

# **Neutrality in the 21st Century. The Case of Turkmenistan**

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Submitted to  
Central European University  
Department of International Relations and European Studies

In partial fulfilment of the requirements for the degree of Master of Arts in  
International Relations and European Studies

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Budapest, Hungary  
2014



## **Abstract**

In the 21<sup>st</sup> century neutrality as a concept and practice evolved to be different from its original interpretation. Neutrality now is a concept which is interest-based. It is an idea to shape foreign and domestic security policies. However, in the context of the modern state system neutrality is still based on the concept of sovereignty. With such dimension there are countries which intend to preserve internal stability and political survival of a nation, therefore establish domestic and foreign policies accordingly. In some instances as in Turkmenistan, permanent neutrality becomes such policy. Therefore, current thesis is focused on Turkmenistan's permanent neutrality as the way to keep successful implementation of domestic and external policies. Success is analyzed through the Efraim Karsh's model and also by looking at the Constitutional Law of Neutrality of Turkmenistan.

Such work finds its essence in benefiting not only scholars, but also neighboring countries and interested external actors (such as the U.S. and Europe) in initiating mutual relations in spheres such as economics, energy, and security.

## Acknowledgements

Every thesis big or small is successful due to the priceless support and efforts of number of wonderful family members, friends and advisers, who always give valuable assistance. From the bottom of my heart I appreciate the inspiration and guidance of all who have contributed and cheered me to succeed.

I feel deeply honored, to have an opportunity in expressing my sincere thanks to my mother, sister and little niece. Special thanks to my beloved ones for inconceivable and constant encouragement throughout the semester and the thesis-writing period goes to Alyssa Meyer, Ariz Huseynov, Shamsiya Rakhimshoyeva, Dursun Halimova and Matej Uhlik.

CurrentThe current thesis is dedicated to the memory of a man whom I admired through all my life and I stand firmly where I am today only because of him, my beloved father-Ismail Amanov. As well, to the memory of my Bachelor thesis adviser who was killed in the Taliban attack on January 20<sup>th</sup>, 2014 Alexandros Petersen an expert on energy politics, Central Asia and the Caucasus.

I also would take this opportunity to express gratitude to the faculty and staff of International Relations and European Studies Department, for being incredibly helpful and understanding in all times.

Thank you all, for your patience and inspiration, which gave me strength to fight for my goals.

## Table of Contents

<b>Abstract .....</b>	<b>2</b>
<b>Acknowledgments .....</b>	<b>3</b>
<b>Introduction.....</b>	<b>5</b>
 <b>CHAPTER I: HISTORICAL EVOLUTION AND CONCEPTUALIZATION OF NEUTRALITY.....</b>	 <b>10</b>
Westphalia and Neutrality.....	10
League of Nations and World War I.....	16
World War II, The United Nations and Non Alignment Movement.....	17
Post-Cold War and Neutrality.....	19
European Neutrals.....	20
 <b>Chapter II: Case of Permanent Neutral Turkmenistan.....</b>	 <b>23</b>
Emergence of Independent and Neutral State.....	29
A different Neutral.....	34
 <b>Chapter III: Analysis of Theoretical Applications and Case study.....</b>	 <b>38</b>
Efraim Karsh's Model.....	38
The Constitutional Law of Permanent Neutrality of Turkmenistan.....	46
 <b>Conclusion.....</b>	 <b>50</b>
<b>Bibliography .....</b>	<b>52</b>

## Introduction

An exploration of the historical development of the concept of neutrality proves that there are few notions so heavily in contention. This work, therefore, seeks to explore the question of why such a policy is still desirable to political actors. By the most basic of definitions, neutrality rejects the use of physical force as an advancement of foreign policy goals. Thus, while paradoxical, a state which chooses to pursue neutrality sees it to be in its sovereign interest to use neutrality as a means of escaping fears of war; they see neutrality as an essential strategy to remaining sovereign.<sup>1</sup> Amongst its opponents, neutrality is seen to be an immoral act; they see neutral actors as seeking the best of both worlds—benefiting from global action while themselves abstaining. For this reason, opponents view neutrality as “one step forward from the understanding whoever is not with us, is against us”.<sup>2</sup>

While theoretically it can be said that the key element which binds all neutrals together is their non-participation in war, some European examples of neutral states tell a different story. The self-imposed and legally-based neutrality of Austria was adopted to end foreign occupation and threat of division of the country.<sup>3</sup> Finnish neutrality was a survival tactic to maneuver between West and Soviets. The neutrality of Sweden implies non-participation in alliances during peaceful times, but it does not apply its participation in United Nations (U.N.) peace-keeping operations.<sup>4</sup> Swiss neutrality, unlike the other examples, was the product of historical development, “defined in peacetimes as perpetual neutrality, and in wartimes as armed

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<sup>1</sup> Efraim Karsh, *Neutrality and small states*. Routledge, 2012. 1.

<sup>2</sup> Ibid, 1.

<sup>3</sup> Richard Latter and Dietrich Schindler. *The Future of Neutrality in Europe*. (London, UK: HMSO, 1991), 11.

<sup>4</sup> Latter and Schindler, 15.

neutrality.”<sup>5</sup> A binding condition for abovementioned neutrality to exist was ongoing war. Yet in the instances of the World Wars these neutrals failed to abstain, which caused the concept to be blurred. Therefore, non-alignment became an alternative to neutrality in post-World War II (WWII) period, which aimed to solve problems of global security.

With the changing historical time frame, and variation in the concept from country to country, neutrality also became integral part of international law. According to some scholars, closer to the end of 15<sup>th</sup> century neutrality was found in number of contracts, agreements, treaties and such.<sup>6</sup> Later, in 17<sup>th</sup> century the concept became a part of international law. Only closer to the 18<sup>th</sup> century, neutrality with contribution of jurists, Vattel and Bynkershoek, the concept gained its theoretical and practical significance. Later, in 1780 the war between Britain and United States (U.S.) for the latter’s independence became reason for European states to ally under the name “The First League of Armed Neutrality” to protect their neutral trading.<sup>7</sup> In 1800, there was “Second League of Armed Neutrality”, formed with slightly more principles than first one. Furthermore, during the same time period, it was generally accepted that neutral state could show favoritism toward one of the warring parties. However, these relations had to be justified by a treaty signed between states prior to war. Not until the 19<sup>th</sup> century was the system of laws adjusted to clearly define a state as being neutral or belligerent. Until the law system was readjusted, relations between these states were discussed in an ad-hoc manner, with the relative military strength of an actor often determining his role.

Though none of these leagues lasted long, they contributed greatly to the modern definition of neutrality. The principles of these leagues became foundation of the Declaration of Paris which

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<sup>5</sup> Hugh R. Wilson, *Switzerland: Neutrality as a Foreign Policy*. (Philadelphia, Doranncce & Company, 1974), 1.

<sup>6</sup> Karsh, 14.

<sup>7</sup> Ibid, 16.

laid out all neutrality rules for maritime warfare. The leagues aided not only in strengthening the concept, but also in contributing to the development of an objective means of showing preference for one state over the other. Furthermore, the American Declaration of neutrality contributed to the establishment of the concept of in a newer way. In the 19<sup>th</sup> century there were arguments that state legislation was not sufficient to declare the rules and procedures of neutral states; thus, in 1899 and 1907, neutrality was institutionalized in the Hague Convention. Since then, neutrality has been under international law consideration. More vital contributions towards institutionalization of neutrality were at the Congress of Vienna in 1815 and the Declaration of Paris, which emphasized neutrals' naval-related rules, as well as the right of the neutral states to maintain trade relations with the warring parties. The final ultimate institutionalization of neutrality in international law came together with the Declaration of Paris and the First and Second Hague Conferences.<sup>8</sup>

After neutrality was institutionalized, the post-Cold war era introduced the emergence of a “new neutral states”, where Turkmenistan stands out as one of the most prominent examples. Therefore, the current research seeks to study how neutrality as a conceptual phenomenon has been evolving through the years, especially in the post-Cold War era. This research is not about understanding neutrality in a wider scope; rather the central question of this thesis will be whether or not the permanent neutrality of independent Turkmenistan has facilitated or prevented the successful achievement of domestic and foreign policy objectives.

To analyze this success two different approaches have been used. One approach, as proposed by Efraim Karsh, depends on the balanced implementation of negative and positive neutrality. Through such a balance between two indicators, Karsh explains the success of neutrality. Secondly, the Constitutional Law on Neutrality of Turkmenistan has been analyzed to see

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<sup>8</sup> Ibid, 19.



whether or not country has succeeded in reaching those objectives laid out by the doctrine of permanent neutrality.

### **The Scope of the Paper**

Neutrality is the primary focus of this research; the scope is best illustrated by the themes of its three chapters. Chapter one further explores the historical evolution of the concept of neutrality and furthers its development to the modern day conceptualization. Through the current application of the phenomenon, it touches upon the vital characteristics and aspects of neutrality by examining European applications of neutrality. It concludes with a discussion of the modern day definition of neutrality and its main objectives. Chapter two will concentrate on Turkmenistan—a brief history of its independence, the establishment of its neutrality, and the main rules and essential aspects governing its policymaking. The chapter will conclude with the internal and external implications of neutrality as a tool of foreign policy. Chapter three analyzes the case of Turkmenistan within the framework of its permanent neutrality and questions its effectiveness in internal and external relations. It examines the extent to which Turkmen neutrality facilitates or prevents successful implementation of foreign relations.

The aim of this work is not to find the ultimate meaning of, or to establish a universally-accepted definition of, neutrality; instead, it seeks to analyze Turkmenistan's neutrality status against different practices of neutrality, answer how Turkmenistan fits in amongst other examples, and ultimately, explain why neutrality was adopted by Turkmen policymakers and whether or not it has been effective in helping policymakers to achieve desired domestic and foreign policy objectives.

In general, it must be admitted that there is not much written on Turkmenistan. The literature contributions available were largely written by scholars and academics located outside of the country. Moreover, Turkmenistan's influence on the international arena is greatly influenced by its role as a growing regional hub for oil and gas and transportation. It has importance as the only neutral state in Central Asia—a geopolitically essential region because of both security issues and borders with both Afghanistan and Iran. Yet, to initiate successful collaboration with Turkmenistan, it is essential that external actors understand the origins, practice, and implementations of such an exceptional example of neutrality. Moreover, the case of Turkmenistan's neutrality is relatively new and explains much with relation to Turkmenistan's isolationist foreign policy, making it all the more interesting to investigate.

The paper seeks to benefit not only academics, but also neighboring countries and interested external actors (such as the U.S. and Europe) in initiating mutual relations in spheres such as economics, energy, and security. It is my hope that a credible work may help to promote further understanding of Turkmenistan's engagement in ongoing disputes and disagreements such as the trans-Caspian pipeline routes and the country's littoral claims on the Caspian Sea. Enduring negotiations have historically led to less cooperative relations, and thus, expanding understanding of Turkmenistan policymaking should prove to be beneficial internationally.

## CHAPTER I: HISTORICAL EVOLUTION AND CONCEPTUALIZATION OF NEUTRALITY

According scholars such as Howard J. Taubenfeld, the laws of neutrality came from a desire to define the rights not only of non-participants in a war, but also of belligerents. In other words, “traditionally, except as bound by specific agreements, for example, no state was required to go to war with another because the latter had perhaps improperly attacked a third, and a state not in active combat and not having issued a declaration of war were generally taken to be neutral”.<sup>9</sup>

Classical definitions of neutrality sought to explain “the juridical situation of states that do not take part in hostilities”.<sup>10</sup> Another well-known definition of a neutral party is simple “a state which, during existence of a war, is not a belligerent in that war”.<sup>11</sup> Hence, historical framework was the foremost influence for the evolution of neutrality as a concept.

### 1.1. *Westphalia and Neutrality*

Upon its origin, neutrality did not, at first, have a positive connotation. Opponents and warring parties defined it as an immoral act by disingenuous parties who play on both sides of conflicts—enjoying the communication with both sides, while they themselves avoid engagement in the war, but still benefit from the outcome.<sup>12</sup> In other words, as Moore defines it

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<sup>9</sup> Taubenfeld Howard J. "International actions and neutrality," *American Journal of international law* (1953):377.

<sup>10</sup> 6th International Conference of American States. "Convention on Maritime Neutrality." 4 Hudson, *International legislation* 2401. (1928): 2401

<sup>11</sup> Draft Convention on Rights and Duties of Neutral States in Naval and Aerial War. *The American, Journal of International Law*, Vol. 33, Supplement: Research in International Law (1939): 175.

<sup>12</sup> Karsh, 1.

“two states are at war, and a third in friendship with both”.<sup>13</sup> Furthermore, neutrality was described as “an antisocial policy, incompatible with international participation and co-operation, an obstacle to solidarity and international organization”.<sup>14</sup> Some of the most predominant political philosophers, such as Machiavelli, saw neutrality as a “zero sum game”.<sup>15</sup> Being neutral for him, and for many other thinkers of his time, was an undesirable and destructive for policy for any state.

The evolution of the concept from negative connotation to international acceptance was discussed by Hugo Grotius, the father of international law. He introduced legal concept of neutrality in his book *De Jure Belli ac Pacis* [*On the Law of War and Peace*] in 1625<sup>16</sup>: “those who remain at peace should show themselves impartial to either side in permitting transit, in furnishing supplies to troops and in not assisting those under siege”<sup>17</sup>. He also mentions a dimension of the concept which we will see later removed from the modern doctrine: political action on the part of the neutral to stop the conflict. Namely, Grotius argued that if neutral parties know of an aggressor, neutrals may take political action to stop the aggressor.<sup>18</sup>

In 1648, with the advent of the Peace of Westphalia, which prioritized collective security, the idea of neutrality was challenged. It was, in essence, impossible to stay neutral when Westphalia promoted that peace throughout Europe be protected by all states, even going so far as to approve military actions against belligerent actors. Other influences which caused the

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<sup>13</sup> Moore, John Bassett. “A digest of international law.” Washington: Government Printing Office (1906): 860.

<sup>14</sup> Karsh, 57.

<sup>15</sup> Ibid, 1.

<sup>16</sup> Igor Novaković, “Neutrality in the 21st Century: Lessons for Serbia,” Beograd: ISAC Fond (2013): 21.

<sup>17</sup> Örvik, Nils. *The Decline of Neutrality 1914-41*. Oslo: J. Tanum, 1953, p. 11

<sup>18</sup> Novaković, 21.

theoretical framework of the concept to change were the aftermath of Napoleonic wars and 1815 Vienna Congress.

Unlike before, world powers now had to recognize neutrality of states. Initially Switzerland's neutrality was recognized by the big powers, followed by recognition of other neutrals—namely Belgium and Luxemburg. Most basically, the concept of neutrality at this period implied demilitarization.<sup>19</sup>

Simultaneously, the first steps of neutrality's conceptualization in the U.S. started with the legislation of the Neutrality Act—enacted in June 1794—and later renewed by the more permanent Act of 1818; it stated that:

A neutral government is bound

... to use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or to carry on war against a power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction to war-like use.”<sup>20</sup>

Despite the fact that such neutrality rules formulated within one state's borders, eventually such rules incorporated into customary international law and were used in international conflict settings as well. That in itself was a significant shift—for the concept to be applied not only domestically, but internationally as well. In this regard, the United States is considered as a major contributor to the conceptualization of neutrality in the context of international law. Such

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<sup>19</sup> Ibid, 22.

<sup>20</sup> Alan T. Leonhard, *Neutrality: changing concepts and practices*. Lanham, MD: University Press of America ;, 1988. 60.

efforts were executed by the U.S. with the aim of gaining outside support for its neutrality policy—that is, to keep an isolationist strategy in play while there was a war in Europe.

In 1872 at the Alabama Claims Arbitration, neutrality was recognized as a regime of international customary law which maintained that “rights and duties of neutral states were presumed to exist, as were the rights and duties of belligerent states”.<sup>21</sup> The 1907 Conventions of the Hague Peace Conferences set laws for both land-based and naval warfare. These rules were applied to the neutrals and belligerents, as well as to the countries which were not a part of the conflict. According to the Conventions, the belligerent state was prohibited from moving troops or any war supplies across neutral state’s territory; the neutral state, in term, was not obliged to prevent the export of supplies. Most importantly, however, the neutral state was allowed to take actions against even an aggressor in order to prevent the violation of its neutrality.<sup>22</sup> This contributed to the multilateral codification of norms. Under the same law, neutrals were not required to regulate trade and economic relations with belligerent actors or to cooperate in ideological matters; “in permitting the neutral power to stay out of the conflict... they allowed its nationals to take advantage of international commerce and intercourse with all belligerents”.<sup>23</sup>

According to Bran F. Havel, the classical meaning of neutrality implied at The Hague Convention means “uniformity, absoluteness, and relative simplicity”.<sup>24</sup> This classical neutrality was prompted by the wars between countries and developed as a reflex reaction to war.

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<sup>21</sup> Ibid, 60.

<sup>22</sup> Brian F. Havel, "An international law institution in crisis: rethinking permanent neutrality." (2000): 172..

<sup>23</sup> Leonhard. 61.

<sup>24</sup> Brian F. Havel, "An international law institution in crisis: rethinking permanent neutrality." (2000): 173.

Moreover, “classical neutrality imposes duties and confers rights on both belligerent and neutral states”<sup>25</sup>, which are clearly stated by custom. Before and during the World Wars classical neutrality defined neutrals and kept them obliged to non-participation. Such instances originated from customary international law and compelled neutrals to uphold three main duties: abstention, impartiality, and prevention. In its classical sense, the duty of abstention requires neutrals to be apart from war, forbids them from giving any military support directly or indirectly, and from exporting military materials. The duty of impartiality obligates neutral to stay neutral, avoid the preference of one side over the other, and discriminate against any belligerent states. The last duty of neutrality emphasizes a resistance to host any military camps upon neutral territory.

There was also a widespread belief that neutrality implied economic neutrality as well. As Havel argues, that the idea of classical neutrality “encompassing military, economic, and even ideological impartiality, was a tenet of Nazi jurisprudential theory, but was never part of the classical law of neutrality.”<sup>26</sup> The original idea of neutrality “has always been a strategy of strictly military origin”,<sup>27</sup> and not tied one to economic policy; as such, during World War I (WWI), the United States opposed the use of international consensus to impose a trade embargo on a belligerent party. If such an embargo had been imposed, American citizens could have suffered as a result of the war in Europe, even while U.S. remained neutral (this example of neutrality, of course, did not last indefinitely). As Frances Boyle puts it, due to the failure of the Second Hague Peace Conference to establish international law governing maritime warfare (especially war contraband shipped by neutral nationals to a belligerent power), Britain suggested to meet in London for further discussions in 1908. Only after a year did the meeting

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<sup>25</sup> Ibid, 173-174.

<sup>26</sup> Ibid, 180

<sup>27</sup> Ibid, 180.

result in the Declaration of London Concerning the Laws of Naval War, which managed to codify maritime warfare. Thus, already at the beginning of the WWI, the Declaration of London held belligerent states to standard of international law; at the same time, however, it provided for the protection of the neutrals' rights.<sup>28</sup>

However, the theory of neutrality was more far reaching than its actual practice. As it was stated by Frances Boyle and Bran Havel, in theory, neutral states experienced economic obstacles to taking part in the war since their citizens could benefit from restricted international trade (since goods would be purchased from nationals of neutral countries).<sup>29</sup> Nevertheless, in practice, neutral's international trading worked in such way which benefited only one certain group of belligerents during the war. At this point, neutrals were criticized to be acting self-interested in their own calculations of national security interests. One of such example could be the U.S.'s experience when they initially did not engage in to the WWI in order to defend international laws of neutrality. However, the U.S. could not guard their neutrality against outside influences, and eventually what resulted was the U.S. entering the Great War to secure the rights of its nationals and endorse international law of neutrality.<sup>30</sup> The US has been seen as abandoning its neutrality in favor of a German defeat. According to Boyle, WWI revealed the inability of international laws of neutrality to restrict "twentieth century total warfare with its all-encompassing political, military, economic and propagandistic dimensions."<sup>31</sup> This collapse of belief in international laws of neutrality and their institutions brought many scholars all around the globe to suggest creating new system of international relations could be held accountable to

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<sup>28</sup> Alan T. Leonhard, *Neutrality: changing concepts and practices*. Lanham, MD: University Press of America, 1988. 62-63.

<sup>29</sup> *Ibid*, 60.

<sup>30</sup> *Ibid*, 65

<sup>31</sup> *Ibid*, 66



the pursuit of peace. Within this international system would exist right to implement international laws against entities which terminate peace. The idea was that the international legal rights of one state had to be respected, protected and relevant to all states. International security's definition had changed; it was required that the whole international community come together, for individual states were no longer able to solve those issues on an individual basis. These kinds of changes caused a lot of scholars and international lawyers to search for peace-promoting or protecting institutions which could replace classical neutrality. What eventually resulted was the establishment of League of Nations.

### ***1. 2. The League of Nations and the First World War I***

"...the creation of the League of Nations was supposed to have sounded the death knell for the institutions of neutrality and thus for the international laws of neutrality."<sup>32</sup> The Covenant of the League of Nations stated that "...a State is obliged not to be a neutral State in wars which occur under certain circumstances"<sup>33</sup>. In brief, as Judge Sir Hersch Lauterpacht contested, "the more there is of collective security, the less there is of neutrality-and vice versa"<sup>34</sup>. Regardless of such theoretical framework, however, neutral countries such as Switzerland and Sweden were admitted to the League.<sup>35</sup>

Despite numerous uncertainties, some rules of neutrality were—closer to WWI—agreed upon by the international community. These rules implied the duty of neutrals to prevent belligerents from using neutral waters, ports, and military bases; trade relations with belligerent actors,

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<sup>32</sup> Ibid, 66.

<sup>33</sup> Taubenfeld, Howard J. ". International actions and neutrality," *American Journal of international law* (1953): 378.

<sup>34</sup> Judge Sir Hersch Lauterpacht, quoted by J. F. Lalive, "International organization and neutrality" in *British Yearbook of International Law*, Vol. 24 (1947), 72.

<sup>35</sup> Novaković, Igor S. "Neutrality in the 21st century – Lessons from Serbia – Essays compendium." *CENTURY –LESSONS FOR SERBIA- ESSAY COMPENDIUM* "–© ISAC Fond (2013), 24

however, were permitted. On the other hand, international community did not oblige neutrals to prevent the manufacture, export, or transit of arms to belligerent states. As a result, during WWI, some these rules were violated. For this reason, the League of Nations underlined in Article 16 that neutrality was not necessarily possible in its most traditional sense; the concept of neutrality agreed upon by members of the League was not compatible with the additional principle that all the Members of the League will have to act in common to enable their covenants to be respected.<sup>36</sup>

Despite the League's promising ideas based on collective security, the absence of the U.S. from the organization proved to be a hurdle the League could not overcome in the name of preserving peace. Due to domestic gridlock aimed to defend its neutrality, the U.S. did not join League of Nations, and thus, it was criticized, and even partially blamed for the escalation of WWII. In 1945, however, the U.S. did join the United Nations.<sup>37</sup>

### ***3.1. The Second World War, Cold War, United Nations and Non -Alignment Movement***

The collapse of League of Nations and the outbreak of World War II challenged the concept of neutrality once again. This more pronounced shift resulted in creation of the global organization known as the United Nations.

Paradoxically, none of the members of the U.N. could be "neutral" when global peace was at risk. The governing idea of the U.N. Charter was precisely the opposite of that of classical neutrality. The UN's mission of preserving peace and security required all the member states to

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<sup>36</sup> Howard, 379.

<sup>37</sup> Alan T. Leonhard, *Neutrality: changing concepts and practices*. Lanham, MD: University Press of America ;, 1988, 66.

assist the U.N. in preventive enforcement.<sup>38</sup> Best described by the French delegation's report, "...the status of permanent neutrality is incompatible with the principles declared in paragraphs 5 and 6 of Charter II, in that, no state can avail itself of the statue of permanent neutrality to be freed from the obligations of the Charter..."<sup>39</sup>

In short, the new world order which followed WWII required states to be bound together. States were becoming part of a system, the members of which were inevitably bound to certain principles and obligations. Under U.N. enforcement the "...doctrine of neutrality is limited for them by the right and usually a duty to aid in the action and by the duty not to hamper it".<sup>40</sup> In practice however, many examples suggest differently. Through the General Assembly of the U.N., all member states were obliged to assist in the Korean War and to refrain from supporting aggressor. However, neutrals acted as moderators, listening-posts, and moral examples.<sup>41</sup>

In 1946, at the International Law of Association, the British lawyer Dehn reflected that "...neutrality involving as it does, obligations to both belligerents, is no longer a permissible status"<sup>42</sup>. Later in 1951, lawyer Hans Kelsen commented that "the status of neutrality [was] incompatible with membership in the Organization".<sup>43</sup> Despite such viewpoints, however, in practice, neutrals joined the organization: Sweden in 1946, Laos in 1955, Malta in 1964, among others.

### 1.3.1. Non-Alignment and Neutrality

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<sup>38</sup> United Nations. "Charter of the United Nations –. Article 2 (5)." (1945), available at: <http://www.un.org/en/documents/charter/chapter1.shtml> [accessed 2 June 2014].

<sup>39</sup> United Nations. "United Nations Conference on International Organization -. Doc. 739, I/1/A/19 (a)." (1945).

<sup>40</sup> Howard, .390.

<sup>41</sup> Ibid, 394.

<sup>42</sup> The International Law Association. ", Report of the Forty-First Conference.", Cambridge (1946):. 43.

<sup>43</sup> Hans Kelsen, The law of the United Nations: a critical analysis of its fundamental problems: with supplement. Vol. 11. The Lawbook Exchange, Ltd. (1950): 94.

In the twentieth century, the end of two major global wars resulted in creation of two superpowers which dominated over the world politics. Neutrality faced another phase of its modification, as neutrals' lost hope in its principles and became part of Non-Alignment Movement (N.A.M.).

The link between non-alignment and neutrality is essential, especially as it concerns current international community. As was stated in the work of S.K. Sign, the historical development of the term non-alignment was partially due to international law and neutrality.<sup>44</sup> It was argued by many scholars that the definition of both terms is mixed, confusing, and blurred. Nevertheless, what was clear is that after WWII, the primarily struggle was preserving peaceful relations, keeping out of the conflicts between two superpowers and their blocs. Said circumstances became fundamental to the establishment of N.A.M.

According to the founding father of the non-alignment movement, Nehru, "we are not prepared to be subservient to the dictates of other people in economic, cultural, industrial, technological or in any other way".<sup>45</sup> The main idea which may be derived from these talks is to avoid of forming blocs with major powers. Moreover, Nehru explained that within the non-alignment movement no other state will be able to tell others to follow a certain pattern, to become involved in war or peace; no other government will have the right to tell a state to have a certain foreign policy.<sup>46</sup> Non-alignment promoted a state's own sovereign right to accept or deny certain objectives. N.A.M. was considered a big step forward, in aftermath of the WWI, to the extent that it shifted world politics towards decolonization and mutual trust amongst nations, once again abandoning neutrality.<sup>47</sup> With the experience of WWII, states no longer believed

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<sup>44</sup> Ibid. 1.

<sup>45</sup> Alan Leonhard and Nicholas Mercurio Neutrality Changing Concepts and Practices. Ibid, 5.

<sup>46</sup> Murphy Shrivastava. Neutrality and Non-alignment in the 1990s P. 5 Sangam Books Limited.

<sup>47</sup> Ibid.. 4.

neutrality to a guarantee of their security and independence; as such, Belgium, Luxemburg and other neutrals even joined military unions. As Hanspeter Neuhold posits, out of the one hundred states belonging to N.A.M., only a few actually practiced permanent neutrality.<sup>48</sup>

#### ***1.4. The Post-Cold War and Neutrality***

By the end of the Cold War, old values were replaced with new ones: national policy, collective security, economic collaboration and interdependence, the sovereign right to declare a war or abstain from it. Neutrality's conceptualization evolved from its classical meaning primarily because the nature of wars has changed. Continental and intercontinental level-wars were outdated, and interstate conflicts (sometimes complete with humanitarian interventions by outside actors), such as in Kosovo, appeared to be new predominant threats to international security. In this way, "the end of the Cold War accelerated a normative degeneration of the previous laws of war and neutrality (and hence of permanent neutrality)..."<sup>49</sup> Modern international relations implies collective security and economic interdependence as means of preserving peace. As Ove Bring describes it, with the end of the Cold War, the U.N. Security Council became more effective, collective security succeeded and caused a decline in the legal and political aspects of neutrality.<sup>50</sup> However, the concept has been challenged in modern days by the North Atlantic Treaty Organization (N.A.T.O.), U.N., and European Union (E.U.).

As it was best described by Havel, current neutrality, the current circumstances push neutrality to diverge from its original meaning (as the law of war). Now, its concept is more flexible,

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<sup>48</sup> Leonhard, T. Alan. *Neutrality. Changing Concepts and Practices.* 97.

<sup>49</sup> Brian Havel, "International Law Institutions in Crisis: Rethinking Permanent Neutrality." *Ohio St. LJ* 61 (2000): 169.

<sup>50</sup> Brian Havel, "International Law Institutions in Crisis: Rethinking Permanent Neutrality." *Ohio St. LJ* 61 (2000): 169.

implying cooperation in collective security matters while still remaining outside of formal alliances.<sup>51</sup> E.U. members such as Switzerland provide a fitting example. Despite this, some scholars such as Pertti Joenniemi argue that "...neutrality can persist only if the 'old world' of adversarial blocs, power politics, and antagonistic relations of post WW-1945 remains in place".<sup>52</sup> He also argues that no matter what period and challenges the world order brings, the core idea of neutrality is still present. He sees neutrality as "...both as an institution and a policy, with sovereignty, the pursuit of an independent foreign and defense policy, a clear-cut demarcation of state borders and the insulation of trade from security".<sup>53</sup> However, opponents of neutrality's relevance in post-cold war period argue that there is a new and different setting for international relations which unites the participation, presence, and commitment of all members.<sup>54</sup> Yet, said context presents challenge for neutrality in its traditional sense; within this changing context of the world order, European neutrals have themselves accepted their distance from the initial conception of neutrality. According to the P. Joenniemi, the governments of the European states lost the implication and practice of neutrality, except the cases concerning defense policy. In the new post-Cold War era, neutrality has been defined in practice and theory as "almost a redundant expression, synonymous with national defense".<sup>55</sup> For instance, in Finland and Sweden neutrality is implied only in conflict close to the states' borders.

Another appealing change to the practical conception of neutrality is that states are more active in international arena than ever before. This could be seen to the extent that many European neutrals still engage in peace-keeping missions, security-related conferences and summits, and

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<sup>51</sup>Novaković, Igor S."Neutrality in the 21st century – Lessons from Serbia – Essays compendium." ISAC Fond (2013): 22.

<sup>52</sup> Joenniemi PerttiNeutrality the Cold War 289-290.

<sup>53</sup> Ibid, 291.

<sup>54</sup> Ibid, 292.

<sup>55</sup> Ibid, 293.

the enforcement of peace; their airspaces are permitted for use in military overflights, and they play essential roles as observers.

However, the realism that has dominated in the discourse of the international politics through post-Cold War Europe is a critical factor. In opposition to neutrality, realists argue that it is unclear—offering benefits of both sides, not differentiating between inclusion and exclusion or friend and foe; realists have expressed a “...refusal to take sides and have denounced the policy as illusory and escapist.”<sup>56</sup> Moreover, realists did not recognize neutrality as a serious policy, which deserved comprehension or contemplation. Furthermore, supported by Martin Wight, there exists the viewpoint that “[n]eutrals are states without an active foreign policy at all”<sup>57</sup>. Another critic of neutrality is in accordance with a prominent observer of international politics, A. Wolfers’. “...Any activity in international politics, even in the relatively harmless form of taking sides in the voting process at the U.N., may arouse doubts about their impartiality. Therefore, the traditional neutrality policy is one of passivity and abstention”.<sup>58</sup>

Aside from the criticism of the concept, the post-Cold war era has brought more modifications to the concept which was institutionalized into international law during nineteenth century. The post-Cold War era made it a requirement for the great powers to modify or abolish the consent of any state to become neutral. Empirical studies prove that Iceland unilaterally claimed its neutrality in 1918, though it did not work to enforce this status within the context of international law. Thus, after the Cold War, its permanent neutrality resulted of a treaty. Through the legal situation *erga omnes*<sup>59</sup>[towards everyone] recognizes that a state is obliged to

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<sup>56</sup> Ibid, 293.

<sup>57</sup> Wight Power Politics Penguin, Harmonds worth, Middlesex 1979 160.

<sup>58</sup> Wolfers Discord and Hopkins Press 1962, 222.

<sup>59</sup> *erga omnes*- If state X engages in activity that violates an ordinary norm and state Y is injured by that activity, only state Y has a legal claim against X, and hence only

respect and defend its neutrality, it could be collective or single-handedly guaranteed; a neutral state abstains from involvement in war, except in self-defense situations. Moreover, in case of war, the state has to remain neutral; it cannot be part of international military exertions, a neutral state is not allowed to participate in an alliance in any kind, defensive or offensive. It is not permissible to be involved in military assistance, as well.<sup>60</sup> Neutral states are prohibited from having military bases on their territories; they do not have right to let military troops pass, stay or fly through their territories. They do not comply even if ordered by international organizations.

### ***1.5. European Neutrals: Switzerland, Finland, Austria and Sweden***

Despite the widespread negative interpretation of neutrality as an immoral, ineffective, and anachronistic concept some states discard the idea of neutrality as adversary; rather they adopt neutrality as an essential guiding principle of their foreign policies.<sup>61</sup> The most outstanding example is Switzerland. For Switzerland and other European states, the concept of neutrality is a key element which has helped in the preservation of their independence and sovereignty during both World Wars.<sup>62</sup>

Since the 16<sup>th</sup> century Switzerland has been avoiding participation in foreign wars and created “a policy of perpetual neutrality”.<sup>63</sup> Because of a fear of being bound to collective security

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state Y has the right to engage in countermeasures against Y. If state X engages in activity that violates an erga omnes norm, all states have legal claims against X, and hence all states have the right to engage in countermeasures. Karl Zemanek. “New Trends in the Enforcement of Erga omnes Obligations. Zemanek, Karl. "New Trends in the Enforcement of erga omnes Obligations." *Max Planck UNYB* 4 (2000): 1-52.

<sup>60</sup> International Law in Crisis: Rethinking Permanent Neutrality 195.

<sup>61</sup> Ibid 2.

<sup>62</sup> Ibid 2.

<sup>63</sup> Habicht The Special Position of Switzerland in International Affairs 457.



objectives which might oblige it to engage in wars, “Neutrality and Solidarity”<sup>64</sup> has been promoted by the Swiss government. While some argue that Swiss’ neutrality is an “abstract principle of foreign policy”<sup>65</sup>, others debate the uniqueness of Swiss neutrality as an outcome of a historically long conceptualization (which is also present in modern day concept of neutrality). Swiss neutrality originated with the Swiss canton (initiated by militarily expansive policies which brought defeat of Charles the Bold, Duke of Burgundy, a great prince of those times). This short victory was followed numerous defeats limiting options of the Swiss—namely either to unite with powerful countries or refuse to do so. In keeping with internal freedom and the decision became even stronger despite religious splitting, the state chose neutrality. If not for neutrality, the division amongst Protestant and Catholic cantons might have torn apart Switzerland. At that period in history, neutrality became a necessity to preserve the integrity of the country’s territory.<sup>66</sup>

Years later, in the 19<sup>th</sup> century, Italy and Germany—both empowered by national unification movements—created large national states which could have been problematic for German and Italian-speaking peoples of Switzerland. Neutrality kept the country together. Moreover, neutrality even played crucial role to the extent that policy keeping diverging sympathies at a minimum.<sup>67</sup> Furthermore, the country’s geographic location positioned in the middle of the warzone, between rival powers. Its neutrality was a necessary condition for Swiss independence<sup>68</sup>, which kept it apart from the wars. During times of unrest, Swiss neutrality was useful to the neighboring states as well to the extent that the Swiss held peace proposals, helped children and wounded prisoners, and much more. In fact, during World War II, through its

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<sup>64</sup> Ibid 457.

<sup>65</sup> Richard Dietrich Schindler. *The Future of Neutrality in Europe*. 16.

<sup>66</sup> Ibid, 17.

<sup>68</sup> Ibid 18.

neutral status, Switzerland assisted via International Red Cross in Geneva; "...35 countries requested the Swiss Government to protect their nationals in enemy territories"<sup>69</sup>. Due to such strategic importance amongst neighboring countries, Switzerland could not align with either opposing side. Thus, in the 1815 Declaration of Paris, the European powers recognized its neutrality.<sup>70</sup> Since then, Switzerland has illustrated still stronger ingenuity with respect to peace promotion initiatives; numerous international union headquarters have been based in Switzerland as well. These years were perhaps some of the most prosperous for Swiss as a country, as it peacefully managed to maintain three European nationalities in one territory.

Swiss neutrality as foreign policy tool flourished and in no time Switzerland had become a model of Europe's future.<sup>71</sup> It is believed that Swiss neutrality became useful during 20<sup>th</sup> century has the government built its internal policies. If not neutrality, institutions of direct democracy would have been different than they were; "to a large extent, if not exclusively, this is a consequence of Switzerland's political seclusion, brought about by permanent neutrality."<sup>72</sup>

Due to the close collaboration and additional development of the Western Europe following WWII, in instances such as creation of the European Community (E.C.), stability in economic and political matters was secured. Yet, such modifications started to undermine Switzerland's neutrality position along with its necessity as a geopolitically-important strategic actor. With the growing influence and integration of the E.C., Swiss neutrality began to lose its essence. Moreover, while Switzerland integrated to the E.C., it remained located in its center. Trade would be problematic with those states which the E.C. imposed an embargo upon. "A neutrality

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<sup>69</sup> Habicht, Max. *The Special Position of Switzerland in International Affairs*. 460.

<sup>70</sup> Richard Dietrich Schindler. *The Future of Neutrality in Europe*. 18.

<sup>71</sup> *Ibid*, 18.

<sup>72</sup> *Ibid* 20.

which differs from the neutrality of other states only by maintaining trade relations with states against which international sanctions are applied would also hardly enjoy high esteem.”<sup>73</sup>

This became an obstacle and the main reason for U.N.’s reconsideration of a neutral party’s membership. Thus came the outbreak of yet another major change and evolution to the concept of neutrality. Rudolph Bindschedler was the legal advisor who drafted guidelines of Swiss neutrality, known as “Bindschedler-Doctrine”.<sup>74</sup> These guidelines were considered to be duties of neutral state, insofar as they allowed for economic neutrality, which was far from the duties outlined in the Hague Convention. The main point emphasized by Bindschedler, was duties in peaceful times. Later, such permanent neutrality was applied by other states during Cold War. It is argued that his doctrine, moved neutrality by “...enhancing the scope of neutrality policy rather than the framework of neutrality law”.<sup>75</sup>

Though it must be admitted that the post-Cold War era caused the re-evaluation of Swiss neutrality. Still, the doctrine plays an important role in the foreign policy of the country even today as Switzerland supports U.N. sanctions (since the 1990s) and is itself a member of the U.N. (since 2002).

Finland, Austria, and Sweden have also been prone to keep neutrality as a stature of non-participation in military unions; Russia influence looms close to their borders and N.A.T.O. appears to be a Western ally.<sup>76</sup> However, Finland is another special case of permanent neutrality which started with Soviet-Finnish relations. According to widely-held belief, Finnish and

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<sup>73</sup> Ibid, 22.

<sup>74</sup> Novaković, Igor S. "Neutrality in the 21st century – Lessons from Serbia – Essays compendium." ISAC Fond (2013): 46.

<sup>75</sup> Ibid 47.

<sup>76</sup> Richard Dietrich Schindler. The Future of Neutrality in Europe. 22.

Austrian neutrality was absolutely parallel to the Soviet actions.<sup>77</sup> With Austria, the Soviets brokered a deal to withdraw its occupation forces in return for Austria's neutrality. In the case of Finland, just as with Switzerland, it also had geo-strategic importance during Soviet times. Trying to avoid Finland's possible cooperation and unification with Western Allies, the Soviet Union strongly supported Finland's desire to be outside of the war between great powers already in 1948.<sup>78</sup> The official Finnish declaration of neutrality came only after the Soviet Union's return of the Porkkala naval base to Finland in 1955.<sup>79</sup> Since then, the foreign policy of Finland has been directed towards international peace, while also, more or less, overlapping with the Soviet Union's policies and still managing to cooperate with the West.

Another interesting turn in Finnish neutrality was when Kekkonen, first prime minister and later as president, came to power and developed not only a specific "brand of neutrality"<sup>80</sup>, but also the application of neutrality as a new way in cooperation with various countries around the world. Unlike his predecessors President Kekkonen improved relations with Soviet Union, while also traveling to the United States, Great Britain, France, Yugoslavia, India, United Arab Emirate, among others. Such extensive international travels paid off, as all Great Powers recognized his neutrality policy.

Generally speaking, Finnish neutrality policy just like Swiss, and Austrian was established as a result of historical events.<sup>81</sup> Moreover, because Finnish neutrality had developed in such interesting circumstances its neutrality allowed it to play on both sides—keeping its connection with West due to historical ties, while simultaneously remaining connected with Soviet

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<sup>77</sup>Max Jacobson. *Finnish Neutrality*. (New York, Frederick A. Praeger, 1968), 47.

<sup>78</sup> Ibid, 46-48.

<sup>79</sup> Hakovirta, Harto. "The Soviet Union and the Varieties of Neutrality in Western Europe." *World Politics* 35, no. 04 (1983): 568.

<sup>80</sup> Ibid, 48.

<sup>81</sup> Ibid 49.

concerns of security and in direct access of its military power.<sup>82</sup> Still today neutrality is deeply rooted in Finnish national identity.<sup>83</sup> Today it is seen not only by international community, but also by the country's people as synonymous with the freedom and independence of the country.

As scholars such as Goldstein and Keohane argue, today's example of Europe helps to categorize different neutralities. Due to the evolution of international system, neutralities evolved from the legal dimension of its origin to later political dimension of security policy. In the post-Cold War period interstate wars were replaced by new forms of military conflicts which triggered collective security.

Thus, neutrality had to evolve and "its role as an identity provider has become the concept's most important function..." Despite its variation, one common feature which underscores neutrality is state sovereignty. While before it was individual state sovereignty, but today, neutrality's main objective is securing the sovereignty of the whole of Europe. Other neutrals, such as Turkmenistan, however, try to secure neighboring states by ensuring their own internal stability.

## **Chapter II: Permanent Neutrality in Turkmenistan**

### **2.1. Post-Soviet Turkmenistan: The *Emergence of an Independent and Neutral State***

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<sup>82</sup> Ibid 50.

<sup>83</sup> Richard Dietrich Schindler. *The Future of Neutrality in Europe*. 15.

The dissolution of Soviet Union in 1991 brought about the emergence of the modern Central Asian region. The origination of a new geopolitical space and its internal affairs became essential for international arena as well. Its location on the crossroad of East and West, as well as the possession of fuel and energy resources intensified rising concern. Particularly, that is why every Central Asian state planned well-evaluated geopolitical strategies and economic cooperation through certain foreign policies to keep their territorial integrity and sovereignty.

Turkmenistan is one of the five Central Asian countries, which established its own new way of internal development, which also shaped the external foreign policy. Therefore, since its independence in 1991, Turkmenistan's foreign policy was constructed in a way, which combined the prospects of domestic development within the framework of regional cooperation and global perspectives. To reach those aims Turkmenistan introduced its foreign policy to the world through its Permanent Neutrality policy.

On December 12<sup>th</sup>, 1995 the UN General Assembly unanimously adopted a Resolution on Permanent Neutrality of Turkmenistan<sup>84</sup>. The policy of permanent neutrality has been bound to historical argumentation. Gundogdyev posits, around 10<sup>th</sup> century, the idea of neutrality was old dream of Turkmen people.<sup>85</sup> As it is argued by scholars, taken as a root this notion of neutrality is implemented and understood as continuation of Turkmen tradition.<sup>86</sup> As it was argued by BARBARA KIEPENHEUER-DRECHSLER "Niyazov rejects any other imitation of foreign policy, meaning more or less the acceptance of democratic standards and reliable multilateral

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<sup>84</sup>United Nations **A/RES/50/80** <http://www.un.org/documents/ga/res/50/a50r080.htm>. (25 November, 2013).

<sup>85</sup> Ovez Gundogdiyev, "The Cradle of Peaceloving," News. *Turkmenistan.ru*, August, 2004, accessed on June 2, 2014.

<sup>86</sup> Kiepenheuer-Drechsler, Barbara. "Trapped in permanent neutrality: looking behind the symbolic production of the Turkmen nation." *Central Asian Survey* 25, no. 1-2 (2006): 129.

relations, for being against traditional Turkmen values.”<sup>87</sup> Therefore, Turkmenistan’s foreign policy model was based on its constructive neutrality<sup>88</sup>. Officially, country’s foreign policy seeks to preserve peace through “positive neutrality.”<sup>89</sup> However, as B. Kiepenheur-Drechsler argues, “In practice this means preference of bilateral relations over multilateral engagement and an increasing isolation of the country.”<sup>90</sup> Still, Turkmen officials stated, the country tries “building a system of foreign relations, and of searching for optimal ways of participating in international relations on the basis of its own national interests.”<sup>91</sup> Within that scope of neutrality, a newly constructed country bound its national characteristic with the foreign policy objectives towards mentality, culture, traditions; trying to meet the stability in the region by being involved in the international security as well. Yet, not fully agreed on such explanation, Kiepenheur-Drechsler says, “...Turkmen policy of neutrality can in this sense be understood as the seclusion of a society that is linked to the described state of ritual liminality”<sup>92</sup> instead of becoming dynamic international actor.

Through applying permanent neutrality, Turkmenistan aims to construct foreign policy objectives which would result in stable development both: internally and externally. “Ten Years of Stability” program<sup>93</sup> combined deliberate tasks of its domestic and foreign policies to meet the stability objectives on both levels. However, Anceschi argues that “...Turkmen nation builders selected analogous strategies in their propagandistic exploitation of foreign policy and,

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<sup>87</sup> Ibid, 75

<sup>88</sup> Shikhmuradov, Boris O. "Positive Neutrality as the basis of the foreign policy of Turkmenistan." *Perception* 2, no. 2 (1997): 1.

<sup>90</sup> Trapped in permanent neutrality: looking behind the symbolic production of the Turkmen nation 129.

<sup>91</sup> Shikhmuradov, Boris O. "Positive Neutrality as the basis of the foreign policy of Turkmenistan." *Perception* 2, no. 2 (1997): 1.

<sup>92</sup> Trapped in permanent neutrality: looking behind the symbolic production of the Turkmen nation 136.

<sup>93</sup> Shikhmuradov, Boris O. "Positive Neutrality as the basis of the foreign policy of Turkmenistan." *Perception* 2, no. 2 (1997): 1.

at the same time adopted parallel discourses in support of such propaganda”.<sup>94</sup> Author argues that officials try to give historical legitimacy to the neutrality policy: “country’s neutral foreign policy was adopted by combining complete awareness of the place in the international political arena with the traditional attitude of Turkmen to the outer world.”<sup>95</sup> Within that scope, Anceschi argues, the leader tried to use neutrality as focal point in lives of people. For instance, the official daily newspaper (Neytral’ny Turkmenistan), the name of main squares, arches called Neutrality, two olive branches on the national flag are all the active reminders of neutrality status of the country.

As Anceschi believes, through 1991-1999 Moscow’s political, economic and military policies were the major foreign objective which Turkmenistan tried to follow (Uzbekistan as well).<sup>96</sup> If not neutrality, such ethnic minorities as Uzbeks, Russians could have wished for territorial claims, as it was possible in Switzerland’s case. Also, as in Finland, Turkmenistan tried to avoid Russia’s possible power nor to become enemies, therefore becoming neutral was a better choice. Later to diversify and reduce the dependence from Russia, Turkmenistan tried to enlarge the geographic dimensions by binding ties with immediate neighbors and with distant ones, yet also keep their influence low. Consequently, permanent neutrality became more reliable to meet those objectives.

Besides, neutrality became major base for reformation of the state within two main objectives after the collapse of SU: structure of the state and its economy. According former Deputy Prime Minister and Minister of Foreign Affairs of Turkmenistan B. Shikhmuradov, it was foremost objective to create internal and external stability through trade and economic assistance with

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<sup>94</sup>Integrating domestic politics and foreign policy making:the cases of Turkmenistan and Uzbekistan 146.

<sup>95</sup>Ibid, 147.

<sup>96</sup>Ibid, 148.



neighboring countries.<sup>97</sup> Towards developing stability in inner level, government was also establishing market economy. Such kind of gradual transition policies promoted peaceful and stable shift of Turkmenistan towards new independent and neutral state.

Also, Turkmenistan's neutrality became the most operative foreign policy directive to keep the territorial integrity and national identity untouched.<sup>98</sup> After SU's dissolution, young Turkmen nation could have been vulnerable to inside or outside influence by ethnic minorities, religious groups and so on. Therefore, there was necessity to unite nation. Thus, Turkmen president Niyazov expressed neutrality as bases for Turkmen nation's historical development which ancestors always aimed for. While, neutrality also gave assurance of territorial integrity and domestic consolidation.

Furthermore, Turkmen president Niyazov (also known as Turkmenbashy) had incorporated the idea of neutrality into all of the foreign relations. All the official documents on bilateral or multilateral relations with neighboring states incorporated neutrality as the main aspect of their foreign participation. Through these actions the government tried to stress and show to international arena the right understanding of Turkmen foreign policy objectives.<sup>99</sup> Conversely, Anceschi argues that Turkmen leader uses such idealization of foreign policy to create a positive image of a regime as a creator of the neutrality: "in presenting the doctrine of Neutrality to the Turkmen population, Niyazov deliberately exaggerated the impact of Turkmen

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<sup>97</sup> Shikhmuradov, Boris O. "Positive Neutrality as the basis of the foreign policy of Turkmenistan." *Perception* 2, no. 2 (1997): 1-2.

<sup>99</sup> Ibid. P.3.

neutrality on internal stability and peace, and underlines that the preservation of the best conditions for domestic development.”<sup>100</sup>

Practically, after its independence, during the third meeting of the heads of member states of the Economic Co-operation Organization (ECO) in Islamabad in March, 1995, Turkmenbashy proclaimed that permanent neutrality status has been constitutionally established.<sup>101</sup> Regionally, he suggested that neutrality status will allow the country to act as peace-making center in Asian region. Also, he stressed the needs in such mediator in the heart of Asia, due to its benefits towards solving and endorse international problems without conventions. S. Niyazov believed that Switzerland and Austria as neutral political entities and peace-making centers have contributed a lot through the history of international relations; therefore, he saw a necessity in creating a neutral center in Asia, which will also stabilize new political changes and maintain peace.<sup>102</sup>

Internationally, the core objective of neutrality was to secure the immediate neighbors, before moving towards world community. At the Islamabad summit Afghanistan, Azerbaijan, Iran, Pakistan, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkey from the neighboring states as well as later Russia, France, Great Britain, the People’s Republic of China, Germany, India, Indonesia, Malaysia, Austria, Romania, Egypt, Israel, Ukraine, Armenia, the Check Republic, Slovakia, Hungary and others expressed support in Turkmen leader’s ideas of neutrality. Since then in order to be accepted and granted the status of the permanent neutrality, Turkmen leader had engaged into number of domestic and foreign affairs. For instance,

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<sup>100</sup> Integrating domestic politics and foreign policy making: the cases of Turkmenistan and Uzbekistan 147.

<sup>101</sup>

<sup>102</sup> Ibid3.

Turkmenistan became 114<sup>th</sup> member of Non-Aligned Movement in Cartagena, Columbia.<sup>103</sup> The government initiated “Ten Years of Stability” program to promote internal stability and peace. Through the neutrality the country guaranteed infrastructure for domestic purposes and international congregations (international airports, high-comfort hotels and so on) telecommunication, transport and more. Additionally, by becoming neutral state, after full membership at the UN and OSCE, Turkmenistan agreed to abdicate the use of force, peaceful coexistence, and non-interference with other states’ domestic policies. Generally speaking, foreign policy of Turkmen government has been oriented in accepting general norms and principles of international law. By signing several international treaties of non-proliferation of nuclear weapons of mass destruction, convention prohibiting development, production and stockpiling of bacteriological toxic weapons, signing the Geneva Convention of 1949 on humanitarian issues were actions to be accepted as neutral state.<sup>104</sup> Since then, as neutral country, Turkmenistan does not sign or contain in a military enforcements. Military bases are not allowed on the territory of Turkmenistan, while it also does not unite with military organizations or alliances. Such inspiration of neutrality came to Turkmen president with admiration of Belgium’s and Switzerland’s neutrality. Present tried to follow their example and become center of Central Asian stability and peace-promotion while also sustaining domestic prosperity. Though, Turkmen neutrality differs from other existing ones in some perspectives.

## ***2.2. A Different Neutral***

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<sup>103</sup> Ibid 3.

<sup>104</sup> Ibid, .4.

According to some scholars as Barbara Keipenheuer, the uniqueness of Turkmen permanent neutrality is related to "...the wisdom of the national leader who introduced this policy."<sup>105</sup> L. Anceschi also supports such idea: "...the Doctrine of Positive Neutrality in particular have been presented as the results of individual efforts of former President Niyazov often referred to as the 'Architect of Neutrality'"<sup>106</sup> unlike European neutrals which were in the middle of the main rival powers during the wars. Nyyazov's political perspectives created Positive Neutrality as "respect to sovereignty and territorial integrity of other states, avoiding the use of force in relations with other states, priority of the authority of the United Nations in international relations, cooperation with all countries in the world, avoiding membership in military and military-political blocks, the right of self-defense, etc."<sup>107</sup> According President's vision, neutrality was based first of all, on international law and promotion of peace. He thought that this kind of neutrality may become a new foundation for a co-operation and progress for peace in the region.<sup>108</sup> Whereas, earlier cases of neutrals were based on "right for war"<sup>109</sup>. Switzerland for instance, gained its neutrality while it was in the heart of the war. Finland and Austria were also supported in their neutrality objectives to escape the devastation of the ongoing wars. Unlike, Turkmenistan which chose neutrality not under the pressure of the war but as the means to stabilize the country.

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<sup>105</sup> Kiepenheuer-Drechsler, Barbara. "Trapped in permanent neutrality: looking behind the symbolic

production of the Turkmen nation." *Central Asian Survey* 25, no. 1-2 (2006):. 136.

<sup>106</sup> Anceschi, Luca. " Integrating domestic politics and foreign policy making: the cases of Turkmenistan and Uzbekistan." *Central Asian Survey* 29, no. 2 (2010): 147.

<sup>107</sup> Novaković, Igor S. "Neutrality in the 21st century – Lessons from Serbia – Essays compendium." ISAC Fond (2013): 97.

<sup>108</sup> Shikhmuradov, Boris O. "Positive Neutrality as the basis of the foreign policy of Turkmenistan." *Perception* 2, no. 2 (1997): 4

<sup>109</sup> Ibid, 4.

In case of Turkmenistan, the president proposed neutrality formula as stability tool, where society and people are the highest values. In Turkmen authority's understanding, components of neutrality were several: mutual social understanding and absence of conflicts. Moreover, for the nation neutrality means domestic and foreign understanding, for the state it means stability and no wars, for the region it means partnership, collaboration and territorial security. Thus in practice the government tried to implement neutrality within abovementioned components. For example: in January 1997, Turkmenistan held an international forum on humanitarian aid towards Afghanistan in the capital city, Ashgabat<sup>110</sup> and also through 1995 to 1996, Turkmenistan has been third nation for inter-Tajik negotiations.<sup>111</sup>

Moreover, President realized that after the crash of the Soviet Union geopolitical and natural resources of the country, would be attractive to international actors. Therefore, within security measures and its national interest, President wished to be in charge of the rest of the region by offering Ashgabat to become the conflict resolution Center for neighboring states. According to Richard Pomfret, the permanent neutrality status of Turkmenbashi was not exactly intended to promote peace and stability in the region. Despite, Turkmenistan's active involvement in international organizations as International Monetary Fund (IMF) or the World Bank, President was very considerate to control the interference and impact of foreign organizations on domestic policies<sup>112</sup> unlike, European neutrals, which tried to engage in international affairs due to political, economic and social matters. Whereas, Turkmenistan due to its natural resources could do without international organizations and economic bounds with external states.

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<sup>110</sup>International Forum on Assistance to Afghanistan 1997

<sup>111</sup> "Planned Convening of Inter-Tajik Talks in Ashgabat, Turkmenistan, Welcomed by Security Council." 6 November, 1995, [accessed May 7, 2014].

<sup>112</sup> Pomfret, Richard Turkmenistan's Foreign *The China and Eurasian Forum Quarterly*, vol. 6, no. 4, 2008 2.

Therefore, initiation of those institutions were controlled and limited through neutrality. Economic Cooperation Organization (ECO) has been one of the ineffective institutions. Besides, Russian led economic community Eurasian Economic Community (EurAsEc) and several other programs/organizations had very little impact in initiating any kind of independent activities. According to international community, the most active Turkmenistan was in CIS's initiatives. Although, in the second half of the 1990s when CIS split into two rival parts Turkmenistan simply stood on the side-neutral.<sup>113</sup>

Despite of international involvement, around 2000s, Turkmenistan started moving much closer towards the isolation of its domestic policies and became even more selective in its foreign involvement. As Dragan Stavlijan argues, after its independence in 1991, Turkmenistan inclined towards isolationist policies which were stated with the Declaration of Permanent Positive Neutrality.<sup>114</sup> Even more isolationistic it became, after such events as: there have been in the South of Caspian Sea the border-line dispute which lead to the shooting incidents between Turkmenistan and Azerbaijan, in 2002<sup>115</sup>. Another example, Turkmenbashy accused Uzbek president Islam Karimov to be involved in the assassination plot (with no legitimate ground)<sup>116</sup>

While assuring its economic potential to grow and to provide support to the neighboring countries, "Turkmenistan regularly ranked last by the EBRD's transition indicators measuring speed of reform or degree of economic liberalization in the formerly centrally planned economies of European and Central Asia."<sup>117</sup> Cotton prices were going down with real GDP falling dramatically from 1991 till 1997. Oil prices were low until the Orange Revolution in

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<sup>113</sup> Ibid 3.

<sup>114</sup> 21st ISAC Fond 97.

<sup>116</sup> Ibid

<sup>117</sup> Ibid6.

Ukraine, after which the oil prices went rapidly up. At this point Turkmenbashy pushed to increase Turkmen gas prices towards Gazprom.

### **Chapter III: Analysis of Theoretical Applications and Case study**

The main objective of the analysis section is to trace whether Turkmenistan's permanent neutrality status played vital part as successful implementation in domestic and international affairs. Therefore, the analysis would be composed through the model offered by Efraim Karsh explained in his book, *Neutrality and Small States*. In brief, his model determines success through ability of "...neutral states in preserving their independence and territorial integrity, as well as the influence they exercised on the concrete neutral policy adopted."<sup>118</sup> Also, the success of neutrality would be analyzed through the objectives laid out in the Constitutional Law of Turkmenistan on Permanent Neutrality of Turkmenistan.

#### **3.1. Efraim Karsh's Model**

According to Efraim Karsh, the core success of neutrality contains two important and mutually related components: positive and negative ingredients. The positive component posits, that a neutral convinces the belligerent states in the importance and advantages of having neutral state. Whereas, negative ingredient of neutrality intimidate belligerent to infringe neutrality status as if it interferes neutrality, it would be costly to the aggressor.<sup>119</sup> Karsh believes, relying towards one or the other component rules out the closeness of a neutral to the traditional neutrality or vice-versa. For instance, being inclined towards more positive notion means greater its retreatment from traditional neutrality and greater it is inclined towards humanitarian, political

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<sup>118</sup> Karsh, 34.

<sup>119</sup> Ibid, 34

and non-military actions of its neutrality policy. While relying on negative component of neutrality, creates provocative profile and develops a threatening image to others. Hence, from these indicators Karsh believes, that correct and elaborated balance between two components and “environmental awareness of the neutral state and its capacity to react effectively and flexibly to changes and developments in its external surroundings, determines...”<sup>120</sup> the political success or the failure of a neutral state.

### *Positive component*

As Karsh argues positive neutrality means, to assure others to accept neutrality and its importance for them, as well as neighbors and international community. Accordingly, it could be done through *credibility*: dissolve the fears of the belligerent of possible damage by country’s neutrality, and increase others’ interest in continued preservation of neutrality. Obvious example of such instance would be Turkmen leader’s capability to persuade UN’s General Assembly, which resulted in proclamation and support of Turkmenistan’s neutrality. Later, also occasioned in support by all the neighboring countries as well as international actors. According Karsh, credibility in such terms could be obtained if “neutrality is simply a foreign policy tool intended to serve the fundamental goal of national self-preservation, more precisely, of ensuring the independence and sovereignty of the state at wartimes...”<sup>121</sup> Basically, neutral needs to ensure to be secluded from traditional neutrality at the outbreak of the war and prove its commitment in preserving neutrality objectives to external environment. The escalation of Tajik civil war, verified Turkmenistan to stay within its permanent neutrality policy. Except playing a role of a mediator Turkmen government stayed neutral. “With the launch of an

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<sup>120</sup> Ibid, 34-39.

<sup>121</sup> Ibid, 34-39.



antiterrorist operation in Afghanistan, S. Niyazov, citing country's neutral status, refused to make available its airports for development of coalition forces."<sup>122</sup>It certainly played a role of mediator, and provided aid to these countries, yet was not involved in the military confrontations or did not allow its territory to be used by foreign states for military actions. Turkmenistan persisted neutral when Uzbekistan (initially) and Kyrgyzstan opened for military bases on their territory and supported the US's engagement in Afghanistan. (Kazakhstan and Tajikistan also supported the initiative)

On the other hand, it is difficult to say whether Turkmenistan would continue following its neutrality since it was never confronted by a danger of war on its own territory. Since existence of Turkmenistan as an independent state is only 23 years old, while it also was not experiencing any wars as such, empirically it is slightly challenging to say what Turkmen authorities might do when its independence comes to danger.

Another important aspect, to indicate success of neutrality as Karsh puts it, is to convince the externals in the importance and mutual benefit of its neutrality policy. Such could be done by offering neighbors some services/benefits, which would be impossible to gain from non-neutral state. Turkmenistan offered Ashgabat to become center for moderations and peace talks for Central Asia. For example it held negotiation talks during unrests in Tajikistan and held peace forums and conferences on Afghanistan.

### *Military involvement*

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<sup>122</sup>Burnashev, Rustam, and Irina Chernykh. "Turkmenistan's Armed Forces: Problems and Development Prospects." *Central Asia and the Caucasus* 22 (2003).

Essence of neutrality is to refrain neutral from being engaged in transfer of military forces and equipment through the neutral state. Through the history of neutrality, neutral Sweden permitted regular transfers of German troops through its territory. There has been no prove or legitimate instance of Turkmenistan being in such violation. According to official documents, authority's aim to create small but effective military, is to assure the protection of state integrity and national sovereignty. Declared by S. Niyazov, the major task of the military is to prevent internal conflict. Moreover, because of its permanent neutrality, Turkmenistan tries to avoid military cooperation or alliances, externally. For example, Turkmenistan is the member of Commonwealth of Independent States (CIS), but does not enter Council for Collective Security, military branch of CIS. Turkmenistan is also a member of UN, yet absent in any military actions sanctioned by the UN. However, internal military involvement is much stronger. There are such agencies which are aimed at controlling foreigners temporarily living in the country, while main function of them is also to fight crime, corruption and political crimes.<sup>123</sup> There are intergovernmental military trainings with Russia, Ukraine, Pakistan, Turkey and the USA. Furthermore, Turkmenistan as majority of Central Asian states does not manufacture military tools. Therefore it only engages in "procurement, maintenance and sale."<sup>124</sup>

#### *Neutrality Policy: Negative Components*

According to Karsh, for a neutral state to remain successful in its neutrality policy, it "...must supplement the positive component of its neutrality by negative measures, namely by indicating the disproportionate cost of violating this neutrality to the belligerents."<sup>125</sup> Negative component

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<sup>123</sup> Ibid, 61.

<sup>124</sup> Ibid, 61.

<sup>125</sup> Ibid, 63.

of neutrality has two dimensions: *defensive negative strategy*, which implies enhanced internal strength, through existence of a strong military support. It is necessary for externals to be aware of costs of violating neutrality. Second dimension is known as *offensive*, which uses diplomacy as guarantor of its neutrality.

For a *defensive negative strategy*, Turkmenistan does not possess strong military force; its permanent neutrality keeps it accountable to the preservation of peace, therefore it maintains diplomatic relations: "The Republic does not regard any one state as an adversary; it will not join any bloc; it will not use its Armed Forces against any one state except for self-defense; it will not have foreign military bases deployed on its territory; and it will assist the international community in preventing wars and armed conflicts."<sup>126</sup> However, According to some sources, since 2002 Ashgabat airport is a hub for C-5 and C-17 transport planes and its airspace has been used by US military airplanes.<sup>127</sup> That is one of the many cases, similar to what we have seen throughout the history of neutrality, when the status of neutrality does not work in practice as it is supposed to theoretical.

Besides, within defensive policy there are: *domestic stability* and economic power indicators. As B. Shikhmuradov mentions, Turkmen leader strongly stressed domestic and economic stability perspectives as main objectives of its permanent neutrality.<sup>128</sup> Karsh believes, in order to keep external pressure low, a neutral state might as well build strong stability in its economic and domestic sectors. His explanation comes very well with Turkmen President's constructed

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<sup>126</sup>Burnashev, Rustam, and Irina Chernykh. "Turkmenistan's Armed Forces: Problems and Development Prospects." *Central Asia and the Caucasus* 22 (2003)

<sup>127</sup>Deirdre Tynan. "Turkmenistan: Ashgabat Playing Key US/NATO Support Role in Afghan War" January 10, 2011, accessed June 1, 2014. <http://www.eurasianet.org/node/62683>

<sup>128</sup>Shikhmuradov, Boris O. "Positive Neutrality as the basis of the foreign policy of Turkmenistan." *Perception* 2, no. 2 (1997): 1-2.

idea of neutrality. Turkmenistan meets criteria which Karsh puts upfront for a successful neutrality implementation. Following Karsh's explanation Turkmenistan has political regime founded on historical tradition and roots which are accepted, legitimate and enjoyed by the population. Another link of neutrality to the legitimate historical argumentation is Rukhnama-a spiritual book of Turkmen.<sup>129</sup> It states that permanent neutrality was Oguz Khan's<sup>130</sup> main objective to bring peace to Turkmen land.<sup>131</sup> Through "presenting this way, both the political detachment of the country and the seclusion of the society became unquestionable policies as embodiments of the myth of permanent neutrality."<sup>132</sup> The absence of minorities claiming territorial integrity or secession, is another indicator of domestic stability which is also traced in Turkmenistan's case. Karsh does not go into details to explain how neutral country may meet such objectives. Thus, consolidation and strong centralized power, brought possibility of minority secessions to zero. Whether fruits of neutrality are enjoyed by population, is harder to judge, since basic needs as gas, electricity and salt are free for Turkmen people. Also, GDP - real growth rate 11% (2012 est.) 14.7% (2011 est.) 9.2% (2010 est.)<sup>133</sup> which is very high if to compare internationally. Besides neutrality helped the country to avoid global financial crisis of 2008, due to "...its lack of foreign debt, reasoned and harmonious policy, expansion of export market for natural gas, and the increase in foreign currencies revenues."<sup>134</sup> Despite

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<sup>129</sup> Rukhnama-is a spiritual book written by the First President of Turkmenistan Saparmyrat Atayevich Niyazov. It was intended to be a spiritual and moral guidance of Turkmen nation. Turkmenbashi, Saparmurat, Rukhnama: Reflections on the Spiritual Values of the Turkmen, Ashgabat, TDH, 2005.

<sup>130</sup> Oguz Khan- legendary national hero Oguz Khan in the first Golden Century. Turkmenbashi, Rukhnama: Reflections on the Spiritual Values of the Turkmen: p. 236.

<sup>131</sup> Turkmenbashi, Rukhnama: Reflections on the Spiritual Values of the Turkmen: p. 236.

<sup>132</sup> Alpaslan Canan. "State, Society and Culture in Turkmenistan: The Policies of Propaganda Under the Rule of Turkmanbashi." PhD diss., Middle East Technical University, 2010. 82.

government's adoption of populist social support net (since 1992), housing utilities such as electricity, gas, water and etc. free the 2004 est. indicate 30% of population in Turkmenistan lives below the poverty line.<sup>135</sup>

Even these indicators do not prove whether people enjoy the historical tradition being binding in face of neutrality which provides such services. It is one obstacle of a research that needs more research and more time to investigate whether people are satisfied with the benefits they receive from being neutral.

#### Economic power

Karsh posits that skilfully managed foreign policy can bring economic power of state to be very beneficial and keep it detached from the external pressure. Turkmenistan unlike most of the European neutrals possesses considerable amounts of gas and oil. It is also one of the main exporters in the world. Its economy does not need to depend solely on other external powers. Moreover, according 2009 global crisis proved the regime keeps domestic population satisfied with subsidizing and cheap prices. As argued by Kuru, neutrality recognition gave Turkmenbashy strong flexibility to play the buyers of Turkmen oil and gas.<sup>136</sup>add more about economic deals oil gas?

#### The offensive strategy

Since not every neutral as Turkmenistan can rely on defensive strategy, they may base their neutrality on the negative component and use offensive strategy. What is left for a neutral which

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<sup>136</sup>Kuru, The and Central Asian : The Turkmen 65.

lacks military force yet tries to maintain its independence and sovereignty is to keep high diplomatic initiative with international actors. Here it could be seen, Turkmenistan's neutrality was not a barrier when it joined the NATO Partnership for Peace program. NATO officials said "this relationship is similar to those with other neutral countries, such as Switzerland and Austria."<sup>137</sup> Yet, also Turkmenistan is criticized for bilateral military agreements with Russia for instance, oriented towards joint defense of their border. Add more

As many scholars argue, such as Anceschi, Turkmenistan's neutrality as foreign policy: aimed in containing strong centralized governance.<sup>138</sup> As C. Alpaslan says, "Once obtained the UN recognition for the permanent neutral status of the country, Niyazov abused the concept of neutrality and turned it into a political tool to avoid unwanted international pressure."<sup>139</sup> Later such flexibility in its policy objectives brought country to isolationism. To avoid global and regional interest in the gas and oil reserves, "neutrality was not only a political principle that enabled Turkmenbasy to avoid being obliged to other states, but was also a moral guideline for society legitimating isolation of the Turkmen people from international environment and foreign influences."<sup>140</sup> Moreover, neutrality was the only tool available for a leader to avoid

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<sup>137</sup> Gundogdiyev, Ovez. "The Cradle of Peaceloving ." News. *Turkmenistan.ru*, August, 2004.  
[http://www.turkmenistan.ru/?page\\_id=4&lang\\_id=en&elem\\_id=5806&type=event&sort\\_date\\_d](http://www.turkmenistan.ru/?page_id=4&lang_id=en&elem_id=5806&type=event&sort_date_d)

<sup>138</sup> Ubiria, Grigol. "Turkmenistan's Foreign Policy: Positive Neutrality and the Consolidation of the Turkmen Regime—By Luca Anceschi." *Asian Politics & Policy* 1, no. 3 (2009): 551.

<sup>139</sup> Brown, Governance in Central Asia: The case of Turkmenistan 216.

<sup>140</sup> Kiepenheuer-Drechsler, Trapped in permanent neutrality: looking behind the symbolic production of the Turkmen nation 137.

potential external influence despite country's weaknesses: low population, minimum of industrial infrastructure, and lack of military power.<sup>141</sup>

### ***3.2. Constitutional Law of Turkmenistan on Permanent Neutrality of Turkmenistan***

Constitutional Law of Turkmenistan's Permanent Neutrality, in 12 Articles states clearly the objectives pursued and maintained by Turkmen leader's idea of neutrality. This section would try to analyze whether objectives were successfully accomplished.

In brief, the aims within permanent neutrality status of Turkmenistan are to strengthen the stability and consent in society, create friendly and mutually beneficial relations with international society (Article 1). Despite permanent neutrality, Turkmenistan recognizes UN's priority and complies with UN objectives in every possible way (Article 2). It seeks peaceful foreign policy with all the states based on equality of rights, mutual respect and non-interference to internal affairs (Article 3). Turkmenistan does not ally or belong to war blocks, its foreign policy does not invade interests or safety of others (Article 4). Turkmenistan does not engage in war or conflicts, except in self-defense actions, as well as it has right to appeal to UN or other states support in act of aggression against itself (Article 5). ). Turkmenistan does not engage in production or distribution of chemical, nuclear, bacteriological and other weapons, does not allow military bases on its territory (Article 6). It believes in equal rights and mutual benefit of all parties involved in economic cooperation thus it cooperation is seen as means to

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<sup>141</sup>Alpaslan Canan. "State, Society and Culture in Turkmenistan: The Policies of Propaganda Under the Rule of Turkmanbashi." PhD diss., Middle East Technical University, 2010. 82.

achieve trust and peace (Article 7). Turkmenistan does not accept economic pressures on any other state and is not involved in such actions, however provides economic/financial cooperation internationally as well (Article 8). People, their basic democratic rights/liberties are the highest value, and accountable in creating political economic and legal guarantees to exercise them (Article 9). The country respects other traditions, customs and cultures, therefore promotes exchange of values as such (Article 10). It joins basic international legal acts, (migrants, refugees, those suffered from wars, natural catastrophes) collaborates with humanitarian organizations widely (Article 11). It guarantees to engage its domestic and foreign policies according permanent neutrality (Article 12).

For the sake of parsimony, the 12 abovementioned articles could be summarized as: preservation of sovereignty and territorial integrity affects is indicator of success of the neutral Turkmenistan. Such particular way of shaping neutrality as foreign policy, is a result of the careful elaboration by Turkmenbashy. Right after collapse of the U.S.S.R., young nation which just gained independence was left only with two options: build alliances with powerful countries or find alternative to preserve its objectives. Turkmenistan has chosen permanent neutrality which will gain international respect for its territorial integrity and would preserve independence. Despite isolationism policies, Turkmenistan managed to repair "...internal and regional relations and to become a respected player on the international stage."<sup>142</sup> They managed to diversify Russia's monopoly over gas reserves which enhances Turkmen economic and political sovereignty through economic ties with Iran, Pakistan and so on. Regardless, human rights abuse and such Turkmenistan's neutrality keeps interference of international

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<sup>142</sup>globalsecurity.org. "Turkmenistan - Foreign Relations." available at:  
<http://www.globalsecurity.org/military/world/centralasia/turkmen-forrel.htm>. [accessed May 30, 2014]



community to its minimum. As Turkmen leader expresses, to preserve newly emerging state, neutrality became preservation measure.<sup>143</sup> The elite also understood that in such conditions, (SU collapse) building national identity, develop strong population bound appliances of political and social control.<sup>144</sup>

Year by year country's opening to the foreign markets and investors from Japan, Turkey, Europe, Japan, South Korea, improves local situation for people to be employed. However, the gas and oil benefits mainly enriches elites and finances interior of the country.<sup>145</sup> According to the estimations, Turkmenistan will benefit soon due to the natural resources, especially when considered its relatively low population. Sebasrien Peyrouse believes, Turkmen regime with its major objective of permanent neutrality succeeded in secluding the country from international influence. It also succeeded in assuring domestic impenetrability due to the same matter. Until 1990s there was no question whether political isolationism and economic prosperity could go hand in hand. Swiss economy has always been seen as prosperous one due to its neutrality. Therefore, Swiss leaders even debated over opening political spheres. With new era of cooperation and intercommunication this kind of isolationism was under question. Directing to the assumptions of neutrality's essence as well. International relations became very interdependent that a state cannot longer depend solely on itself and isolating itself via neutrality is not beneficial anymore. Such modern International problems as: terrorism, drug trafficking, weapons of mass destruction, and more, which were not relevant at the beginning

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<sup>143</sup> Shikhmuradov, Boris O. "Positive Neutrality as the basis of the foreign policy of Turkmenistan." *Perception* 2, no. 2 (1997): 46.

<sup>144</sup> Peyrouse Sebastien. *Turkmenistan. Strategies of Power, Dilemmas of Development*. New York: M.E. Sharpe. 2012.

<sup>145</sup>

stages of the Swiss neutrality, now these threats cannot be resolved without cooperation and assimilation.<sup>146</sup> Turkmenistan here differs from Switzerland, because it has large amounts of oil reserves (roughly estimates 600 million. 2012 est.) and gas reserves (approximately 265 Trillion cubic feet in 2012)<sup>147</sup> which it could use even when a country maintains centralized system.

With respect to available date and time, the analysis of Karsh's model and combining it with official document of Turkmenistan gave some interesting insights. The indicator to sum up these indicators, success proposed of neutral states is in ability of a neutral state to preserve its independence and territorial integrity. Karsh's model explains it just like the objectives in the Constitutional Law of Permanent Neutrality that through: domestic and external creditability, military involvement or diplomatic engagement, consistency of domestic and economic situation and popular satisfaction of the neutrality policy (legitimate historical argumentation) it is possible to indicate success of neutrality. Turkmenbasy has chosen permanent neutrality which gained international respect already in 1995. Since then, Turkmenistan has been involved in many peace promoting events mostly in Central Asia. While President's neutrality isolates country from the external pressure, he manages to diversify economic relations. Through providing the analysis of those indicators, it is possible to conclude that, neutrality as a policy aimed (by both dimensions Turkmenbasy) to preserve territorial integrity and sovereignty of Turkmenistan succeeded.

## Conclusion

According to many scholars, as well as Petti, international politics is not the same anymore. It does not concern tension, anarchy, inter-state wars etc. Instead, the question is about influence, power and struggle between those who dictate the policies. With such changes of the international system, neutrality is obviously subject to evolution.

Switzerland was a first country to become permanent neutral. 21<sup>st</sup> century introduced to the world new neutrals as: Austria, Japan, Cambodia, Malta, Laos and Turkmenistan. So, Turkmenistan is not first neutral country which started using neutrality as its foreign policy. However, it is questionable whether there is such country as Turkmenistan which uses its neutrality as the means to preserve unity of the nation and indivisibility of its territory.

In instance of Turkmenistan's neutrality which detaches country from the international pressure, Turkmenbashy succeeded to preserve its independence especially after the SU's collapse. It proved to be credible in not having military alliances or basing military camps or supporting any military actions. At the same time, it manages to engage as moderator and promoter of peace.

While, its oil and gas reserves make Turkmenistan very attractive to the international arena the country still manages skillfully select international partners which comply with their centralized power and regime. Despite being rich in oil and gas reserves, domestically local people are not satisfied: a lot of people are unemployed and human rights are under big challenge (indicators above)

To sum up, it is essential to note that neutrality plays important role in shaping Turkmenistan's domestic and external policies. Considering, domestic stability or economic growth till today and without further detailed research it is difficult to say whether country's development was solely due to the neutrality policy.

According, Karsh's model and evaluation of the principles in the Constitutional Law of Permanent Neutrality of Turkmenistan, it is reasonable to say Turkmen neutrality to be succeeding in preserving its main objectives. Yet, in a larger scale when such issues as human right for instance are involved it would be difficult to see the success of neutrality as a policy.

Thus, success of permanent neutrality of Turkmenistan was in preserving its independence and territorial integrity. However, whether neutrality is the only reason which brought the country to such level is another question. If Turkmenistan chose alternative to neutrality after the collapse of Soviet Union, would that result in other outcomes or still be a success for a country.

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