

EU ENGAGEMENT IN CONFLICT RESOLUTION IN GEORGIA: TOWARDS A MORE PROACTIVE ROLE

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Abstract

The EU's role in conflict resolution and peace building has evolved in response to the changes in the international system, the EU's own internal political dynamics, and the EU's capacity and willingness to play a major role in regional and international conflicts. During the 1990s, the EU approached the South Caucasian region the same way it approached the other former Soviet republics. In spite of the enhanced profile of Georgia in EU foreign policy after the Rose Revolution in 2003, the EU was content with providing technical and economic aid to Tbilisi and supporting the negotiations between Tbilisi and its breakaway regions, South Ossetia and Abkhazia. Despite its failure to preclude the outbreak of the conflict, the EU's role in conflict resolution in Georgia has paradoxically been enhanced in the aftermath of the August 2008 Russian-Georgian War. It is, however, important to note that in spite of these positive developments in the EU's role in conflict resolution, Brussels' efforts to promote its visibility in the region is to some extent constrained by the lack of a coherent conflict resolution strategy for the Eastern Neighbourhood, the "capacity-expectations" gap, and an increasingly self-confident Russia.

Keywords: EU Conflict Resolution, ENP, Georgia, Russia, Abkhazia, South Ossetia

Introduction

With the accession of Romania and Bulgaria to the European Union (EU) in 2007, the boundaries of the Union extended to the Black Sea. Thus, stability in Georgia and its neighbourhood became more important for the EU, prompting it to be more attentive to the issue of resolving conflicts in that region. Having previously opted for a complimentary role in the resolution of conflicts in the region, the EU started to become a weightier political actor in Georgia subsequent to the Russo-Georgian Conflict in August 2008.

Georgia is significant for Europe not only due to its position as the transit route for energy originating from the Caspian Sea, but also because of the risks its disputed territoriality could pose to European security. Ensuring the security of the Baku-Tbilisi-Ceyhan oil pipeline (BTC), which carries Azeri oil from the Caspian Basin to the Mediterranean coast in Turkey and the Baku-Tbilisi-Erzurum gas pipeline (BTE), which carries Caspian natural gas to Turkey through Georgia, is important for the security of energy supply for European countries. EU countries are extremely dependent on Russian energy resources, in particular natural gas. Therefore, the safe transportation of oil and natural gas from the Caspian basin to the European countries contributes considerably to the diversification of the EU's energy resources and thus to the reduction of over-dependency on a single source.

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The security risks posed by the two separatist regions of Georgia, Abkhazia and South Ossetia; the security problems stemming from Georgia's weak-state status following the dissolution of the Soviet Union; and the problems associated with its being a fledgling democracy present non-negligible challenges for EU security and stability. Furthermore, Georgia is located in an area through which illegal transnational activities such as weapons and drugs smuggling, human trafficking, and money laundering are practiced.

Signs of a positive change in the EU's outlook on Georgia were observed in the European Security Strategy (ESS), adopted by the EU in December 2003.¹ One of the notions emphasized in the ESS was that security is of an interdependent nature. Because of the intertwined nature of the internal and external dimensions of security in the post-Cold War era, EU security starts outside of the European borders. The objectives of the ESS include conflict prevention in tough neighbourhoods, the protection of international security on the basis of international law, and bringing stability and security to the countries situated in the European periphery. In the words of the ESS, "our task is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations... It is not in our interest that enlargement should create new dividing lines in Europe. We need to extend the benefits of economic and political cooperation to our neighbours in the East while tackling political problems there. We should now take a stronger and more active interest in the problems of the Southern Caucasus, which will in due course also be a neighbouring region."² In other words, upon the adoption of the ESS, ensuring the security of the countries to the east and south of Europe, which includes the South Caucasus region, became a concern for the EU.

As for the formulation and implementation of conflict resolution policies, institutions within the EU have different roles and functions in this area. The Council of the EU and the European Commission stand out as the two most important bodies of the EU for the formation and implementation of conflict resolution policies. The EU President, the Political and Security Committee, and the High Commissioner for Foreign and Security Policy in the Council of the EU, which enjoys a more political role compared to the European Commission, each give shape to the conflict resolution policies of the EU. The Directorate General of External Relations and the other Directorates General associated with external relations and the EU representatives on the ground are also involved in the conflict resolution activities of the EU. The European Parliament does not have much of an institutional role in conflict resolution issues.

The EU's role in conflict resolution/peace building evolved in response to the changes in the international system, the EU's own internal political dynamics, the EU's capacity and willingness to play a major role in regional and international conflicts. In this study, the role of the EU in conflict resolution in Georgia from the 1990s to the present is examined in a case study to elucidate the EU's conflict resolution policies. The EU's approach to the South Caucasian region in general and Georgia in particular can be roughly divided in three phases: a) the era from the 1990s to the Rose Revolution in 2003; b) the period from 2003 to the Russia-Georgian War in August 2008; and c) the post-August 2008 era.

During the 1990s the EU approached the South Caucasian region the same way it approached the other ex-Soviet republics. It concluded partnership and cooperation agreements (PCA) with these states and supported them technically through the Technical Aid to the Commonwealth of Independent States programme (TACIS). The PCAs signed with Georgia were of economic and

¹ European Council, "A Secure Europe in a Better World: European Security Strategy", (European Council, Brussels, December 12, 2003).

² *Ibid.*, 8.

technical nature; they did not concern political issues until the Rose Revolution of 2003. In addition to the creation of the European Neighbourhood Policy (ENP) and the European Security Strategy (ESS) in 2003, the process following the Rose Revolution in 2003, which accelerated the transition of Georgia from an authoritarian regime to a democratic one on the basis of the European model, helped Tbilisi come to the forefront of Brussels' policy priorities. As a result of the Rose Revolution, the South Caucasian states were included in the ENP in 2004. In this period, EU financial and technical assistance to Georgia significantly increased. In spite of the enhanced profile of Georgia in EU foreign policy, the EU was content with providing technical and economic aid to Tbilisi and supporting the negotiations between Tbilisi and its breakaway regions, South Ossetia and Abkhazia, which took place under the auspices of the UN and OSCE. It was not willing to be actively and directly involved in the conflict resolution negotiations. Rather, its conflict resolution and peace building policies were of long-term nature.

In the aftermath of the conflict between Georgia and Russia in August 2008, Brussels' role in conflict resolution acquired a novel aspect. Despite its failure to preclude the outbreak of the conflict, the EU's role in conflict resolution in Georgia has been paradoxically enhanced following the August 2008 Russian-Georgian War. The pullout of the OSCE monitors from South Ossetia on December 31, 2008, and the UN Observation Mission (UNOMIG) from Abkhazia on July 15, 2009, due to the veto exercised by Russia on the grounds of the refusal of these organisations to recognize the breakaway regions, resulted in the EU becoming the only international body with observers in Georgia. Moreover, the EU started to lead the negotiations held between the conflicting parties in Geneva. This was a significant achievement for the EU which hitherto had taken a timid stance on conflict resolution issues. It is, however, important to note that in spite of these positive developments in EU's role in the field of conflict resolution, Brussels' efforts to promote its visibility in the region is to some extent constrained by its lack of a coherent conflict resolution strategy for the Eastern Neighbourhood, the "capacity-expectations" gap, and an increasingly self-confident Russia.

The study first deals with the conflicts between Georgia and its secessionist areas, South Ossetia and Abkhazia, from the 1990s to the present. The next part of the article focuses on the evolution of the EU's Neighbourhood Policy (ENP) into the Eastern Neighbourhood (EaP). Then the instruments used by the EU to implement its policies in the separatist regions and Georgia are discussed. The following section draws attention to the changing policies of Brussels toward Georgia in the aftermath of August 2008. The final part of the piece is dedicated to factors which prevent the EU from taking an active role in Georgia and its neighbourhood. These factors include the implications of the relations between Russia and the West (EU-Russia relations and US-Russia relations) and the obstacles linked to the internal dynamics of the EU.

Georgia and Conflicts in the Secessionist Regions

Georgia

The surfacing of tension between Abkhazia and South Ossetia and Georgia emerged due to the existence of an environment conducive to ethnic nationalism following the dissolution of the Soviet Union. Abkhazia and South Ossetia, which enjoyed an extensive degree of autonomy during the Soviet era, were faced with Georgian nationalism after the collapse of the Soviet Union. After the Soviet authorities cracked down on a demonstration in April 1989, nationalism in Georgia gained strength, paving the way for the declaration of independence. In August 1991, Georgian was declared as the sole official language. The trend of nationalism was further empowered by the referendum for independence in May 1991 and by the election of nationalist leader Zviad

Gamsakhurdia as president. On the other hand, these developments were a cause for concern for the Ossetians and Abkhazians, who were anxious that they would not be able to persist within Georgia.

Georgian President Michael Saakashvili, who came to power following the elections held after the Rose Revolution, sought, first of all, to ensure the territorial integrity of the country and bring the secessionist regions under Tbilisi's control. Saakashvili's first task was to peacefully put an end to the regime in the autonomous region of Adjara and to make it part of Georgia. While Georgia had obtained vast powers over the region, Adjara had constitutionally maintained its autonomous status. After the success in Adjara, Saakashvili turned to Abkhazia and South Ossetia in an attempt to further consolidate the power of the central administration.

On the other hand, after the nationalist Saakashvili came to power, the tension between Georgia and the separatist administrations in the regions and Russia dramatically peaked. The fact that Tbilisi strove again to seize Abkhazia and Georgia through military means provoked violent conflicts between the parties. For Tbilisi, the underlying obstacle to the resolution of the conflicts was the support lent to the separatist regions by Moscow. Efforts by Tbilisi to isolate the secessionist regions from the world and to single-handedly bring up resolution plans at international fora such as the UN, OSCE and the Council of Europe not only helped reinforce the sense of encirclement among the secessionist regions, but also contributed to the evaporation of what little confidence, if any, had existed between the parties.³

Starting when Moscow imposed an embargo on Georgian wines and continuing until the conflict between Russia and Georgia broke out in August 2008, relations between Russia and Georgia drastically deteriorated. Six months after Russia declared a partial embargo in March 2006, Georgia arrested four Russian officers on the grounds of spying for Russia. Russian authorities retaliated by withdrawing the majority of their diplomatic mission in Tbilisi, by deporting hundreds of Georgian citizens from Russia, by closing air and land traffic, and by suspending postal communication with Georgia.⁴ In the meantime, a few unarmed Georgian drones were shot down in Georgian air space. Moreover, Moscow strengthened its ties with the separatist regions in Georgia.

The Russo-Georgian Conflict started on August 7, 2008, after Georgian forces entered South Ossetia, "to restore the constitutional order," in the words of Saakashvili, and began bombarding Tskhinvali.⁵ Thirty thousand Ossetians fled from South Ossetia to Russia. Russia responded immediately and effectively, launching an attack with a large number of troops. They repelled the Georgian forces from South Ossetia and from the east of the region with the assistance of the Abkhazians and advanced into Georgia proper.⁶ The EU was quick to respond to the conflict. On the initiative of the then head of the EU French President Nicolas Sarkozy, a ceasefire agreement was signed on August 12, 2008. When the war ended, the warring parties accused each other of being responsible for the conflict. While the ceasefire presided over by Sarkozy successfully ended the conflict, and Moscow formally withdrew from Georgia in October 2009, Russia stationed 3,700 troops each in South Ossetia and Abkhazia and declared that it would keep war ships in Abkhazia permanently. Moreover, Russia stated that it would spend \$400 million on the military bases that it

³ Michael Merlingen and Rasa Ostrauskaite, "EU Peacebuilding in Georgia: Limits and Achievements" (working paper, 2009/6, Centre for the Law of EU External Relations, The Hague, 2009), 6.

⁴ Molly Corso, "From Deportations to Wine Embargo, Saakashvili-Putin Chat Changes Little," *Eurasia Insight*, November 30, 2006, <http://dev.eurasianet.org/departments/insight/articles/eav113006.shtml> (accessed March 17, 2010).

⁵ *BBC*, "Heavy Fighting in South Ossetia," August 8, 2008, <http://news.bbc.co.uk/2/hi/europe/7546639.stm> (accessed January 24, 2010).

⁶ For more information regarding the developments during and preceding the war, see for instance: Svante E. Cornell, Johanna Popjanevski, and Niklas Nilsson, "Russia's War in Georgia," Policy Paper, Central Asia-Caucasus Institute, August 2008, <http://www.isdp.eu/files/publications/pp/08/0808Georgia-PP2.pdf> (accessed January 24, 2010).

planned to open in both South Ossetia and Abkhazia.⁷ Military cooperation between Moscow and the separatist regions was further consolidated through an agreement on the joint protection of the borders. In addition, Moscow recognized the independence of Abkhazia and South Ossetia on August 26, 2010.

Following the war, Tbilisi suspended its relations with Moscow, and announced its withdrawal from the Commonwealth of Independent States (CIS). Georgia stated that it no longer recognized the Moscow Ceasefire Agreement signed with Sukhumi in 1994 and the Sochi Agreement of 1992. At the same time, it declared the Russian troops stationed in its territory as “illegal occupation troops”. As for Moscow, the Russian Foreign Minister, Sergei Lavrov, stated that, “Russian forces are on the territory of South Ossetia and Abkhazia at the request of the presidents and parliaments of those republics and on the instructions of the Russian president,” and would stay there for a long time “in order not to allow for the repetition of the Georgian aggression.”⁸ Perhaps one of the most important implications of the conflict with Russia is that it strengthened Georgian aspirations to integrate with the West and join NATO. A few hundred Georgians died in the conflict and 137,000 people were displaced within Georgia. Although most of them managed to return home, some 30,000 Georgians have been unable to return home yet.⁹

The war had negative economic and political ramifications in Georgia. In the aftermath of the conflict, Georgia had to grapple with economic difficulties. A significant portion of the budget was allocated for the reconstruction of civilian and military infrastructure which had been devastated in the war, the inflow of foreign direct investment decreased and inflation rose drastically. In response to the criticism that the regime became authoritarian under Saakashvili, reform efforts were instigated under a banner of a new democratization wave. However, these reforms, which aimed at expanding the freedom of press and increasing the control of the parliament over the government, remained incomplete after the outbreak of the war.¹⁰

On the other hand, one year after the August 2008 War ended, there were signs of a thaw in the relations between Georgia and Russia. In December 2009, Tbilisi accepted an offer made by Moscow to reopen a mountain crossing on the border between Georgia and Russia, which had remained closed since 2006.¹¹ Furthermore, while Russian President Medvedev insisted that relations with Georgia would not officially resume as long as he was in office, he gave the green light that visa-free travel could restart and air traffic could resume.

Abkhazia

The “Georgianization” policy toward the Abkhazians, who were under pressure during Stalin’s rule, continued after Stalin died. When the Soviet Union collapsed, the struggle of the Abkhazians continued, this time against rising nationalism in Georgia.

⁷ *Russia Today*, “Russia to Spend 400 Million U.S. Dollars on Military Bases in Abkhazia and South Ossetia,” November 28, 2008, <http://www.russiatoday.com/ossetianwar/news/33969> (accessed January 24, 2010).

⁸ *Radio Free Europe Radio Liberty*, “Russia Says its Troops to Stay in Georgia for Long Time,” September 9, 2008, http://www.rferl.org/content/Russia_Says_Its_Troops_To_Stay_In_Georgia_For_Long_Time/1197480.html (accessed January 26, 2010).

⁹ Merlingen ve Ostrauskaite, op.cit., 9.

¹⁰ For further details concerning the implications of the war in Georgia and in the wider South Caucasian region see: Nona Mikhelidze, *After the 2008 Russia-Georgia War: Implications for the Wider Caucasus and Prospects for Western Involvement in Conflict Resolution*, IAI0901, Istituto Affari Internazionali, February 2009.

¹¹ *Radio Free Europe Radio Liberty*, “Russia, Georgia Agree To Reopen Border,” December 24, 2009, http://www.rferl.org/content/Russia_Georgia_Agree_To_Reopen_Border/1913157.html (accessed January 26, 2010).

Georgia declared independence from the Soviet Union in 1991 and at the same time put an end to the autonomous status of Abkhazia. In turn, Abkhazia moved to secede from Tbilisi in 1992 and reinstated the 1925 Constitution, which had granted it federal state status during the Soviet era. It also declared that it would secede from Georgia and join the Russian Federation. Georgian troops moved quickly in response and occupied the Gali region of Abkhazia, cutting it off from Russia.¹² The Abkhazians, who were forced to withdraw from the capital Sukhumi, managed to assemble and drive the Georgian forces – except in the Gali and Kodori Gorge regions - out of Abkhazia. They were assisted by Caucasian volunteers and aerial support from Moscow. As a result of the clashes, more than 250,000 Georgians were forced to flee from Abkhazia to Georgia and 10,000 people died.

The clashes were halted after an agreement arranged by Russia in July 1993. Under this agreement the United Nations (UN) set up an observation commission (UNOMIG) to monitor whether the conflicts in the region had stopped or not. Nevertheless, clashes resumed. The ceasefire agreement signed in May 1994 in Moscow between Tbilisi and Sukhumi and the Moscow Agreement on the separation of forces put an end to the bloody clashes. According to the agreement, in addition to UNOMIG, a separate peacekeeping force composed of CIS troops was created. Although an overwhelming majority of Abkhazians voted for independence in a referendum held in 1999, the referendum was not recognized by Tbilisi. The Geneva talks, which began in 1994 to end the clashes, were reinvigorated under the auspices of the UN in 1997. Moreover, the Sochi process continued with the support of Moscow. No significant results came out of these negotiations.

Immediately after the August 2008 war between Georgia and Russia, Abkhazia declared independence. This allowed Abkhazia to apply to be a member of the CIS. Russia recognized the independence of Abkhazia on August 26, 2008. In the aftermath of the war, Russia terminated the CIS peacekeeping force in Abkhazia and froze Georgian membership in the CIS at the CIS Summit in Bishkek in October 2008. A Russian peacekeeping force replaced that of the CIS. The mandate of the UN observers in the region (UNOMIG) ended on July 15, 2008 due to the refusal of Moscow to extend its mandate. After it became independent, Abkhazia granted Moscow the right to station troops in the region under agreements signed with Moscow. The Abkhazian Parliament allowed Moscow to establish a military base in 2009. Moreover, Russia announced that it planned to build a naval base in Abkhazia.¹³

South Ossetia

While the Soviet Union was dissolving, the first clash between the Georgians and the Ossetians broke out between November 1989 and January 1990, when the Georgian nationalists moved to protect their citizens in the South Ossetian capital of Tskhinvali. Then, South Ossetia boycotted the elections in Georgia in September 1990 and declared its independence from Tbilisi. These developments culminated in an extensive conflict between the Georgian troops and the Ossetians in 1991.¹⁴ At the end of this conflict, many Georgians were forced from South Ossetia to Georgia, while the Ossetians took refuge in North Ossetia. The number of the casualties in the war was 1000;

¹² For more details on the clashes between Abkhazia and Georgia, see: Giorgi Zhorzholiani, Solomon Lekishvili, Levan Toidze and Edisher Khoshtaria-Brossset, *Historic, Political and Legal Aspects of the Conflict in Abkhazia* (Tbilisi: Samshoblo Publishers, 1995) and Svetlana Chervonnaya, *Conflict in the Caucasus: Georgia, Abkhazia and the Russian Shadow* (London: Gothic Image, 1994).

¹³ CNN, "Report: Russia to Build Naval Base in Rebel Region," January 26, 2009,

<http://edition.cnn.com/2009/WORLD/europe/01/26/russia.abkhazia.naval.base/index.html> (accessed January 24, 2010).

¹⁴ For detailed information about the conflict between Georgia and South Ossetia, see for instance: International Crisis Group, *Georgia's South Ossetia Conflict: Make Haste Slowly*, Europe Report No: 183, Brussels, June 7, 2007.

the number of displaced people was between 60,000 and 100,000. The well-organized Ossetians, who were supported by Moscow, managed to repel the Georgian troops that occupied Tskhinvali.

The Joint Control Commission (JCC), consisting of North and South Ossetian, Russian and Georgian representatives, was tasked with monitoring the June 1992 ceasefire (the Sochi Agreement). The JCC was financially supported by the EU, and the EU Commission enjoyed observer status in the JCC meetings. At the same time, a 1,500-strong peacekeeping force was formed from Georgian, South Ossetian and Russian troops. In December 1992, the Conference on Security and Cooperation in Europe (CSCE) appointed a mission to resolve the clashes in Georgia through negotiations. In the second half of the 1990s, the JCC achieved partial progress in terms of the demilitarization of the conflict zone and the restoration of confidence. In the Expert group meetings, which began in 1997 under the auspices of the CSCE, a temporary agreement was reached in 1999 on the Baden Document, which lays down the fundamental elements to a political solution. Nevertheless, after the hardliner Eduard Kokoity was elected president in South Ossetia and the moderate Eduard Shevardnadze lost the election for president to nationalist Mikhail Saakashvili in 2003 in Georgia, the status quo, which was relatively stable, was overturned.

After 2004, negotiations in the JCC came to a deadlock. The most important reason for this was the disagreement between the parties over the fundamental causes of the war. According to Tbilisi, the conflict was a political one and a struggle for territory between Russia and Georgia, rather than an ethnic conflict between the Ossetians and Georgians. Moreover, Tbilisi maintained that Russia could not act as a mediator since it had tried to annex Georgian territory.¹⁵

In 2004 the ceasefire between the parties was broken after Georgia dispatched police units to South Ossetia. However, Tbilisi was forced to pull its troops out due to pressure from the USA and Russia. In 2005 the Ossetians turned down a peace plan offered by the Georgian President Saakashvili which ensured the autonomous status of the region to a certain extent.

After the Kremlin recognized the independence of the separatist regions in Georgia following the Russo-Georgian War in the summer of 2008, the de facto President of South Ossetia, Eduard Kokoity, expressed his plans to unite with North Ossetia under the umbrella of the Russian Federation.¹⁶ Russia signed agreements of friendship, cooperation and mutual support both with South Ossetia and Abkhazia. Moscow was granted the right to protect the borders of South Ossetia and Abkhazia in a five-year agreement signed in April 2009.¹⁷ Furthermore, Moscow obtained the right to establish military bases in both of the secessionist regions through defense agreements signed in September 2009. According to these agreements, Russia will deploy 1,700 troops in each of these regions for 49 years and this period may be extended for periods of five years after the agreement concludes. In addition, Russia will protect what is claimed by Abkhazia to be its own territorial waters, but belongs to Georgia under international law.

¹⁵ International Crisis Group, "Georgia's South Ossetia Conflict: Make Haste Slowly," *International Crisis Group*, Europe Report No: 183, Brussels, June 7, 2007, http://www.crisisgroup.org/~media/Files/europe/183_georgia_s_south_ossetia_conflict_make_haste_slowly.ashx (accessed January 26, 2010), 9.

¹⁶ Nona Mikhelidze, "After the 2008 Russia-Georgia War: Implications for the Wider Caucasus and Prospects for Western Involvement in Conflict Resolution," *Istituto Affari Internazionali*, IAI0901, February 2009, <http://www.iai.it/pdf/DocIAI/iai0901.pdf> (accessed January 26, 2010), 6.

¹⁷ Oleg Shchedrov, "Russia takes control of Rebel Borders with Georgia," *Reuters*, April 30, 2009, <http://www.reuters.com/article/idUSTRE53T29H20090430> (accessed February 1, 2010).

The Evolution of the EU's Neighbourhood Policy

The Eastern Partnership Instead of the EU Neighbourhood Policy

The EU's Eastern Partnership (EaP) is a new initiative which started with a joint declaration at the Prague Summit on May 7, 2009. The EaP aims at strengthening the eastern dimension of the ENP through a more structured mechanism. However, one of the most important flaws of the EaP is the continuation of the EU's low profile. Like the ENP, the EaP does not offer the prospect of membership to the six countries to the east of the EU.¹⁸ The EaP has been criticized for being "a typical EU solution - a long-term, technocratic instrument for a region full of short-term crises."¹⁹

The EaP came into existence mainly as a result of the efforts of Member States in the east and north of the EU, namely Poland, Sweden and Czech Republic, who want to strengthen the eastern dimension of the Union in response to the "Mediterranean Project", initiated by France in March 2008 and supported by the Council of the EU. The August 2008 conflict between Russia and Georgia and the natural gas crisis between Russia and Ukraine in January 2009 accelerated the moves by Brussels to intensify its ties with neighbours in the east. As pointed out by the Director General of External Relations of the European Commission, Russia's aggressive policies towards its neighbours make it unavoidable for the EU to strengthen its relations with its neighbours in the east.²⁰

One of the novelties introduced by the EaP is that in addition to the existing bilateral mechanisms, Brussels now also offers its eastern neighbours a multilateral platform in which presidents, prime ministers, ministers of foreign affairs, and senior officials come together on a regular basis. The EU Commission aims to enhance the impact of this new multilateral approach through five major initiatives. These include the Integrated Border Management Programme; SME facility; regional electricity markets, improved energy efficiency and the increased use of renewable energy sources; the southern energy corridor; and response to disasters. Another novelty is the introduction of Association Agreements (AAs), which reinforce the legal dimension of Brussels' integration with its eastern neighbours. With the help of these new mechanisms, the EaP paves the way for the conclusion of comprehensive free-trade agreements. Furthermore, Brussels plans to ease visa restrictions for those countries that fulfill the commitments outlined in the agreements. Comprehensive Institution-Building Programmes (CIBs) constitute another practice that aims to improve the administrative capacity of EaP countries through technical aid and training. Moreover, in addition to multilateral structures, the EaP foresees the utilization of bilateral mechanisms in order to advance cooperation in energy security.

Russia views the EaP as a deleterious initiative aiming to expand the EU's sphere of influence.²¹ But, as the EaP is in its initial phase, Moscow has been left out of it. EU officials were concerned that if Moscow had been included in the initiative from the beginning, there would have been

¹⁸ These countries are Armenia, Georgia, Belarus, Azerbaijan, the Ukraine and Moldova.

¹⁹ Andrew Wilson (ECFR), quoted in Andrew Rettman, "EU Summit Text Loaded with Eastern Tension," *EUObserver*, May 7, 2009, <http://euobserver.com/9/28081> (accessed February 1, 2010).

²⁰ Ahto Lobjakas, "Citing Russian "Aggression," EU Steps Up Neighborhood Plans," *Radio Free Europe Radio Liberty*, January 21, 2009, http://www.rferl.org/content/Citing_Russian_Aggression_EU_Steps_Up_Neighborhood_Plans/1372874.html (accessed February 1, 2010).

²¹ Valentina Pop, "EU expanding its "sphere of influence", Russia says," *EUObserver*, March 21, 2009, <http://euobserver.com/9/27827> (accessed February 1, 2010).

difficulties in terms of its further development.²² However, the EU plans to include Moscow in the initiative over time.

EU Policies in Georgia

1990-2003

During the 1990s, the EU approached the South Caucasus in the same way it approached the other former Soviet republics. It signed Partnership and Cooperation Agreements (PCAs) in 1999 and supported these states within the framework of the TACIS (Technical Aid to the Commonwealth of Independent States) programme. The PCAs concluded with Georgia were essentially economic and technical and did not concern political issues until the Rose Revolution in 2003. The EU assisted Georgia through such programmes and instruments as the European Instrument for Democracy and Human Rights (EIDHR), the European Agricultural Guidance and Guarantee Fund (EAGGF), the Food Security Programme (FSP), Macro Financial Aid (MFA), and the Rapid Reaction Mechanism (RRM). Furthermore, Georgia became a member of Transport Corridor Europe-Caucasus-Asia (TRACECA) and made use of the international energy co-operation programme between the EU, Turkey and countries of the NIS (INOGATE), which facilitates cooperation in oil and natural gas. In addition, the EU took some decisions at the end of the 1990s in order to rehabilitate the conflict region in South Ossetia under the framework of the Common Foreign and Security Policy (CFSP). Overall, however, the EU did not play a high-profile political role: it did not participate in the negotiations held for the resolution of the conflicts and did not directly act as a mediator between the conflicting parties.

It became possible for the European Commission to periodically monitor the three South Caucasian countries, including Georgia, through country strategy papers which were adopted in 2001 and covered the 2002-2006 period.

After Brussels decided to play an active role in the South Caucasus in 2001, the Council of the EU appointed a Special Representative for the South Caucasus (EUSR). In spite of this move, the role of the EUSR was low profile; the Representative did not participate in the negotiations for conflict resolution and was merely entrusted with helping the negotiations.

Because of the financial difficulties and the problems between Armenia and Azerbaijan, the first mission of the European Commission in South Caucasia in 1998 chose Tbilisi as the most suitable place to work. Yet, during the 1990s the EU failed to pursue a coherent policy towards the South Caucasus and Georgia since it was going through an intense reform process and had been preparing for “big bang” enlargement in the 2000s (the Maastricht Treaty in 1993, the Amsterdam Treaty in 1997, and the Nice Treaty in 2000). Moreover, the EU did not devise appropriate foreign policy mechanisms that could make it an influential actor in the region.

Besides, during the 1990s, the EU was preoccupied with the question of how to overcome the implications resulting from the dissolution of Yugoslavia. In addition, many countries such as Russia, Iran, the US and Turkey and international organizations such as the OSCE and the UN were already active in the region and in Georgia. So, as the region was already crowded with international organizations and states, and as Brussels was late to express interest in the region,

²² DGAPaktuell, “The EU-Russia relationship at a turning point,” *Deutsche Gesellschaft für Auswärtige Politik Aktuell*, No: 1, February 2009, http://en.dgap.org/midcom/serveattachmentguid-1ddf8414ba265b6f84111ddbe5ddf162a5f7f417f41/2009_01_dgapaktuell_engl_www.pdf (accessed February 2, 2010).

there was the possibility of clashing interests among the actors. Additionally, the region's geographic distance from the European continent helps explain EU disinterest in the region. As expressed by Popescu, an expert of the region, "overall, Georgia is perceived as being too far from the EU to be really important, while being too close to the EU to be ignored. This resulted in an EU involvement in the conflicts that is gradual, shy and hesitant but still increasing."²³

One of the factors shaping the EU's approach towards the South Caucasus and Georgia is the "Russia first" principle. To put it differently, Brussels was cautious not to offend and lose Moscow through its policies toward the region.

2003-2008

After 2003, Georgia and the South Caucasus started to attract more attention from Brussels. As noted by one observer, "the South Caucasus was promoted from a footnote in the Commission's Wider Europe Communication of March 2003 to an example of a region in which the EU should play a more active role in the European Security Strategy several months later."²⁴ In the meantime, it is important to note that the initiative taken by Finland, Sweden and the Baltic states played a more important role in the increasing interest of the EU in the region than any coherent EU strategy focused on the region.²⁵ Moreover, in the first half of the 2000s the EU had completed its enlargement process and had begun to develop the instruments for ESDP, and thus formed the European Neighbourhood Policy (ENP) and European Security Strategy (ESS) in 2003. The process, which began with the Rose Revolution in 2003, helped Tbilisi to come to the forefront of Brussels and Washington's foreign policy agenda. The belief that, due to the Rose Revolution, Georgia was undergoing a transition from an authoritarian system to a democratic one under pro-Western President Saakashvili increased the sympathy of Brussels towards Tbilisi.

The inclusion of the Caucasian countries in the European Neighbourhood Policy (ENP) only happened after the EU adopted the European Security Strategy (ESS) in December 2003. A major reason for the inclusion of the South Caucasian countries in the ENP was the Rose Revolution in 2003, which resulted in President Shevardnadze resigning in response to a civil society movement and Saakashvili being elected President. The South Caucasian countries were included in the ENP in 2004. The objective of the ENP is "to share the benefits of the EU's 2004 enlargement with neighbouring countries in strengthening stability, security and well-being for all concerned."²⁶ In this way, Brussels seeks to prevent the emergence of new divisions in the European continent and in its neighbourhood.

The EU mainly tried to achieve its objectives in the region through Action Plans. Action Plans, which cover a period of five years, signify a mutual commitment to common values and represent a point of reference for the steps to be taken in future, in particular within the framework of the European Neighbourhood and Partnership Instrument (ENPI). The EU started to negotiate the Action Plan for Georgia in 2005 and negotiations ended in 2006. The Action Plan was approved

²³ Nicu Popescu, "Europe's Unrecognized Neighbours: The EU in Abkhazia and South Ossetia" (CEPS Working Document, No: 260, Centre for European Policy Studies, Brussels, March 2007), 21.

²⁴ Emma J. Stewart, "EU Conflict Management in the South Caucasus: A Preliminary Analysis," (paper presented at the Conference "The EU and the Promotion and Stabilisation of Conflict Settlements" at the University of Nottingham, November 22-23, 2007), http://www.nottingham.ac.uk/shared/shared_icmcr/Docs/stewart.pdf (accessed February 1, 2010), 6.

²⁵ Ibid.

²⁶ European Commission, "European Neighbourhood Policy: Strategy Paper, European Commission Communication," (European Commission, Brussels, 2004), 3.

officially during the EU-Georgia Council for Partnership in Brussels on November 14, 2006.²⁷ The EU foresees the conclusion of the European Neighbourhood Agreements if the Action Plan is successful.

A brief examination of the Action Plan for Georgia demonstrates that Brussels did not pay special attention to the resolution of conflicts, which is vital for Georgia and the region. Rather, the Action Plan emphasizes trade relations and economic and political change in the region.²⁸ The EU disinterest can be largely attributed to the overall EU strategy not to get directly involved in conflicts that have already been crowded by other actors such as the UN and the OSCE. Additionally, the EU's involvement in the conflicts could potentially damage its long-term, soft conflict resolution strategy. It could also be argued that Brussels might have considered that its active engagement in the conflicts could damage its respectability by the other actors in the region and might lead to divisions about CFSP within the EU.

In the Action Plan for Georgia, the EU gives priority to such long-term objectives as the strengthening of democracy, the protection of human rights, the implementation of the rule of law, the introduction of local administrative reforms, and rehabilitation in the field of justice and security.²⁹ The Commission released the first country paper for Georgia along with those of Armenia and Azerbaijan in March 2005. As in the other country reports, the references made to the conflicts in the region in the Country Report for Georgia are vague and not emphasized.

In the meantime, following the Rose Revolution, within the framework of the European Security and Defense Policy (ESDP), the EU made its first civilian appointment to Georgia through the EU Rule of Law Mission to Georgia (EUJUST Themis) in July 2004. EUJUST Themis helped the Georgian government in its efforts to rehabilitate the penal code system.

One of the institutions whose status significantly evolved as a result of the Rose Revolution was that of the EUSR. Although its mandate did not officially change, in practice it became more powerful in Georgia. During the crises in Adjara and South Ossetia in 2004, he paid many visits to the relevant parties and institutions. Due to the Russian veto in 2004, which resulted in the closing down of the OSCE Border Monitoring Mission (BMO), in operation since 1999, a EUSR Office was opened in Tbilisi on September 1, 2005 as a compromise. The tasks of the EUSR Office in Tbilisi were to help rehabilitate the Border Monitoring Mission (BMO) in Georgia and to act as a base for the EUJUST Themis officials, who were entrusted with contributing to the modernization of the penal code system of Georgia. In January 2006, the powers of the EUSR were further expanded. In its new mandate the EUSR acquired a more political role in South Caucasia. Within the framework of this political role, some of the tasks of the EUSR included facilitating the EU's participation in the post-conflict rehabilitation and reconstruction process and helping resolve the conflicts in the region. In the original description of his tasks, he was expected to "assist in conflict resolution, in particular to enable the EU to better support the United Nations [and]...the OSCE." The new mandate required him to "contribute to the settlement of conflicts and... facilitate the implementation of such settlement in close coordination with the United Nations [and]...the

²⁷ *Civil Georgia Daily News*, "EU, Georgia Sign ENP Action Plan," October 3, 2006, <http://www.civil.ge/eng/article.php?id=13747> (accessed February 2, 2010).

²⁸ ENP European Union-Georgia Action Plan, Delegation of the European Union to Georgia, http://ec.europa.eu/delegations/georgia/documents/eu_georgia/booklet_a4_2_en.pdf (accessed April 27, 2010).

²⁹ International Crisis Group, "Conflict Resolution in the South Caucasus: The EU's Role," *International Crisis Group*, Europe Report No: 173, Brussels, March 20, 2006, http://www.crisisgroup.org/~media/Files/europe/173_conflict_resolution_south_caucasus.ashx (accessed April 27, 2010), 12.

[OSCE].”³⁰ In other words, through the EUSR’s new mandate, the EU assumed a more active role in the resolution of the conflicts in the region.

In general, the EU’s policy towards Georgia was designed to provide technical and economic aid to the region and to support the already existing negotiations under the auspices of the UN and OSCE, rather than to resolve the conflicts directly and actively. Brussels preferred long-term and indirect policies regarding the resolution of the conflicts in the region. Despite the increasing profile of the region in the EU after 2003, Brussels deliberately preferred not to exploit the potential of the Action Plans to promote conflict resolution, mainly as a result of the intergovernmental status of the CFSP/ESDP within the EU, which prompted the EU to keep a low profile on controversial policy areas involving conflicts. The EU disinterest was further exacerbated by the rejection of the EU Constitution in French and Dutch referenda in 2005.

Brussels perhaps needed an external shock to expose the flaws of its conflict resolution and peace-building strategy in the region. Regarding the long-term perspective of EU strategies concerning conflict resolution in the region, International Crisis Group stated in its report that “[the EU] believes its main contribution to conflict resolution should be assisting Georgia create a state based on European values and standards, which ultimately could be more attractive to South Ossetia and Abkhazia than independence or closer integration with Russia.”³¹ This strategy became more meaningful after the Russian-Georgian war in August 2008. After the war, South Ossetia and Abkhazia declared their independence from Georgia. From the European perspective, it was necessary to turn Georgia into a rich and democratic European state in order to restore the confidence between Tbilisi, Tskhinvali and Sukhumi and achieve rapprochement among them. However, the war in August 2008 also taught Brussels that it had to be more proactive when it comes to the resolution of conflicts and peace-building if it were to preserve its credibility.

The Post-August 2008 Era

The period following the Russian-Georgian war is a milestone in terms of the role of the EU in the resolution of the conflicts in Georgia. It is a fact that Brussels’ conflict resolution policy failed as the EU was unable to prevent the outbreak of the conflict between Moscow and Tbilisi in August 2008. Yet paradoxically, in the post-conflict era, the EU, under the leadership of France, succeeded in ensuring a ceasefire and increased its visibility in the region by sending observers. In addition, the EU was promoted from “observer” to “co-chairman” in the negotiations between the parties.

The Council of the EU began to be influential in the restoration of peace in the region due to the EU Monitoring Mission in Georgia (EUMM Georgia), the EU’s enhanced role in the Geneva talks, and the sizeable donations pledged during the International Donors’ Conference in Brussels on October 22, 2008. The EU announced that it would donate up to €500 million in aid to Georgia for the 2008-2010 period in order to undo the negative effects of the August 2008 conflict.³²

Since the OSCE withdrew from South Ossetia on December 31, 2008, and the UN Observer Mission (UNOMIG) from Abkhazia on July 15, 2009, due to the Russian veto, the EU Observer Mission became the only international body on the ground in Georgia. This state of affairs rendered more important the role of the EU in peace building. Nevertheless, the EU is walking a tightrope between the regional states and separatist regions in order to not complicate its status in the region. One of the priorities of the EU in the region is to open it to the outside world. In that context,

³⁰ Ibid., 23.

³¹ Ibid., 11.

³² Op.cit. ENP European Union-Georgia Action Plan.

implementing rehabilitation projects and developing dialogue between Tbilisi and the secessionist regions is vital for Brussels to achieve its objectives. While seeking to fulfill these goals, the EU should respect the sensitivities of the Tbilisi administration and keep its relations with the separatist regions within certain boundaries, pursuing a balanced and cautious policy.

Another problem that the EU is faced with is that it has to deal with an unpopular government in Georgia, which to a significant extent lost its political capital due to the war against Russia and the harsh policies it adopted towards opposition movements. This is why question marks arose in EU circles as to whether it was worth taking the risk of satisfying the EU aspirations toward Tbilisi. According to a thousand-page report commissioned by the Council of the EU which was headed by Heidi Tagliavini, the former EU Special Representative to the South Caucasus, it was Georgia that triggered the war in August 2008, even though it was acknowledged that Russia used a disproportional amount of force to repel the attacks of the Georgian troops from South Ossetia.³³

The improvement of relations between the Saakashvili government and the opposition parties is a precondition for ensuring stability in the country. Otherwise, instability will undoubtedly undermine the EU's efforts for peace building. The drift of the Saakashvili administration toward authoritarianism and his restrictions on freedom of expression by pressuring the opposition and the press not only cast doubts over the democratic credentials of the Tbilisi government; crucially, these developments also raise question marks in Brussels as to whether it could do business with Saakashvili.

France brokered a 6-point ceasefire agreement on August 12, 2008. Accordingly, 200 EU observers, who were sent to the region by French President Nicolas Sarkozy, were placed in Georgian territory outside of Abkhazia and South Ossetia. The main mission of these observers is to monitor the situation in the region: to observe whether human rights and the right of return are respected or not.

In the talks taking place in Geneva, supported by the US and under the joint chairmanship of the EU/UN/OSCE, little progress has been achieved. But the parties were able to make some progress at the meeting on February 17-18, 2009. They reached an agreement, albeit limited, on the establishment of a mechanism for preventing possible incidents.³⁴ In the seventh session of the Russo-Georgian negotiations on September 17, 2009, the parties came together in Geneva and signed an agreement which made it impossible to resort to force in resolving disagreements.³⁵ On the other hand, after the eleventh round of talks in June 2010, Abkhazia announced that it had withdrawn from the negotiations on the grounds that no tangible progress has been achieved in the talks.³⁶

There is considerable distance between the positions of Tbilisi and Moscow which is not possible to bridge in the short-term. On the one hand, Georgia maintains that its territorial integrity before the war should be restored. On the other, Russia has stated that it will not pull out from the separatist regions in the short-term and that it deployed its troops there with a long-term perspective. Thus, it

³³ Independent International Fact Finding Mission on the Conflict in Georgia, <http://www.ceiig.ch/Index.html> (accessed April 28, 2010).

³⁴ *Radio Free Europe Radio Liberty*, "Russia, Georgia Reach Deal On Incident Prevention," February 18, 2009, http://www.rferl.org/content/Russia_Georgia_Reach_Deal_On_Incident_Prevention/1495442.html (accessed April 28, 2010).

³⁵ *Radio Free Europe Radio Liberty*, "Russia, Georgia to Seek Deal on Non Use of Force," September 18, 2009, http://www.rferl.org/content/Russia_Georgia_To_Seek_Deal_On_NonUse_Of_Force/1825565.html (accessed April 28, 2010).

³⁶ *Abkhazworld*, "Abkhazia Pulls out of Geneva Talks", June 23, 2010, <http://www.abkhazworld.com/headlines/496-abkhazia-pulls-out-of-geneva-talks.html> (accessed July 26, 2010).

will not be easy to reach a solution between the parties. Although the fact that Russia and Georgia came together to discuss the situation represents progress, it seems that “the links between the separatist regions and Russia will only deepen and intensify as the Geneva Talks continue without measurable progress.”³⁷

The EU and South Ossetia

Brussels plays a much larger role in South Ossetia than in Abkhazia. Because of the perception that the resolution of the South Ossetian problem is easier than the one in Abkhazia, and due to the fact that the South Ossetian problem constitutes a major threat to the security of Georgia and to the functioning of the Georgian state, the EU gave priority to South Ossetia over Abkhazia. Moreover, the fact that EU Member States were not individually and institutionally active for the resolution of the conflict in South Ossetia gave Brussels more room institutionally to maneuver to pursue its own policies in the region. The EU can work comfortably without the concern of a clash between the national policies of the individual EU member states and the institutional policies of Brussels. As for Abkhazia, EU states such as France, Germany and Great Britain are part of the solution process through the UN.³⁸

Since 1998 the EU Commission has had an economic rehabilitation programme in the conflict region in South Ossetia. From 2006, the EU became the biggest donor to South Ossetia and Abkhazia. The EU supported the activities of the Joint Control Commission (JCC) financially. The difference of the EU’s projects in Abkhazia from those in South Ossetia is that EU aid to South Ossetia is linked to political dialogue within the JCC.³⁹ To put it differently, the approval of the four members of the JCC is necessary for the implementation of the EU projects in the region.

Since 1998 Brussels has put into practice a three-staged rehabilitation programme regarding the conflict in South Ossetia. The initial phase of this rehabilitation programme concerns the rehabilitation of drinking water and electric network, and rehabilitation of the schools and Gori-Tskhinvali railway and the final phase involves renovation of the fundamental infrastructure. Brussels sought to rebuild confidence through infrastructure projects in towns in Georgia and Ossetia. The EU aims to create new interdependencies between the communities by encouraging the parties to find common solutions for common problems.⁴⁰

Since 1997 the EU post-conflict rehabilitation programme in South Ossetia has given priority to such infrastructure projects as electric and gas projects and reconstruction of the schools. The total amount of this budget is \$10 million, of which \$2 million was spent for the period between 2006 and 2008. However, following the August 2008 conflict these projects had to be suspended.

The EU and Abkhazia

During the 1990s, with respect to the resolution of the conflicts between Georgia and Abkhazia, Brussels did not do much more than call on the parties to resolve their disputes through peaceful

³⁷ Amanda Akçakoca, Thomas Vanhauwaert, Richard Whitman and Stefan Wolff, “After Georgia: Conflict Resolution in the EU’s Eastern Neighbourhood” (EPC Issue Paper, No: 57, European Policy Center, Brussels, April 2007), http://www.epc.eu/documents/uploads/961937412_EPC%20Issue%20Paper%2057%20-%20After%20Georgia.pdf (accessed July 26, 2010), 19.

³⁸ Op.cit., Europe’s Unrecognized Neighbours, 17.

³⁹ Georgi Kamov, “EU’s role in conflict resolution: the case of the Eastern enlargement and neighbourhood policy areas” (Institute Européen des Hautes Etudes Internationales, Nice, June 2006), <http://www.iehei.org/bibliotheque/memoires/2006/KAMOV.pdf> (accessed May 2, 2010), 62.

⁴⁰ Op.cit., Conflict Resolution in the South Caucasus, 20.

means. However, in time, the EU began to assist the UN with the provision of humanitarian aid and aid for rehabilitation. From 1998 to 2004 it scaled down the volume of its activities in the region because of the deterioration of conditions in the Gali region. During this period, the EU limited its activity in the region to the provision of help to Abkhazia. The EUSR in South Caucasia did not join the Geneva process.

The EU carried out seven projects in Abkhazia. These projects include the economic rehabilitation programme, mine clearance activities, the rehabilitation of the Enguri hydroelectric power plant, humanitarian aid programmes, support of confidence building activities of international non-governmental organizations, and support of the rehabilitation work in Sukhumi and West Abkhazia.

The EU is the biggest donor in Abkhazia. The total amount of aid given to projects such as the rehabilitation of the homes of the IDPs in Abkhazia who returned to Gali, revenue generating projects, social and community support projects and civil society projects is €3.57 million. The EU's contribution to the completed projects, the ECHO humanitarian aid programme, and the Economic Rehabilitation Programme for Abkhazia amount to €5.96 million.⁴¹

Constraints on the EU's Role in Georgia

The Relationship between Russia and the West and its Impact on Georgia

One of the most important obstacles to a larger role for the West in general and for the EU in particular in Georgia is, without a doubt, the strong presence of Russia in the region. Geographically, South Caucasia is closer to Russia and is more important to Russia than it is to the EU. As aptly put by a regional expert, "Russia's higher 'intensity of preferences' in the region makes it readier to commit more political and economic resources to achieve its foreign policy goals in the South Caucasus."⁴² Conversely, even if the EU had more foreign policy instruments at its disposal, as the EU's 'intensity of preferences' is lower, it would be less interested in the region than Russia.

The war in August 2008 revealed that the Kremlin is willing to use force to achieve its objectives in South Caucasia. In addition, Russia's confrontation with Georgia exposed the limitations of the US and NATO and Europe in the region. This war represents an important milestone for Brussels and Washington which requires them to reconsider their current policies and, perhaps, to adopt new policies towards Georgia.

The EU and the US condemned Russia for using disproportional amounts of force in its conflict with Georgia in the summer of 2008 and for extending recognition to Georgia's secessionist regions Abkhazia and South Ossetia. The fact that the response of Europe and the US remained at rhetorical level, that they did not apply any substantive sanctions, and that Russia is not concerned about using force in the region result from the fact that Georgia and South Caucasia are not on the list of priorities of the West and the EU. That the West acquiesced to the composition of a peace corps solely comprising of Russian troops is but one indication of the acknowledgment by the West and the EU that the major player in the region is Russia.

⁴¹ Delegation of the European Union to Georgia "Overview of EC Assistance to People Affected by Conflict in Georgia," Delegation of the European Union to Georgia, http://ec.europa.eu/delegations/georgia/documents/eu_georgia/booklet_a4_2_en.pdf (accessed April 27, 2010).

⁴² Op.cit., Europe's Unrecognized Neighbours, 6.

One of the most important reasons why Russia resorted to hard-power instruments in the Georgian crisis and quickly recognized the separatist areas of Georgia was as a reaction to the West's recognition of Kosovo's independence from Serbia, one Russia's traditional allies. Moreover, many believe that since NATO did not offer a Membership Action Plan (MAP) to Georgia at the NATO Summit in April 2008, the Kremlin chose to take an aggressive posture towards Tbilisi.⁴³

The fact that Russia is a nuclear power and that it has veto power at the Security Council leaves little room to maneuver by Washington and Brussels over the issue of Georgia and the South Caucasus. To oppose Russia would undermine their capacity to pursue more pro-active and influential policies regarding the resolution of the conflicts in the region.

Even if the EU countries are the largest trading and economic partners for Russia, the over-dependence of the EU states on Russia for natural gas constitutes a significant impediment for Brussels to apply tough sanctions towards Moscow. On many occasions Russia proved that it has no problem using energy as an instrument of foreign policy. In the most recent manifestation of this tendency, Russia, in 2009, turned off gas supplies to Ukraine when a pro-Western government was in office. Similarly, Washington also has close collaboration with Russia in the fight against international terrorism, the nuclear disarmament of Iran and North Korea, and the prevention of nuclear proliferation.

EU-Russia Relations and Georgia

In 1999 Brussels and the Kremlin stated that they would form a strategic partnership. At the EU-Russia Summit in May 2005 the parties agreed on the preparation of road maps for the creation of four common spaces. The Common Space on External Security foresees cooperation in securing stability in the regions adjacent to Russian and EU borders (the "frozen conflicts" in Transdniestria, Abkhazia, South Ossetia, and Nagorno-Karabakh).

Some recent developments demonstrate how difficult it has been to achieve the ideal of a "strategic partnership" between Moscow and Brussels. These developments will be decisive in terms of the role Brussels will play in the future in Georgia and in the South Caucasian region. First, the conflict between Georgia and Russia in August 2008 is the first occasion on which Moscow resorted to using force outside its own territory since the dissolution of the Soviet Union. In the period following the conflict, Russian President Medvedev declared a new foreign policy doctrine, which includes the principle of a "zone of privileged interests."⁴⁴ The second important development is that despite the objections from Russia, the US and most EU states recognized the independence of Kosovo; in response, Russia recognized the independence of South Ossetia and Abkhazia. As for the third development, the Russia-Ukraine natural gas crisis caused deep concern in many EU countries about the reliability and security of their energy supply. Moreover, the fact that power is increasingly concentrated in the hands of the executive authority in Russia will undoubtedly continue to affect relations between Russia and the EU. In other words, there is a "clash of norms" between the EU's liberal democratic values and Russia's authoritarian tendencies that is difficult to reconcile in the short-term.

⁴³ Jim Nichol, "Russia-Georgia Conflict in South Ossetia: Context and Implications for U.S. Interests," *CRS Report for Congress* (Publication No: RL34618), 28 October 2008, <http://fpc.state.gov/documents/organization/110841.pdf> (accessed April 28, 2010).

⁴⁴ Arkady Moshes, "EU-Russia Relations: Unfortunate Continuity," *Robert Schuman Foundation*, (European Issues, No: 129), February 24, 2009, http://www.robert-schuman.eu/doc/questions_europe/qe-129-en.pdf (accessed April 28, 2010), 1.

It is possible to identify the current increasing confidence evident in Russian foreign policy and in its dealings with Brussels when compared to the foreign policy concept of 2000. While Russia's foreign policy doctrine in 2000 emphasized that Russia-EU relations are of key importance, the new Russian foreign policy doctrine in 2008 depicts the EU as "one of the major commercial, economic and foreign policy partners."⁴⁵ The relegation of the EU in the new Russian foreign policy concept is but one sign of the increasing self-confidence on the part of Russia. As a result, Russia claimed that the European security architecture needs to be renegotiated. Undoubtedly, the underlying reason for Russia's overconfidence is its dramatic increase in prosperity in the last decade thanks to increases in energy revenues. The EU, for its part, began to take a more prudent line towards Russia given its growing political power. For instance, in April 2008, some EU countries did not accept the accession of the Ukraine and Georgia to the Membership Action Plan at the NATO Summit held in Bucharest. Similarly, even though Brussels condemned the Russian attack on Georgia in August 2008, the bilateral summit between the two was not cancelled and relations continued normally after a short period.

In addition to the Russia factor, another issue which constrains the role of the EU in the region is competition with the other international organizations. Both the UN, which is active in Abkhazia, and the OSCE, which is influential in South Ossetia, pursued somewhat protectionist approaches in the resolution of the conflicts in their own regions and prevented the other actors from becoming influential in the region.⁴⁶ Thus, the EU had to accept a secondary and complimentary role there.

Russian-American Relations under President Obama and the EU Role in Georgia

Another factor that affects the role of the EU in Georgia and in the South Caucasus region is how the US-Russia and NATO-Russia relations proceed. Improvement in Russia's relations with the US would help alleviate the perception of Moscow as a threat in the West and thus facilitate the EU institutions' activities in the region. Indeed, Russia's true source of concern is the US military presence in the Caucasus. Moscow has warmer ties with Brussels than with Washington.

However, the deterioration of Russia's relations with the US and the intensification of geostrategic rivalry in the region do not bode well for the role of Brussels in the region in the intermediate- and long-term. In the short-term, the EU may be in an advantageous position in its relations with Russia given its political edge *vis-à-vis* Washington, stemming from its soft-power status. This makes it different from the hard military power of the US in the eyes of the Kremlin. However, after all, the EU and the US are allies in NATO and their relations are marked by deep-rooted common values such as democracy and free-market economic principles. If Russia-US relations deteriorated the role of the EU, as part of the Western alliance in South Caucasia, would also be affected negatively.

After Barack Obama assumed the American presidency in 2009, the poor relations characteristic of the Bush era were replaced by the beginnings of rapprochement. Obama's new approach of paying particular attention to multilateralism in diplomacy appeared to bear fruit in relations with Moscow. Talks over nuclear weapons between Moscow and Washington were finally concluded successfully and on April 8, 2010 the parties signed a new agreement to replace the 1991 Strategic Arms Reduction Treaty (START), which expired in December 2009. After the agreement is approved by the US Senate and the Russian Parliament, the number of operationally deployed strategic nuclear warheads owned by each side will be reduced to below 1,550 within the next seven years and the

⁴⁵ *Ibid.*, 2.

⁴⁶ *Op.cit.*, After Georgia: Conflict Resolution in the EU's Eastern Neighbourhood, 24.

number of intercontinental delivery systems will be 800 for each.⁴⁷ Closer ties between the US and Russia are surely a development which will positively affect the strategic environment of the EU activities in the region.

Difficulties Associated with the EU Itself

One of the most important factors to negatively impact a more active role for the EU in South Caucasus and Georgia is the ambiguity over what role the EU will assume globally and regionally in the field of security in the next decade. The Common Foreign and Security Policy (CFSP) is not unequivocally supported by all EU Member States. While EU members can more easily cooperate on issues of low politics such as the economy, they still experience difficulties in forging common EU policies in strategic policy areas such as foreign and security policy. Foreign and security policy is, by and large, an area dominated by individual nation-states, despite the encouraging progress made in the CFSP in the recent years. Closely associated with this issue is one Brussels' biggest challenges: "the formation of a coherent and comprehensive 'Eastern Neighbourhood Conflict Prevention and Resolution Strategy' that all the EU institutions and Member States embrace, which is integrated and mainstreamed into all aspects of external relations' policy."⁴⁸ It seems that the EU will need some more time to devise such a conflict resolution and prevention strategy.

Furthermore, the EU's institutional problems limit its influence as an actor in the resolution of conflicts. Every six months the presidency of the Council of the EU changes which often leads to problems of prioritization. As the presidency changes, the policy priorities of the EU change too. Every country gives weight to the problems and security issues in its neighbourhood.⁴⁹ In institutional terms, another significant problem is the lack of coordination between the EU officials in Brussels, the representatives of these institutions in the field, and the representatives of the individual EU member states.

Besides, as the EU, which saw the largest enlargement in its history in 2004, has been experiencing enlargement *fatigue*, it seems unwilling to take bolder steps in the field of foreign and security policy.⁵⁰ The EU has been trying to cope with the issue of adapting its administrative structure to its new boundaries. The integration of the new members into the Union assumed new urgency. The averseness of the European public to further enlargement and to the extension of EU's mandate at the expense of national policies came to a head when the European Constitution, which aimed at turning the EU into an ambitious project, was rejected by the French and Dutch referenda held respectively in May and June 2005. Consensus on the Reform Agreement, a watered down form of the European Constitution, took more than two years. The recent economic downturn, which started in Greece and is expected to continue to Portugal, Spain and Hungary could bring about another round of setbacks in EU integration and empower the isolationist and protectionist tendencies within the EU.

⁴⁷ Pavel Felgenhauer, "Moscow Signs the Nuclear Arms Treaty: Raising Hope for Additional Progress," *Eurasia Daily Monitor* 7(68), April 8, 2010,

http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Bbackpid%5D=169&tx_ttnews%5Btt_news%5D=36245&tx_ttnews%5BbackPid%5D=7&cHash=554e2f082c (accessed April 28, 2010).

⁴⁸ Op.cit., After Georgia: Conflict Resolution in the EU's Eastern Neighbourhood, 37.

⁴⁹ Ibid., 35.

⁵⁰ For a comprehensive analysis of the EU's enlargement fatigue, see: Deniz Devrim and Evelina Schulz, "Enlargement Fatigue in the European Union: from Enlargement to Many Unions," (working paper, Real Instituto Elcano, 13/2009), http://www.realinstitutoelcano.org/wps/portal/rielcano_eng/Content?WCM_GLOBAL_CONTEXT=/elcano/elcano_in/zonas_in/europe/dt13-2009 (accessed May 2, 2010).

Moreover, another significant issue constituting an obstacle for the EU to play an active role in the resolution of the conflicts in Georgia is the EU's lack of credibility in the region. While the EU offers the South Caucasian countries an opportunity to establish privileged ties with Brussels within the framework of the ENP (now the Eastern Neighbourhood [EaP]), the EU's EaP is far from giving the promise of membership to these states. Therefore, the EU falls short of meeting the expectations of the masses in Georgia, where the overwhelming majority want to see their country as a member of the EU. To put it in the words of one observer, the EU is faced with the deficit of "capacity-expectations" in the region.⁵¹ This undermines the EU's leverage over Tbilisi regarding the resolution of the conflicts. In addition, people have little information about the EU even in Georgia, the most pro-EU country in the South Caucasus. Another significant problem concerning the action plans of the ENP is that the EU could not clearly establish the "conditions-incentives" connection. The action plans are not specific regarding the incentives that are only conditionally available to partner countries.⁵²

Intimately linked with the EU's problem of credibility is another issue besetting the EU's conflict resolution policy in the region: its image problem in Georgia and in the wider South Caucasian region. From the perspective of the Tbilisi administration, the US is a more influential actor in the region when compared to the EU, and more important for the economic development of the country, the empowerment of the Georgian army, and the resolution of conflicts. By contrast, "the EU is seen as being more expert at providing technical assistance, launching capacity building projects, and reading sermons of good behavior than really acting in Georgia's favour."⁵³ Nevertheless, in the post-August 2008 environment, given Brussels' proactive diplomatic stance, the EU's image in relation to the US can be expected to change in a positive direction in the eyes of the Georgians.

The Lisbon Treaty and ESDP

The Lisbon Treaty, which amended the Treaty on the European Union and the Treaty establishing the European Community, was signed by the 27 Member States of the EU on December 18, 2007.⁵⁴ The Lisbon Treaty consists of two treaties: the Treaty on the European Union (the EU Treaty or TEU) and the Treaty on the Function of the European Union (TFEU), which replaces the EC Treaty. One of the primary objectives of the Lisbon Treaty is to upgrade the EU's role in global affairs by rectifying the problem of coherence in the EU's external affairs, which stems from the division of external competences and procedures among the three pillars. With the introduction of the Lisbon Treaty, the EC is integrated into the EU and the EU assumed a legal personality in global affairs.

The Common Foreign, Security and Defence Policy (CFSDP) remains part of the Treaty on the European Union (TEU); all the other EU policies are part of the reformed EC Treaty, the new TFEU. Therefore, even after the introduction of the Lisbon Treaty, it is still rather difficult to harmonize the CFSP with the other EU policies. Except for the so-called "constructive abstention" provision, the Lisbon Treaty keeps intact the unanimity principle for decision-making concerning CFSP/ESDP. Nevertheless, there are a number of improvements in the CFSDP. The role of the High Representative of the Union for Foreign Affairs and Security Policy (HR) was enhanced. He is

⁵¹ Op.cit., EU's role in conflict resolution: the case of the Eastern enlargement and neighbourhood policy areas, 49.

⁵² Op.cit., After Georgia: Conflict Resolution in the EU's Eastern Neighbourhood, 35.

⁵³ Dov Lynch, "Why Georgia matters?" *Paris: Institute for Security Studies*, (Chaillot Paper, No. 89), February 2006, 15.

⁵⁴ For detailed information regarding the Treaty of Lisbon, see: http://europa.eu/lisbon_treaty/index_en.htm (accessed June 20, 2010).

not only the major representative of the EU in all foreign affairs, his task can also potentially overcome the current divide between Community and CFSP external relations. The position of the High Representative for the CFSP was changed to the High Representative of the Union for Foreign Affairs and Security Policy, indicating that the HR represents the Union as a whole and not the collective member states.

Despite this positive development, the fact that the EU is externally represented by different institutions (the HR, the rotating Presidency of the Council, and the President of the Commission) remains an obstacle. As suggested by Blockmans and Wessel, “[the] introduction of a High Representative may improve leadership (of the Union). Much will depend on the HR’s *rapport* with the newly created President of the European Council, who will also be responsible for the external representation of the EU on issues concerning the CFSP.”⁵⁵

Another improvement concerns the extension of possibilities in Common Security and Defence Policy (CSDP). The Lisbon Treaty upgrades the powers of the Union in CSDP by extending, among others, the so-called Petersberg tasks and introduces a novel concept of a collective defence obligation. As a result, the Union can boost its capacity as a military actor through the establishment of Permanent Structured Cooperation and the European Defence Agency, which is currently operational. Furthermore, the so-called “group of the willing clause” removes the possibility of a veto by a small minority of EU states, because, according to this clause, if some Member States are willing to participate in an operation, they may be tasked by the Council with the protection of the Union’s values and interests.

With respect to the peace building aspect of the EU’s external affairs, the lack of a clearly defined peace building strategy remains a problem for Brussels. The formation of a peace building strategy is essential for the EU to play an effective role in this area at the global level. While changes in institutional settings and administrative procedures at the level of the HR or the European External Action Service (EEAS) are steps to be applauded, they may not suffice for a broader EU role in peace building. As Claudia Major and Christian Molling aptly maintain, “[such] a strategy (for peace building) would seek to overcome both the conceptual diversity and the institutional fragmentation in view of coordinating diverse instruments, providing for the appropriate resources and capabilities and assuring their implementation.”⁵⁶

The Link between the Georgia Crisis and ESDP

The ESDP is the EU’s major reservoir of conflict management tools. What, then, is the link between the EU’s involvement in Georgia and the ESDP? To put it precisely, what does the Georgia case tell us about the factors leading to EU engagement in external crises? Three distinct explanations are made on the driving forces behind the ESDP. Some scholars maintain that it was the European states’ aspirations to forge a shared European political identity that led to the formation of the Union’s Common Foreign and Security Policy (CFSP), of which the ESDP is a part.⁵⁷ The second group of explanations attributes the emergence and development of the ESDP to

⁵⁵ Steven Blockmans and Ramses A. Wessel, “The European Union and Crisis Management: Will the Lisbon Treaty Make the EU More Effective?” *Journal of Conflict and Security Law*, vol. 14 (2009): 307.

⁵⁶ Claudia Major and Christian Molling, “Towards an EU Peacebuilding Strategy”, *European Parliament Directorate-General for External Policies*, 2010, http://www.europarl.europa.eu/meetdocs/2009_2014/documents/sede/dv/sede260410peacebuildingstrategy_/sede260410peacebuildingstrategy_en.pdf, (accessed July 23, 2010), 1.

⁵⁷ Stephanie Anderson and Thomas R. Seitz, “European Security and Defense Policy Demystified: Nation-Building and Identity in the European Union”, *Armed Forces and Society*, vol. 33 (2006): 24-42; Frederic Merand, *European*

the European states' desire to balance global US hegemony in the post-Cold War era.⁵⁸ According to some other scholars, the ESDP was formed as a pragmatic response from the European states to emerging crisis management needs.⁵⁹

Regarding the balance of power theory of realists, they are right to say that the shift of the international system from bipolarity to unipolarity when the Cold War ended created the conditions conducive to the emergence of ESDP. However, one could easily put forward a counter-argument: why should the EU today seek to balance a power such as the US which does not pose a threat to it, but rather closely cooperates with it in many international fora to contribute to stability and peace around the globe? In particular, after Barack Obama came to office as the new US president, he paid particular attention to the conduct of international relations on a multilateral basis, in stark contrast to unilateralism of the Bush era. Obama garnered not only the sympathy of the European political elite, but also of the European public. Given the fact that Europe and the US came closer under Obama, it seems inappropriate to speak about a rivalry between Washington and Brussels and, for that matter, of the balancing act of the EU against the US as the underlying reason for its involvement in the Georgia crisis. On the other hand, one should keep in mind that during the French presidency of the EU Sarkozy, who brokered the ceasefire in the Georgian conflict, as an Atlanticist, sought to improve the relations of Paris with Washington. He explicitly expressed a preference for the close cooperation of the EU with NATO, saying that “the Alliance (NATO) must remain the *cadre privilégié* for Europe’s strategic partnership and dialogue with the US.”⁶⁰ Sarkozy has also repeatedly stated that European defence and NATO are more complementary than replaceable.

Constructivist analyses focusing on the European integration process as the main driver behind the emergence of ESDP are not very convincing either, given the difficulty of constructing a common European identity from 27 individual member states with national identities of their own. With respect to the specific case of the Georgia crisis, the EU’s response was a result of the initiative of France, not as a result of collective action of the EU as a whole. In other words, the EU’s involvement in the Georgian crisis was intergovernmental in nature. After all, the Lisbon Treaty, which was signed almost one year before the eruption of the Georgia conflict, keeps the unanimity principle for decision-making concerning CFSP/ESDP. Thus, the EU intervention in the Georgia crisis cannot be viewed as the product of the decision taken in Brussels.

As for liberal argument regarding the ESDP, European public opinion is supportive of national governments’ efforts to promote of liberal and democratic values, to eradicate poverty and to ensure stability in conflict-ridden zones. Brussels seeks to further these values and aims through passive and indirect means with a long-term perspective. The European Security Strategy (ESS) states that “the best protection for our security is a world of well-governed democratic states. Spreading good

Defence Policy: Beyond the Nation State, (Oxford: Oxford University Press, 2008); Ben Tonra, “Constructing the CFSP: The Utility of a Cognitive Approach”, *Journal of Common Market Studies*, vol. 41 (2003): 731-756.

⁵⁸ Robert J. Art, “Striking the Balance”, *International Security*, vol. 30 (2005): 177-185; Robert A. Pape, “Soft Balancing against the United States”, *International Security*, vol. 30 (2005): 7-45; Barry R. Posen, “ESDP and the Structure of World Power”, *International Spectator*, vol. 39 (2004): 5-17; Stephen M. Walt, *Taming American Power: The Global Response to US Primacy*, (New York: Norton, 2005).

⁵⁹ Tuomas Forsberg, “Explaining the Emergence of the ESDP: Setting the Research Agenda”, *Draft Paper prepared for the British International Studies Association Meeting, Cork, December 18-20, 2006*; Jolyon Howorth, *Security and Defence Policy in the European Union*, (Houndmills: Palgrave, 2007); Ana E. Juncos and Christopher Reynolds, “The Political and Security Committee: Governing in the Shadow”, *European Foreign Affairs Review*, vol. 12 (2007): 127-147.

⁶⁰ Antonio Ortiz, “Sarkozy’s Defence Policy: An Early Look”, *Real Instituto Elcano*, ARI 69/2007, June 21, 2007, http://www.realinstitutoelcano.org/analisis/ARI2007/ARI69-2007_Ortiz_Sarkozy_Defence_Policy.pdf, (accessed July 26, 2010), 2.

governance, supporting social and political platform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order.”⁶¹ The reality on the ground is congruent with these ideals, too. The objective of most ESDP operations was to assist in achieving stability and peace in the developing world on the basis of liberal values. As aptly noted by Pohl, “[this] is done both to gain legitimacy domestically by exporting domestic values as well as to appear competent, because the projection of liberal values is believed to contribute to security in the longer run.”⁶² Moreover, as in the case of the Georgian crisis, the development of the ESDP was achieved through various “exogenous shocks.”⁶³ Following the failure of Brussels to thwart the outbreak of war between Georgia and Russia, the EU was forced to respond to this crisis swiftly and effectively. Otherwise, the nascent CFSP of the Union would significantly lose its credibility. In other words, the EU did not want to experience a setback in its backyard that would be similar to its failure to act during the Balkan conflicts of the early 1990s.

Further evidence for the argument attributing the emergence and development of the ESDP to the practical needs of crisis management can be found in the European Security Strategy: “This is a world of new dangers but also of new opportunities. The European Union has the potential to make a major contribution, both in dealing with the threats and in helping realize the opportunities. An active and capable European Union would make an impact on a global scale.”⁶⁴ As a result, the Georgia case seems to confirm that the factors related to the individual EU member states (the third explanation) and the practical need counter emerging threats are the driving force behind the EU's activities within the framework of the ESDP.

Conclusion

Concerning the resolution of conflicts, while the EU has been more active in the field of post-conflict peace building activities, it has shied away from being actively and directly involved in conflict resolution. Instead, the UN led the negotiations in Abkhazia and the OSCE was the main actor in the talks in South Ossetia. The EU took on a more complementary role in the efforts of these organizations. The EU approach to the region for conflict resolution has been to aid the region financially, technically and in humanitarian terms, helping the fledgling democracy in Georgia to take root and thus ensuring the stability of the region. In short, the EU has taken a long-term perspective towards Georgia, aiming at transforming the country in its social, political and cultural dimensions.

Paradoxically, however, the fact that, unlike Russia and the US, the EU has avoided being a geopolitical actor in the region and instead chose such to use soft-power instruments such as economic and technical aid with a long-term perspective, has helped the EU to be respected by the other players in the region: the US, Russia, Georgia and the separatist regions. Indeed, the fact that the EU is not perceived as a geopolitical actor that imposes its economic and political interests on the region, and that in fact it sets a model for living together in peace and welfare contributes significantly to the soft-power status and influence of Brussels in the region.

⁶¹ Op.cit. “A Secure Europe in a Better World: European Security Strategy”, 10.

⁶² Benjamin Pohl, “Explaining ESDP: A Liberal Approach”, *Paper Presented at the Fourth Pan-European Conference on EU Politics*, Latvia, September 25-27, 2008, 15.

⁶³ Adrian Treacher, “From Civilian Power to Military Actor: The EU’s Resistable Transformation”, *European Foreign Affairs Review*, vol. 9:1 (2004): 49-66.

⁶⁴ Op.cit. “A Secure Europe in a Better World: European Security Strategy”, 14.

The conflict in August 2008 between Russia and Georgia ushered in a new period where Brussels now plays a part in the areas of conflict resolution and peace building. As noted by a keen observer, “the breakout of the war demonstrated the inadequacy of EU conflict prevention and management policies in the region. [...] The EU’s long-term approach to conflict resolution simply did not keep pace and was overturned by a rapid deterioration of the security situation on the ground, led by an ever more assertive Russia and a new government in Georgia that sought to unfreeze the conflict resolution processes.”⁶⁵ Despite this, in the post-conflict period the EU has paradoxically taken the lead under the leadership of France and has been promoted from a sidelined actor to playing a major role in Georgia. These developments are the herald of a new EU that will play a more and more important role in the resolution of international conflicts in future.

⁶⁵ Nicu Popescu, “EU’s Conflict Prevention Failure in Georgia,” *Central Asia-Caucasus Institute Analyst*, October 14, 2009, <http://www.cacianalyst.org/?q=node/5198> (accessed May 2, 2010).