



<b>Before 2008</b> <i>Cooperation, Partnership, Neighbourhood Policy</i> <b>Page 4</b>	<b>During the War</b> <i>«Mission Moscow», 6-point ceasefire agreement</i> <b>Page 7</b>	<b>After the War</b> <i>EUSR, EUMM Georgia, Geneva Talks</i> <b>Page 11</b>	<b>EU Security Strategy</b> <i>Regional conflicts, Strategic Objectives, 5-year review</i> <b>Page 24</b>
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DÁNIEL JÁDI

## THE CSDP IN PRACTICE : EUMM GEORGIA

« Oh My, What Have We Done? »



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# CERPESC ANALYSES

## Introduction

There are only a few things which have not changed about the European Union. One of these is the fact that even though its economic power is undisputed, it is still far from reaching and using its full potential in the area of global politics.

However there are also unexpected turns of events when one must realise the importance of activity. In 2008 something terrible happened: terrible for Georgia—including South Ossetia, and Abkhazia—, shocking for Europe, and disastrous for the European security system. Georgian and Russian troops clashed, a war broke out. But as they say every cloud has a silver lining. This time it was the European Union that gained something from the situation. It has established a *sui generis* position in conflict resolution on an international level for the first time. It acted “on its own” during the time of crisis, took the lead for the international community in the attempt to stop an intense bloodshed and succeeded in the end. It is constantly debated if we could call it a success or not, but in my point of view, the answer depends on our approach: the short, the medium or the long-term objectives the EU had at that time.

My paper is focusing on the Common Security and Defence Policy of the European Union in practice in the light of its relations to Georgia. The first chapter meant to provide information on the policies, institutions, and instruments that bond together Georgia and the EU. It is divided into three sub-sections by the time of events. There is no doubt, that the initial relations are not quite engagements through the system of CSDP, but they are determining factors in the course of the deepening EU-involvement. The second chapter concentrates on the official description of some of the main instruments in use, the security strategy of the EU, and its implementation in the case of Georgia.

I have always been critical and sceptic, I have never believed the formal, or should I say political announcements about how awesome ones are. So I

decided to look into the reasons why the European Union made up its mind to step up, and how far it went, what it has achieved. From the start I was looking for weak points, and contradictions between reality and rhetoric. I should say the effectiveness of the EU-administration of the CSDP still has a lot to go.

# CERPESC ANALYSES

## Recent Activities of the European Union in relation to Georgia

### Before 2008

The EU-Georgia relations are not stem only from the XXIst century. Georgia and its neighbourhood has already been an object of European interest since the early 1990s. After the break-up of the Soviet Union, Georgia regained its independence, but the transition was not without any difficulties. According to the portal of the European Commission, the EU was the first to show its willingness to help Georgia in the process—it still is one of the major donors of Georgia.

#### *Delegation of the European Union to Georgia*

The Delegation of the EU to Georgia<sup>1</sup> was opened in 1995, in Tbilisi. It was entrusted by the Commission to strengthen three main areas of dialogue: political relations; economic and trade relations, and co-operation and external assistance. While doing so, the goal of the Delegation is to establish and preserve connections either with the present government and the EU Member States, or representatives of Georgian civil society and international organisations. Using these contacts enables it to introduce, and explain the EU policies to the local side on the one hand.

On the other, it gives the opportunity to closely observe, analyse and then regularly report the political, social and economic situation in Georgia back to the Headquarters. The Delegation is responsible for watching over the coordination of trade and external policies — including humanitarian assistance, support for democracy, human rights

and the media, institution and capacity building—of the EU in the country.

The changes of policies have affected the tasks of the Delegation too. In 2002 the “deconcentration” strategy of the Commission resulted in wider responsibilities in the area of external assistance for them. They tightened the connections with the EuropeAid Co-Operation Office in Brussels and the Georgian authorities, in order to manage projects more effectively from the field.

The Delegation also represents the EU rotating Presidency and chairs meetings with EU Heads of Missions. As for now the Head of the Delegation is Philip Dimitrov.

#### *Partnership and Cooperation Agreement*

In order to give a stabile political and legal framework for the EU-Georgia bilateral relations, the parties signed the Partnership and Cooperation Agreement<sup>2</sup> in May 1999 (entered into force on 1 July 1999) for an initial period of ten years, automatically extended on a yearly basis.—This is not the only PCA of the EU. There are nine PCAs, with the general aim of strengthening democracies and develop economies of the second parties through cooperation in a wide range of areas and through political dialogue.

It regulates not only trade, investment and political dialogue, but economic, legislative and cultural cooperation as well. Some other areas were also incorporated, such as cooperation in the areas of democracy and human rights; on the prevention of illegal activities and the prevention and control of illegal immigration, with initiatives on money laundering, the fight against drugs and illegal immigration; and financial cooperation in the field

<sup>1</sup> Delegation of the European Union to Georgia, 2010, accessed 21 October 2010,

<[http://ec.europa.eu/delegations/georgia/about\\_us/welcome/index\\_en.htm](http://ec.europa.eu/delegations/georgia/about_us/welcome/index_en.htm)

<sup>2</sup> Europa, Summaries of EU legislation, Partnership and Cooperation Agreements, 2010, accessed 21 October 2010,

<[http://europa.eu/legislation\\_summaries/external\\_relations/relations\\_with\\_third\\_countries/eastern\\_europe\\_and\\_central\\_asia/r17002\\_en.htm](http://europa.eu/legislation_summaries/external_relations/relations_with_third_countries/eastern_europe_and_central_asia/r17002_en.htm)



## CERPESC ANALYSES

of technical assistance. The Agreement created institutions, with regular meetings to monitor the implementation of the PCA. The ministerial level Cooperation Council is assisted by a Parliamentary Cooperation Committee<sup>3</sup>.

‘Through the PCA, which also eliminates trade quotas and the protection of intellectual, industrial and commercial property rights, the parties have accorded each other Most Favoured Nation (MFN) treatment. In December 2005 the EU granted Georgia General System of Preferences + (GSP+), which was extended in 2008. The GSP + provides non-reciprocal tariff reduction on duty free access to Georgian exports to the EU<sup>4</sup>.’

### *European Neighbourhood Policy*

A strategy paper on the ENP was developed in 2004, after the release of a Commission Communication on Wider Europe the previous year. It aimed to prevent the deepening of the divisions between the 27-member EU and its neighbouring countries, and the appearance of new ones. At the same time it was proposed for the very reason of strengthening the economical-political stability, and the security of the participating countries. The EU offered this framework to fifteen bordering countries—plus the Occupied Palestinian Territory—, including Georgia (in 2006).

The ENP does not terminate the existing agreements between the EU and the partner concerned: PCAs or Association Agreements. All these are monitored jointly with the same institutional framework, previously created. These privileged relationships are mainly bilateral, however are further enhanced with regional and multilateral co-

operation: Union for the Mediterranean—previously known as the Barcelona Process, the Black Sea Synergy, and the Eastern Partnership.

The main instruments are the Action Plans, with an agenda of political and economic reforms with short and medium-term priorities of 3 to 5 years. After their expiration new documents are being adopted. Sadly, four countries, namely Algeria, Belarus, Libya and Syria have not agreed on Action Plans yet.

The European Commission under its own responsibility publishes the ENP Progress Reports each year. As for Georgia, the EU published a Country Report about the progress in Georgia towards political-economic reforms in 2005. Then in consultation with Georgia a 5-year ENP Action Plan was adopted in November 2006. It is strongly focusing on ‘socio-economic reform, improvement of business climate, poverty alleviation; conflicts resolution; justice and security issues, including border management; regulatory approximation in various sectors, including energy and transport; regional cooperation<sup>5</sup>’.

From 1 January 2007 the European Neighbourhood Policy and the Strategic Partnership with the Russian Federation are both financed through a single instrument—the European Neighbourhood and Partnership Instrument.

### *EU Special Representative for the South Caucasus*

The decision on establishing the position of EU Special Representative for the South Caucasus was taken in July 2003.—Council Joint Action 2003/496/CFSP of 7 July 2003 concerning the appoint-

<sup>3</sup> Parliament of Georgia, Committee on European Integration, EU – Georgia Parliamentary Cooperation Committee, 2010, accessed 21 October 2010, <[http://www.parliament.ge/index.php?lang\\_id=ENG&sec\\_id=491&info\\_id=11058](http://www.parliament.ge/index.php?lang_id=ENG&sec_id=491&info_id=11058)>

<sup>4</sup> Delegation of the European Union to Georgia, Georgia & the EU, Political & economic relations, 2010, accessed 21 October 2010, <[http://ec.europa.eu/delegations/georgia/eu\\_georgia/political\\_relations/index\\_en.htm](http://ec.europa.eu/delegations/georgia/eu_georgia/political_relations/index_en.htm)>

<sup>5</sup> European Union External Action, Summary on EU-Georgia relations, 2010, accessed 21 October 2010, <[http://www.eeas.europa.eu/georgia/eu\\_georgia\\_summary/index\\_en.htm](http://www.eeas.europa.eu/georgia/eu_georgia_summary/index_en.htm)>

## CERPESC ANALYSES

ment of an EU Special Representative for the South Caucasus<sup>6</sup>. Heikki Talvitie a Finnish diplomat was the first special envoy, later followed by Peter Semneby. The Swedish diplomat was appointed in February 2006, and was fulfilling his duties up until 28 April 2011<sup>7</sup>. Prior to this assignment, he headed the OSCE Missions to Croatia and Latvia.

There were three countries in the area he was responsible for: Armenia, Azerbaijan and Georgia. His job was to support these countries in their reform, by coordinating the EU's assistance, and the implementation of the European Neighbourhood Policy Action Plan for the three countries. In his mission statement, he recognised the fields of rule of law, democratisation, human rights and good governance as the most important areas of reforms. He stated that in Georgia the main goals are promoting constructive political dialogue between the government and opposition, and the development of free and independent media. The closure of the OSCE Border Monitoring Mission in 2005 created a situation, where the EU could not stand by, so they added new tasks to the mandate of the EUSR.

Under his office, the EU Border Support Team was set up in order to develop a border management strategy and implementation plan for Georgia, and to build the capacity of Georgian border guards. On the other hand the EUSR is also responsible for helping the development of a comprehensive EU policy for the region. Mr. Semneby concluded that the regional approach is essential to help these countries on their way towards a society based on European values, and opening up their borders towards each other is a top priority.

The growing tensions between Georgia and Russia in 2006 made Mr Semneby reporting on the situation to the PSC, followed by a joint EUSR/Commission, Policy Unit paper on short term

measures in support of conflict resolution in Georgia to the PSC. After a series of discussions a list of confidence-building measures has been agreed and negotiated with the Georgian counterparts.

<sup>6</sup> COUNCIL JOINT ACTION 2003/496/CFSP of 7 July 2003 concerning the appointment of an EU Special Representative for the South Caucasus, Official Journal of the European Union L 169/74-75, 2003, accessed 21 October 2010, <<http://www.consilium.europa.eu/uedocs/cmsUpload/L169-8.7.2003.pdf>>

<sup>7</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:211:0041:0041:EN:PDF>

# CERPESC ANALYSES

## *During the War*

The first question coming to my mind is, what on earth made the EU react to the eruption of hostilities? Principles, interests, both, or something else?

One can argue that the leaders of the Union felt their history and values disgraced by the armed conflict developed right under their nose. Since the Balkan wars Europe has not experienced military clashes of this level close to its frontiers. The countries of the old continent learned their lessons from the bloodsheds of previous centuries, so why had the other states not? The internationally recognised(?) principles of the non-use of force and the right for territorial integrity are values that cannot be trampled upon by any actor of world politics without punishment or at least a verbal reprimand.

Another argument could be that the EU had several years of economical aid at stake, so it did not want it to go to waste. Georgia just got included into the European Neighbourhood Policy, and the plan of the Eastern Partnership was already on the desk of EU-officials. Moreover, fifteen Member States had embassies on the ground, the Delegation of the European Commission and the EUSR for the South Caucasus was also present. How could the Union have overseen such a threat to its own institutions and why would they turn their back on a country which they have agreements with, and operations ongoing on its territory?

Or was it only about the EU seizing the opportunity to test the capability of its ESDP instruments and at the same time trying to establish a new position on the stage of international politics? Some might also point out that if it was not for France sitting in the position of the Presidency of the EU Council, things might have turned out different. Was the driving force behind the engagement the pursuance of the French “gloire”? Did the

personality of the ruling President of France affected the chain of events?

At the end of the day it does not really matter. The questions starting with the phrase “What if...” usually do not get you anywhere, so let us just skip the answer to these questions and focus on the how, since the EU responded quicker and more accurately than any other global players.

As for the war itself, this paper was never intended to decide which side were at fault, or was it against international law or not. I aimed for reciting the most important measures the EU as a collective entity took to face the problem, to reach a common opinion among its Member States and finally to act according to it.

Not long before the tragic events the EU’s Special Representative, Peter Semneby was amongst the diplomats who got invited by the Georgian government on 5 August to take a tour to the area of a recent shooting. He reported that clear evidence of mortar fire by the South Ossetians against Georgian positions was found, but no sign of the possibility of a large-scale military conflict, however a low-profile local conflict—with some casualties—could emerge. (see: Asmus: ‘A Little War That Shook the World’<sup>8</sup>)

Despite the “optimistic” presumptions of Mr Semneby, hostilities broke out while he was on the ground in Tbilisi. He and his American counterparts were hanging on the lines with both Russian and Georgian sides, looking for a way to stop the conflict in its early but already fierce stage. On 10 August the special envoy e-mailed back (see: cited book of Asmus<sup>9</sup>) to Brussels reporting that Georgian forces would probably not be able to hold off the advancing Russian army for more than another day—and Russia might be able to take Tbilisi within another 24 hours if it so chose. The leaders of the EU Member States only came to realise the

<sup>8</sup> Asmus, RD: A Little War That Shook the World, Palgrave MacMillan 2010, New York p.27.

<sup>9</sup> Asmus, RD: A Little War That Shook the World, Palgrave MacMillan 2010, New York p.183

## CERPESC ANALYSES

gravity of the situation, and were in a real haste to issue statements to stop the fighting.

According to Ronald D. Asmus (2010), Swedish diplomat Carl Bildt, U.S. ambassador to Georgia, John F. Tefft and Semneby gathered in the president chancellery on the evening of 11 August and were talking to senior Georgian officials to get information on breaking events at first hand.

What happened on the international stage, while diplomats on the ground were trying to work in a really insecure environment?

Even if they say that an armed conflict was not a big surprise in the area, the wider Black Sea Region was not one of the main focuses of France when it took over the Presidency of the European Union. Not to mention the division between the respective Member States considering the positions whether to extend the help to Georgia, or not. Either way in August 2008 it was France who held the responsibility of responding to the threat at Europe's eastern border. The possible failure would have been fatal not only to European foreign and security policy, but France's own reputation was at stake.

As Asmus (2010) wrote in his cited book, the first action President Sarkozy took was to approach Putin during the opening of the Olympic Games, asking for "two days to mediate a peaceful end to the conflict." Putin had immediately refused. Sarkozy then decided to go back to Paris and work on the next move.

The formal script would have been for an EU presidency to go through all the levels of EU bureaucracy, reach a degree of consensus, then to proceed carefully with an initiative, but it was a race

against time—surprisingly(?) there was no place for Javier Solana at the side of Nicolas Sarkozy<sup>10</sup>.

The French president chose to concentrate on Medvedev as someone, previously described as different from Putin, a man you could work out a deal with<sup>11</sup>. The Russian President took on the proposal of Sarkozy prepared to visit Moscow personally to broker a ceasefire. It seemed that Medvedev might even be ready to restore the status quo, existing prior to the war. However the situation on the ground still seemed risky, the Russian forces were on the move, requesting permission to head towards the capital of Georgia.

Sarkozy had to act cautiously, in a statement he stuck to two conditions before travelling to Moscow; firstly that by the time he arrived a ceasefire has to be in place, and secondly the Russian troops would not make a move on Tbilisi. He received a promise from Medvedev so his plane took off.

At the same time the French Foreign Minister, Bernard Kouchner left for Georgia and had a meeting with Saakashvili, where they discussed the urgency of an immediate ceasefire. During the night they drafted a text which was agreed upon by the Georgian Foreign Minister Ekaterine Tkeshelashvili, but they decided to get the signature of Saakashvili before going to Moscow. Out of the blue Kouchner received news from Paris that Sarkozy headed to Moscow and he does not want to have a limited range of actions by a paper agreed upon without his contribution. Jean-David Levitte, the national security advisor of the French President was preparing a new draft of a ceasefire.

Now we are closing on the date of the intense negotiations between Medvedev, Putin and Sarkozy. What were the objectives of the French president? Asmus (2010) identifies three goals: to stop the

<sup>10</sup> Lobjaskas A 'After the Georgian crisis, the breaking of Europe', 2008, RFE/RL Commentary, accessed 21 October 2010, <[http://www.rferl.org/content/The\\_Breaking\\_Of\\_Europe/1199463.html](http://www.rferl.org/content/The_Breaking_Of_Europe/1199463.html)>

<sup>11</sup> Asmus, RD: A Little War That Shook the World, Palgrave MacMillan 2010, New York p.193



## CERPESC ANALYSES

war, to save Georgia, without a regime change, and to prevent the escalation of the situation to a new cold war between the West and Russia<sup>12</sup>.

Sarkozy arrived to Moscow on 12 August and headed to Medvedev's office. Despite the two drafts prepared earlier the negotiations started with laying down the security zone the Russian wanted to establish around South Ossetia. Although the goal of Moscow to suppress Georgia was clear, the danger on Tbilisi was closing in, which did not leave too much time for Sarkozy.

Then Putin joined the meeting. His presence only made it harder to reach a compromise. The differences were too big even for a working text for the leaders. Unfortunately neither France, nor the European Union had the power to force Moscow to accept a proposal of ceasefire, which included all the demands the Western countries or Georgia would have had. So France did concentrate on the most urgent problem: to stop the advancing forces of Russia. Finally they were able to agree on six principles as a basis of the ceasefire<sup>13</sup>.

Some elements of the initial Kouchner-Stubb draft reappeared with some small changes, but there was no trace of Georgia's territorial integrity as a vital fundament.

The essence of the agreement was the following:

- Not to resort to force;
  - To end hostilities definitively;
  - To provide free access for humanitarian aid;
  - Georgian military forces must withdraw to their permanent positions;
  - Russian military forces must withdraw to the lines held prior to the outbreak of hostilities.
- Pending an international mechanism, Russian

peace-keeping forces will implement additional security measures;

- Opening of international talks on the future status of Abkhazia and South Ossetia.

Sarkozy on a press conference said: 'We don't yet have peace. But we have a provisional cessation of hostilities. And everyone should be aware that this is considerable progress. There is still much work to be done<sup>14</sup>.'

On 13 August the Council on General Affairs and External Relations held an extraordinary meeting<sup>15</sup>, where they discussed the situation in Georgia and stressed the humanitarian emergency and the Union's resolve to provide vital assistance to the population.

After a joint press conference, Sarkozy took the plane to Georgia. While the French delegation was satisfied with what they have achieved, Tbilisi was not that cheerful about the public announcement of a ceasefire with details not discussed with them earlier. The publicity made almost impossible to change the text, which proved to be necessary in order to bring Saakashvili to sign on the dotted line. First of all the Georgians did not understand why the document, they signed two days earlier had changed, they were eager to hear the explanation.

For Sarkozy, it was not something he wanted to discuss; he only wanted Saakashvili to accept the conditions as they were. The Georgian side had to understand the gravity of the situation, and that being uncooperative would make them lose face in front of the international community. On the other hand point six of the agreement questioned the territorial integrity of Georgia by claiming the need of

<sup>12</sup> Asmus, RD: A Little War That Shook the World, Palgrave MacMillan 2010, New York p.197

<sup>13</sup> 'Will Sarkozy plan rubber-stamp Georgia's loss of Abkhazia, South Ossetia', 2008, RFE/RL Commentary, accessed 21 October 2010, <[http://www.rferl.org/content/Sarkozy\\_Plan\\_Georgia\\_Abkhazia\\_Ossetia/1190775.html](http://www.rferl.org/content/Sarkozy_Plan_Georgia_Abkhazia_Ossetia/1190775.html)>

<sup>14</sup> Schhedrov O, Robinson M 'Russia orders halt to war. Georgia sceptical', 2008, Reuters, accessed 21 October 2010, <[http://www.reuters.com/article/2008/08/12/idUSN11408884\\_CH\\_2400](http://www.reuters.com/article/2008/08/12/idUSN11408884_CH_2400)>

<sup>15</sup> Council of The European Union, Press Release, Extraordinary meeting General Affairs and External Relations, 12453/08, 2008, accessed 21 October 2010, <[http://www.diplomatie.gouv.fr/en/IMG/pdf/General\\_Affairs\\_and\\_External\\_Relations\\_meeting\\_August\\_2008.pdf](http://www.diplomatie.gouv.fr/en/IMG/pdf/General_Affairs_and_External_Relations_meeting_August_2008.pdf)>

## CERPESC ANALYSES

an international debate on the “future status” of Abkhazia and South Ossetia. So the Georgians were committed to erase that phrase from the text. With the help of the French delegation they got through and succeeded. Still Saakashvili was not satisfied and was still cautious, he asked for time to reflect. He also saw a flaw in the drafted text: The language about where Russian troops could or could not deploy was too loose. A side letter was proposed for further clarification. It happened to be unsuccessful...

ing both servicemen and civilians. Although from these figures about 850 persons got killed, the number of civilians fled their homes is far more than 100 000.

On 26 August the Duma recognised Abkhazia and South Ossetia as independent states. This action resulted in the first calls for sanctions against Moscow and a possible suspension of negotiations on a new EU-Russia treaty. Though from the American point of view, Russia should have been “named and shamed”, Europe did not want to ruin the relation with Russia. Sarkozy, accompanied by José Manuel Barroso, the president of the European Commission, and by Javier Solana, the EU High Representative went to Moscow again to solve the situation.

Russia also tried to avoid the confrontation with the EU and after a few hours of negotiations at the Maiendrof Castle outside Moscow, agreed to dismiss its checkpoints in Georgia within a week, remove Russian troops from areas close to Abkhazia and South Ossetia in a month, allow the deployment of a 200-men strong EU observer mission and start the international debate on the future of the two concerned territories within a month<sup>16</sup>.

Regarding the victims of the tragic events in August 2008, the IIFFMCG tried to do an estimate in its report: the Georgian side claimed losses of 170 servicemen, 14 policemen and 228 civilians killed and 1 747 persons wounded on the Georgian side, while the Russian spoke of 67 servicemen killed and 283 wounded and the South Ossetians claimed the death of 365 persons, probably includ-

<sup>16</sup> Asmus, RD: A Little War That Shook The World – Georgia, Russia, and the future of the west, Palgrave MacMillan 2010, New York p.212

# CERPESC ANALYSES

## *After the War*

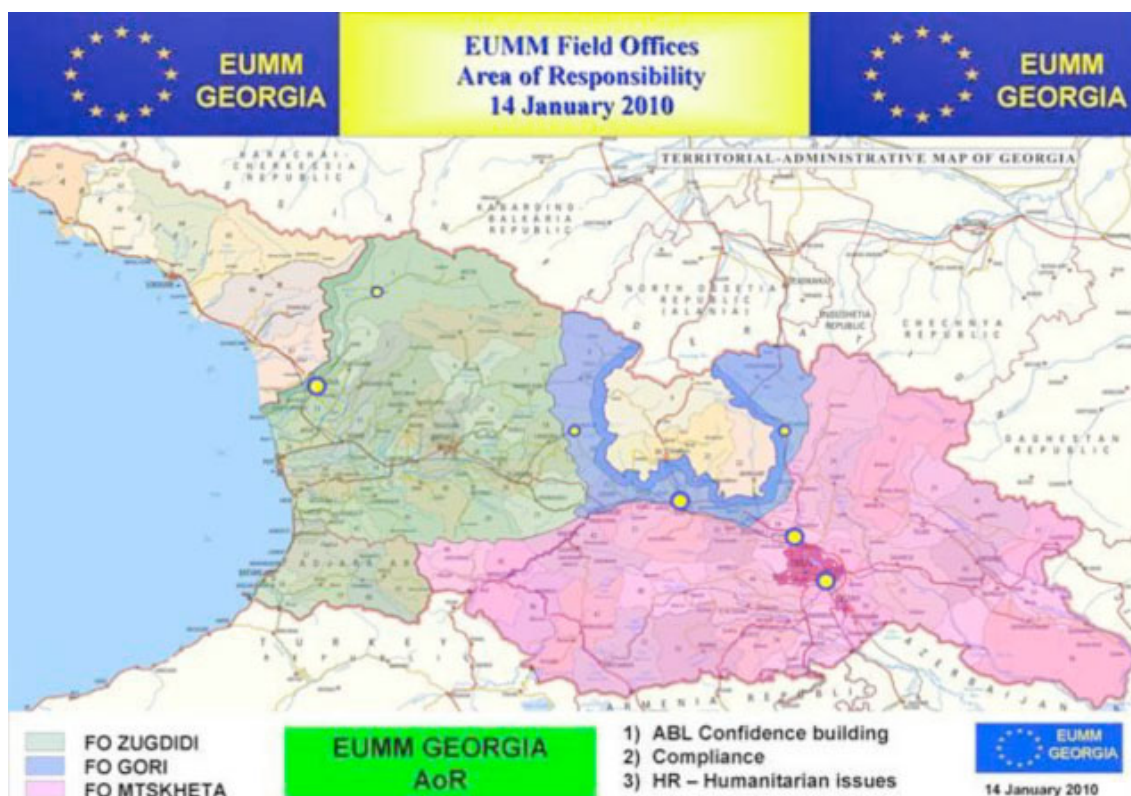
The EU made its move not long after the six-point agreement was signed. Not only the Council had set up a Crisis Management Co-ordination Team and had dispatched two small exploratory teams to Georgia, but the Commission and its Humanitarian Aid Office also sent a crisis assessment team each. They were working together on the drafting of the CONOPS and Joint Action defining the mandate and main features of a future ESDP mission, initially with around 140 observers. However after the negotiations of the implementation agreement in Moscow on 8 September they realised the necessity of increasing the number of the staff.

In the meantime at the request of several Member States, Sarkozy summoned an extraordinary European Council meeting on the situation in Georgia on 1 September. The conclusion of the presidency<sup>17</sup> stated that a military action of this kind is not acceptable, and that the Council ‘strongly condemns

Russia's unilateral decision to recognise the independence of Abkhazia and South Ossetia’, and calls other countries not to follow in the footsteps of Russia. It also pointed out that ‘lasting solution to the conflict in Georgia must be based on full respect for the principles of independence, sovereignty and territorial integrity recognised by international law, the Final Act of the Helsinki Conference on Security and Cooperation in Europe and United Nations Security Council resolutions.’

They also recognised the implementation of the six-point agreement and the beginning of the international talks—point 6 of the peace agreement—as urgent matters in line with finalizing an international monitoring mechanism. It reminded that the EU has already supplied emergency aid. The participants also discussed the relation with Russia and committed themselves to further engagement, on the basis of the EU’s principles and values.

As a result of this emergency meeting four main instruments were launched. I am going to introduce them on the next few pages.



<sup>17</sup> Council of The European Union, Presidency conclusions of the Extraordinary European Council, 12594/08, 2008, accessed 21 October 2010, <[http://www.diplomatie.gouv.fr/en/IMG/pdf/Extraordinary\\_European\\_Council\\_Conclusions\\_of\\_the\\_Presidency.pdf](http://www.diplomatie.gouv.fr/en/IMG/pdf/Extraordinary_European_Council_Conclusions_of_the_Presidency.pdf)>



## CERPESC ANALYSES

### *The Special Representative for the Crisis in Georgia*

On 1 September 2008, the European Council decided that in addition to the existing EUSR for the South Caucasus, an EUSR for the crisis in Georgia should be appointed. Pierre Morel's mandate derives from Council joint action 2008/760/CFSP on 25 September 2008 to be the EUSR for the Crisis in Georgia. His main task was to assist the preparation of the international talks provided by the settlement plan of 12 August 2008, and then to represent the EU in the discussions. Secondly he also has to work to foster the implementation of the agreements mentioned above—8 August, 12 August 2008.—and to promote the EU's human rights policy, focusing on children and women. Mr Morel labelled his job as Geneva out of Geneva<sup>18</sup>.

In an interview, conducted 20 May 2010, he assessed his mission as quite a challenging one, considering that it was the first time the EU was engaged in the forefront. He stated that launching diplomatic measures between warring sides is never easy. Despite the heavy scepticism at the beginning he is working on a stronger commitment from the EU, and trying to get the parties together through the Geneva process.

### *The European Union Monitoring Mission in Georgia*

On the ground of the six-point Agreement the EU institutions worked out a resolution only in a few weeks in order to set up an international mechanism with the main purpose of monitoring the ceasefire. The Georgian government invited the EU to deploy an ESDP civilian monitoring mission in Georgia in a letter dated 11 September 2008. On 15 September 2008 the Council adopted joint action 2008/736/CFSP, which allowed the EUMM to be finally deployed on 1 October 2008, and is now the

only international observation group in the area.—The original Joint Action was amended twice for increasing the financial reference.

The Political and Security Committee (PSC) appointed Ambassador Hansjörg Haber as the Head of EUMM on 16 September 2008. On the 21 November 2008 Georgia and the EU signed an agreement about the status of the EUMM, which grants the Mission full cooperation and support and some privileges and immunities agreed upon. The mandate of the mission was given only for a period of 12 months, so it had to be renewed in 2009. With the Joint Action 2009/572/CFSP the Council extended the mandate by another 12 months, till 14 September 2010. On 28 May 2010 the PSC recommended the further extension of the mandate for another 1 year, which was adopted by Council decision 2010/452/CFSP. It means that now the EUMM has its mandate till 14 September 2011.

What are these tasks entrusted to the Mission exactly? It was charged with two main objectives. For the sort term, to stabilise the situation with full compliance of the six-point agreement—first of all to monitor and report the withdrawal of Russian troops by 10 October. Albeit being still Russian and South Ossetian troops in the village of Perevi, they confirmed the Russian compliance with the deadline. Even after repeated calls from the EU, Russia denies to reduce the numbers of military forces deployed in the disputed territories, referring to the fact that the fifth point of the original Agreement has become outdated with their recognition of South Ossetia and Abkhazia<sup>19</sup>.

For the long term it is to pave way to stability in Georgia and the region. On their official website<sup>20</sup> they define their goals as follows:

<sup>18</sup> Interview du RSUE pour l'Asie centrale, Pierre MOREL, Nezavisimaya Gazeta, Terekhov A, 2009, accessed 21 October 2010, <[http://www.consilium.europa.eu/uedocs/cmsUpload/090416-Nezavissimaya\\_Gazeta\\_transcript-ENG.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/090416-Nezavissimaya_Gazeta_transcript-ENG.pdf)>

<sup>19</sup> Fischer, S: The European Union Monitoring Mission in Georgia (EUMM) in EU-ISS, European Security and Defence Policy THE FIRST 10 YEARS (1999-2009), eds Giovanni Grevi, Damien Helly and Daniel Keohane, 2009, p.383 accessed 21 October 2010, <[http://www.iss.europa.eu/uploads/media/ESDP\\_10-web.pdf](http://www.iss.europa.eu/uploads/media/ESDP_10-web.pdf)>

<sup>20</sup> European Union Monitoring Mission in Georgia, 2010, accessed 21 October 2010, <<http://eumm.eu/en/intro>>



## CERPESC ANALYSES

- Stabilization: ‘the job of our 225 monitors is to ensure all sides meet their obligations under the August and September agreements signed by Presidents Sarkozy and Medvedev’;
- Normalisation: ‘help make sure that the local people are living in a safe and secure environment’;
- Confidence-building: amongst the relevant authorities;
- Objective information: ‘our “weapon” is to report, professionally and objectively, on what is going on’.

As for the territorial mandate, the EUMM is set up to be operational in the whole of Georgia, including South Ossetia and Abkhazia. They established the HQ in Tbilisi, with more than 200 monitors and technical and support staff. With time they also opened Field Offices, located in Mtskheta, Gori and Zugdidi. (Appendix B) According to their homepage there are 15-20 patrols going out on a daily basis.

Out of the Member States, only Cyprus is not contributing to the mission.

In order to fulfil its tasks more efficiently the EUMM is working closely with local administrations, and even universities to create a network of information flow back and forth about its activities. It also has direct contacts to the Georgian government, mainly the Ministry of Interior and the Ministry of Defence. The former signed a Memorandum of Understanding with the EUMM on 10 October 2008, the latter also did it on 26 January 2009. The MoI agreed on an exchange of liaison officers, and that it notifies the Mission if it plans to deploy police forces in the adjacent zones, what is more it also proposed joint prevention and response mechanisms, including both sides of the administrative borders.

The MoD undertook the obligation of advance notification of the EUMM, if the movements of troops are needed for tactical purposes, in any other

case it refrains from deployment. More importantly the EUMM was given the right to inspect the facilities and sites of the Georgian military. They signed an amendment of the original MoU on 2 July 2010 to increase the transparency of military dispositions on the Georgian side. The Mission’s mandate also covers weekly reports to the EU, the capitals of MSs and to the parties of the Geneva talks. This regular and thorough reporting keeps—at least—the Georgian side under control not to break the rules of the six-point agreement. The monitoring extends to the situation of the civil population as well as to the return of IDP’s.

In the ISS-study (ESDP-10 years, 2009), Sabine Fischer tried to assess the difficulties the EUMM encounters while trying to fulfil its duty. She mentioned that Abkhazia and South Ossetia refuses to provide access to their territories, arguing that the EU does not give up on Georgian territorial integrity. It does not only hide whatever happens on the other side of the administrative borders, but also undermines the initially slim chances of confidence-building. Fischer argues that without the policy of non-recognition it would be literally impossible to persuade the Georgian government to follow the advices given by the EU, and make unilateral commitments.

According to the author of the paper cited above, some of the challenges the Mission had to address derive from its high-speed deployment and the built-up itself. From the first moment there were different EU institutions sending several teams to the sites with various assignments to prepare the stage for the EUMM. Not only the local partners, but the concerned international actors were confused as well. During the exploration, and the preparation the EU had to give up its regular selection procedure in recruitment.

Member States were delegating the personnel—monitors and translators—, but later on it turned out to be inadequate to their initial commitments. Furthermore the lack of translators, and

## CERPESC ANALYSES

sometimes even equipment, such as cell phones, computers, desks, uniforms gave a hard time to the staff thrown into deep water. The ISS-report states that in the first months of the mission the EUMM personnel had troubles distinguishing the Georgian military and police forces, but with time and as a result of the developments on the field, this problem has lost its urgency.

Once the Mission has been established, new problems have arisen. The area got soon crowded with actors—the hastily deployed EUMM; the new EUSR for the crisis; the EUSR for the region, with the border support team; the EC-Delegation; 15 embassies of MSs, not to mention the OSCE mission with 20, and the UNOMIG with 130 monitors. Their tasks happened to overlap in some areas, which caused some complications. It was not really a fortunate turn of events, but the withdrawal of these latter actors—after 15 years of functioning—solved the issue, at least partially. On the other hand the downsides were also clear. Amnesty International called for<sup>21</sup> closing the gaps in monitoring human rights, since the mandate of the EUMM was drawn up considering the other two actors' presence.

The EU has to remain impartial towards the parties of the conflict, which is enormously difficult to achieve concerning the reluctance of Abkhazia and South Ossetia to accept the EUMM as a reliable facilitator of the conflict-resolution process. The EU was practically invited by the Georgian side, which makes it hard for the others (Abkhazia, South Ossetia) not to assess the situation as biased. On the other hand they are constantly supported and encouraged by Russia, who does not recognise the EU as the one that should call the decisions in her area of “privileged interest”.

MEP Zoran Thaler, Vice-Chair of the Delegation to the EU-Armenia, EU-Azerbaijan and EU-Georgia Parliamentary Cooperation Committees, in an interview (conducted 21 June 2010) told me that Russia believes that they (the Russians) are fulfilling the same mission on the South Ossetian and Abkhaz side, calming down the locals, making the situation more predictable. He also noted that sometimes EUMM lacks the feedback from Brussels, and at some occasions they are left without clear policies to follow.

Last, but not least as the mission chief admitted, ‘the EUMM is also incapable of monitoring the maritime disputes between Georgia and Abkhazia, as it has no ships at its disposal’<sup>22</sup>.

In their own review, EUMM emphasised the results of their presence: the decreasing number of reported incidents and the stabilization in the areas adjacent to the Administrative Boundary Lines. ‘The challenge now is to address the root causes of the conflict beyond the short term efforts at stabilization’<sup>23</sup>.

### *Geneva talks*

The next step of EU engagement in the conflict resolution came on 15 October 2008 with the launch of the international talks on Georgia in the Palais des Nations in Geneva. On the first session the participants—with the highest representatives of the UN, OSCE and EU, acting as Co-Chairs from then onwards—agreed on the framework of the discussions. They set up a plenary session attended by Georgia, Russia, the United States together with the representatives of the Co-Moderators, and two informal working groups. One started dealing with security and stability issues (WG-I), while the other has to work on the solution of the issue of refugees and internally displaced

<sup>21</sup> ‘EU mission in Georgia: Address gaps in monitoring of human rights’, Amnesty International European Institutions Office, 2010, accessed 21 October 2010,

<<http://www.amnesty.eu/en/press-releases/all/eu-mission-in-georgia-address-gaps-in-monitoring-of-human-rights-0416/>>

<sup>22</sup> Pop V ‘EU steps up Georgia patrols ahead of war report’, euobserver.com, 2009, accessed 21 October 2010,

<<http://euobserver.com/24/28693>>

<sup>23</sup> ‘Two Years of EUMM Operations’, European Union Monitoring Mission in Georgia, 2010, accessed 21 October 2010,

<[http://www.eumm.eu/en/press\\_and\\_public\\_information/features/2312/?year=2010&month=10](http://www.eumm.eu/en/press_and_public_information/features/2312/?year=2010&month=10)>

## CERPESC ANALYSES

people (WG-II). According to Pierre Morel, they only have very simple guidelines: bottom-up, case-by-case, step-by-step.

In the first round of talks there were participants from Abkhazia, Georgia, Russia, South Ossetia and the United States. Not surprisingly the start was not without difficulties, but the parties immediately started consultation on how to tackle the procedural disagreements. Georgian First Deputy Foreign Minister Giga Bokeria expressed his concern that the war was “between Georgia and Russia” so Abkhazia and South Ossetia should have only joined the talks in a later phase. Saakashvili was not that polite, stating, they consider them as criminals, not politicians. At the end of the day Georgia and Russia blamed each other for the failure of the meeting<sup>24</sup>. In a press conference after the meeting Pierre Morel (EUSR) stated: ‘Let us make it very clear: the process has started. We remain committed to full implementation of the 6 points of the 12 August agreement and subsequent implementing measures’<sup>25</sup>.

As a result of the consultations they agreed upon the date of the next round: 18-19 November 2008. According to the summary of the EUSR it was the first time when the parties sat together for a direct meeting after the events of the five-day war. He reported that the participants were able to ‘agree on the key areas of common ground, on which the Co-Chairs should make proposals for the next session on 17-18 December’. He also welcomed the process entering into a fully operational phase.

During the third session, the discussions in WG-I were focusing on proposals for joint incident pre-

vention and response mechanisms. Furthermore they raised the issue of ‘free movement of people through crossing points and joint visits to sensitive areas, and particularly the sites of incidents’<sup>26</sup>. However no agreement was reached by the end of the day. On the other hand WG-II managed to debate on practical steps of improving the living conditions of refugees and Internally Displaced Persons. The parties agreed on the re-establishment of gas supply and that free access of humanitarian aid to the affected areas is also an issue of great concern. The necessity of a joint EU, OSCE and UN assessment was also indicated.

The Geneva talks continued on 17-18 February 2009 as it was agreed upon previously. At last the participants in WG-I approved the Proposals for joint incident prevention and response Mechanisms. The details were not communicated at this point but they described the Mechanisms as required instruments, which are to prevent and, when it is necessary respond to arisen incidents. It aims to timely, and adequately respond to security matters, and to ensure effective delivery of humanitarian aid. According to the proposals, the parties are to meet on a weekly basis or as often as required. They even put forward the establishment of a 24-hour-operational “hotline”. The proposal also contained the planned duties of the Mechanisms:

- identify and regularly review potential risks;
- exchange information;
- do follow-ups to incidents;
- share the results of investigation, and findings of their routine patrols;
- provide free access to humanitarian assistance.

As for the WG-II, they recognised the improvements on the field—the resumption of gas supplies

<sup>24</sup> Fuller L ‘Geneva Talks on Georgia Get Off to Rocky Start’, 2008, Radio Free Europe/Radio Liberty Commentary, accessed 21 October 2010 <[http://www.rferl.org/content/Geneva\\_Talks\\_On\\_Georgia\\_Get\\_Off\\_To\\_Rocky\\_Start/1330658.html](http://www.rferl.org/content/Geneva_Talks_On_Georgia_Get_Off_To_Rocky_Start/1330658.html)>

<sup>25</sup> Summary remarks of Geneva discussions on Georgia 14-15 October 2008, Council of The European Union, 2008, accessed 21 October 2010, <<http://www.consilium.europa.eu/uedocs/cmsUpload/081015%20Geneve%20summary%20remarks.pdf>>

<sup>26</sup> Summary of remarks by Pierre MOREL, EU Special Representative for the crisis in Georgia at the end of the third session of Geneva discussions, Council of The European Union, 2008, accessed 21 October 2010, <[http://www.consilium.europa.eu/uedocs/cmsUpload/Summary\\_ofremMorelGenevaIII.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/Summary_ofremMorelGenevaIII.pdf)>

## CERPESC ANALYSES

to Tskhinvali, thanks to the efforts of the OSCE—, but the question of humanitarian aid still remained unresolved. The Co-Chairs proposed simultaneously organised convoys, but no agreement has been reached. The issue of IDPs were also further discussed, and the parties promised to focus on “reconstruction of housing and infrastructure, social and economic rehabilitation in areas of return, property and housing rights, legal obstacles to durable returns—documentation, registration and identification requirements—, and organisation of voluntary returns, including go-and-see visits <sup>27</sup>”.

The process had its first significant setback, when on 18 May 2009 the Abkhaz delegation did not attend the meeting, moreover the South Ossetian and the Russian participants left the session. The Co-Chairs were able to convince them to return and continue the discussion in both Working Groups. Beside the permanent issues, in WG-II five concept papers were presented about the topics they agreed to focus on. The Co-Moderators requested written comments from the participants one week before the next round at the latest.

The greatest achievement of the sixth session was the fixture of the date for the first consultative meeting of the IPRMs—on 14 July 2009 in Gali. The non-use of force was accepted by all sides as a basic principle for the future talks. WG-II took another step forward by raising the prospect of a comprehensive plan <sup>28</sup> for displacement issues ranging from a structure for the registration of IDPs, refugees and other displaced persons to the socio-economic rehabilitation of infrastructure. The question of water supply was further discussed, which resulted in the decision of the parties to convene a joint assessment of the rehabilitation needs

of the water supply system, both for potable and for irrigation water.

The seventh round was completed on 17 September 2009. WG-I noted that each IPRM met four times already, and reviewed the security situation on the ground. The Co-Moderators presented a non-paper concerning the non-use of force and international security arrangements, with the purpose of turning it into an agreement later. Another proposal of the Co-Chairs was discussed in WG-II during the day. It aimed for the introduction of the Agreed Undertakings on the return of refugees, internally displaced persons and other displaced persons.

11 November 2009 was the date of the next session of the Geneva discussions on Georgia, where WG-I assessed the overall security situation on the field as relatively stable. They also debated the report of the Independent International Fact-finding Mission on the Conflict in Georgia. No other significant step was taken.

During the ninth meeting—28 January 2010—of the parties, they expressed their concerns about sporadic incidents—shootings and detentions. Sadly, the work of IPRM in respect of South Ossetia got suspended, followed by a statement from South Ossetia saying that it would not participate in the work of the mechanism unless Tbilisi provides information about missing, or detained South Ossetian residents<sup>29</sup>. The Co-Chairs kept suggesting that any unintentional crossing by local residents outside the established crossing points should be handled under administrative procedure, instead of a criminal one. For the future joint work the participants agreed on a bottom-up and step-by-step

<sup>27</sup> Press Communiqué of the Co-Chairs of Geneva Discussions, Council of The European Union, 2008, accessed 21 October 2010, <[http://www.consilium.europa.eu/uedocs/cmsUpload/090218-press\\_communique\\_Geneva4.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/090218-press_communique_Geneva4.pdf)>

<sup>28</sup> Press Communiqué of the Co-Chairs of Geneva Discussions, Council of The European Union, 2009, accessed 21 October 2010, <<http://www.consilium.europa.eu/uedocs/cmsUpload/090701%20press%20communique%20Geneva%206.pdf>>

<sup>29</sup> ‘No Progress Reported in Geneva Talks’, finchchannel.com, 2010, accessed 21 October 2010, <[http://www.finchchannel.com/Main\\_News/Politics/57052\\_No\\_Progress\\_Reported\\_in\\_Geneva\\_Talks\\_/>](http://www.finchchannel.com/Main_News/Politics/57052_No_Progress_Reported_in_Geneva_Talks_/>)



## CERPESC ANALYSES

approach. WG-II continued its debate on “Agreed Undertakings”.

On the sidelines: An agreement was signed in Moscow on 17 February with Abkhazia on a joint military base on Abkhaz territory. The agreement is for a 49-year term and can automatically be prolonged at 15-year intervals<sup>30</sup>.

The Geneva talks were held for the tenth times on 30 March 2010. The attendants admitted that tensions continue to exist, furthermore they emphasised that provocative actions and rhetorics are to be avoided since they are harmful for the stabilizing process. In WG-I they also discussed the issue of releasing all detainees, and found that it would be a positive development. This time, the focus of WG-II was on go-and-see visits of displaced persons and on human rights observation and promotion in affected areas. The agreement reached was on nominating contact persons from each side to further explore ways of solution to the problem.

O.t.s.: Medvedev signed a law on ratifying treaties with Abkhazia and South Ossetia on joint border protection. On 5 April they delegated the authority to secure their borders with Georgia to Russia until the republics build their own border guard services<sup>31</sup>.

Unfortunately the meeting on 6 June 2010 started with bad news too. Atrocities in the Gali district resulted in casualties, and the rising of tensions was also notable. Addressing the new challenges the

participants proposed an IPRM meeting as soon as possible. The Co-Moderators reminded them that joint visits to the sites of incidents are tools of the mechanisms, so they could be used on this occasion. Concerning the “Agreed Undertakings”, the debate of the eleventh session concentrated on property-related issues, but sadly not with full participation by the end of the session. The Co-Chairs noted for the first time in their official communiqué that basic differences remained, and the desired outcome is far to be achieved.

At the end of June the Abkhazian side expressed its intention not to attend the twelfth round of the Geneva talks, which led to a statement from the Co-Moderators<sup>32</sup> admitting that ‘quite large of divergences remain’, but they are still fully committed and the process also needs the Abkhazian delegates to pursue its goal towards peace and stability in the region.

O.t.s.: Abkhaz presidential administration head Nadir Bitiyev said that ‘no one doubts the expediency’ of the discussions, but he found that the proposals of the South Ossetian and the Abkhaz sides are ignored, especially the debate on the drafting of a binding agreement on the non-use of military force, to be signed by Georgia. Their goal was to give the three international mediators time ‘to draft a realistic document acceptable to all sides<sup>33</sup>’.

The twelfth round took place on 27 July, where the attendants agreed on the undoubted necessity of fully functioning IPRMs, and their hotlines. They

<sup>30</sup> ‘Russia to sign a deal on military base in South Ossetia on Wednesday’ RIA Novosti, [globalsecurity.org](http://www.globalsecurity.org/wmd/library/news/russia/2010/russia-100406-rianovosti03.htm), 2010, accessed 21 October 2010, <<http://www.globalsecurity.org/wmd/library/news/russia/2010/russia-100406-rianovosti03.htm>>

<sup>31</sup> ‘Russia ratifies deals on border protection with S. Ossetia, Abkhazia’, RIA Novosti, [globalsecurity.org](http://www.globalsecurity.org/military/library/news/2010/04/mil-100405-rianovosti03.htm), 2010, accessed 21 October 2010, <<http://www.globalsecurity.org/military/library/news/2010/04/mil-100405-rianovosti03.htm>>

<sup>32</sup> The Statement by the Co-Chairs of the Geneva International Discussions, Council of The European Union, 2010, accessed 21 October 2010, <[http://www.consilium.europa.eu/uedocs/cmsUpload/GenevaDiscussionsCo-ChairsStatement\\_240610.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/GenevaDiscussionsCo-ChairsStatement_240610.pdf)>

<sup>33</sup> ‘Abkhazia ‘temporary suspends’ participation in Geneva Talks’, RFE/RL, [globalsecurity.org](http://www.globalsecurity.org), 2010, accessed 21 October 2010, <<http://www.globalsecurity.org/military/library/news/2010/06/mil-100625-rferl08.htm>>

## CERPESC ANALYSES

underlined the importance of joint efforts toward implementing the principle of freedom of movements. The Co-Chairs has prepared a paper on “Recapitulation of the on-going work on non-use of force and international security arrangements” in order to create a common ground for the following sessions.

O.t.s.: On 11 October the Georgian Deputy Foreign Minister, Nino Kalandadze announced that ‘as of October 13, residents of Russia's seven North Caucasus republics may visit Georgia for 30 days without a visa’. Russia’s response was quite harsh, calling this move a provocation, which aims to destabilise the North Caucasus<sup>34</sup>.

The next session was held on 14 October 2010<sup>35</sup>. Russia promised to dismantle her checkpoint in the village of Perevi—done on 18 October—, it was the last area outside of the administrative border of South Ossetia, where Russia remained in control since 2008. Giga Bokeria, leader of the Georgian delegation warned not to overestimate the gesture, because it is in fact “only” one of the commitments Russia undertook in the ceasefire agreement in 2008.

According to the Georgian side there was no real progress on the key issues during the talks. Although one important development should be

noted, as a result the IPRM meetings in relation to South Ossetia resumed at the end of October. However in the working groups, the participants encountered some difficulties again. The representatives from Tskhinvali decided not to attend the session of WG-II, protesting against the UN General Assembly resolution<sup>36</sup>, which called for return of refugees and IDPs to Abkhazia and South Ossetia. As usual the date of the next meeting was agreed upon—16 December 2010.

In the meantime Russia was continuously pushing for bilateral non-use of force treaties between Georgia and Abkhazia, and the former and South Ossetia. Later the rhetorics changed to written, legally binding non-use of force pledge, then to unilateral declarations. Eventually on 23 November 2010 Saakashvili took the unilateral initiative, and announced that Georgia<sup>37</sup> ‘will never use force to restore its territorial integrity and sovereignty, that it will only resort to peaceful means in its quest for de-occupation and reunification’. However the Russian Foreign Ministry warned to remember the ‘peace-loving’ speech of the Georgian president on 7 August 2008<sup>38</sup>.

O.t.s.: On the OSCE summit of 1 December 2010 the representatives of three countries (namely the British Deputy PM, the German Chancellor and the

<sup>34</sup> ‘Russian Foreign Ministry Lambastes Georgian Abolition Of Visas For North Caucasus Residents’, Radio Free Europe/Radio Liberty Commentary, 2010, accessed 21 October 2010, <[http://www.rferl.org/content/Russian\\_Foreign\\_Ministry\\_Lambastes\\_Georgian\\_Abolition\\_Of\\_Visas\\_For\\_North\\_Caucasus\\_Residents/2190361.html](http://www.rferl.org/content/Russian_Foreign_Ministry_Lambastes_Georgian_Abolition_Of_Visas_For_North_Caucasus_Residents/2190361.html)>

<sup>35</sup> ‘Mediators Say Russia Pledged to Withdraw from Perevi’, civil.ge, 2010, accessed 21 October 2010, <<http://www.civil.ge/eng/article.php?id=22753&search=geneva%20talks>>

<sup>36</sup> [42] ‘Georgia: draft resolution Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia’, United Nations General Assembly, A/64/L.62, 2010, accessed 21 October 2010, <<http://www.civil.ge/files/files/UNGARes.pdf>>

<sup>37</sup> ‘Saakashvili's Address to European Parliament’ civil.ge, 2010, accessed 23 November 2010, <<http://www.civil.ge/eng/article.php?id=22883>>

<sup>38</sup> ‘Moscow Responds to Saakashvili's Non-Use of Force Pledge’ civil.ge, 2010, accessed 25 November 2010, <<http://civil.ge/eng/article.php?id=22891&search=>>

## CERPESC ANALYSES

Swedish Foreign Minister) called for the restoration of the OSCE mission in Georgia<sup>39</sup>.

Right before the 14th session (6 December) Sokhumi and Tskhinvali also made their verbal non-use of force pledge<sup>40</sup>, which was warmly welcomed by the mediators<sup>41</sup>. However, the negotiations ended with sore feelings again because Tbilisi was also waiting for Russia to do so. What is more Moscow said that they are not to make non-use of force pledge since they are not a party to the conflict, and according to Bokeria their negotiators acted 'as if there is no conflict between Russia and Georgia whatsoever'. Russia instead tries to position itself as "a mediator"<sup>42</sup>. Taking into account that the 12 August agreement which provides the mandate and the legitimacy to the Geneva talks with its 6th point is an agreement between Russia and Georgia on the one hand, and the fact that the framework of the international discussions developed towards having three Co-Chairs (as explained earlier) and officially two participants (four in practice) Russia and Georgia on the other (plus the USA). It seems to be quite an interesting interpretation of the situation.

As a result WG-I continued the discussions on the non-use of force, they also 'welcomed the full resumption of the Ergneti / Dvani Incident Prevention and Response Mechanism, as well as the regular and constructive work of the Gali / Zugdidi Incident Prevention and Response Mechanism'.

The only clear improvement in WG II was the recognition of the need for 'further consultations, in particular by the UNHCR, with the relevant participants in order to clarify parameters and modalities with a view to ensure that returns take place on

a voluntary basis, in safety and dignity, and in accordance with international law and practice<sup>43</sup>'.

As for the last meeting so far—taking place on 4 March 2011—there was no sign of decisive improvements. The press communiqué of the Co-Chairs only repeated the regular phrases. In the end they agreed on the date of the next meeting: 7 June 2011.

The efficiency of the negotiations is widely debated, but one of the Co-Chairs, Pierre Morel stressed in an interview—conducted 20 May 2010—, that at least finally they have 'a framework, a method of work, and some kind of understanding between all the participants'. He also pointed out that 'you can always have incidents, sometimes there are very calm periods, and then problems start again'. Otherwise, Zoran Thaler (in the interview, referred to on page 13) foretold ten or fifteen years of talks as the minimum to produce an acceptable resolution.

Morel defined the role of Geneva as 'not to manage the status quo, but find ways to move forward in the solution of the crisis. Within the mission given.' In the end he emphasised that the EU's motto is not to recognise but engage, and also warned that 'the principle of territorial integrity, if you forget about it everybody can grab a piece of land on the other side.'

*EU Independent International Fact-Finding Mission on the Conflict in Georgia —Tagliavini-report*

<sup>39</sup> 'Britain, Germany, Sweden Call for OSCE Mission in Georgia', civil.ge, 2010, accessed 04 December 2010, <<http://civil.ge/eng/article.php?id=22917&search=>>>

<sup>40</sup> 'New Context' for Geneva Talks after Non-Use of Force Pledges Interview of the co-Chairs of Geneva International Discussions', 2010, civil.ge, accessed 01 January 2011, <[https://ue.eu.int/uedocs/cmsUpload/Interview\\_Civil\\_Georgia-FINAL.pdf](https://ue.eu.int/uedocs/cmsUpload/Interview_Civil_Georgia-FINAL.pdf)>

<sup>41</sup> 'Tbilisi 'Disappointed' with 14th Round of Geneva Talks', civil.ge, 2010, accessed 19 December 2010, <<http://civil.ge/eng/article.php?id=22968&search=>>>

<sup>42</sup> 'Lavrov: our Western partners should understand us no other ways exist', ghn.ge, 2010, accessed 05 December 2010, <<http://www.eng.ghn.ge/news-2061.html>>

<sup>43</sup> [http://www.consilium.europa.eu/uedocs/cmsUpload/Geneva14-Press\\_communique.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/Geneva14-Press_communique.pdf)

## CERPESC ANALYSES

On 2 December 2008 Council decision 2008/901/CFSP appointed Swiss diplomat Heidi Tagliavini to head an independent international fact-finding mission on the conflict in Georgia. The objective of the IIFFMGC was to investigate the origins and the course of the conflict, with particular focus on international law, humanitarian law and human rights, and the accusations made in that context. The main team consisted of some twenty experts for specific written contributions on military, legal, humanitarian and historical issues, who were provided with offices in Brussels and in Geneva, but also opened a Mission office in Tbilisi. Fortunately they got more help from a small support team to fulfil their enormous task, and a Senior Advisory Board had been also set up to guide and counsel the Mission in its duty.

The process started with sending questionnaires related to humanitarian, legal, military and political dimensions of the events to the parties concerned—Moscow, Tbilisi, Sukhumi and Tskhinvali. They were furthermore asked to present their comprehensive views and evaluation of the crisis. In addition to this huge amount of information, the Mission tried its best to collect more from public sources—namely books, articles, studies and other writings, together with videos and photographs. The staff also conducted field visits for direct talks with locals, who had witnessed the tragic developments directly; moreover they travelled to important sites such as the Roki tunnel, the Akhagori region and the Kodori Valley.

O.t.s.: Just ahead of the publication of the report, head of the EUMM announced<sup>44</sup> that they reinforce patrols along the Abkhaz and South Ossetian administrative boundary lines in order to avoid any incidents.

The Tagliavini-report<sup>45</sup> aimed to give an overview not only the conflict but the historical background

of the region with a special focus on the developing of tensions and the engagement of international actors. However I am focusing solely on the sections, dealing with EU-Georgia relations.

The report reminds that the European Union—or at least some of its larger member states—took part in peace efforts such as the Friends of Georgia to cooperate politically on the Abkhaz issue. Besides, some eastern and northern countries of the EU supported Saakashvili in his project of European orientation. It is going to be discussed later in details, but the study also noted the significant amount of economic aid from the European Commission—up to 400 million for over a decade from 1992. Germany went a bit further by providing substantial economic support to Georgia on its own.

Since 1997 the EU Commission has had ongoing projects in South Ossetia, and in 2004 an intensive, EU-funded rehabilitation programme has been set in motion in the Georgian-Abkhaz, and the Georgian-South Ossetian conflict areas. The following steps are already discussed in their own chapter, so I would like to only list them here:

- PCA agreement signed in 1996
- Appointment of the EUSR for South Caucasus in 2003
- Georgia included in the ENP in 2004

The report summarises the relations as a gradually increasing involvement by the Union, but it also states that it might be:

‘forthcoming in terms of economic aid, politically friendly on the bilateral side, cooperative but cautious on contentious political issues and, except for some bilateral support from very few EU members, mostly distanced in terms of military support and sensitive security issues.’

After analysing the situation, and the issue of responsibility, the study does not blame one side

<sup>44</sup> ‘EUMM Reinforces Monitoring Ahead of War Report’, finchannel.com, 2009, accessed 21 October 2010, <[http://www.finchannel.com/Main\\_News/Politics/47433\\_EUMM\\_Reinforces\\_Monitoring\\_Ahead\\_of\\_War\\_Report/](http://www.finchannel.com/Main_News/Politics/47433_EUMM_Reinforces_Monitoring_Ahead_of_War_Report/)>

<sup>45</sup> Report of the EU Independent International Fact-Finding Mission on the Conflict in Georgia, 2009, accessed 21 October 2010, <<http://www.ceiig.ch/Report.html>>



# CERPESC ANALYSES

individually, rather blaming both and the international community at the same time. It points out that the main actors of international politics lacked timely and sufficiently determined actions, as well as to some degree a non-innovative approach to the peace process was adopted by international organisations.

Another significant assessment is the recognition of the importance of trust and confidence between the parties of the conflict and the third party, which plans to take on the monitoring, the peacekeeping and the establishment of other stabilising institutions and arrangements. The report notes that:

‘No party to the conflict or party which is considered to be strongly supportive of any of the sides should assume a position of command, or chair, or arbiter nor exercise any other control of an operation which rests on the notion of impartiality and even-handedness in order to be effective.’

The 1,150-page long report is the respective result of a nine-month work, and was presented to the EU Council of Ministers, as well as to the parties involved in the conflict of August 2008 and to the OSCE and the UN. In the end Ms Tagliavini expressed her gratitude for there were never any attempts by any side to interfere with the independent mandate of the Mission.

## *The Eastern Partnership*

Poland and Sweden worked really hard for months to convince all the European Union members to launch a new policy directed to the six eastern ENP-countries. The programme was announced on 7 May 2009 in Prague, giving the “bilateral” European Neighbourhood Policy a “multilateral” dimension.<sup>46</sup> In the framework of the EaP, the

European Commission follows a more regional approach, than in the ENP.

It aims for closer relationship between the Member States of the EU and Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. The EU argues that these countries have stated their wish to establish stronger ties with the West, and therefore are carrying out a large scale of reforms. That makes them worthy to support as strong as we can. So in order to assist these countries in their quest of political, economic and social reforms, the EaP gives the prospect of Association Agreement, Free Trade Agreement and further integration into European structures. The objectives<sup>47</sup> of the negotiations are:

- promoting democracy and good governance;
- strengthening energy security;
- promoting sector reform and environment protection;
- encouraging people to people contacts;
- supporting economic and social development;
- offering additional funding for projects to reduce socio-economic imbalances and increase stability;
- and allowing for easier travel to the EU through gradual visa liberalisation, accompanied by measures to tackle illegal immigration.

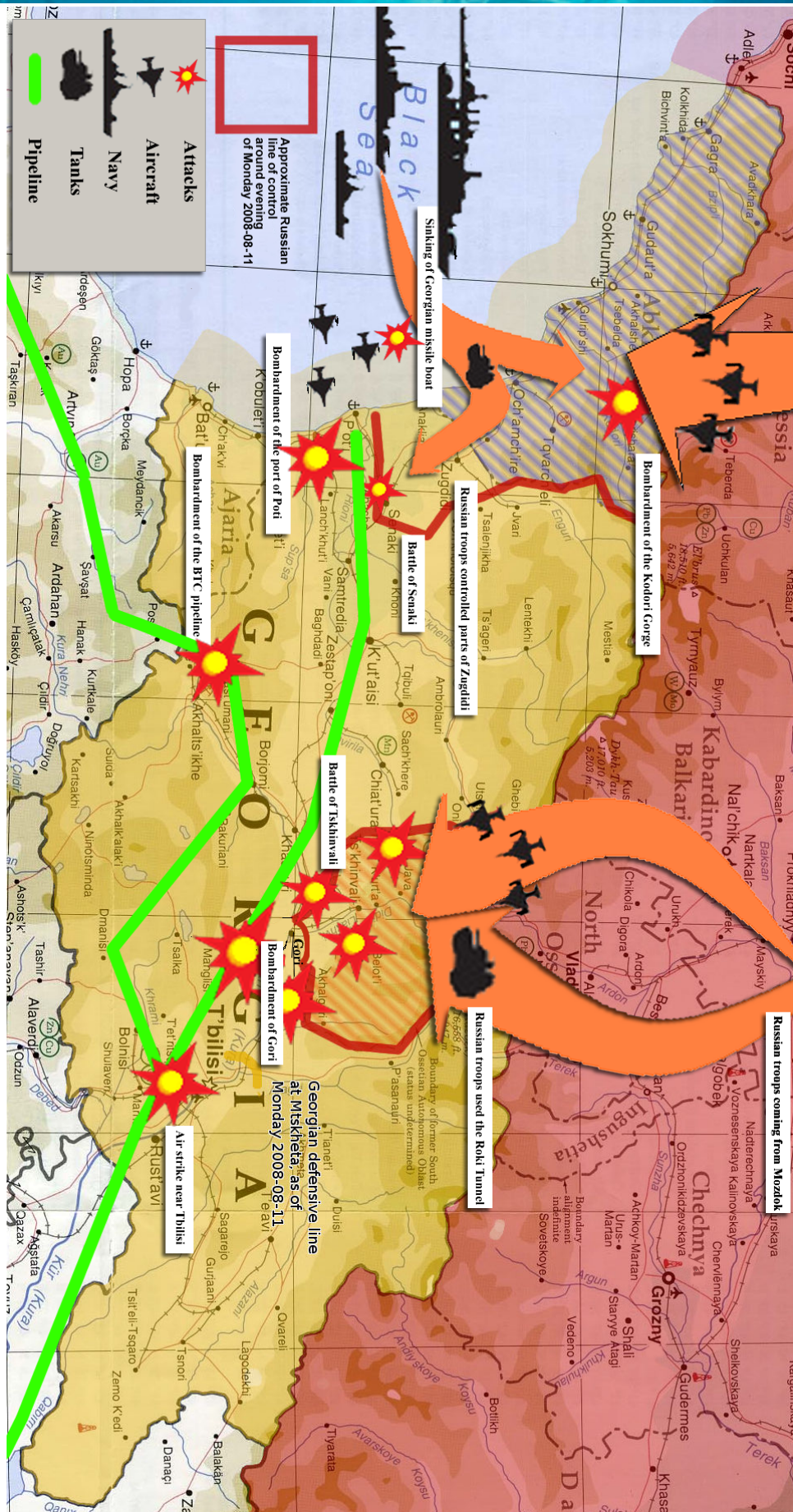
As for Georgia, the progress report says that from the second half of 2009, Tbilisi showed strong commitment to fulfil important recommendations of the EU, and ‘some progress was achieved, notably the preparation of the first drafts of the necessary strategic reform plans’<sup>48</sup>.

<sup>46</sup> ‘EU’s Eastern Partnership: A Primer’, Radio Free Europe/Radio Liberty, 2009, accessed 21 October 2010, <[http://www.rferl.org/content/EUs\\_Eastern\\_Partnership\\_Primer/1622997.html](http://www.rferl.org/content/EUs_Eastern_Partnership_Primer/1622997.html)>

<sup>47</sup> European Union External Action, Eastern Partnership, 2010, accessed 21 October 2010, <[http://eeas.europa.eu/eastern/index\\_en.htm](http://eeas.europa.eu/eastern/index_en.htm)>

<sup>48</sup> ‘Commissioner Says Georgia Committed to EU Partnership’, civil.ge, 2010, accessed 21 October 2010, <<http://www.civil.ge/eng/article.php?id=22296>>

# CERPESC ANALYSES





## CERPESC ANALYSES

The Eastern Partnership will benefit from additional financial support of € 350 million for the period till 2013 which will add up to a total of € 600 million.

In his study, James Sherr stated:

*‘If the EU does not shy away from this potential, the Eastern Partnership will be the clearest indication that the Georgia conflict has served as a rite of passage in the European Union’s perception of itself’<sup>49</sup>.*

### *EU assistance to the conflict-affected territories*

The year of the five-day war was not the first time, when Georgia received EU support: an amount of € 530.8 million was provided to her during the period of 1992-2007. On 22 October 2008, a donor conference on Georgia was held, where the EU stated to allocate €500 million for a two year period ‘to be used for a variety of activities including assisting the resettlement of internally displaced persons; economic rehabilitation and recovery projects; the macro-financial stabilisation and support to Georgia’s infrastructure’<sup>50</sup>.

The website also listed the achievements up to now. They claim to help IDPs through the winters by improving their temporary housing conditions:

- New houses built in the conflict-affected Shida-Kartli region for displaced persons from Georgian-Ossetian zone of conflict;
- Full renovation of apartments in housing blocks in Samegrelo region where displaced persons from the Georgian-Abkhaz zone of conflict have lived since the 1990s;

- Reconstruction of war-damaged houses in Gali district, to which displaced persons have returned.

Using the European money they organised professional training and micro-credit for farmers and tried to provide them with free legal aid if necessary. The Delegation also recalled relieving the people’s immediate needs for food, shelter and psychological support, and partial restoration of drinking water supply in the Shida-Kartli region as its accomplishments.

Regarding the debated territories the previously EU-funded projects in South Ossetia have been terminated. Fortunately Abkhazia did not reject the EU’s assistance, so it could remain the largest donor organisation.

In April 2010 the EU pledged up to €180 million to Georgia for the period 2011-2013 to support democratic development, rule of law, good governance; trade and investment, regulatory alignment and reform; regional development, sustainable economic and social development, poverty reduction as well as peaceful settlement of conflicts<sup>51</sup>. The list of ongoing, planned and recently completed EC projects can be found in the “Overview of EC Assistance to People Affected by Conflict in Georgia”<sup>52</sup> published in May 2010.

<sup>49</sup> Sherr, J 2009, ‘The Implications of the Russia-Georgia War for European Security’, in *The Guns of August 2008, Russia’s War in Georgia*, eds Svante E. Cornell & Frederick Starr, M. E. Sharpe New York, pp. 196–224.

<sup>50</sup> Delegation of the European Union to Georgia, Georgia & the EU, Projects, Conflict resolution, 2010, accessed 21 October 2010, <[http://ec.europa.eu/delegations/georgia/projects/overview/conflict\\_resolution/index\\_en.htm](http://ec.europa.eu/delegations/georgia/projects/overview/conflict_resolution/index_en.htm)>

<sup>51</sup> Delegation of the European Union to Georgia, 2010, accessed 21 October 2010, <[http://ec.europa.eu/delegations/georgia/about\\_us/welcome/index\\_en.htm](http://ec.europa.eu/delegations/georgia/about_us/welcome/index_en.htm)>

<sup>52</sup> ‘Overview of EC Assistance to People Affected by Conflict in Georgia’, Delegation of the European Union to Georgia, 2010, accessed 21 October 2010, <[http://ec.europa.eu/delegations/georgia/documents/projects/overview\\_post\\_conflict\\_ec\\_assistance\\_may10\\_en.pdf](http://ec.europa.eu/delegations/georgia/documents/projects/overview_post_conflict_ec_assistance_may10_en.pdf)>

# CERPESC ANALYSES

## The European Security Strategy in Motion

The goal of my closing chapter is to compare the idealised—or should I label them as promised—actions of the EU and of its Institutions to the ones actually carried out during and following the crisis. For the comparison I turned to the European Security Strategy published in 2003.

For the first time in its history the EU aimed to establish principles and set clear objectives for advancing its security interests based on our core values. In December 2003, the European Council adopted The European Security Strategy, “A secure Europe in a better world”<sup>53</sup>.

It is a collection of the EU’s achievements on the field of security and indeed some thoughts of objectives for the EU for the future. There is nothing particularly about Georgia in it, not even namely about the region it belongs to, South-Caucasus. However there are different parts which can be easily related indirectly to the events of 2008, and we can try to derive the strategies the EU was driven by during the handling of the crisis, and is up until now.

Firstly, the introduction of the document states, that the Member States are committed to ‘dealing peacefully with disputes and to co-operating through common institutions’. If we take a close look, during the events of August 2008, the EU has never communicated that it would deploy troops to fight side by side with any of the parties. The first reactions were all asking for an end of hostilities, and for a peaceful solution. As for the second part, I would say, France had realised that going through all those common institutions, the formal procedures, and waiting for the consent of all MSs would take longer than the time provided by the quickly worsening situation on the ground. So she made its

move and asked for the approval later. They say it is easier to say sorry than to ask for permission.

The readiness of Europe to undertake a bigger role on the global stage of security is also highlighted as an objective in the document. One can interpret it as a driving momentum behind the involvement of the EU, when it felt the room to make its move. However the readiness did not presented itself in the form of adequate means, but hasty actions.

Regional conflicts are enlisted amongst the Key Threats, so what would be more of a regional conflict than what happened in August 2008, even if it had affected world politics quite a lot. The paper states that either violent or frozen conflicts are threatening regional stability, and most of the fundamental values the EU sworn to protect, and it also recognises the importance of dealing with the roots of these conflicts and not only trying to solve the matters on the surface. It sounds really promising but until 2008 the EU did not really pay attention to the deep-rooted conflict of Georgia. The Union needed a wake-up call, but no one has ever imagined or at least has never wished for a ‘political alarm clock’ (see: blog entry of Alex Stubb<sup>54</sup>) of this calibre. Europe was invited by Georgia to act as a commonly accepted mediator of conflict years before 2008.

The document outlines three strategic objectives:

- Addressing the threats—It refers to the readiness needed to meet the security challenges, and further stresses the significance of prevention. Timing is always important, but in some cases it could be difficult to define what is urgent, and what can be addressed later. From the EU’s point of view it seems, that Georgia was not a top priority to begin with, they started projects in the

<sup>53</sup> ‘A Secure Europe in a Better World, European Security Strategy’, Council of The European Union, 2003, accessed 21 October 2010, <<http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>>

<sup>54</sup> Stubb A ‘The first post-080808 diagnose, Speech at the annual meeting of heads of missions’, 2008, accessed 21 October 2010, <<http://www.alexstubb.com/en/publication/18/?item=390>>



## CERPESC ANALYSES

region, and provided them with a considerable amount of support, but were not committed to deal with the local tensions until it became a greater threat to Europe herself. The strategy claims that political solutions should be the main method to settle regional conflicts, but one can not neglect the military instruments either, they might prove to be useful and more effective in the post conflict phase.

- Building security in our neighbourhood—The paper identifies the Eastern neighbours of the European Union as countries that should be lead towards the way of good governance. However it also mentions the enlargement in this context, which might be misleading or at least interpreted in different ways. Is the EU stating that with extending the benefits of economic and political cooperation to the neighbouring countries, it aims for a future round of enlargement? Or is it only for creating a safe and stabile environment on our borders? At the end of this section the EU is calling for a stronger and more active engagement into the problems of the Southern Caucasus.

- An international order based on effective multilateralism—This point expresses the high hopes of the EU towards international organisations, regimes and treaties in dealing with threats to international peace and security, however their hopes seems to be shattered. During the crisis in Georgia it became obvious that the missions of both the UN, and the OSCE failed to fulfil its duties.—The strategy even names the OSCE as an organization with ‘particular significance’ for the European Union.—The integrity of post war borders stated in the Helsinki Act of 1975 got bypassed easily and without any serious consequences. The ceasefire agreement brokered by Sarkozy in August 2008 is still not implemented perfectly. One of the closing thoughts in the Strategy absolutely fits the events of the autumn of 2008.

*‘...countries should rejoin the international community, and the EU should be ready to provide assistance. Those who are unwilling to do so should understand that there is a price to be paid, including in their relationship with the European Union.’*

What does it mean exactly to be outside of the international community? Does not breaking the rules of international society kick you out of the group? Or if it does, then where are the consequences? Especially the one mentioned above—a price to be paid...in their relationship with the EU. If I recall correctly Europe tried to ‘threaten’ Moscow with terminating ongoing negotiations, but at the end of the day, they backed out.

Finally the strategy concludes with stating that preventive measures would help to avoid more serious problems in the future. One should take their own advice to the heart.

Five years later the Council reviewed the implementation of the ESS in a report called “Providing security in a changing world<sup>55</sup>”. Taking into account that it was published in December 2008, four months after the crisis in Georgia, one would think that some of the new experiences got incorporated in it. Without a doubt the events of August left their mark on this evaluation.

It starts with declaring the principles of sovereignty, independence and territorial integrity of states and the peaceful settlement of disputes once again. It argues that the military means cannot be tolerated to be used or threatened with to solve territorial issues. But actually with stating that the ‘implementation of the ESS remains work in progress’, they admit that they were not fully able to follow the instructions of the strategy envisioned.

During those five years the EU launched the European Neighbourhood Policy, which they claim

<sup>55</sup> ‘Report on the Implementation of the European Security Strategy, Providing Security in a Changing World’, Council of The European Union, S407/08, 2008, accessed 21 October 2010, <[http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressdata/EN/reports/104630.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/reports/104630.pdf)>

## CERPESC ANALYSES

to support the process of developing the bordering countries. In the paper they express their concerns over the conflicts of the eastern neighbourhood, mentioning Georgia in particular. About the events of August, the document recalls the leading role of the EU in the international response, the attempt to mediate between the parties, the humanitarian aid and financial support they provided, and the deployment of a civilian monitoring mission.

### *What is the definition of a monitoring mission?*

Regarding the EUMM Georgia one should take a peek into the Concept for EU Monitoring Missions, endorsed by the PSC in 2003. It defines the MM as a

*‘...generic tool for conflict prevention/resolution and/or crisis management and/or peace-building that consists of a mission whose primary activity is to observe, monitor and report to the sending organisation on the general political and security situation in the host country or in relation to a specific agreement. Other important potential roles may include e.g. contribution in confidence building among former disputing parties, either directly or indirectly, low level conflict resolution and de-escalation assistance, facilitating contacts between civil society and government and/or disputants etc*<sup>56</sup>’

According to the document, “monitoring” means that these missions lack coercive deterrent capacity, tend not to have inspection authority, and are not involved in implementing programmes. They have to be objective, reactive, rather than proactive. Their main function is to collect and feed information to the sending institution. These Missions should also fit the role of “deterrence by presence”. They are planned to be flexible, their tasks might

change over time, with the developing of the situation on the ground.

The deployment of a monitoring mission is by nature not without prerequisites. The host country/ the UN or an authority must invite the EU, and the conditions have to be agreed upon in advance. Besides, the deployment conditions concerning immunity and privileges are regulated in the initial agreements. The mission is also need to have a mandate with clear definition of its tasks and objective, the geographic area of operation, and a time limit. Monitors are normally unarmed so they need some level of security guaranteed as well.

Among the numerous conditions, there is one concerning the staff too. It has to be trained and provided with a complete job description. The structure of the mission depends on its size, type and expected duration. Furthermore the MM has to develop procedures for the standard operation and for reporting too. The Concept also mentions an advance party, which could be deployed with a fact-finding function in rapid deployment situations.

### *The definition of an EUSR*

The EU Special Representatives are an instrument of CFSP. According to Giovanni Grevi<sup>57</sup> the first Special Envoys were deployed in 1996, but the practice of their appointment was only formalised one year later in the Treaty of Amsterdam. These Special Advisors are appointed to assist the sending institution either regularly or for a period of time.

The present regulation can be found in Article 18.5 of the TEU. After several interviews with various institutions—the Policy Unit, The Council Secretariat, the HR and representatives of the

<sup>56</sup> ‘Concept for EU Monitoring Missions’, Council of The European Union, 14536/03, 2003, accessed 21 October 2010, <[http://www.eulex-kosovo.eu/training/material/docs/esdp/consilium/Concept\\_for\\_EU\\_Monitoring\\_missions.pdf](http://www.eulex-kosovo.eu/training/material/docs/esdp/consilium/Concept_for_EU_Monitoring_missions.pdf)>

<sup>57</sup> Grevi G ‘Pioneering EU Foreign Policy, the EU Special Representatives’, Chaillot Paper Nr. 106, EU-ISS, 2007, accessed 21 October 2010, <<http://www.iss.europa.eu/uploads/media/cha106.pdf>>

# CERPESC ANALYSES

Presidency—the HR recommends a candidate. Then, taking into consideration of the opinion of the Political and Security Committee, the Council has the responsibility to appoint them and issue their mandate in Joint Actions. On 17 November 2003 the Council adopted Guidelines on the appointment, mandate and financing for EUSRs.

However in a recent publication<sup>58</sup> of DG EXPO Policy Department they argued that although the role of the Special Envoys developed on an ad hoc basis, now under the Lisbon Treaty the reporting and management falls under the HR. With the creation of EEAS and the new EU delegations to third countries, the designation of EUSRs is to be reconsidered. The paper suggests that the special envoys should be reserved for ‘extraordinary diplomatic initiatives by the Union where shuttle-diplomacy is envisioned, and primarily for the purposes of conflict resolution.’ While the mandate of the Head of Delegation is extended, the existing EUSRs should be phased out as their mandate is expiring. According to euobserver.com<sup>59</sup>, the contracts of the envoys dealing with Macedonia, the Middle East, Moldova and the South Caucasus was extended for only six months and then their work was handed over to local EU embassies.

## Conclusion

During my research on the topic I got an overview about the activity of the European Union related to Georgia. If we see it as a process, we can say that it is developing constantly, however, following the events of August 2008, it shows a significant change not only in quantity but in quality as well.

The first years of engagement were ranging from humanitarian aid and capacity building to economic cooperation, but, as described by Dov Lynch<sup>60</sup>, the EU’s political profile remained restrained. Then the five-day war made it inevitable for Europe to use its security policy-instruments, developed during its history.

The August war revealed the incompetency of the European security system. It was not capable of preventing an armed conflict, what is more not even responding to it in time, at least not properly. The EU should have engaged in the region earlier with a closer political involvement, either in 2004, or in 2006, when Georgia was almost begging for it. But no. The EU turned its back on a conflict-stricken country. It missed the chance of conflict prevention, which is one of the strengths of its instruments in CSDP. At the same time the conflict management/resolution capabilities of the Union are still limited.

The events also made the EU change its attitude towards the region, and improve its conflict-resolution capacities. Beforehand, even if we count with the European Security Strategy from 2003, Stephen Blank claims that ‘The EU has clearly

<sup>58</sup> ‘Strengthening the EU’s external representation: the role of the European external actions service’, Directorate-General for External Policies of The Union, 2010, accessed 21 October 2010,

<<http://tepsa.be/Whitman%20Strengthening%20the%20EU%20external%20representation.pdf>>

<sup>59</sup> Rettman A ‘Four EU Special Envoys facing the Chop’, euobserver.com, 2010, accessed 21 October 2010,

<<http://euobserver.com/?aid=30433>>

<sup>60</sup> Lynch D ‘Why Georgia Matters’, in Chaillot Paper Nr. 86, EU-ISS, 2006, accessed 21 October 2010,

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## CERPESC ANALYSES

lacked a strategy towards the region «if by strategy we mean a coherent relationship between ends and means, there is no EU strategy in the Caucasus» and has rather been led by events<sup>61</sup>. There was still hope that it would change when the EEAS starts to operate, although the removal of the well-known and recognised EUSR for the region did not seem to point towards that direction. Abkhaz Prime Minister Sergei Shamba was quoted on [globalsecurity.org](http://globalsecurity.org)<sup>62</sup> saying that ‘in the event that the post of special EU representative for the South Caucasus is abolished, Abkhazia will not consent to continue those talks with EU representatives based in Georgia.’ It still does not really show the sign of a coherent and farseeing strategy.

The announcement of “engagement without recognition” by the EU did not foster the discussions in Geneva. In my opinion, it is a big mistake to have an unshakeable position, as one of the Co-Chairs. However as an international partner of Georgia it cannot accept the change of borders by force as Russia attempted. Nicu Popescu argues<sup>63</sup> that these de-facto states, while yearning for their independence from Georgia, are growing closer to Russia time to time. They are giving away their sovereignty step by step, and eventually become an integral part of Russia.

One could recall the case of Kosovo, arguing that Russia just acted as the NATO back then, on the basis of the right for self-determination. In the interview (referred to on page 12) Zoran Thaler reminded that ‘Sometimes we need to choose between the right to self-determination and the right to untouchable borders, territorial integrity.’ Do we? It should be a tough choice to make. No one can have less or more right to any of these. On the surface Russia is seen as the one chose the former and the EU the latter. Right or wrong? It is hard to

decide. Although something is clear: the international talks on the “status” of South Ossetia and Abkhazia are shipwrecked. These regions cannot be convinced by the present bids, and at the same time Russia provides them with almost everything they are asking for.

Some say that with a regime-change some of the objections from Abkhazia and South Ossetia might be gone, but as long as the Georgians elect Saakashvili, no attempt should be made from ‘outside’ to overthrow him in any way. On the other hand Georgia would never agree to get deprived from her rightful territories. So the EU should work out a solution with the current set-up, without losing face as a moderator and at the same time as a guardian angel of principles.

The European Union cannot forget that dealing with conflicts in Georgia means acting in the claimed “sphere of influence” of Russia. Handling Moscow makes the conflict resolution much more difficult. As mentioned earlier, there is no real strategy for the South Caucasus. The same goes for Russia as well. Announcing that some of her actions are not acceptable and then begging for her to quit the evil-doings is not a respond. If there are no consequences, or let me go further: sanctions, it will not stop Moscow. We are living in a world of economical inter-dependence, but exactly that should be the reason not to let any state disregard international laws.

A stricter approach is inevitable to move forward, but in order to have a say that counts, the EU should have the means behind it. The pledge to the principle of non-use of force is really charming—do not misunderstand me, it is important—, but then at least use the power of economy to restrain countries from ignoring the rules of interna-

<sup>61</sup> Blank, S 2009, ‘From Neglect to Duress: The West and the Georgian Crisis Before the 2008 War’, in *The Guns of August 2008, Russia’s War in Georgia*, eds Svante E. Cornell & Frederick Starr, M. E. Sharpe New York, pp. 104–121.

<sup>62</sup> ‘Abkhazia ‘temporary suspends’ participation in Geneva Talks’, RFE/RL, [globalsecurity.org](http://globalsecurity.org), 2010, accessed 21 October 2010, <<http://www.globalsecurity.org/military/library/news/2010/06/mil-100625-rferl08.htm>>

<sup>63</sup> Popescu N ‘The end of “de-facto states”’, *Neighbourhood*, 2009, accessed 21 October 2010, <<http://blogs.euobserver.com/popescu/2009/07/13/the-end-of-de-facto-states/>>



# CERPESC ANALYSES

tional society. The same applies for Abkhazia and South Ossetia, but in an inverse way. The EU should use its assets more accurately to make them reconsider their standpoint. An economically developed, rich Georgia, with a stable foreign policy background and with open doors towards these regions could be more tempting, than Russia, with the perspective of taking over them.

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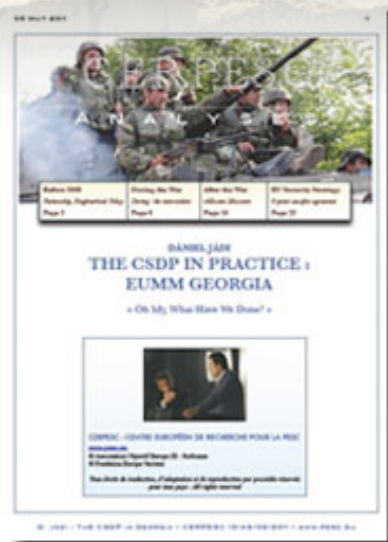
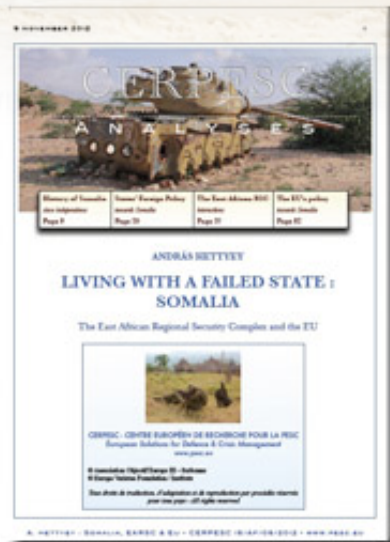
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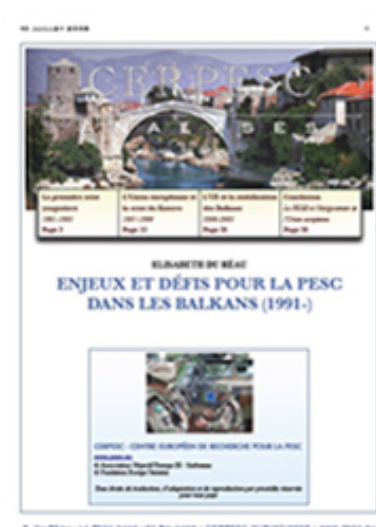
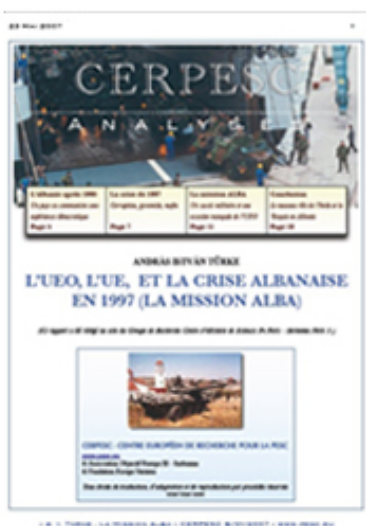
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## Abstract

*My paper is focusing on the Common Security and Defence Policy of the European Union in practice in the light of its relations to Georgia. The first chapter meant to provide information on the policies, institutions, and instruments that bond together Georgia and the EU. It is divided into three sub-sections by the time of events.*

*There is no doubt, that the initial relations are not quite engagements through the system of CSDP, but they are determining factors in the course of the deepening EU-involvement. The second chapter concentrates on the official description of some of the main instruments in use, the security strategy of the EU, and its implementation in the case of Georgia.*

*I have always been critical and sceptic, I have never believed the formal, or should I say political announcements about how awesome ones are. So I decided to look into the reasons why the European Union made up its mind to step up, and how far it went, what it has achieved. From the start I was looking for weak points, and contradictions between reality and rhetoric. I should say the effectiveness of the EU-administration of the CSDP still has a lot to go.*



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13/AS/02/2011

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### Editor-in-chief

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Europa Varietas Foundation (Hungary)  
1135 Budapest, Szent László út 15. 5. em. 8,  
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ISSN 2073-5634