Speech by EU Commissioner for Home Affairs Cecilia Malmström
on behalf of High Representative Catherine Ashton on the Swoboda
Report

European Parliament/Strasbourg
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Mr President,
Honourable Members,

Let me first of all congratulate the Rapporteur, Mr Swoboda and the European Parliament for a very
substantive and timely report, which highlights the important issues at stake in the EU’s complex
relations with Russia. We welcome that it places the negotiations on a new agreement in the wider
context of how to promote EU interests and European values, in particular with regard to rule of law
and human rights.

As a member of the Council of Europe and the OSCE, Russia subscribed to those principles. Human
rights, as we discussed earlier today, are the silver thread that runs through our external relations and
they are an integral part of our engagement with Russia.

I am pleased to note the Parliament’s support for a comprehensive, forward looking and legally
binding new agreement which would allow us to further develop our relations with Russia at a crucial
time. The recommendations in the report are well in line with the EU’s negotiating position, and I can
only welcome this strong endorsement by the EP.

We need to conclude an agreement worthy of our strategic partnership. Our people, our businesses,
our investors expect this from us.

1 Check against delivery.
The Partnership and Cooperation Agreement (PCA) from 1997 has served to develop EU-Russia relations over a number of years.

But I think it is clear to all of us that since then, the European political and economic landscape has evolved. We have deepened our relations and expanded our trade. So both, the EU and Russia, felt that time had come to review and modernize the basis for our cooperation.

We agreed already in 2008 to put our relations on an even more the solid basis. This has not always been an easy process. But we have stayed the course and I believe our efforts will be worth it.

A new agreement will be a good vehicle to put our relations on a strong footing and enshrine the common terms of our engagement. In twelve rounds of negotiations to date, we have made considerable progress

We now have a good basis for a new agreement that can advance our cooperation across the board of policy issues.

But after four and a half years, our diverging views regarding the trade and investment chapter have led to a difficult stalemate.

Let me stress, that for the EU, an agreement without solid trade, investment and energy provisions, is simply not an interesting option.

We need to get this right. An agreement that facilitates trade and investment is essential to support the modernisation of the Russian economy. To do so, we need to have enough critical mass on trade, investment and energy.

A new agreement would enable our companies to do more business with Russia and vice versa with less bureaucratic effort. Regulatory convergence is crucial in this respect. For example, alignment of technical regulations, fairness and transparency in agricultural trade, clear entry conditions in government procurement markets, and transparent rules for competition, intellectual property rights and customs procedures are all in our mutual interest.

To make serious progress on developing a strategic energy partnership, we need to establish common basic market principles. It is in our mutual interest to lay the basis for closer contacts between our regulators and network operators.

We are also negotiating an agreement with the Russian Federation. Recently our Russian colleagues suggested that given the fast advancement of the Customs Union between Russia, Kazakhstan and Belarus, we should change our negotiating track and now negotiate parts of the agreement with the Customs Union, not Russia.

But let me be clear: the EU is not prepared at this time to step into any legal contractual relationship with the Customs Union, especially since two of its members are not members of the WTO. At this point the EU is prepared to conclude these negotiations and to sign an agreement with Russia alone.

Now let me say a few words about the political context, in which our negotiations are taking place.

Mr. Swoboda, your report rightly emphasises that a strategic partnership must build on shared fundamental values, including democracy, the rule of law and respect for human rights.

You are all well aware, honourable members, that we have been observing political developments in Russia over the last six months with increasing concern. This report is another reminder of a particularly worrying trend in Russia to limit the scope of action of civil society organisations.

We raised the entire spectrum of human rights related issues with the Russian Government during the last round of our Human Rights consultations held on 7 December.
For the EU the recently adopted restrictive laws on NGOs are a step in the wrong direction. And we truly hope that Russia will refrain from adopting a federal bill on anti-homosexual propaganda later this month.

A vibrant Civil Society is the lifeblood of a modern democracy. It is also the foundation of a stable and prosperous society.

The HR/VP has also been unambiguous about recently introduced restrictive legislation and on individual cases like the Magnitsky investigation and the “Pussy Riot” trial.

On 11 September the HR/VP commented extensively in the European Parliament on the political use of justice in Russia, echoing many of the concerns raised by this house. We have, on many occasions, reiterated our serious concerns over the worsening situation for civil society in Russia, grassroots civil society movements, including human rights NGOs and election monitoring organizations.

The rule of law is a key driver of modernization. Citizens as well as foreign investors seek reassurance from a transparent and accountable system.

Overall, it is in our mutual interest to have an economically successful, modern and democratic Russia at our borders. We therefore welcome Russia’s WTO accession and expect its full compliance with the new obligations. We stand ready to support Russia in its reform efforts, working closely together in the Partnership for Modernisation, the full integration into the international rules-based system, and the development of citizens’ rights and freedoms, which must be the basis for shared stability and prosperity.

Let me be very clear, Honourable Members, that the EEAS and the Commission pursue a consistent approach in promoting the rule of law, respect of human rights and participation of civil society as integral parts of the EU-Russia relationship. These themes are embedded in all our activities: from the Partnership for Modernisation to political dialogue at different levels, to human rights consultations, visa and migration dialogues as well as in our financial cooperation. They will be central to our new agreement.

I would like to conclude with a brief comment on the upcoming EU-Russia Summit next week. Together with Mobility and Energy, the New Agreement will be one of the main subjects on the agenda.

Russia is our third most important trading partner and an indispensable partner when it comes to ensuring security on our continent and to tackling a number of global challenges. At the Summit, we therefore need to strike the right balance between an open and honest exchange of views on unresolved issues and unsatisfactory developments, and constructive engagement on common interests and pressing challenges.

At a time when our relations with Russia are as important as ever, a new agreement will provide the framework to continue to do so.

This is why at next week’s summit we will focus all our efforts to conclude an agreement that will advance our bilateral interests, secure the freedom, security and prosperity of all our peoples

Thank you.