

The Future of Neutrality

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March 2023

GCSP Policy Brief No.4



GCSP
Geneva Centre for
Security Policy

Geneva Centre for Security Policy

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ISBN: 978-2-88947-407-3

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Introduction

“When all is said and done, neutrality is by no means the easiest foreign policy. It is easier to obey than to stand on one’s own feet. ... Neutrality presupposes a constant endeavour to maintain the balance alertly and energetically, however threatening the storm clouds look.”

Urho Kekkonen¹

Neutrality is a naturally occurring phenomenon. There have always been actors on the world stage that have remained outside the conflicts of others, be they countries,² religious institutions³ or international organisations (IOs).⁴ Even during the two world wars and the first Cold War (i.e. the US and its allies versus the USSR and its allies), some actors managed to avoid the battlefields or claimed a position separate from the various alliance systems. Despite the beliefs of some commentators that neutrality is coming to an end, there is no indication that world politics is actually about to change dramatically enough to eradicate the reasons and logic for neutrality. In fact, the least conducive international environment for neutrality – unipolarity – seems to be ending. What could be called the “New Cold War” (the West-aligned countries versus Russia in Europe and versus China in Asia) and the emerging multipolar world will likely produce the dynamics leading to more neutrality as a counter-reaction to the new great power rivalry. We should expect neutrality and neutralism – i.e. political movements demanding the adoption of neutrality policies – to strengthen. Nevertheless, neutrality is shifting. It is moving from Europe to other regions of the world, and, in the process, will likely also change conceptually. This Policy Brief will first describe the nature of neutrality and the three basic motivations for actors to opt for its policies. It then discusses the challenges any neutrality policy faces and will conclude by providing concrete recommendations for policymakers seeking to maintain neutrality vis-à-vis either hot or cold conflicts.

¹U. Kekkonen, *Neutrality: The Finnish Position*, London, Heinemann, 1970, p.179.

²S.C. Neff, *The Rights and Duties of Neutrals: A General History*, Manchester, Manchester University Press, 2000.

³P. Lottaz and F. Rodao, “The Vatican, WWII, and Asia: Lessons of Neutral Diplomacy”, in P. Lottaz and H. Reginbogin (eds), *Notions of Neutralities*, Lanham, Lexington Books, 2019; P. Lottaz, “Vatican Diplomacy and Church Realities in the Philippines during World War II”, in M. Breger and H. Reginbogin (eds), *The Vatican and Permanent Neutrality*, Lanham, Lexington Books, 2022.

⁴D. Plattner, “ICRC Neutrality and Neutrality in Humanitarian Assistance”, *International Review of the Red Cross* (1961-1997), Vol.36(311), 1996, <https://doi.org/https://doi.org/10.1017/S0020860400084072>.

Why neutrality changes

Neutrality is always and everywhere a reaction to conflicts, be they hot shooting wars, cold structural conflicts or potential future warfare. The third type of conflict is the underlying rationale for states promising “permanent neutrality” toward any (potential) future wars of third parties, while the first two are the motivations for actors to choose “occasional neutrality” toward an ongoing shooting war or non-alignment in a so-called cold war. Whatever the case, it is always the nature of a particular conflict that determines the nature of the resulting neutrality. If the nature of the conflict changes, the nature of the neutrality changes accordingly.

The two world wars of the 20th century transformed the 19th-century notion of neutrality from being mostly an occasional and legal affair of great powers seeking to maintain trade relations during the sporadic wars of other powers⁵ to a permanent policy of small states trying to survive all-out general warfare. Total war bred total neutrality, so to speak.⁶ The first Cold War changed the concept to meaning abstinence from alliance or power bloc systems, spurred, among other things, by the Non-aligned Movement (NAM) of the decolonised world, which itself emerged in reaction to the novelty of a “cold” ideological contest between the superpowers and the remnants of colonialism they upheld. This was a time when political movements for neutrality came to be framed as “neutralism” – a term that was not commonly used before the 1950s,⁷ but made much sense in a conflict where both sides conceptualised the basis of the struggle as a contest of ideologies (capitalism versus communism).

Of course, this is not a clear-cut process. There are long stretches of overlap, structural adjustments and norm-building processes. Traditional permanent neutrals in Europe lived side by side with the new NAM during the Cold War, without much interaction, even explicitly distancing themselves from each other, because they had different ideas about what their foreign policy stances meant. The European neutrals were mostly integrated into one or the other economic system of the opposing blocs, remaining neutral only in the military sphere, while the non-aligned countries were a heterogeneous group of states maintaining various ties to both blocs.

⁵ M.M. Abbenhuis, *An Age of Neutrals: Great Power Politics, 1815-1914*, Cambridge, Cambridge University Press, 2014.

⁶ Although the idea of “permanent neutrality” goes back to the late 18th century and appeared in an international treaty in 1815, when Switzerland promised permanent neutrality in the emerging European balance of power system, it was a complete novelty at the time and occurred in reaction to the general warfare Napoleon had recently inflicted on the continent. For the entirety of the 19th century the permanent neutrality of states remained the exception rather than the norm.

⁷ P. Lottaz, “Neutrality Studies”, *Oxford Research Encyclopedia of International Studies*, 2022, p.11, <https://doi.org/10.1093/acrefore/9780190846626.013.680>.

The emerging new Cold War (defined above) is already displaying similar traits. While two traditional neutrals – Sweden and Finland – abandoned the last bits of their signature foreign policies after Russian troops invaded Ukraine in February 2022, others like Switzerland, Austria, Ireland and Malta are maintaining military neutrality, but have joined the sanction system – one of the primary coercive foreign policy tools in the structural conflict between Russia and the United States-NATO. Eurasia’s new permanent neutrals – Moldova, Serbia, Mongolia, and Turkmenistan, alongside most of East and South-East Asia – have refrained from picking sides. While many condemn the invasion, they have not joined Western sanctions. Africa and Latin America, too, are in this respect staunchly neutral, with countries like South Africa also continuing their military-to-military relationship with Russia. Even China – despite Western fears of Beijing forming an alliance with Moscow – is neutral toward the war in Ukraine, neither supplying weapons or condemning either side, nor imposing sanctions, instead calling for a ceasefire as soon as possible.⁸

Why some actors choose neutrality

This is not to claim that countries or institutions implementing neutrality policies are motivated by conflicts alone, but that the reality of external conflicts is central to such policies in one way or another. The actual reasons for adopting neutrality policies are usually case specific. Broadly speaking, they fall into three categories.

Institutional requirements

Some actors are compelled to maintain impartiality for institutional reasons. The UN or the Organization for Security and Co-operation in Europe (OSCE), for instance, are often unable to take a particular side in a conflict when their members are involved – especially when the UN Security Council is split. Or consider the Bank for International Settlements, which was constructed in a way that allowed and compelled it to continue operations for all its members, even during the height of the Second World War, when most of them were at war with one another.⁹ Similarly, Catholics are often to be found on both sides of a war, making a neutrality policy on the part of the Holy See the only sensible option to protect the church.¹⁰

⁸ Y. Bin, "China's Neutrality in a Grave New World", *Russia in Global Affairs*, 11 April 2022, <https://eng.globalaffairs.ru/articles/chinas-neutrality>; Y. Bin, "Ukraine Conflict Déjà Vu and China's Principled Neutrality", *Comparative Connections*, Vol.24(1), 2022.

⁹ P. Lottaz and H.R. Reginbogin, "Private Neutrality' – the Bank for International Settlements", in Lottaz and Reginbogin (eds), 2019.

¹⁰ Breger and Reginbogin (eds), 2022.

Countries, too, might be compelled to adopt neutrality policies due to the requirements of their constitutions or national laws. These requirements often date back to earlier times when other reasons were the main factors driving a state to adopt legally codified neutrality. Once in place, however, neutrality tends to become “sticky” due to the identity function it often provides (see below) and the difficulty associated with constitutional changes, especially in democratic nations, leading to the perpetuation of neutrality policies even when the primary reasons for their adoption have vanished. The institutional factor is one of the main internal reasons why Sweden and Finland were able to shed their neutrality relatively easily after the Cold War, first replacing the concept with the less strictly defined “non-alignment” and abandoning it completely when they applied for NATO membership in 2022. Neither of them ever had “hard” neutrality clauses in their constitutions. In contrast, Switzerland, Austria and Malta, which have internally binding neutrality laws, still retain their policies now.¹¹

Internal interests

Actors might, of course, have very strong internal interests that compel them to choose neutrality policies. The most obvious – avoiding war and continuing their economic relations with vital partners – is only one. Sometimes countries choose neutrality policies to balance internal political forces. In the First World War the German- and French-speaking sections of the Swiss population were torn between feelings for opposing combatants, leading the government to emphasise neutrality not only as a legal obligation to the other countries, but also as a political tool to avert internal ruptures. Moldova is in a similar predicament today, with parts of its population, economy and political process (including the eastern separatist region of Transnistria) connected to either Russia or Ukraine, which provides a strong civic reason for maintaining a neutrality policy in the ongoing war between its neighbours. Turkmenistan, too, is using a neutrality discourse largely as a form of nation-building directed toward its own population rather than to other countries.¹² In short, permanent neutrality can become a powerful part of a people’s identity.

International organisations, too, can have strong internal motivations for an impartial. The International Committee of the Red Cross (ICRC), for instance, has been following a neutrality policy since its inception, because siding with one party of a war would make it all but impossible to access the vulnerable populations of the opposing party, or, worse, might even make its staff targets of attack.¹³ Likewise, the UN acquired an internal motivation to

¹¹Switzerland and Sweden had both been neutral since 1815, Finland and Austria since the end of the Second World War.

¹²L. Anceschi, “Turkmenistan: The Eccentric Neutral”, in P. Lottaz et al. (eds), *Neutral Beyond the Cold: Neutral States and the Post-Cold War International System*, Lanham, Lexington Books, 2022.

¹³D.P. Forsythe and B.A. Rieffer-Flanagan, *The International Committee of the Red Cross: A Neutral Humanitarian Actor*, London, Routledge, 2007.

maintain neutrality toward conflicts when it introduced peacekeeping to its portfolio of activities. By the nature of their tasks, “Blue Helmets” depend on acceptance from both sides of a conflict to successfully execute their mandates.¹⁴

External necessity

External reasons also compel actors – especially nation states – to opt for some form of neutrality policy; for instance, when it is mandated in the form of an agreement among foreign powers (a so-called neutralisation). Usually this must happen with the agreement of the state in question, as was the case for Switzerland in 1815; for Belgium in 1831; Luxembourg in 1867; and, more recently, for Austria in 1955 and Laos in 1962. Such agreements usually arise from a complex set of national and international circumstances, and tend to be most successful when upholding the neutral status of the state in question is in the interests of all parties and the neutralised state is capable of enforcing its neutrality to some degree.

Another external reason for neutrality can be the absence of a viable alternative. When a state finds itself in a position where others are unwilling or unable to create meaningful alliances, the only fallback option is usually some form of neutrality policy (“going it alone”). Such was the case for Sweden after 1815, and again in the 1930s and after the Second World War, when its aspirations for collective security through the League of Nations or through a Nordic defence community failed to materialise. Neutrality was never a preferred option for Sweden – but a doable one.¹⁵ Likewise, in the Second World War Spain, Portugal and Turkey remained neutral not out of love for the concept, but due to the absence of a viable alternative in light of their political circumstances.¹⁶ All three gave the policy up in the following decade(s) when joining NATO became a more promising option for safeguarding their security interests.

Lastly, some actors adopt neutrality as a way to increase their degrees of freedom from one or several dominant powers without antagonising them too much. Such was the case for Finland in the Cold War. Especially its long-term leader, Urho Kekkonen, saw a Soviet-friendly form of neutrality as a way to enjoy more policymaking freedom than the Warsaw Pact members had. Also, Yugoslavia, India and many other NAM states used their position of non-alignment partially as a strategy to avoid unwanted security entanglements and forestall the threat of becoming a staging ground for another proxy war. This strategy was similar to the US policy of neutrality toward the European wars of the 19th century, when Washington did not

¹⁴ A. Kane, “Neutrality in International Organizations I: The United Nations”, in Lottaz et al. (eds), 2022.

¹⁵ M. af Malmberg, *Neutrality and State-building in Sweden*, New York, Palgrave, 2001.

¹⁶ Spain’s dictator, Francisco Franco, had already agreed to join Hitler in his war in Europe during a secret meeting in late 1940, but back-tracked a few months later when the war began to turn against Germany.

take sides in the wars of the great powers – from which it had nothing to win, but a lot to lose – and, through the Monroe Doctrine, also neutralised the South American continent.

Security challenges and dilemmas

However, neutrality policies never come cheap. The greatest dilemma for neutrals will always be that they end up in partial opposition to everybody else. A policy of neutrality is by default never completely in line with the (security) aspirations of other states or alliances. Especially during times of international conflict, neutrals are condemned by all sides for not supporting them enough and others too much. The dilemma arises from what I call the “logic of neutrality”.¹⁷ Neutrals are outside the direct conflicts of third parties, but unless they completely isolate themselves (which most do not) they remain inside the larger conflict constellations, maintaining bilateral ties with both parties. During times of low international conflict this is usually not a problem. But as soon as a major conflict occurs – be it a hot shooting war or a cold structural conflict – the pressures on neutrals mount.

While criticism from all sides is a sign of a functioning neutrality policy, it raises the question of how to be “correctly” neutral to divert the most pungent blame. Unfortunately, neutrality is also a fuzzy concept. The Austrian, Irish and Swiss approaches are already significantly different, but since the end of the Cold War we are seeing states like Serbia, Moldova, Mongolia and even Turkmenistan claiming neutrality, redefining the concept in terms of their own national frameworks and for their own purposes.¹⁸

Scholars and politicians usually rush to international law for guidance, especially the Hague Conventions of 1899 and 1907,¹⁹ but the legalist approach has serious limitations. For one, most of the binding neutrality law of the late 19th century was formulated for great and middle powers like the Dutch, the United States, or Britain that would maintain neutrality occasionally.²⁰ These rules do not provide peace-time guidelines for permanent neutrals nor neutral IOs. There is nearly no treaty law for either of them (except for the ICRC). In fact, much of the norm building in international law surrounding neutrality stopped in the first half of the 20th century because the paradigm of war shifted. While 19th-century theorists thought of war as a normal phenomenon of world politics, the international architects of the 20th century tried to outlaw it all together.

¹⁷ P. Lottaz, “The Logic of Neutrality”, in H. Reginbogin and P. Lottaz (eds), *Permanent Neutrality: A Model for Peace, Security, and Justice*, Lanham, Lexington Books, 2020.

¹⁸ See Lottaz et al. (eds), 2022.

¹⁹ See Neff, 2000; Lottaz et al. (eds), 2022.

²⁰ Abbenhuis, 2014.

The League of Nations and the United Nations were both attempts at ending war for good that, had they succeeded, would also have eradicated neutrality (i.e. without war there is nothing to be neutral toward). It was the failure of the endeavour that reopened spaces for the concept, but ultimately left states and other actors in uncharted territory, since the UN approach to managing international conflict ended much of the codification movement of neutrality.²¹ Hence, neutrality law was updated so infrequently that while there are some rules for neutrals on land and the sea, we have no treaty law for them in new domains like outer space and cyberspace.²² The Cold War added an additional layer of headaches, by blurring the line between war and peace.

Most importantly, there is the conundrum that neutrality law is itself the product – not the origin – of neutrality politics. Although the formulation of international law is a reciprocal process, at the end of the day it is the power of sovereign states that underwrites the various neutral foreign policies. Hence, actors are mostly on their own when it comes to defining the details of their neutralities.

Policy implications

Although concrete rules for peace-time neutrality do not exist, a few implications follow from its general logic. Firstly, neutrality is supposed to keep conflicts away, but relations alive. As such, it is a tool that must be calibrated to suit the goals of the neutral *and* the conflict parties alike. To quote Kekkonen, “Neutrality cannot be pursued passively and there is no simple formula which will always and unfailingly give the desired answer regardless of situations and circumstances”.²³ Neutrality policies need to be flexible, and no two states (or IOs) can or should have the same approach.

Secondly, since neutrality is directed toward the conflicts of third parties, both the nature of these conflicts and the interests of the aspiring neutral must guide a neutral country’s policy decisions. If an actor intends to remain neutral toward a hot shooting war, military neutrality needs to be observed; in a trade war, commercial impartiality is required; and in a religious war, ideological independence needs to be maintained. Take Serbia, for instance, which aspires to join the EU, but will not even consider approaching NATO (the alliance that bombed it less than 25 years ago). Serbia also wants good relations with Russia and has hence every interest in maintaining a comprehensive “military neutrality policy”, allowing Belgrade to continue the EU integration process while not abandoning trade and cultural ties with

²¹ S.C. Neff, “A Tale of Two Strategies: Permanent Neutrality and Collective Security”, in Reginbogin and Lottaz (eds), 2020.

²² J. Upcher, *Neutrality in Contemporary International Law*, Oxford, Oxford University Press, 2020.

²³ Kekkonen, 1970, p.179.

Russia.²⁴ Moldova, Turkmenistan and Mongolia are also interested in non-confrontational relations with Russia for different reasons, and will therefore refrain from imposing sanctions on Moscow as many European neutrals did after the invasion of Ukraine. Switzerland or Austria, in contrast, are firmly embedded in the Euro-Atlantic frameworks and cultural discourse. Hence, they calibrate their neutral foreign policies only toward the hot shooting war, but do not apply neutral trade principles to the structural conflict between Russia and the West.

Thirdly, a neutral needs to convince other powers that it is in their interests to live with its independent policies – even the ones that are favourable to adversaries. Optimally, a neutral can offer unique and indispensable services or goods in exchange for which each conflict party will grudgingly accept that the neutral also collaborates with its opponents. For instance, access to a neutral's currency, financial facilities, advanced industrial products, rare earths or fossil fuels can be strong bargaining chips to entice both sides to accept a neutrals' "trading with the enemy" (as it is often termed by the belligerents). However, neutrals must at all costs prevent either party from viewing them as siding or allying themselves completely with the opponent.

Lastly, neutrality does not mean that there can be no coordination or cooperation. Some of the most important neutralities of the past were collaborative enterprises, like Catharine the Great's "League of Armed Neutrality" of 1780²⁵ or the NAM in the Cold War.²⁶ In fact, the collaboration of neutral and non-aligned states during the Conference on Security and Co-operation in Europe process in the 1970s was useful to the entire North Atlantic area and a key to East-West détente,²⁷ while the symbiotic relationship between Switzerland and the Red Cross has been key to the humanitarian work of both actors for 150 years. It makes sense for neutrals to contemplate collaboration and strive for policy coordination.

²⁴ K. Kubo, "Serbia: Origins and Impacts of the Military Neutrality Policy", in Lottaz et al. (eds), 2022.

²⁵ L. Müller, "The League of Armed Neutrality, 1780-83", in D. Stoker et al. (eds), *Strategy in the American War of Independence: A Global Approach*, London, Routledge, 2010.

²⁶ L.M. Lüthi, "The Non-Aligned Movement and the Cold War, 1961-1973", *Journal of Cold War Studies*, Vol.18, 2016.

²⁷ T. Fischer, *Neutral Power in the CSCE: The N+N States and the Making of the Helsinki Accords 1975*, Baden-Baden, Nomos for the Austrian Institute for International Affairs, 2009.

Policy recommendations

For policymakers, the malleability of the neutrality concept can be both a headache and a great opportunity. Neutrality does not require dogmatic adherence to an ideology or entrap states in tight security frameworks that force them to sacrifice some interest for the “greater good” of an alliance. Neutrality is, as constructivists put it, “what states make of it”.²⁸ Its politics can accommodate a wide range of approaches. For this reason it is recommended that neutral actors develop comprehensive strategies that make full use of the advantages neutrality has to offer (“opportunity development”) while trying to decrease the negative impacts of third-party conflicts on them (“risk mitigation”). This might include, but is not limited to, the following recommendations.

Opportunity development

Neutral state and IO policymakers should:

- formulate foreign policy position papers (white papers) incorporating and explaining the state-specific (or IO-specific) understanding of neutrality and how it informs executive decision-making;
- hold proactive policy dialogue – preferably at the ministerial level – with all power blocs to regularly communicate policy positions and offer neutral support in non-controversial areas;
- develop neutral-to-neutral and neutral-to-non-aligned ties to increase neutralist bargaining power and facilitate mutual capacity-building;
- advocate for the development of neutrality law and norms in regional or global multilateral forums like the UN, the OSCE, ASEAN, etc., and for the development of neutrality norms in international humanitarian law through the Red Cross and Red Crescent movements;
- strengthen trade relations with all economic partners, regardless of bloc affiliations;
- strengthen arbitration frameworks for the settlement of trade disputes and diplomatic frameworks for bilateral and multilateral dialogue; and
- build domestic capacity in the areas of humanitarian services and diplomatic know-how for the execution of good office mandates.

²⁸ See C. Agius, *The Social Construction of Swedish Neutrality: Challenges to Swedish Identity and Sovereignty*, Manchester, Manchester University Press, 2006.

Risk mitigation

The relevant policymakers should:

- create state facilities to support industries and key companies negatively impacted by anti-competitive belligerent measures (e.g. primary and secondary sanctions from the opposing sides of a conflict);
- formulate domestic laws for the protection of neutral trade and services, like banking secrecy acts, trade espionage acts, data protection acts, etc.;
- consult regularly with key stakeholders from the commercial and NGO sectors to assess legal and security challenges in rival power blocs;
- strengthen independent national security capabilities, especially the in-country production of basic defensive military hardware; and
- strengthen cyber capabilities for the defence of digital neutral infrastructure from foreign abuse.

Conclusion

As long as international conflicts remain a staple of world politics, neutrality will also remain. The question is what shape it will take, which actors will make use of it, and how formalised it will be as a legal and political concept. Will the global community systematically use it once again to build the international order, or will countries only make use of it on an ad-hoc basis, treating it as a security strategy rather than a legal status?

Should the new multipolar world lead to several small and middle powers (and maybe one or other of the great powers) becoming actively interested in a more rules-based approach to interacting with the various emerging blocs, we might well see a return of the 19th-century approach of codifying the rules of neutral engagement with opposing sides. The international law of neutrality has never been revoked and could be revived and updated through various mechanisms, either at the UN or through other multilateral forums. The NAM, which will likely gain new momentum in the years to come, could, for instance, begin working on multilateral accords similarly to the Treaty on the Prohibition of Nuclear Weapons. There is already talk among political leaders of strengthening the NAM,²⁹ and it is likely that the countries opposing the US-Russia proxy war and the growing conflict between the United States and China will try to find avenues for safeguarding their interests with all three actors. This would mean that we should expect the most innovative approaches to neutrality to come from the global south rather than Europe or North America.

²⁹ See Yanis Varoufakis's speech on why the world needs a new non-aligned movement, Havana, Cuba, 30 January 2023, <https://youtu.be/6MfuGSIDRsc>.

In terms of individual actors' concrete policy actions, neutrality can serve them most effectively if it is understood as a tool of foreign policy that can be consciously and actively calibrated to help achieve their goals. Neutrality works best when it delivers benefits to others that they cannot live without. Becoming an *indispensable neutral* should be the goal of a strategically understood neutrality policy. Finally, neutrals should remind belligerents that their existence also has an altruistic value. At many critical junctures they have helped to deliver historical results like the Hague Conventions, Geneva Conventions or Helsinki Final Act. *Engaged neutrality*, as historian Heinz Gärtner points out, means "getting involved as much as possible and remaining on the sidelines as little as necessary" for the sake of international conflict mitigation and mediation.³⁰ Overall, an internationalist neutral approach is a way to avoid the accusation of lack of solidarity and give back to the world community.

³⁰ H. Gärtner, address to the conference Aktive Neutralitäts- und Friedens-Politik, Graz, Austria, 20 December 2022; see also H. Gärtner (ed.), *Engaged Neutrality: An Evolved Approach to the Cold War*, Lanham, Lexington Books, 2017.

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ISBN: 978-2-88947-407-3



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