the European Union.

The conventional institutional system includes all institutions or other bodies established based on mutual consensus within bilateral or multilateral agreements among parties. As pointed out above, PCAs are the main bonds in bilateral relations between the EU and Central Asia. For instance, in Uzbekistan, since the enforcement of PCA starting July 1, 1999, a number of institutions have been established that are responsible for implementation and monitoring of this agreement.

The PCA's XI Chapter ("Institutional, General and Final Disposition"), articles 78-85 and 89 refer to bringing solutions to issues related to institutions.¹³ In particular, articles 78-79 give directions on the formation and duties of the Cooperation Council (CC). According to these articles, the Cooperation Council "is an administrating body for the realisation of the agreement". The CC oversees all local and international issues within its mission and gives directions where necessary. The CC's signed on September 13, 1999.¹⁴ is supervised by the Internal Regulation of the Cooperation Council of the Republic of Uzbekistan, on one side, and the European Union and its member countries, on another side.

PCA's article 80 stipulates about forming of the Cooperation Committee under the Cooperation Council. The Cooperation committee is responsible for preparing for Cooperation Council meetings, the effectiveness of the Cooperation Council, and other related issues.

13 "Partnership and Cooperation Agreement Came into Force on July 1 1999", *European Commision*, http://ec.europa.eu/external_relations/ceeca/pca/pca_uzbekistan.pdf, (Date of Accession: 28.09.2018).

14 For the Text of the Internal Regulation, See: Règlement Intérieur du Conseil de Coopération Entre les Communautés Européennes et Leurs Etats Membres, d'une Part, et la République d'Ouzbékistan, d'autre Part, en Date du 13 Septembre 1999 - Règlement Intérieur du Comité de Coopération. Journal Officiel n° L 265 du, 13/10/1999, p. 31-35, <https://eur-lex.europa.eu/legal-content/FR/ALL/?uri=OJ:L:1999:265:TOC>, (Date of Accession: 29.09.2018).

Another important institution mentioned in PCA with Uzbekistan is Inter-Parliamentary Cooperation Committee. The articles 83-85 of the Agreement are dedicated to explaining this committee's formation, mandate, duties and responsibilities. The committee comprises of the members of the European Parliament and Parliament (Oliy Majlis) of the Republic of Uzbekistan. Its meeting can be organised upon the decision of the committee.

The Inter-Parliamentary Committee has an authority to request reports on activities of the Cooperation Committee and gives recommendations accordingly. The Cooperation Committee is obliged to provide with the requested information. The committee can organise meetings at any time as necessary. Each party takes turns to appoint a head to the Inter-Parliamentary Committee.

Recent developments

As of the beginning of the 21st century, the necessity of heightening the relations between the EU and CA to a new level was felt by the leaders of the two sides, and the EU's new initiatives were evident. The Council of the European Union, in its document entitled "The European Union and Central Asia: Strategy for a New Partnership", adopted on 23 June 2007, clarified the strategic interests of the European Union's strategic interests in the region.¹⁵

This strategy for a new partnership with Central Asia developed during Germany's EU Council Presidency, discussed at 2809th External Relations Council meeting, in Luxembourg on April 23, 2007¹⁶, drafted by Permanent Representatives Committee on May 31, 2007, adopted at 2809th External Relations Council meeting

15 "The EU and Central Asia: Strategy for a New Partnership", *Council of the European Union*, 31 May 2007, <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010113%202007%20INIT>, (Date of Accession: 29.09.2018).

16 "General Affairs and External Relations", *Council of the European Union*, 23-24 April 2007, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/93798.pdf, (Date of Accession: 29.09.2018); "Council Conclusions on Central Asia", *Council of the European Union*, 23 April 2007, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/93790.pdf, (Date of Accession: 29.09.2018).

in Luxembourg on June 18, 2007¹⁷, and finally adopted during the Brussels European Council on 21 and 22 June, 2007¹⁸.

This strategy for the first time sets out political guidelines for a considerably enhanced EU commitment in Central Asia. With its Central Asian concept, the EU underlines the region's growing strategic significance due to its location between Europe, Asia, Russia and South Asia. The EU shares a broad spectrum of interests with Central Asia, ranging from efforts to achieve peace in Afghanistan, via the fight against drugs transit and extremism, improved regional cooperation, to the diversification of energy supplies.

The EU's strategy on Central Asia favours a balanced bilateral and regional approach which takes due account of the specific requirements and performance of each individual country. Regular political dialogue with the countries of the region will aim not only to increase cooperation in the various fields such as economics, transport, energy, the environment and education but also to create a broader foundation of shared values based among other things on the rule of law and human rights. According to this document, the European Council would evaluate the implementation of the Central Asia strategy for the first time in June 2008 and at least every two years thereafter.

As for content, it is possible to say that its political significance is even more important than previous ones; it was for the first time that such a document for Central Asia has been adopted by Europe. Unlike the ones considered above, this document is aimed at a long-term, concise (19 pages), and mainly determinant of EU's political relation to the region and sets forth the ways of its implementation.

The document contends that "At the beginning of 21st century, and in the conditions of globalisation, it is time for European Union

17 "General Affairs and External Relations", *Council of the European Union*, 18 June 2007, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/94804.pdf, (Date of Accession: 29.09.2018).

18 "Brussels European Council 21/22 June 2007", *Council of the European Union*, 20 July 2007, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/94932.pdf, (Date of Accession: 29.09.2018).

to engage in partnership relations of a new quality with Central Asian countries". It's stated in the document that Partnership and Cooperation Agreements (PCA) signed between the EC and Central Asian countries should be fully implemented. To this aim, a more active EU approach to Central Asia was proclaimed and it was intended to improve the institutional basis of the dialogue.

A closer analysis of these allows us to reach the conclusion that for the first-time synergetic interrelations appeared between conceptual political position, legally-binding acts and European external assistance. That is a unique and most important feature of the last development of mutual relations.

In other words, at the bilateral level, the EU's relations with Central Asian states are based on the Partnership and Cooperation Agreements (PCAs). The PCAs are built upon three pillars; political dialogue, trade and economic relations and cooperation in a variety of sectors. They are based on common values of respect for human rights, democracy and the rule of law and include commitments to align their respective legal frameworks with that of the EU and to undertake regulatory convergence in economic sectors. These PCAs provide a common regional framework for the EU's cooperation with all five Central Asian Republics. On the other hand, many important issues facing Central Asia can only be addressed at the regional level. Therefore, it is a core priority for action in the EU Strategy towards this region and that is why these elements take place in the "The EU and Central Asia: Strategy for a New Partnership".

Also, it was declared that in each Central Asian country representative offices of European Commission would be established. The document provided also the political engagement with the region with more permanent character, and it noted that new special dialogue on human rights and energy partnership issues would be constructed.

All in all, this document marks EU's relations with Central Asian countries with newer, more important appearance, provides

refreshed grounds to develop these relations in practice, and in this regard, displays the decisive political will of the European side.

Over the last decade, the EU-CA relations have been developed under this strategy of the EU. The EU Strategy for Central Asia which has been implemented for more than 10 years foresees that progress made on implementing the Strategy be reviewed in 2008 and every two years thereafter. Four implementation progress reports have been prepared in 2008, 2010, 2012 and 2015 respectively. The conclusions adopted by the Foreign Affairs Council on 25 June 2012 approved the latest progress report and confirmed that all priority areas of the Strategy remained important.¹⁹

Toward a New Strategy

Step by step the Central Asian issue became a persistent subject in the foreign policy agenda of the EU. In the EU Global Strategy for Foreign and Security Policy, entitled “Shared Vision, Common Action: A Stronger Europe”, it was announced and elaborated by the High Representative Federica Mogherini in 2016, that “The EU internal and external security are ever more intertwined: its security at home depends on peace beyond European borders. ...It is in the interests of our citizens to invest in the resilience of states and societies to the east stretching into Central Asia, and to the south down to Central Africa. ...In Central and South Asia, we will deepen cooperation on counter-terrorism, anti-trafficking and migration, as well as enhance transport, trade and energy connectivity”.²⁰ In the EU Global Strategy, the High Representative Federica Mogherini paid a specific attention to EU-

19 “Progress Report on the Implementation of the EU Strategy for Central Asia Implementation Review and Outline for Future Orientations”, *EEAS*, http://eeas.europa.eu/central_asia/docs/20120628_progress_report_en.pdf, (Date of Accession: 30.09.2018).

20 “Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union’s Foreign and Security Policy”, *European Union Global Strategy*, June 2016, <https://europa.eu/globalstrategy/en/shared-vision-common-action-stronger-europe>, (Date of Accession: 30.09.2018); “Progress Report on the Implementation of the EU Strategy for Central Asia-Implementation Review and Outline for Future Orientations”, *EEAS*, http://eeas.europa.eu/central_asia/docs/20120628_progress_report_en.pdf, (Date of Accession: 30.09.2018).

Central Asia relations and defines the priority of the inter-regional cooperation such as the fight on counter-terrorism, anti-trafficking and migration, as well as enhance transport, trade and energy connectivity.

As a next step, the EU Foreign Affairs Council adopted conclusions on the EU newest strategy for the region on June 19, 2017. The Council, therefore, asked the High Representative and the Commission to come forward with a proposal for a new Strategy by the end of 2019 in accordance with the EU Global Strategy. According to Council's statement, alongside high-level political dialogue support to education, intercultural dialogues, cooperation between civil society entities; people-to-people contacts between the EU and Central Asia should also be emphasised in the new strategy. The Council also underlines the importance of support to education. Education programmes provided by the EU and individual Member States should play a key role in helping Central Asian institutions to build a capacity that offers modern and inclusive curricula which respond to the needs of the labour market and contribute to the promotion of the values of democracy, human rights, fundamental freedoms and intercultural dialogue, by making full use of the existing Education Initiative and its Platform. On the tenth anniversary of the original Central Asia strategy, the Council believes that it is time to review and renew the relationship, considering new geopolitical realities and the evolving needs and capacities of the Central Asian partners.²¹

On November 10-11, 2017, HR/VP Federica Mogherini paid a visit Uzbekistan for the first time to participate in EU-Central Asia Foreign Ministers' Meeting "EU and Central Asia: Working for a Safer and More Prosperous Future Together" during which she officially called CA partners for a partnership for change, for development and for security. According to the HR/VP, Federica Mogherini "The European Union and Central Asia are partners for change...But this isn't just about business, as it wasn't just about the trade route. Diversity and pluralism are written in this region's

²¹ "Council Conclusions on the EU Strategy for Central Asia", *Council of the European Union*, 19 June 2017, <http://www.consilium.europa.eu/en/press/press-releases/2017/06/19/conclusions-central-asia>, (Date of Accession: 30.09.2018).

history, and there is no reason to fear them, be it on Central Asian territory, in Europe or elsewhere. On the contrary, diversity and pluralism can only make our States and our societies stronger. With independent media, an open space for civil society, human rights for all, institutions are more credible, States more resilient in times of crisis – and you know that we are crossing times of crisis – and economies are more solid and attractive. This is another interest we share. A partnership for change is a partnership for innovation, for research and for human growth”.²² At this meeting, she announced the call by the EU Foreign Affairs Council for a new EU Central Asia Strategy by the end of 2019, which should be based on mutual interests, common approaches and values of the EU and countries of the region.

In its turn, the high officials of the Central Asian countries focused on the potential for enhanced economic relations between the EU and the Central Asian countries. Strengthening the nexus between security, migration, climate change and economically sustainable development could contribute to stronger economies. Transparent rules and regulations, as well as increased use of e-governance solutions, are important for a favourable investment climate and private sector development in the countries of Central Asia, which will promote the region’s further sustainable economic development.²³

Perspectives of Mutual Relations and Conclusion

Hence, nowadays present conditions themselves require a more constructive and comprehensive discourse on the history, current status and prospects of the EU-CA relationships. Indeed, in order to

22 “Speech by HR/VP Federica Mogherini at the Opening Ceremony of the International Conference on Security and Sustainable Development under the Auspices of the United Nation”, *European Union External Action*, https://eeas.europa.eu/headquarters/headquarters-Homepage/35422/speech-hrvp-federica-mogherini-opening-ceremony-international-conference-security-and_en, (Date of Accession: 30.09.2018).

23 “Joint Communiqué: European Union-Central Asia Foreign Ministers’ Meeting “EU and Central Asia: Working for a Safer and More Prosperous Future Together”, *European Union External Action*, https://eeas.europa.eu/headquarters/headquarters-Homepage/35423/joint-communiqu%C3%A9-european-union-central-asia-foreign-ministers%E2%80%99-meeting-%E2%80%99CeU-and-central-asia_en, (Date of Accession: 30.09.2018).

effectively solve the issues at hand and set a right path for the future development of cooperation, we need to look back to the history and carefully re-assess it. Past twenty-seven years have been the period of test in the relationship between the EU and CA countries. Thus, at this stage, it is very essential to review and evaluate the results and to establish an agenda for further strengthening the relations.

However, there are many internal and external factors that might impact on the course of bilateral and multilateral relations. In addition, the past years have seen a wide range of positive developments in EU-CA relations. So, problems and successes usually come side by side. Therefore, we should work on these problems in order to find a constructive solution for the future. The followings could be the areas to start:

1. First, although the official level relations (i.e. diplomatic and intergovernmental) have been developing steadily, unofficial relations i.e. public diplomacy (relations between nongovernmental structures, civil society institutions) remain underdeveloped and need to be given serious attention;
2. Second, EU-CA relations have not been noticed (or, unpopular) in “lower” levels of society. The ordinary public is not well informed about the contributions of such relationships in their lives. Recent developments in EU’s internal and external policies, Brexit and other events have increased a necessity for reliable and unbiased information about the EU and its’ consequences in other regions like CA;
3. Third, academic and scientific exchanges are also insufficient. Scientific publications and scholarly works on the European Union remain underdeveloped in Central Asia. The EU-CA academic networks, scientific communities, joint projects and grants are well below their actual potential. Fostering relations between academic communities may contribute to the further development of other areas like cultural and scientific cooperation, mutual understanding between peoples,

business-touristic cooperation, etc. Therefore, it is very important to convene non-officials, civil societies and academic representatives around the table through joint workshops and seminars, and increase the amount and quality of publications (both public and scientific) in order to provide policymakers as well as the general public with reliable and necessary information.

Therefore, it is high time to re-assess the 27-year old history of the relationship between the EU and CA, in order to identify existing problems and areas of inefficiency and help find solutions to the issues through academic and scientific instruments. In doing so, the EU newest strategy on Central Asia should concentrate on two interconnected factors; fostering the dialogue between the academic world, policy-makers, public servants, and civil society institutions, on the one hand, and disseminating information among the general public at large, on the second hand.

As a conclusion, the following points can be made:

- First, even though interrelations between the EU and CA were established not long ago, relations between European and Central Asian people have long historical roots. Devoting attention to historical factors and considering historical experience on analysing present and future perspectives of mutual relations can prove effective for both sides. In fact, the European Union should keep it in mind that it is engaging in a relationship with the region, which was considered an ancient cultural hotbed of human history. Scholars such as Ibn-Sina (Avicenna), Muhammad ibn Musa al-Khwarizmi (founder of the algorithm), Al-Biruni (founder-father of geodesy), Al-Farabi, and al-Farghani refined in the region had greatly contributed to the development of European science.
- Second, the process of mutual recognition and the establishment of diplomatic relations between the European communities and independent states of Central Asia is a legal precedent of theoretical and practical significance. This process

paralleled in harmony with special procedures of recognition of newly independent states by the EC and the process of establishing diplomatic relations with them by the EU member states.

- Third, as a matter of scope, the relations between the EU and CA are developing in bilateral (European Union – each republic of CA) and multilateral-regional (European Union – Central Asia) ranges. Some Central Asian republics, such as Turkmenistan and Uzbekistan, while actively participating in European Union's bilateral programs, their participation in European Union-Central Asian interregional dialogue remains particularly weak.
- Fourth, economic partnership, mutual trade and human rights issues are the main priority and directions of the EU-CA relationships.

Fifth, the further prosperity of relationships between the EU and CA as well in connection with the legal grounds of these relations. As a result of analysis of contractual grounds of mutual relations, it was concluded that it was necessary to widen and strengthen the conventional basis of bilateral and unilateral relations. To this aim, it is proposed to conclude bilateral and unilateral treaties between the European Union, and its members and Central Asian republics on the new spheres of cooperation and partnership such as agricultural and inoculums products trade, education, intellectual property, and different types of tourism. It is time to conclude treaties on the spheres of partnerships within the scope of European Union Law, on terrorism, fighting against various kinds of international crimes, interregional security, as well as judiciary and policy issues.

Finally, bringing together the legislation of the EU and CA could prove the most effective mean to implement bilateral and multilateral, and especially, Cooperation and Partnership Agreements. In this regard, mutual harmonization of the EU and Central Asian states' legislation, creating a detailed methodology

of their legal approximation, and adopting corresponding laws are appropriate ways to attain this goal.

To sum up, Central Asia, from a geographic, geopolitical, economic and cultural point of views, is the region detaching Europe from Asia, and at the same time, the region connecting it to Asia. Enlargement of the European integration to the East and an intermediating factor of Turkey at the thresholds of the eventual EU membership will foster the mutual understanding and cooperation between Europe and Central Asia and result in even deeper perceiving of Eurasia's integrity.

References

“Brussels European Council 21/22 June 2007”, *Council of the European Union*, 20 July 2007, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/94932.pdf, (Date of Accession: 29.09.2018).

“Council Conclusions on Central Asia”, *Council of the European Union*, 23 April 2007, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/93790.pdf, (Date of Accession: 29.09.2018).

“Council Conclusions on the EU Strategy for Central Asia”, *Council of the European Union*, 19 June 2017, <http://www.consilium.europa.eu/en/press/press-releases/2017/06/19/conclusions-central-asia>, (Date of Accession: 30.09.2018).

“Decree of the Cabinet of Ministers of the Republic of Uzbekistan 162 - On opening the Embassy of the Republic of Uzbekistan in the Kingdom of Belgium”, *Lex-uz*, 6 May 1995, <http://www.lex-uz>, (Date of Accession: 25.09.2018).

“European Parliament Ratifies Enhanced Partnership and Cooperation Agreement (PCA) Partnership with #Kazakhstan”, *Eureporter*, 12 December 2017, <https://www.eureporter.co/frontpage/2017/12/12/51104>, (Date of Accession: 30.09.2018).

“General Affairs and External Relations”, *Council of the European Union*, 23-24 April 2007 http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/93798.pdf, (Date of Accession: 29.09.2018).

“General Affairs and External Relations”, *Council of the European Union*, 18 June 2007, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/94804.pdf, (Date of Accession: 29.09.2018).

“Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union”, John P. Grant-J. Craig Barker, ed., *Encyclopaedic Dictionary of International Law*, Oxford University Press, Oxford 2009, p. 208-213.

“Joint Communiqué: European Union - Central Asia Foreign Ministers’ Meeting “EU and Central Asia: Working for a Safer and More Prosperous Future Together”, *European Union External Action*, 10 November 2017, https://eeas.europa.eu/headquarters/headquarters-Homepage/35423/joint-communiqu%C3%A9-european-union-central-asia-foreign-ministers%E2%80%99-meeting-%E2%80%99CeU-and-central-asia_en, (Date of Accession: 30.09.2018).

“Journal Officiel des Communautés Européennes”, *EUR-Lex*, <https://eur-lex.europa.eu/legal-content/FR/ALL/?uri=OJ:L:1999:265:TOC>, (Date of Accession: 29.09.2018).

“Les Relations de l’UE Avec les Nouveaux états Indépendants d’Asie Centrale: Communication//UE/Commission Européenne”, *European Union*, <http://ec.europa.eu/archives/bulletin/en/welcome.htm>, (Date of Accession: 27.09.2018).

“Partnership and Cooperation Agreement Came into Force on July 1 1999”, *European Union*, http://ec.europa.eu/external_relations/ceeca/pca/pca_uzbekistan.pdf, (Date of Accession: 28.09.2018).

“Progress Report on the Implementation of the EU Strategy for Central Asia Implementation Review and Outline for Future Orientations”, *EEAS*, http://eeas.europa.eu/central_asia/docs/20120628_progress_report_en.pdf, (Date of Accession: 30.09.2018).

“Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union’s Foreign and Security Policy”, *European Union Global Strategy*, June 2016, <https://europa.eu/globalstrategy/en/shared-vision-common-action-stronger-europe>, (Date of Accession: 30.09.2018).

“Speech by HR/VP Federica Mogherini at the Opening Ceremony of the International Conference on Security and Sustainable Development under the Auspices of the United Nation”, *European Union External Action*, 10 November 2017, https://eeas.europa.eu/headquarters/headquarters-Homepage/35422/speech-hrvp-federica-mogherini-opening-ceremony-international-conference-security-and_en, (Date of Accession: 30.09.2018).

“The EU and Central Asia: Strategy for a New Partnership”, *Council of the European Union*, 31 May 2007, <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2010113%202007%20INITBrussels>, (Date of Accession: 29.09.2018).

BULLETIN, de CE, n 1-2/ 1992, <http://ec.europa.eu/archives/bulletin/en/welcome.htm>, (Date of Accession: 25.09.2018).

CHARPENTIER, JEAN, “Les déclarations des Douze sur la Reconnaissance des Nouveaux Etats”, *Revue General de Droit International Public (RGDIP)*, Paris 1992.

DAVIES, Norman, *Europe: A History*, The Bodley Head, London 2014.

GOLDMANN, Kjell, *Transforming the European Nation-State*, Stockholm University, Sweden 2001.

И. Лукашук – А. Саидов, Ҳозирги замон халқаро ҳуқуқи назарияси асослари: Дарслик. – Тошкент: “Адолат”. – 2006. – Б. 106. (I. Lukaşuk – A. Saidov, Hozirgi zamon xalqaro huquqi nazariyasi asoslari: Darslik. – Toşkent: “Adolat”).

INGLEHART, Ronald, *Modernization and Postmodernism: Cultural, Economic and Political Change in 43 Societies*, Princeton University Press, New Jersey 1997.

SZTOMPKA, Piotr, *The Sociology of Social Change*, Blackwell 1993.