

**THE EUROPEAN UNION'S NEIGHBOURHOOD
POLICY AND CIVILIAN CRISIS MANAGEMENT: A CASE
STUDY OF BOSNIA-HERZEGOVINA AND GEORGIA**

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Date:21.07.2017

DECLARATION

I declare that the thesis entitled “The European Union’s Neighbourhood Policy and Civilian Crisis Management: A Case Study of Bosnia- Herzegovina and Georgia” submitted by me for the award of the degree of Doctor of Philosophy of Jawaharlal Nehru University is my own work. The thesis has not been submitted for any other degree of this University or any other university.

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ABSTRACT

The conflict that broke out after the disintegration of Yugoslavia acted as a catalyst for the EU to streamline its role as an international security actor. The Yugoslav crisis further revealed the institutional weaknesses of the Common Foreign and Security Policy of the European Union (CFSP) of the European Union established by the Treaty of Maastricht. The EU was unable to garner a coherent response to the Balkan Wars, and it was only after the UN intervention along the US diplomacy that efforts towards establishing peace gained momentum. The creation of European Security and Defence Policy (ESDP) at the St Malo Summit in 1998 which gave the EU competence in the spheres of civilian and military means. The US invasion of Iraq In 2003 became a turning point on the EU's position as a global actor. As a response to the divisions in Europe over the Iraq War, the EU launched the European Security Strategy in 2003 entitled, "A Secure Europe in a Better World-European Security Strategy" which represented a proactive European approach to the current security risks rather a European approach which was 'reactive without a strategy'

One of the objectives of ESS acknowledges that the process of enlargement is bringing the European Union (EU) closer to 'conflict areas' in its neighbourhood. This policy of extensive enlargement has transformed EU borders and redefined its neighbourhood. As such, establishing security and good governance in the new neighbourhood is a prerequisite for the EU. The European Neighbourhood Policy (ENP) launched in 2004 is the EU's primary instrument for achieving stability in its immediate surroundings, which includes the eastern, as well as its southern neighbours. From a security perspective, the neighbourhood is perceived through an approach that aims at creating a ring of security around the Union, and at the same transforming the neighbours into politically and economically stable units.

Based on the geopolitics of soft power that the EU applies as a strategic tool in its foreign policy, the ENP, on the one hand, allows for securitisation, which means the prevention of political and

economic destabilisation and political confrontation and on the other hand a politics of assistance and dialogue. In 2004 the EU launched its ENP which asserts that the EU wants to promote “stability, security and well-being for all” in its neighbourhood.

With the development of ESDP, the EU aspired to settle the conflicts in its neighbourhood not only by the military means but also through civilian mechanisms. The ENP as a foreign policy instrument is ‘civilian’ regarding the means of cooperation without the use of force. With the European Neighbourhood Policy (ENP), EU now emerged as a foreign policy actor acting beyond the discourse of accession/non-accession and adding a security dimension in its relationship with its neighbours. The involvement of the EU in its neighbourhood is the consequence of its mandate to promote regional security. The ENP has been devised as a specific action plan for each designated area. Civilian Crisis Management (CCM) is a novel idea of the European Union and an inherent part of this neighbourhood policy. The EU has marked its expertise in CCM by moving away from the traditional approach to security while addressing issues of ethnic conflict and other specified threats such terrorism and trans-border criminality. The EU principally endeavours to maintain peace and security in its neighbourhood and beyond; therefore it fundamentally views security in a comprehensive sense, and aspects of security have to be considered as fundamental to the whole policy framework of the EU. The objectives of stability and prosperity are designed to be achieved through political and economic development. The thesis examines how the EU has entailed the security dimension within the ENP and has used CCM mechanisms in the neighbouring regions of Bosnia and Herzegovina (BiH) and Georgia.

To settle the conflict in the neighbourhood, the EU launched its first CCM mission in the BiH named, The European Union Police Mission (EUPM). The EUPM in BiH is part of a broader effort undertaken by the EU to strengthen the rule of law by the police mission in the country. EUPM, the first mission under the CSDP, was launched on 1 January 2003 for an initial period of three years, with the objective of “monitoring, mentoring, and inspecting of police structures”. Upon the invitation of the BiH authorities, the EUPM continued its mission with modified mandates and size until 30 June 2012.

The EU also committed to helping Georgia move closer to international and European standards. To this end, the EU has stated its willingness to assist Georgia through the full range of its instruments and policies, and in particular to step up its engagement in the field of the rule of law. In this context, the EU launched an EU Rule of Law mission to Georgia named EUJUST THEMIS under the ESDP on 16 July 2004. It has achieved its main aims and has completed its tasks and therefore finished its work on 14 July 2005. EUJUST THEMIS is a clear expression of the EU's commitment at a crucial stage of the Georgian reform process and an effective contribution to current efforts for the benefit of Rule of Law in Georgia. This should also be seen in the context of the EU's invitation to Georgia to participate in the ENP which is a significant step forward in the Union's engagement with Georgia.

The European Union Monitoring Mission (EUMM) launched in 2008 after the Russia –Georgia war in 2008. The EUMM in Georgia was an unarmed and autonomous CCM mission. The EUMM had a mandate of stabilisation, normalisation and information provisions regarding with an objective of finding a political solution to the conflict. The rationale for the ESDP mission must be considered both as a protection towards Russian influence, and also to protect the EU's energy interests and to strengthen European security.

The EU Missions in Bosnia and Georgia are part of its objective of being perceived as an “active, coherent, and capable EU committed to changing the regional and global security order, ensuring the multipolarity through the promotion of European normative values of democracy, the rule of law, and ensuring a guarantee of human rights”.

Security and crisis management in the neighbourhood is one of the main priorities stated in the EUGS. The EUGS thus entails improved mechanisms for the ENP as a long term engagement policy with the EU neighbours in line. With the ENP review of 2015 which calls for increasing cooperation on security-related matters and ensures that overall engagement is conflict-sensitive and fully compliant with international law, including international human rights law.

The current turmoil in East and South were the drivers behind the review of ENP in 2015. The renewed ENP explicitly outlines issues such as regional stability, security and controlled migration. The renewed ENP also calls for active engagement of member states and a renewed

focus on stepping up work with partners countries in the security sector, mainly in the areas of conflict prevention, counter-terrorism and anti-radicalisation policies.

Dedicated To,

My Grandmother

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CONTENTS

List of Figures & Tables	i
List of Abbreviations	ii-v
Preface	vi-viii
Chapter 1: Introduction	1-26
Situating the Concept of Security	
Security after the cold war	
The European Union as a Security Actor	
The European Union's Quest for a Security Identity	
The European Union's transformation: from a Civilian Power to a Strategic Player	
<ul style="list-style-type: none">• <i>The Common Foreign and Security Policy (CFSP) of the European Union</i>• <i>The 9/11 impact and changes in EU's security paradigm</i>• <i>European Security after Iraq War</i>	
European Security: From European Security Strategy to European Union Global Strategy	
The European Union and the Neighbourhood	
<ul style="list-style-type: none">• <i>The European Neighbourhood Policy: Providing teeth to the ESS in the Neighbourhood</i>	
Civilian Crisis Management: Securing Europe in a Civilian Way	
Research Framework	
Chapter 2: The European Union's Neighbourhood Policy and Civilian Crisis Management	27-70
How Borders Determine Foreign Policy	
The European Union's Foreign Policy in Cold War (1950 -1990)	
The Evolution of European Security in Post –Cold War Era	
<ul style="list-style-type: none">• <i>9/11 and European Security</i>• <i>Iraq War: European Security between 'Old and New Europe'</i>	
The European Union's Neighbourhood Policy	
<ul style="list-style-type: none">• <i>An overview of the European Union's Neighbourhood Policy</i>• <i>Evolution of the European Union's Policy towards Neighbourhood</i>• <i>Aims of the European Union's Neighbourhood Policy</i>	
Genesis of the European Union's Civilian Crisis Management	
<ul style="list-style-type: none">• <i>Civilian Crisis Management: From Theory to Practice</i>	
Chapter 3: The European Union and the Civilian Crisis Management in Bosnia – Herzegovina	71-110
Understanding the Bosnian conflict	
International Response to the Bosnia- Herzegovina War	

United Nations Engagement in the Bosnia- Herzegovina Crisis

- *Carrington –Cutileiro Mediation*
- *Vance- Owen Plan*
- *Owen-Stoltenberg Plan*

United States of America's Engagement in Bosnia- Herzegovina

- *Fall of Srebrenica and the Failure of UNPROFOR*
- *Washington Framework Agreement*
- *The Contact Group Plan*

United States of America's Intervention and the Road to the Dayton Peace Accord

The European Union's Involvement in Bosnia and Herzegovina

- *From Dayton to European Union Police Mission*
- *The European Union Police Mission in Bosnia and Herzegovina as a tool of Civilian Crisis Management*

The European Union's Police Mission: Shaping of Bosnia's EU Candidacy

Chapter 4: The European Union and the Civilian Crisis Management in Georgia 111-166

Georgia in European Geopolitics

History of the Georgian Conflict

- *The Georgia-Abkhazia Conflict and Negotiations*
- *Conflict in Georgia after the Rose Revolution*

The Five Day War in Georgia

- *What Caused the War between Georgia and Russia?*

Russian Involvement in Georgia

The United States of America's Involvement in Georgia

Role of International Organizations in Georgian Crisis

- *The United Nations*
- *The Organization for Security and Cooperation in Europe*

The European Union's Engagement in Georgia

- *The European Union's Engagement in Georgia: Pre European Neighbourhood Policy:*
- *The European Union's Engagement in Georgia: Post European Neighbourhood Policy*

Georgia and the European Neighbourhood Policy

The European Union's Civilian Crisis Management Mechanism in Georgia

EUJUST THEMIS: The EU Rule of Law Mission in Georgia

- *Location of the Conflict*
- *Impact of the EUJUST THEMIS in Georgia*

EUMM Georgia: The European Union Monitoring Mission in Georgia

- *Interests of the EU in CSDP Mission*
- *Security in the EU Neighbourhood*
- *Evaluating the EUMM*

Chapter 5: Conclusion

167-178

Bosnia – Herzegovina: Addressing the Neighbourhood Challenges and

Development of the EU as a Security Actor
Georgia: Addressing the Neighbourhood Challenges and Developing
the EU's Security Capability
European Neighbourhood Policy and the European Union as a Civilian
Crisis Manager and Security Actor

References

179-214

Annexures:

Annex 1: List of Experts Interviewed and Institution Visited during the
Field Work from 7 January 2016-6 June 2016

Annex 2: ENP Document 2004

Annex 3: Review of ENP 2015

Annex 4: Ongoing EU Missions in the World

LIST OF FIGURES AND TABLES

Figures

1.1. The European Union as a Civilian Crisis Manager under the framework of Neighbourhood Policy	24
2.1: The European Union in Present Global order	45
2.2: ENP Countries	47
3.1: Map of Yugoslavia	72
3.2: Map of Bosnia- Herzegovina	75
4.1: Map of South Caucasus	112
4.2: Map of Georgia	113
4.3: EUMM Personnel presence in Georgian Region	157

Tables

2.1. Conceptualizing security in the ENP in 2004 and 2015	55
2.2. The European Union's Civilian Crisis Management Missions/ Operations	69
2.3. The European Union's Military Missions/ Operations	70
3.1: Ethnic Composition of Bosnia in 1991	74
3.2: Instruments/ Initiatives deployed in Bosnia- Herzegovina in the framework of the EPC/CFSP	93
4.1: U.S. Security Assistance and Training in Georgia (\$ millions)	129
4.2: Action and Interest of different states in Georgia	137
4.3: EU Member States contributing to the EUMM	158

List of Abbreviations

AFSJ	Area of Freedom, Security and Justice
BiH	Bosnia and Herzegovina
BMO	Border Monitoring Operation
BST	Border Support Team
BTC-Baku	Tbilisi Ceyhan
CARDS	Community Assistance for Reconstruction, Development and Stabilization
CCDP	Civilian Capability Development Plan
CCM	Civilian Crisis Management
CCPC	Civil Conduct and Planning Capability
CDU	Croatian Democratic Union
CEECs	Central and Eastern European Countries
CFSP	Common Foreign and Security Policy
CHG	Civilian Headline Goal
CIMIC	Civil-Military Cooperation
CIS	Commonwealth of Independent States
CIVCOM	Civilian Aspects of Crisis Management
CMCO	Civil-Military Coordination
CONOPS	Commission visited Georgia to finalize the mission's Concept of Operations

COREPER	Committee of Permanent Representatives
CRSP	Coalition Readiness Support Program
CSCE	Conference on Security and Cooperation in Europe
CSDP	Common Security and Defence Policy
CSP	Common Strategy Paper
DCFTA	Deep and Comprehensive Free Trade Area
DDR	Disarmament, Democratization and Rehabilitation
DIPR	Directorate for the Implementation of Police Restructuring
DPA	Dayton Peace Agreement/ Accord
EaP	Eastern Partnership
EC	European Community
ECHO	European Commission Humanitarian Office
ECMM	European Community Monitoring Mission
ECSC	European Coal and Steel Community
EDA	European Defence Agency
EDC	European Defence Community
EEA	European Economic Area
EEC	European Economic Community
EFTAns	European Free Trade Association member countries
EIDHR	European Initiative for Democracy and Human Rights
EMP	Euro-Mediterranean Partnership
ENI	European Neighbourhood Instrument

ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EPC	European Political Cooperation
ERRF	European Rapid Reaction Force
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EUAM	European Union Administration of Mostar
EU	European Union
EUFOR	European Union Peacekeeping Force
EUFP	European Union's Foreign Policy
EUGS	European Union Global Strategy
EUJUST	European Union Rule of Law Mission in Georgia Themis
EUMC	European Union Military Committee
EUMM	European Union Monitoring Mission
EUMS	European Union Military Staff
EUPM	European Union Police Mission
EUSR	European Union Special Representative
EWS	Early Warning System
FFM	Fact Finding Mission
FRY	Federal Republic of Yugoslavia
FSP	Food Security Programme
GSSOP	Georgian Sustainment and Stability Operations Program

GTEP	Georgia Train and Equip Programme
HHG	Helsinki Headline Goal
HR	High Representative
ICFY	International Conference on the Former Yugoslavia
ICG	International Crisis Group
ICITAP	The International Criminal Investigative Training Assistance Program
ICTY	International Criminal Tribunal for the former Yugoslavia
IDP	Internally Displaced People
IFOR	Implementation Force
IGC	Intergovernmental Conference
INOGATE	Oil and Gas Transport to Europe
IPA	Instrument for Pre-Accession Assistance
IPTF	International Police Task Force
JAP	Joint Action Plan
JCC	Joint Control Commission
JHA	Justice and Home Affairs
JNA	The Federal Yugoslav Army/Yugoslav Peoples Army
JPKF	Joint Peacekeeping Force
JSAP	Judicial System Assessment Programme
LCY	League of Communist of Yugoslavia
MEPP	Middle East peace process
MFA	Macro Financial Assistance

MoS	Ministry of Security
NAS	Needs Assessment Study
NATO	North Atlantic Treaty Organization
NGOs	Nongovernmental Organizations
NIP	National Indicative Programme
OHR	Office of High Representative
OPLAN	Operational Plan
OSCE	Organization for Security and Cooperation in Europe
PCA	Partnership and Cooperation Agreement
PIC	Peace Implementation Council
PSC	Political and Security Committee
SAA	Stabilisation and Association
SAP	Stabilization and Association Process
SAR	Serb Autonomous Region
SBS	State Border Service
SFOR	Stabilization Force
SIPA	Security institutions such as the State Investigation and Protection Agency
SSR	Security Sector Reforms
SSSG	State Security Services of Georgia
TACIS	Technical Assistance for the Commonwealth of Independent States
TEU	Treaty of European Union

TRACEA	Transport Corridor Europe-Caucasus- Asia
UNDP	United Nations Development Programme
UNHCR	United Nations High Commission for Refugees
UNMIBH	United Nations Police Mission in Bosnia and Herzegovina
UNOMIG	United Nations Observer Mission in Georgia
UNPROFOR	United Nations Protection Force
UNSCR	United Nations Security Council Resolutions
UN	United Nations
USA/ US	United States of America
WEU	Western European Union
WMD	Weapons of Mass Destruction
WW II	World War II

PREFACE

Though the motives behind the creation of the European Union were primarily economic, over the period, it began to acquire political and security dimensions also. The need for an effective EU architecture was felt in particular during the Yugoslav Wars. On account of EU's lack of a security and defence apparatus to and its ineffectiveness in the crisis, it began to be perceived as "economic giant and political dwarf".

In its quest for establishing a security architecture and assert itself more in the international arena, Common Foreign and Security Policy(CFSP) was introduced by The Treaty of Maastricht. At the same time, the Foreign Minister of Luxembourg Jacques Poos claimed that the "Hour of Europe" has come and that EU had the requisite capabilities to deal the crisis in the Balkan Region. In 1992 when the ethnic conflict in Bosnia and Herzegovina(BiH) erupted and disturbed the peace and stability of the Europe, the nascent CFSP failed to respond. The EU's capabilities as an effective regional and international actor came under heavy questioning for its inability to find a solution to the crisis within the European continent. In response to this criticism, the EU enhanced its Security Architecture by formulating then European Security and Defence Policy (ESDP) and also boosting its economic power and presence on the world stage.

9/11 and the Iraq war led the EU towards the articulation of a robust security strategy which besides being capable the new threats like terrorism, which can disturb the peace and stability of the Europe. In response to these threats, the European Security Strategy titled "A Secure Europe in a Better World: European Security Strategy" was formulated in 2003. The ESS recognises; "terrorism, the proliferation of the WMD, Regional Conflicts, state failure and organised crime" as the major security threats. (European Council 2003).

The ESS also calls for establishing security in the European neighbourhood. It is the interest of the EU that the neighbouring countries on its borders are well governed. The neighbouring countries which are engaged in the violent conflict, weak states can provide the fertile ground for the spill over of threats such as organised crime within

the EU's territories. Therefore to ensure the peace and stability in the EU, it is imperative that the European neighbourhood should be secured.

When ethnic wars in BiH, situated in the backyard of the EU broke out, the EU came up with a unique policy of the Civilian Crisis Management(CCM) under the umbrella of the ESDP. The EU launched a CCM mission in the BiH named the European Union Police Mission(EUPM) to stabilise the fragile situation of the BiH.

In 2004, the EU launched the European Neighbourhood Policy (ENP) to tackle threats from the crisis-ridden territories along its borders, i.e. its neighbourhood in the East as well in the South and establishing security, economic stability, democracy and human rights became a prerequisite of European foreign policy. From a security perspective, the EU aims to transform the neighbouring countries into the political and economically stable unit. European Neighbourhood Policy is the major policy instrument through which the EU strives to achieve these objectives. Hence, whereas the ENP was committed to the promotion of political and economic reforms, including democracy, the rule of law and respect for human rights, from the outset establishing security and the stability in the neighbourhood have become the main pillars of the policy. The ESS, 2003 was deeply rooted in the discourse and the practice of the ENP, and it realised the ESS' s security goals in the neighbourhood apart from the ENP's stated objectives at its inception of promotion of the political reforms and democracy. This dimension is also inherent the policy instrument of CCM.

ENP talks about the "securitization" of the neighbourhood which means "prevention of the political and economic destabilisation". The ENP not only talks about the immediate neighbour but also cover the countries are situated far from the geographic bEU borders and has coined the term 'Wider Neighbourhood' for such countries.

After the Eastern Enlargement of 2004, Georgia became important for the EU because of its geostrategic location. Georgia became the part of the ENP in 2006 because of its geostrategic significance. The EU launched the first ever Rule of Law mission under the CCM in Georgia named- 'EUJUST THEMIS'. Before the 2008 Georgian Crisis, the EU involved itself in the Georgia by providing aid in technical, financial and humanitarian form and helping to promote the norms of democracy, the rule of law, and a stable situation free from conflict.

In 2008, after the 'Five Day War' between the Russia and Georgia. EU actively during the crisis Georgia launched its monitoring mission in Georgia named European Union Monitoring Mission(EUMM), to avert a return to armed conflict and establish peace among the conflicting parties.

The Thesis explores how the EU has used the instruments of ENP and CCM as tools of crisis management through examining the case studies of BiH and Georgia. The thesis first examines the changing notions of security in a global context and then studies ENP and the CCM from the security perspective. Then it describes the nature and structure of ENP and then shows how ENP makes use of CCM programme. This chapter also analyses the different policy instruments of CCM within the operational needs of ENP. After that, the thesis assesses EU as a security actor by the evaluating its civilian aspects of crisis management through ENP taking BiH and Georgia as a case study. The thesis explores whether the EU has devised common mechanisms of CCM, or whether the civilian crisis missions are country specific. The main findings of the research are presented in conclusion. A critical analysis of the role of the EU as an effective security actor has been attempted within the given the security dimensions of the ENP and CCM and based on the case studies of the BiH and Georgia.

CHAPTER 1

INTRODUCTION

Situating the Concept of Security

Security is one of the most pivotal concepts in international studies and the definition of this concept has been broadening. Etymologically the term security derives from the Latin word *secures* which connotes ‘liberty from any kind of threats’ (Mesjasz 2004:4). There is no singular definition of security. The traditional definition of security refers to an absence of threats to state within the political and military context. The concept of security has been broadened to include the non-traditional threats which are outside the domain of military threats. Broadened concepts of security move beyond focussing on the state as the centre of research (Ušiak 2014:11). Heurlin, Bertin and Kristensen (2009: 174) identify three different interpretations of the term Security. The first dimension, related to the common parlance of the term connotes a desire to be protected. The second dimensions entail distinct political overtones where security refers actions in political process and structures which provide for the safety of the political unit and can be ensured providing a list of certain incidents in a sphere of ‘high politics’ with defined priorities. The third dimension defines, “security” within a broader framework of “security policy”, “security policy interaction” or “security institutions and structures” in the international relations.

In the study of international relations, security can be situated within three major frameworks, namely national security, international security and human security. While the first two approaches are state-centric, the third approach entails a broader framework and gives primacy to the interests of the individuals or the community over that of the Nation States. According to Wolfers “security, in an objective sense, measures the absence of threats to acquired values, in a subjective sense, the absence of fear that such values will be attacked” (Wolfers 1962: 150).

In the traditional sense, security specifically revolves around the situation of the war and peace and protecting the sovereignty of the Nation State from the risk of armed conflicts and war like situation. Within this framework, security can be viewed as the

nonexistence of any kind of threat or the potential to prevent threat from both within and outside the state border. Traditional conceptualization of security emphasized on threats to sovereignty of the nation states, and the struggle for balance of power. This entailed a study of the military dimensions and security was studied through the prism of inter-state relations (Price 2001:30).

The traditional notion of security relies on the State as primary actor and focuses on the development of military and defence capabilities as their field of action. During the World War II(WWII) , the American Commentator Water Lippman, contended as one of the foremost proponents of the national security posited that,“ A nation has security when it did not have to sacrifice its legitimate interests to avoid war, and is able, if challengd to maintain them by war ... National Security means military power capable of protecting national interests”(Lippmann 1943: 5).This conceptualisation of the term security became the dominant discourse in international politics in an environment where WWII had just finished and the international order was being increasingly marked by the emergence of Cold War between United States of America (USA) and Union of Soviet Socialist Republics (USSR).

In the Cold War era period, the political notion of security was broadened from the domains of defence and military to those in the political, economic and social spheres, although giving primacy to the nation state as the unit of reference. In the cold war the conceptualization of security narrowed down to a largely military focus and main concern was focused on national security. Robert Jervis defined this, “as a situation in which the means by which a state tries to increase its security and decrease the security of others” (Jervis 1978:76).

The focus on defence and military in security states was situated with the Realist theory of international relations. Realism envisages an anarchic international order where states are constantly engaged in a struggle for survival. In the Realist notion of an anarchic international order, states compete to pursue their self-interests.

In the Realist tradition, Baldwin stated that security is an “essentially contested concept” and defined it as a “low probability of damage to acquired values” (Baldwin 1997:5-13). In his seminal work on realism, Hans Morgenthau accorded primacy to national security in the conceptualisation of the term security. According to Morgenthau, “National security must be defined as integrity of the national territory

and its institutions”(Morgenthau 1960). Joshep Nye argued that, “security is achieved once threats to security can be prevented or at least managed” (Nye 1988: 6–8). Katzenstein accepts the influence of Waltz’s neorealist theory in the security studies and argues that “it is the international system the factor that moulds states and defines the possibilities for cooperation and conflict” (Katzenstein 1996:6).

Kenneth Waltz, one of major neo-realist analyst contends that security and not power is the ultimate concern of the state, and a state would be ready to use force for attainment of its goals (Tripp 2013). For Waltz, the international system has three characteristics; first, “absence of central authority, second the differentiation of units (states) and third, change in the system between multipolar and bipolar state system This system is based on the distribution of capabilities of the important states” (Waltz 1979:93-97).

The Realist and Neo-Realist theory came under criticism in the Post-Cold War period and was rendered as obsolete by many analysts as a pluralist international community had developed and anarchy no longer shaped the international behaviour of the state (Lebow 1994). The integration of Europe after the end of bipolar world was in sharp contrast to the tenets of international order posed by the Realists (Dylan 2014:15)

Security after the cold war

The Post Cold era was characterised by an end of conflict and the establishment of a unipolar international order. This new international order marked by cooperating replaced the confrontation and bipolarity of the Cold war period. The concept of security also underwent a change in this new international order.

Traditional conceptions of security as defined in the cold war era were constructed within the framework of military security which resulted in the concept of security dilemma in international relations (Šulović 2010). In the Post-Cold War period, with each crisis emerged a new defining catalyst for the security studies widened Šulović refers to this as a vertical dimension, where the concept has expanded from the exclusively military sphere onto political, economic, societal and environmental sectors.

Beginning with the seminal work of Barry Buzan, the matrix of security studies have both deepened and broadened. According to Buzan, “Security is taken to be about the pursuit of freedom from threat and the ability of states and societies to maintain their independent identity and their functional integrity against forces of change, which they see as hostile. The bottom line of security is survival, but it also reasonably includes a substantial range of concerns about the conditions of existence” (Buzan 1991: 432-433). Buzan identifies the five security sectors that affect the human life and dominate the international politics. These five security sectors are; Military Security, Political Security, Economic Security, Societal Security and Environmental Security(Buzan 1991:19-20).

The security environment in Europe has undergone a significant transformation in the Post-Cold War period. The disintegration of USSR ended the direct military threat to Europe and also altered the perceptions of the EU regarding its role in maintaining security and stability in the continent. The emergence of new threats such as terrorism, proliferation of Weapons of Mass destruction, organised crimes and illegal trafficking have called for an enhanced security architecture. The EU, in order to combat these threats has focussed on a normative approach to security and has laid thrust on regional integration and enlargement towards the Central and East European countries (Balfour and Missiroli 2007:25-27 Manners 2002; Smith 2004).

However, it was in the aftermath of the 9/11 attacks that Europe developed an encompassing structure to security, and set on a path of “ engagement in defining itself as a *sui generis* Security Actor on a global level”(Biscop 2004: 6).

The European Union as a Security Actor

Before an analysis of EU as a global power, it is imperative to define the term “actorness. Toje suggests that in international relations the concept of “actorness is relevant because it captures the EU’s aspiration to become what in international relation jargon is called a “power””(Toje 2008:203). Christopher Hill (1993: 308) posits that “true actorness” necessitate the construction of “a clear identity and self-contained decision-making system.” Another prerequisite of an effective actor according to Hill is its “practical capability to affect policy.” Gunnar Sjosdet (quoted

in Hill: 1993) defines an international actor as one that has autonomous powers of decision making with regards to its policies and laws and possess means such as effective diplomatic channels and capability to negotiate with third parties, through which it can act assertively at international level Toje (2008:204) after examining some of the foremost definitions of actorness concludes that none of the above criterions is absolute and posits that according to these, only the major global powers can be termed as international actor. He posits that actorness cannot be thought of as a “static concept” but as a “yardstick by which the process of change in EU foreign policy (EUFP) can be monitored.” To overcome these criticisms, the paper argues that it would be useful to apply the definitional posited by Bretherton and Vogler. Bretherton and Vogler have devised the notion of thee “behavioural criteria of actorness”, as they argues

The attribution of actorness.....implies an identity that exhibits a degree of autonomy from its external environment, and indeed from its internal constituents, and which is capable of volition or purpose. Hence a minimal behavioural definition of an actor would be an entity that is capable of formulating purposes and making decisions, and thus engaging in some forms of purposive action(Bretherton and Vogler 2006:16-17).

This approach takes not only into account the international profiles of actors but also considers the the rationale and influence of the actions of states or international organisations in the realm of global arena on the basis of purposive actions undertaken by them in the international order.

The EU has developed into a unique actor in international relations as “the conceptual and indeterminate broadening of security had potentially profound implications for the European Community (EC) as an international security actor” (Marsh 2005: 19). Cameron contends that EU through its many foreign policy instruments has been able to achieve international actorness in international affairs. He argues that the EU needs a common approach externally both in terms of ‘soft’ and ‘hard’ instruments in order to have a voice in the world, to enable action internationally and to protect its own security on the continent (Cameron 1999:13-14). Focusing on the EU’s institutional structure and growing military capabilities Longhurst and Zaborowski draw a conclusion that the EU can ultimately become a security actor in International Politics (Longhurst and Zaborowski 2004:390). The EU’s growing military and civilian crisis

management crisis management across the world justify the conclusion of Longhurst and Zaborowski.

Bretherton and Vogler explains the EU's role as a security actor in international relations on the basis of three external policy actions: "a) providing security and stability for the wider Europe, b) counter-terrorism and countering proliferation of WMD, c) external crisis management" (Bretherton and Vogler 2006: 191).

The EU is conceived as a post-modern' actor (Kagan 2002 and Cooper 2003), because in the field of foreign policy it acts on the basis of the cooperation and strengthening its relation with the underdeveloped countries through promoting normative values such as promoting democracy, human rights and good governance. The EU foreign policy although devised to secure its own foreign policy interests in driven more by normative concerns and less by the balance of power and zero sum logic. There is an increased recognition that the EU grapples with the complex security challenges of today' s times, there is an increased recognition that the Union needs to act with greater coherence , not only to counter the security threats, but more so owing to its increased economic power as a trading bloc and in response to the pressures of globalisation.

Interdependency among states is a present feature of the current international order. This entails that security of Europe is contingent upon the security beyond its geographic borders and thus an inward looking Europe is not a viable option in the present international environment. This marks a major strategic departure for the EU and is manifested in Solana document which identifies the multi-dimensional nature of security. The document aptly describes the conditions (such as the threats of local conflicts, the Balkan crisis and the need for effectively deploying peacekeeping forces in the conflict zone) and the need to counter new threats such as those of WMD proliferation, failed states and organized crime which necessitated the formulation of such a defined approach towards European security The vision to build a secure and peaceful continent has led the European countries to remain committed to the norms of democracy; rule of law and to deal peacefully with dispute by means of cooperation within the framework of multilateralism.

The European Union's Quest for a Security Identity

The EUFP has emerged as a major mechanism for constructing the Union's global identity as an effective and competent security actor. The primary instrument devised for this purpose is the development of Common Foreign and Security Policy (CFSP). European Commissioner for External Relations, Benita Ferrero-Waldner, remarks that Europe seeks "to reconnect with our citizens' most important concerns – security, stability, prosperity and a stronger EU in the world. We recognize that what our citizens want is results. So we are concentrating on concrete achievements to show that the EU is part of the solution and not part of the problem. And to show that rather than an —old continent, unable to respond today's challenges we've become a relevant dynamic power"(Ferrero-Waldner 2006).

In the 1990s, the EU was subject to criticism from all quarters for its perceived incompetence to take decisive action in conflict zones, both within and outside its borders. However, through a convergence of official pronouncements with the instruments of CFSP and European Security and Defence Policy (ESDP), the EU has been positing itself as a creditable foreign policy actor, and more so a civilian power.

Multifarious EU pillars and actors as envisaged by the Maastricht treaty exerted a significant influence in the shaping and execution of EUFP through a cross pillar structure. Pillar I established EU's competencies in the areas of external trade and international aid. Pillar II contained matters relation to security, and justice and while Pillar III dealt with justice and home affairs issues. The three pillars were merged by the Lisbon treaty to make the European foreign policy most coherent.

One of the foremost priorities for EUFP has been to ensure security and stability in its neighbourhood through establishing a 'ring of security'. This ensures a stable and secure zone in the vicinity of the Union's territories, and at the same time, while simultaneously enhancing its actorness as a foreign policy augments the capabilities of the Union as an influential and visible actor in international arena. European Neighbourhood Policy (ENP) is the primary policy mechanism through which the EU achieves this objective.

The European Union's transformation: from a Civilian Power to a Strategic Player

The EU through its external policy response has formulated the notion of “Civilian Power Europe”. According to Smith (2004:1), the term ‘civilian power Europe’ connotes that EU makes use of non-military means such as economic, diplomatic and cultural policy instruments in the realm of its external action. For Maull, civilian power is characterised by “the acceptance of necessity of cooperation with others in the pursuit of international objectives and a willingness to address critical issues of international management” (Maull 1990: 92-93). This entails non-violent forms of crisis management.

The seminal work of François Duchêne popularized the concept of a Civilian Power, and referred to the European Community as a “civilian group of countries long on economic power and relatively short on armed forces”(Duchêne 1973: 19). He contended that Europe was incapable of defending itself over time and collective management was a prerequisite to undertake common actions inside and outside the EC. However, one of the leading critics of the notion of civilian power Europe was Headly Bull who argued that to overcome its lack of ability to exercise the use of military power, EU should enhance its security capabilities through acquiring conventional as well as nuclear deterrent forces and called for a greater role to be played by major European powers such as UK, Germany, and France, along with increasing security cooperation with the United States (Bull 1982, Manners 2002: 237). This conceptual debate meant that civilian power was perceived as being a pacifist and an alternate approach to that of a military power, the latter entailing the use of force and military means in a conflict situation. (Börzel and Risse 2007: 4).

In the formative stages of the European Community, the onus was on trade and economic cooperation while North Atlantic Treaty Organization (NATO) functioned as the primary organisation that dealt with defence and security related issue. At the inception of the EEC, there was a conspicuous absence of a unified foreign policy, and each Member States pursued its external relations outside of the domain of the EEC. The community's external relations were confined to economic and commercial relations with other states.

The genesis of European Policy Framework can be traced to the European Political Cooperation(EPC) and then the Luxembourg Report drafted by the foreign ministers in the six member countries of the European Coal and Steel Community(ECSC)comprising Belgium, Netherlands, Luxembourg, Germany, Italy, France. The Luxembourg report called for European Community to act in the international arena “ through the exchange of information and regular consultation, greater solidarity through harmonisation of views, conformity of attitudes, and joint action when it appears feasible and desirable” (Vanhoonacker 1992: 28).

It was however in the Post-Cold War era that EU Member States recognised the need for developing a European Strategic culture along with a coherent security mechanism to deal with the emerging threats in the international order. During the Cold War period, EUFP was value laden and based on the principles of effective multilateralism but primarily in the economic domain. The conflict that broke out after the disintegration of Yugoslavia acted as a catalyst for the EU to streamline its role as an international security actor in line with its already established standing as an effective international economic actor. The EU now developed civilian as well as military capabilities as modes of intervention in conflict zones and increase its assertiveness.

The Common Foreign and Security Policy of the European Union

Treaty of Maastricht established the CFSP of the EU, which was an expression of the “EU’s desire to act as a coherent actor on the world stage” (Hwee 2013). The CFSP goals were stated in the Treaty of Maastricht. Article J.I stated that the CFSP was devised with the objective to safeguard the security of the Union and aimed at promoting international peace through the international cooperation, promotion and consolidation of democracy, promoting the rule of law along with ensuring guarantee of the protection of human rights and fundamental freedom (Council/ Commission of European Communities 1992:123). The Treaty of Maastricht provided CFSP with a legal base and strengthened EUFP architecture with new mechanisms, which were non-existence in the EPC.

The provisions of CFSP as envisaged in the Maastricht Treaty incorporated cooperation among Member States in the sphere of security. The Maastricht treaty

states “The Member States shall support the Union’s external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity. They shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations” (Council/Commission of European Communities 1992:124). The goal of a cohesive EU foreign and security policy as stated in the Treaty document entailed reinforcing “the European identity and its independence in order to promote peace, security and progress in Europe and in the world” (Council/ Commission of European Communities 1992:4). Along with a distinct postulation of the EUFP’s objective, Maastricht Treaty also specified the domain of EU’s activities pertaining to security and defence which it could assume in the area of conflict prevention and resolution.

However, the efficiency of CFSP was partly hampered by the disinclination of the Member States to integrate common foreign policy goals with their country specific foreign policy objectives. The principles of coordination appeared only formally on paper, and appeared to be absent in actual policy implementation. There was reluctance among the EU Member States to set up an independent military capability that would boost the CFSP. Moreover the Yugoslav crisis further revealed the institutional weaknesses of the CFSP. The EU was unable to garner a coherent response to the Balkan Wars and it was only after the United Nations (UN) intervention along the USA diplomacy that efforts towards establishing peace gained momentum (Hwee 2013).

It was evident that reforms in the CFSP were needed to reinvigorate the security architecture of EU. The 1999 Treaty of Amsterdam initiated the steps towards this aspects and further developed new instruments. The Treaty gave a greater role to the European Council and gave it decision making powers in matters relating to CFSP. The visibility of the Union in the international affairs was to be increased through the establishment of a High Representative (HR). The primary tasks of this HR for CFSP was specified as helping to formulate, prepare and implement foreign policy decisions. In the domain of security and defence, the most significant development was the incorporation of the Petersberg tasks. The Treaty stated that the EU would cooperate with the Western European Union (WEU), and would set about to entrust itself with undertaking the humanitarian and peacekeeping tasks, including

those that involved the use of combat forces during crisis management (Vaanhoonacker 1997).

Despite the introduction of such changes, the inherent institutional weaknesses of the CFSP remained intact. The changes introduced to the CFSP by Amsterdam Treaty were mainly cosmetic and gave more of the same with a different wrapping, as it still contained no provisions for the creation of autonomous military capabilities. The vital enhancement in EU's Defence architecture was provided by creation of ESDP at the St Malo Summit in 1998 as a resultant of the Franco- British initiative. The ESDP gave the EU competence in the spheres of civilian and military means. The ESDP established a rapid reaction force numbering 60000 with deployment capabilities inside 60 days and being able to function in a conflict zone for a period up to one year. ESDP also established a force of 5000 police officers as civilian crisis management instruments. The ESDP also established key structures with decision making powers such as the Political and Security Committee (PSC), the EU Military Committee (EUMC), and the EU Military Staff (EUMS) (Penska and Mason 2003: 8). Thus a multifaceted approach to EU crisis management was established through the ESDP as the Cologne European Council held in 1999, stated that the EU should have the capabilities of decisive actions regarding the disposal of its instruments – be it political, military, or economic – while formulating its response to any situation of crisis (European Council 1999 a: 1).

Even after the creation of ESDP, the EU continued to be considered primarily as a civilian power as the use of military instruments was not assigned (primacy) and they continued to be used as residual instruments of crisis management as one of the many modes of crisis management (Karen E Smith 2000: 16)

Even with the adoption of European Security Strategy (ESS), there was a “missing link” between EU's ambition for a greater responsibility towards the establishment of international peace and stability and “the practice of CSDP operations and capability development” (Biscop 2010 a :2). The “missing link” could be attributed to the following factors – a lack of consensus among the Member States regarding the tasks which the EU could undertake in the international arena, a lack of specification of the priority regions and scenarios where EU should deploy troops and even be prepared to go to war; and the scale of efforts to devote to these priorities.

The ESDP was renamed as Common Security and Defence Policy (CSDP) as the Lisbon Treaty entered into force on 1 December 2009, the Lisbon Treaty also introduced changes in the civilian and political apparatus of European foreign policy , However, Cheetam (2012) presence of military structures within CFSP cannot be meant to state that the EU has emerged as a military power(Cheetam 2012) and the inclusion of military affairs with CFSP mechanism looks as if it is “bolted on rather than built in” (EUMS Officer 2006, cited in Norheim-Martisen 2007:28).

However, it must be mentioned that Lisbon treaty effectively overcame the shortcomings of ESDP in certain aspects. The scope of Petersberg task were extended to include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks” (Council of the European Union 2007 b:35).

The 9/11 impact and changes in EU’s security paradigm

The 9/11 attack on the World Trade Centre resulted in a broadening of the security studies, and considerably widened the definition of security. This wider approach had an important transformative bearing on the discourse of European Security. In the aftermath of the attack European states undertook a comprehensive analysis of their existing security situation and examined the array of means and mechanisms available at their disposal in the context of new security environment and the changing nature of threats. According to Bono, “since 9/11 there has been a widening, deepening, and 'securitisation' of European Foreign and Security Policy” (Bono 2006). Bossong (2013:39) in a similar vein remarks that there was a “dramatic securitisation of terrorism” by the EU as compared with the past. Subsequent European Council meetings used adjectives such as ‘savage’, ‘barbaric’, and ‘evil’ while referring to the events of 9/11.

Adopting a European arrest warrant, freezing of terrorist assets and curtailing financing were some of the immediate responses of the EU in the aftermath of 9/11 (Penska 2005: 20). European leaders also stressed the need for a response capable of its reach and impact much beyond the EU borders. The Brussels Extraordinary Council of 21 September 2001 stated that “It is by developing the CFSP and by

making the ESDP operational at the earliest opportunity that the Union will be most effective. The fight against the scourge of terrorism will be all the more effective if it is based on an in-depth political dialogue with those countries and regions of the world in which terrorism comes into being” (European Commission 2001 b :5). Thus, EU thus viewed engagement with countries outside the EU fold as an essential means to establish security rather than just relying on internal security mechanisms. The Council further suggested a “coordinated and inter-disciplinary approach embracing all Union policies” in order to step up its action against the threat of terrorism (European Commission 2001 b :3).

Although fissures in the EU still remained with the CFSP support to Operation Enduring Freedom in Afghanistan as Germany, Italy, Ireland and Scandinavian members were concerned at the extent of possible military action (Kartal 2006:27), yet overall the Union was able to display its collective position with regards to the Afghan crisis. Romano Prodi remarked that “At this difficult moment, all Europe stands steadfast with the United States and its coalition allies to pursue the fight against terrorism. This is a moment for unity We are united, and will remain united, in this struggle against those who attack the very foundations of civilization” (European Commission 2001 d).

The EU’s support to US forces and its role in Operation enduring freedom showed that the EU was able to maintain its collective position established after 9/11. The EU’s role also showed signs of it establishing a common European identity based on norms of democracy promotion and fight against terrorism.

European Security after Iraq War

The US invasion of Iraq in 2003 reflected that although there was a fundamental agreement between Europe and United States regarding threat assessment, there was a difference of opinion in how to manage the threats. On the question of support to US invasion of Iraq, Europe was divided into three groups. France and Germany led the opposition to US invasion, and received support of Belgium and Luxembourg. On 22 January 2003, France and Germany publicly declared that a war in Iraq had to be prevented (The Guardian 2003). The second group that emerged extended its support

to the Iraq War. This group not only had countries such as Britain, Italy, Denmark, Portugal and Spain – countries with a maritime background, but also included practically all the States of Central and Eastern Europe. The third groups of countries were those that pursued a transatlantic oriented foreign policy, but did not agree with the legality of the Iraq invasion.

The idea of a division between Europe further gained ground with US Defence Secretary Donald Rumsfeld's terminology of Old Europe and New Europe (Huldt 2005: 41). According to this distinction, 'Old Europe' was inward-oriented in its global outlook and lacked an understanding of the new challenges such as terrorism and as to how such challenges should be dealt with. On the other hand, the 'New Europe' a product of the Post-Cold War was willing to confront new dangers side by side with the United States. Rumsfeld remarked that Germany and France represented "old Europe while the New Europe represented by the East European nations was the new gravitational centre of European security which was willing to cooperate with the US"(Rumsfeld 2003). According to Baker, Rumsfeld remarks highlighted the significant difference in the security outlook between the 'Older; European Members of NATO, namely the Western European States and the New Member States of Eastern Europe, (Baker 2003).

A divided EU during the Iraq War was also viewed as a 'significant invalidation of the rationale that led to the creation of the CFSP'(Zannini 2007). This could be attributed to three reasons: First, Member States did not want to surrender their sovereignty in the domain of external affairs. Second, the supranational decision making structures were characterised by weak institutionalisation. Third, Transatlantic relations continued to condition EU's role as an international actor, but primarily on account of the longstanding ambivalence of the US towards EU (Zannini 2007). However, a significant effect of this divide was the initiation of debate regarding the nature of security architecture and strategic culture in the EU.

Sangiovanni (2003: 195-196) suggested that "There is a growing sense among Europeans that if they wish to seriously influence US policy, they can do so only by building greater military capabilities". The hypothetical categorisation of EU into Old Europe –New Europe also initiated a debate regarding EU's creditability as an international actor. A senior European diplomat remarked in June 2003

It is not fashionable to say it but the war in Iraq concentrated our minds. It showed that the EU had zero influence if its member-states do not pull together. It showed too why we had to set our strategic objectives (cited in Everts and Koehane 2003).

There were varying motivations for the initiation of such a debate. While some states wanted a distinct European policy as an alternate to US policy, others wanted to protect the Trans-Atlantic partnership. However, the significant aspect was that this led to the initiation of a debate pertaining to the contours of a European strategic culture which was explained by the (Biscop 2004: 10), much beyond the scope of EU's engagement in the Iraq War.

European Security: From European Security Strategy to European Union Global Strategy

The ESS was papered to cover the cracks between the EU member states, which were resulted from the debate between the member states over the US whether invasion in Iraq. Through the implementation of the ESS in 2003 that the EU set out its strategic objectives more comprehensively than any other point of time till then in its history. The ESS represented a response to the divisions in Europe over the Iraq War. On 2-3 May 2003, Foreign Ministers of the EU Member States met informally at Kastellorizo on the Greek island of Rhodes. France, Germany and Britain pushed the idea of a mandate to Javier Solana to formulate a 'European Security Strategy'. On June 19-20, Solana presented his first draft at the Thessalonica European Council. This draft was subsequently discussed in three subsequent Councils at Rome, Paris and Stockholm. On 12 December 2003, the European Council met in Brussels and adopted the final document titled "*A Secure Europe in a Better World-European Security Strategy*"

In its introduction, the 2003 ESS states that "Europe should be ready to share in the responsibility for global security and in building a better world" (European Council 2003). The strategy comprises of three chapters. The first chapter assesses the security scenario, the second chapter outlines the strategic policy goals of the EU and the third and the concluding chapter assess the policy implications for the EU. The ESS identifies five key interconnected threats: "Terrorism" which has acquired global dimensions and is linked to religious extremism"; Europe "is both a target and a base

for such terrorism”; “Proliferation of Weapons of Mass Destruction which is “potentially the greatest threat to our security”; “Regional conflicts:, both within and outside European borders, including those in the neighbourhood which “European interests directly and indirectly” and which “can lead to extremism, terrorism and state failure”; “ State failure severely undermining global governance and adding to regional instability””; and ‘Organised crime; linked with terrorism and “often associated with weak or failing states”; Organised crime has thus an “important external dimension” such as that of “cross-border trafficking of drugs, women, illegal immigrants and weapons” (European Council 2003).

With the launch of the ESS, there was a paradigm change in the manner in which the EU perceived itself as a global actor and represented a proactive European approach to the current security risks rather a European approach which was ‘reactive without a strategy’. The ESS further developed CFSP by reducing European foreign policy’s capability redundancies (NATO Parliamentary Assembly 2004).

The EU, albeit in a narrower sense defined itself as a global actor

on the grounds that its international political influence was based on the existence of a system of effective multilateral institutions and accepted norms and principles that were worth preserving ... and staked a multi-dimensional, global claim

(Bendiek and Kaim 2015:2).

In December 2007, Solana was asked to review the implementation of the ESS since 2003. His report entitled “Providing Security in a changing world” was presented to the European Council in December 2008. This was a pivotal period in EUFP mechanisms as the largest ESDP missions were sent in Georgia and Kosovo. In 2008, the EU also sent a maritime mission to counter the menace of sea piracy in Somalia. The 2008 ESS was not a revision of the 2003 document, but rather broadened the threat spectrum to include cyber security, climate change, and pandemics. The 2008 review of the ESS called for an increased cooperation among member states to strengthen the security community (Fitzerald 2015). European Council explains the ESS 2008 as a policy

To ensure our security and meet the expectations of our citizens, we must be ready to shape events. That means becoming more strategic in our thinking, and more effective and visible around the world. We are most successful when we operate in a timely and coherent manner, backed by the right capabilities and sustained public support (European Council 2008).

Bendiek and Kaim(2015) remark that since the adoption of the ESS in 2003, and its subsequent review in 2008 there has been a change in the foreign and security challenges for the Union within the changing strategic coordinates. They identify five major changes: First, there has been a weakening of the multilateral institutions as represented by the rise of ISIS and the Russian annexation of Crimea. Second, contours of conflicts are clearly conspicuous in EUFP goals. For example, the EU imposed sanctions on Russia over its role in Ukraine, but at the same time wanted Russian support in the nuclear talks with Iran. Third, US in the aftermath of its experiences in Afghanistan and Iraq has become more selective and the EU is now required to play a more proactive role, particularly in its neighbourhood. Fourth, there has been a ‘re-nationalisation of European external policy ... as some EU states are cooperating with other Member States but outside the realm of the CFSP. Fifth, the rise of emerging powers such as China coupled with an inward looking US entails that EU must look for new partners and international organizations to realize its foreign policy goals. Sixth, on account of weakening of internal cohesion among European states attributed to factors such as debt crisis and refugee issue, there has also been a rise in alternative strategic alliances outside the EU domain.

Within this strategic environment, the EU HR Federica Mogherini presented the European Union Global Strategy (EUGS) before the EU leaders at the Brussels summit on 28 June 2016. The Global Strategy calls for an “outward- and forward-looking European foreign and security policy”. The Global Strategy outlines five priorities to be pursued by the EU. First, it stresses the need the Union’s internal security, identifies security issue and makes a distinction between old and new forms of threat. The second priority focuses on devising EU policy with respect to conflict situation in the neighbourhood which also includes dealing with the migrant and refugee crisis. The third priority calls for formulating an integrated EU approach to conflict. The fourth priority calls for supporting and maintaining a regional order in Europe. The fifth priority calls for conducting EU’s action within a multilateral international order (Frontini 2016).

The EUGS represents the growing ambition of the EU to be perceived as a global security actor by increasing its visibility. Federica Mogherini remarks that, “A fragile world calls for a more confident and responsible European Union ... with the strength to contribute to peace and security in our region and in the whole world”(European Commission 2016).The EUGS can be considered as an instrument that gives more teeth and empowers the CFSP, and has the potential to augment the institutional capabilities of the CSDP.

The European Union and the Neighbourhood

One of the main priorities of the EUFP has been to establish a ring of security in its neighbourhood in the aftermath of disintegration of Union of Soviet Socialist Republics (USSR) and fall of communism. Post-Communist States of Central and Eastern European Countries (CEECs) are now being viewed as allies towards building a strategic European culture, partly as a bulwark against Russian influence. A revamped ENP is being used as an instrument to achieve the means.

The EUGS 2016 lays an emphasis on focusing on security in the Europe’s immediate neighbourhood in the East and South as well as the surrounding regions, referred to as Europe’s near abroad. Establishing robust relationship with the CEECs has been reflected in EUFP through engagement with them through the Strategic Partnerships. The EUGS thus entails improved mechanisms for the ENP as a long term engagement policy with the EU neighbours in line with the ENP review of 2015 which calls for increasing cooperation with respect to security issues and to ensure that such engagement with neighbours is in line with the established international legal and humanitarian norms (European Commission 2015 b: 4).

The next section examines how the dimensions of security are addressed within the framework of the ENP.

The European Neighbourhood Policy: Providing teeth to the ESS in the Neighbourhood

The ENP is a manifestation of the soft power strategic tool which serves the dual objective of maintaining political and economic stability in the European neighbourhood as well as establishing security in such regions (Biscop 2010 b). In 2004 the European Union launched the ENP with the objective of promoting stability and security in the European neighbourhood. ENP's vision involves, "a ring of countries, sharing the EU's fundamental values and objectives, drawn into an increasingly close relationship, going beyond cooperation to involve a significant measure of economic and political integration. This will bring enormous gains to all involved in terms of increased stability, security and well-being" (European Commission 2004 a:4).The EU has established itself as the security actor in the neighbourhood while the evolution of ENP can be attributed to economic factors. In recent years the nature of the ENP has been fundamentally driven by security considerations, especially of the states that lie on the EU's external border. As such the ENP aims to provide a security net along the external borders of the EU.

From a security perspective, the neighbourhood is perceived through an approach that aims at creating a ring of security around the Union, and at the same transforming the neighbours into politically and economically stable units. This in the ENP's outlook would create a necessary 'buffer zone' or 'functioning semi-periphery' between EU and troubled areas that lie further in the East and the South. Popescu and Wilson (2011) comments that EU is encircled with conflict zones that impact European security and in order to fulfil its objective for a secure neighbourhood, it is essential for the EU to establish a ring of well-governed, prosperous and democratic states and to prevent conflicts in its neighbourhood.

As the internal and external dimensions of security are inextricably linked, EU security architecture in the Post-Cold War period focuses on maintaining stability in the European neighbourhood as well. The ESS states the prevention of conflict and maintaining security in the European neighbourhood as one of its major objectives. The ESS aims at ensuring the security of such countries in the European neighbourhood which are engaged in violent conflict and pose security problems for the continent. The stability of neighbouring regions in the Balkans and therefore

Bosnia and Herzegovina (BiH) are essential for the establishing the stability and security of the EU. It can be concluded that, security as a strategic objective is the main catalyst in the working of the ENP.

The ENP aims to stabilize the less developed around EU borders and thereby enhance the EU security (Isaacs 2007: 38). It has however been asserted that the policy relies heavily on soft instruments such as incentives (carrots) over the hard instruments of sanctions (sticks)(Barbé and Nogués, 2008). Lynch identifies the five security challenges arise for the ENP namely: interdependence, complexity, openness, recalcitrant neighbours and, actions and will power (Lynch 2005: 35-36). These challenges highlight the approach of the EU towards conflict resolution as a policy maker on the ground. Gänzle further examines ENP as a major instrument for managing crisis and preventing neighbourhood and posits that ENP as a tool of the crisis management and conflict prevention cannot function in a political vacuum, and has to coordinate its functioning with the other international security actors like NATO, US and Russia(Gänzle 2007). The EU is not cohesive and coherent actor. The ENP became more effective if the EU became more cohesive inn applying the conditionality. For instance the less consistency doesn't mean that the EU can't act together, member state has their own particular interests they priorities the stability over democracy. So, the inconsistency of the ENP arises from the agreement among the member states that the stability is more important than democracy (Börzel 2016)¹.

The ENP was reviewed in 2015.The current turmoil in Eastern and Southern neighbouring nations of the EU were the drivers behind this review. The ENP as envisaged in its original form initially focused on the economic dimensions, “putting the technical cart before the political horse”. Even when the component of security was introduced in ENP, it was just a soft security approach unable to respond effectively to a resurgent Russia willing to use force (O’Sullivan 2016:2). The renewed ENP explicitly outlines issues such as regional stability, security and controlled migration. Johannes Hahn, ENP and Enlargement Negotiations Commissioner (2015) remarks that “our most pressing challenge is the stabilisation of our neighbourhood Conflicts, terrorism and radicalization that threatens us all”.

¹.This Point was mentioned by the Professor Tanja Börzel in a personal interview held on 19 April 2016 in Berlin.

The renewed ENP also calls for active engagement of member states and a renewed “focus on stepping up work with partners countries in the security sector, mainly in the areas of conflict-prevention, counter-terrorism and anti-radicalisation policies. Safe and legal mobility on the one hand and tackling irregular migration, human trafficking and smuggling on the other are further priorities” (European Commission 2015 b).

The 2015 ENP review exhibits the tenets of the realist international order. Rather than envisaging a neighbourhood with preconceived normative structures, the ENP review calls for extending cooperation with the neighbouring states.

According to EU High Representative/Vice President Federica Mogherini

This is precisely the purpose of the current review of the ENP which will promote our common values and interests, and will also engage partners in increased cooperation in security matters. The measures set out today seek to find ways to strengthen together the resilience of our and our partners’ societies, and our ability to effectively work together on our common purposes (European Commission 2015 b).

Dworkin and Weeslaw remark that “new ENP is more transactional than transformative. It explicitly says that the EU cannot solve many challenges in the region and our leverage is limited. This is a welcome and necessary adjustment to current realities”(Dworkin and Weeslaw 2015).

Civilian Crisis Management: Securing Europe in a Civilian Way

With the development of ESDP, the EU aspired to settle the conflicts in its neighbourhood not only by the military means but also through the use of civilian mechanisms. The ENP as a foreign policy instrument is ‘civilian’ in terms of the means of cooperation without use of force. With the ENP, the EU now emerged as a foreign policy actor acting beyond the discourse of accession/non-accession and added a security dimension in its relationship with its neighbours. The involvement of the EU in its neighbourhood is the consequence of its mandate to promote regional security. The ENP has been devised as a specific action plan for each designated area. The Civilian Crisis Management (CCM) is an inherent part of this neighbourhood policy.

The involvement of EU in its neighbourhood can thus also be viewed within the context of its CCM missions. Such civilian intervention missions are aimed at establishing stability, and promoting the rule of law, thereby leading to a restructuring of the security sector in the crisis-laden countries. The EU principally endeavours to keep its neighbourhood secure and promotes stability in the economic, political as well as the security dimension.

Therefore, aspects of security have to be considered as intrinsic to the whole policy framework of the EU. It has been aptly posited that

The EU is indeed a security actor with a unique combination of tools at its disposal, including both civilian and military crisis management tools. The CCM missions represent one of the tools used by the EU on a regular basis. We can identify a clear recent trend towards EU deployment of more demanding civilian ESDP missions – operating in a high-risk environment, performing executive tasks, advising on the complex restructuring of the security sector in third countries and engaging in long-term commitments (Khol 2010:5).

This unique idea of CCM certainly create the space for the EU as a global actor which is not always welcomed because sometimes it comes with the normative agenda and at the same time it also has some interests . In spite of being a regional actor the EU wanted to become much more a global actor because it has global interests. And to protect their interest the EU sometimes launched its mission in the Pirates of the Coast of Somalia (Wolf 2016)².

Research Framework

The undertaken research explores the security dimension of the ENP and in this context examines the effectiveness of policy instruments of the CCM with respect to the operational needs of the ENP. Drawing upon the case studies of EU's engagement in the BiH and Georgia, the research examines whether the CCM missions show a linear pattern or differ in their scope and magnitude depending upon the nature of specific conflict. Drawing upon the above questions the research tests the following two hypotheses:

i) By promoting normative values like peace, democracy, rights and rule of law in its neighbourhood through the ENP, the EU is projecting itself as a security actor.

² This Point was mentioned by the Professor Stefan Wolff in a personal interview held on 12 May 2016 in Brussels.

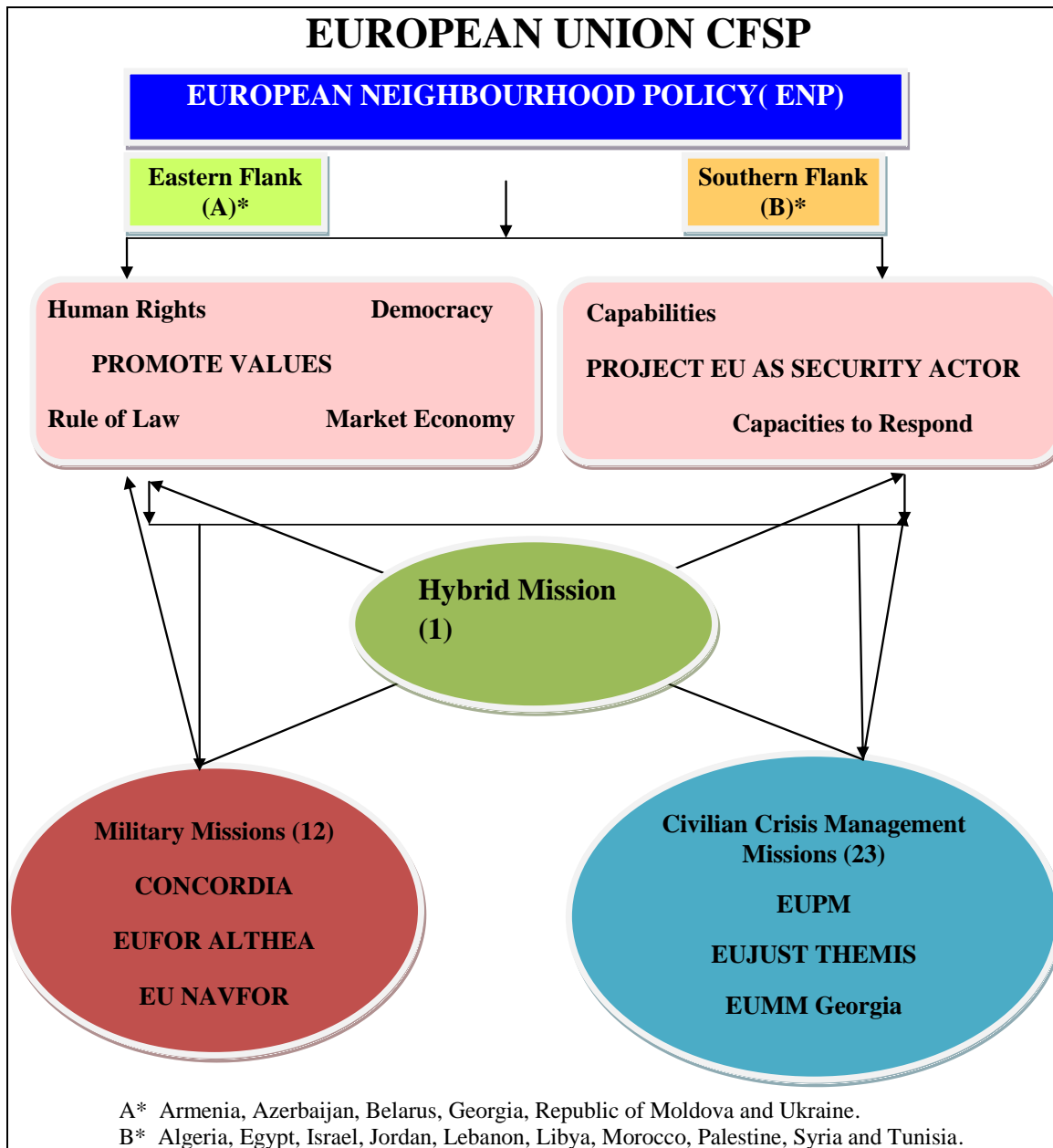
ii) The EU's Civilian Crisis Management mechanism as a major policy instrument to address the security challenges in the European neighbourhood is different in BiH and Georgia, as BiH an accession country, while Georgia is case of the non-accession ENP.

Through examining the EU's CCM, the research aims to analyses and identifies possible policy co-ordination between CSDP and EU's CCM policies, instruments and capabilities. The thesis analyses the overall understanding of the EU's civilian capability development process and highlights the main challenges it faces at the EU as well as member state level. A study of the EU's CCM will throw light on how the EU formulates responses to crisis situation and this will be helpful in addressing future crisis and devising the right policy mechanism, thereby preserving peace, preventing conflict and strengthening the European as well as global security.

The research takes BiH and Georgia as case studies and has discussed the CCM actions in both countries under the ENP. Conflicts in BiH, situated in the immediate neighborhood of the EU pose a direct security threats to the EU. In the initial years when the crisis took place in the BiH, the newly formed CFSP was not able to respond effectively. Almost a decade later the strengthened CFSP gave a window of opportunity to EU to become a security actor in the BiH

Georgia, a South Caucasus country has been taken as as another case study to test the EU's CCM capabilities in the neighbourhood. Although the EU's involvement in the Georgia was from 1990's, the EU became assertive with the launch of the EUJUST Themis mission, first ever rule of law mission in the post-Soviet space to settle the bad jurisdiction and the rule of law situation. The EU was vyiing for regional hegemony vis-a-vis with Russia through getting involved in the Georgian crisis.

Figure 1.1: The European Union as a Civilian Crisis Manager under the Framework of Neighbourhood Policy



Source: This figure is developed by the researcher with discussion of the supervisor.

These two case study countries have different nature of conflict and have a different geopolitical importance for the EU , which gives the EU an opportunity to use different kind of the EU CCM mechanism to stabilise the neighbourhood.

Data are collected from the main primary sources like EU Commission Documents, EU Council Reports and EU Parliament legislations, United Nations Security Council Resolutions (UNSCR) and International Crisis Group (ICG) Reports. Secondary sources include books, articles published in academic journals, newspapers, media reports and conference proceedings on issues dealing with the ESDP and the ESS that describes the capabilities of the EU to as a security actor CCM of the EU and also that focus on the ENP and the action plans with reference to BiH and Georgia.

Apart from refereeing to the primary documents and secondary literature, the research has also incorporated the interviews that were conducted with the EU officials, policy experts and the academicians. The interviews were conducted during the course of field work in Belgium and Germany undertaken between 7 January to 6 June 2016. During the field work, visits were made to university libraries, EU Institutions and various think-tanks (Annexure 1) and wide ranging discussions were conducted with experts from different fields with regard to the dynamics influencing the actual implementation of EU policies and decisions. The interviews held at Brussels helped in providing a deep insight into the working of the EU institutions. The interviews contributed towards comprehending the very crucial member state perspective that influences EUFP and other significant aspects relating to the ENP and CCM in BiH and Georgia.

The research is divided into five chapters. The introductory chapter of the thesis has examines the changing notions of security in a global context. The chapter states the main research problem, themes and main concepts to be used in the study and then using the tenets of realism discussed the security dimension of the ENP. The second chapter describes the nature and structure of ENP and then shows how ENP makes use of CCM programme. This chapter also analyses the different policy instruments of CCM with respect to ENP. It shows the effectiveness of the civilian aspects of crisis management with operational needs of ENP. The third chapter describes the main features of the CCM programme of the EU along its evolution. The chapter then asses the EU as a security actor through evaluating of its action with respect to use of

civilian aspects of crisis management through ENP. The chapter takes BiH as a case study. The fourth chapter analyses the CCM mechanism of the EU with Georgia as a case study. The chapter then analyses whether the EU has devised a common mechanisms of CCM, or whether the civilian crisis missions are country specific. The concluding chapter presents the finding of the research on the basis of the undertaken case studies of the BiH and Georgia in the context of ENP and CCM.

CHAPTER 2

THE EUROPEAN UNION'S NEIGHBOURHOOD POLICY AND CIVILIAN CRISIS MANAGEMENT

How Borders Determine Foreign Policy

A key factor determining the foreign policy of a state is the regional environment within which it is situated. Modelski (1962:7) defines foreign policy as “the system of activities evolved by communities for changing the behaviour of other states and for adjusting their own activities to the international environment”. This definition entails that foreign policy is contingent upon the situational changes in the global as well as regional environment. States invest a great deal in establishing close relations with their neighbours, and for the achievement of this objective strive for influencing the neighbour’s behaviour in a manner that it consolidates the state’s security from threats, i.e. establishing safe borders and minimizing the risk of aggression from their neighbours. As Paasi argues (2012: 2307), an analysis of how a state functions is inextricably linked to a study of borders and thus: “(...) how borders can be exploited to both mobilize and fix territory, security, identities, emotions and memories, and various forms of national socialization”. The relation of a State with its neighbours is inextricably linked with the notion of collective security. Political communities prioritise the security challenges emanating from the immediate neighbourhood (Balamir- Coskun 2009: 413).

Establishing security in the EU has been intrinsically linked with the security threats posed at its borders, and the security perimeter of the EU has extended into the territory of neighbouring States. According to Dannreuther (2004:1), EU’s engagement with the neighbouring countries has become a distinct feature of Europe’s foreign and security policy and this marks a clear shift from the EUFP in the Cold War period. EU has conceived the European neighbourhood as a geographic unit and has sought to view this geographical entity as “concentric circle” within the ambit of European foreign policy by extending economic and security cooperation” (Zielonka 2006). The “concentric circle” comprises the EU neighbouring countries in pre accession period, but whose integration within the fold of the Union is seen as a future possibility. The policy of engaging with the neighbouring countries through

security and economic cooperation and offering them a prospect of accession in the Union is in discursive contrast to the other EU policies that strengthen the notion of “Fortress Europe”.

EUFP in the post-Cold War period characterised by withdrawal of Soviet power and the orientation of US policy interests away from Europe has focussed largely on meeting the security challenges springing from “Europe’s periphery” and the need for an effective crisis management strategies in these regions. These peripheries are located in three regions. The first region is that of Eastern Europe, where EU is involved in a competition with Russia to establish itself as a major regional player through the strengthening of strategic alliances with the Post-Communist States. The second region where EU has exerted its presence through establishing itself as a security actor is that of the Southern Caucasus. The region has been characterised by unresolved or what is termed as frozen conflict, which has resulted in political and economic instability and also poses security threat. The EUFP in Armenia, Georgia and Azerbaijan has been established in the wake of competing roles by other regional and global players. The third neighbouring region is the Mediterranean where the EU has been striving to establish cordial relations with Mediterranean countries in order to ensure that the external borders of the EU remain secure. Geopolitical and geo-economic presence of the EU in these neighbouring regions has also been influenced by the presence of major global players. The Euro-Mediterranean Partnership (EMP) is the most important policy articulation with regards to the EU’s relation with the countries in the Mediterranean. However, EU’s engagement with this region has been going on even before the Post-Cold War global order came into being.

The ENP is the major foreign policy tool of the EU for establishing relations with its neighbouring countries. The “Wider Europe” Communication in 2003 introduced the major dimensions of the ENP and the policy acquired a concrete shape in 2007. The objectives of the ENP were to help the partner countries achieve economic growth, rule of law, political stability and establishing democratic norms. These were sought to be achieved through economic partnerships and through cooperation in the security sector with the neighbouring countries of the East and South. The ENP includes those countries that are geographically neighbours of the EU but with no prospects for accession: ten Mediterranean countries (Algeria, Egypt, Jordan, Israel, Lebanon, Libya, Morocco, Palestinian Authority, Syria and Tunisia) along with six countries

situated on the Eastern borders of the EU (Armenia, Azerbaijan, Georgia, Belarus, Moldova and Ukraine).

The next section examines in detail the factors that have shaped the contours of EUFP in the Post-Cold War era but before that it is imperative to briefly state the characteristics and determinants of EUFP during the Cold War period.

The European Union's Foreign Policy in Cold War (1950 -1990)

After World War II, Europe faced security challenges on two main counts: first, pertaining to the question of German disarmament and stop the German arms machine, and second, to stop the expansion of the Soviet Union's influence in the European Continent (Ulusoy 2003:8). The above mentioned security concerns were pivotal for initiating 'European Union' integration. The Marshall Plan in June conceived by the US in 1947 along with the Soviet takeover of Czechoslovakia in February 1948 majorly transformed the European security situation. The German 'problem' was forgotten and the Soviet 'threat' gained primacy in discourse on European security (Howorth 2014:6).

In the Post-Cold War, the European security institutionalization was the result of both externalization and internationalization. At the external level, Europe looked towards USA to block the Soviet expansion which gave the birth to a deterrent, military power and realist actor NATO (Cook 1989). At the internal level, European security architecture was characterized by the supranational construction of European Defence Community (EDC) (Fursdon 1980:40, Dedman 1996:70-92). However, there was reluctance among some European nations, especially France and UK to share their sovereignty, defence and security with the purely European institutional arrangement EDC.

The European states fulfilled 1948's Brussels Treaty commitments by the formation of the European Coal and Steel Community (ECSC), the first supranational institution and the precursor of the EU. Jean Monnet the architect of the ECSC convinced US President Dwight Eisenhower of the advantages of a European Army. This proposal was supported by USA and the NATO Council (Lindley-French 2007:25). However, in 1954, the internalized security institutional structure of EDC failed to materialize

because of the French fears that the EDC would severely undermine and even threaten French national sovereignty (Sodardo 1970).

Around the same time, under the British diplomatic pressure, the security dimension of the Brussels Treaty was absorbed by the modified Brussels Treaty of 1954, called as Paris Agreement. As a result of this agreement, in 1954, Germany and Italy joined the WEU and in 1955 both these countries joined NATO (Lindley-French 2007: 27).

Since its inception, the WEU was dependent on NATO in defence matters. According to Article IV of the WEU, “the Council and its Agency will rely upon the appropriate military authorities of NATO for information and advice on military matters” (Western European Union 1954:5, Bloed and Wessel 1994:3). Despite the formation of West European Union (WEU) as a collective security organization, it was ineffective primarily on the account of reluctance of Member States to cooperate with a transnational body on matters on defence and security. Most Member States tended to view their security and defence policy mainly as their internal matter. This severely halted the formation of a collective European security organization as the mandate of WEU did not include cooperation in the sectors of defence and security but talked of other issues pertinent to European integration.

The WEU proved to be too limited militarily and too unwieldy and ineffectual politically and institutionally to take on the challenges of the post-Cold War world (Howorth 2014: 160-67).

In this period, NATO assumed the role of the primary security actor. The rise of the Berlin Wall in 1961, 1956 Soviet invasion of Hungary, the 1962 Cuban Missile Crisis and the 1968 crisis in Czechoslovakia gave NATO a powerful position and showed that NATO was indispensable for protecting the security interests of the West.

However, there was still a lack of coordination among Member States of the European Community over cooperation in security policy. Europeans were also never satisfied with the NATO institutional arrangements (Freedman 1980). During the Suez Crisis in 1956, Europeans became very critical about the limitations set in with the transatlantic agreement. During the Suez crisis, it was seen that UK and France exercised a limited assertiveness in global affairs and extensively relied on US support. Europeans wanted to come out from this external dependency on the USA in

terms of security and defence but due to the presence of the Soviet threat they were not able to guarantee their own security without NATO's umbrella.

It was in the 1980's that EC began to contemplate on an '*Internalized Europeanist*' set of security Institutions (Howarth 2014:7). This was on account of three major developments; US President Ronald Regan's unilateral decision over the abolition of the nuclear war without consulting their European Allies, the success of the Single European Act (SEA) in harmonizing the various aspect of the EUPF initiatives, and the result of the 'Gorbachev Phenomenon' (Grachev 2008).

The first phase of developing the *Internalized Europeanist* set of security institution was between 1983 -87 in which the EC renewed the WEU. In October 1987, 'Platform of The Hague' meeting took place and the WEU boldly declared that "we are convinced that the construction of an integrated Europe will remain incomplete as long as it does not include security and defence" (WEU 1988: 37).

The Evolution of European Security in Post-Cold War Era

The end of the Cold War also led to rethinking of the role of Europe as a regional and international actor. During the Cold War period, the European Community played a passive role as a security actor in the Trans-Atlantic partnership while the US was the dominant player. In the domain of security, the actions of European Community were within the ambit of US umbrella. The Post-Cold War phase was characterized by the disintegration of USSR and crumbling of Communism in Eastern Europe. The German reunification after the fall of the Berlin Wall, and the Balkan wars presented the European Community with an opportunity to assert itself as an effective security actor.

The early 90s, marked by an absence of Soviet Communist bloc, was a period of realignment of the balance of power. US President George Bush referred to this phase as the commencement of a "new world order". Fukuyama famously referred to this phase as the "end of history", where the Western liberal democratic political system and a market economy model had emerged as the winner in the bipolar ideological conflict with the Communist bloc led by USSR According to Gilpin, EU now perceived for itself a role in the international order (Gilpin 1981).Nye

(2000:52)quoted that EU's actions were in consonance with the tenets of the balance of the power of power theory where the EU presented itself alternate global actor to that of US.

Events that happened within as well as outside European continent led the European Community to reassess its role towards its contribution in global as well as regional security. Outside of the continent, the Gulf War precipitated by Iraq's invasion of Kuwait in 1990-91, was one such event. The Gulf War "offered an occasion for the western allies to face the 'threat of uncertainty' deriving from 'the end of history'" (Kavalski 2005: 104). Although US led Trans-Atlantic Alliance played the major security role, there were clear signs that Europe was now striving for a greater strategic role in the global security affairs. These entailed the restructuring of the European security framework, and an expansion of the scope of foreign and security policy of the European Community, articulated beyond European borders (Taft 1951). The new threats provided the impetus to the EU leadership for a consolidation of a European Common Foreign and Security policy under the Treaty of Maastricht. The site of its signing, the Dutch town of Maastricht has now entered the political lexicon as the intricacies of European institutions become the very stuff of international relations at Maastricht. WEU had a considerable influence on the EU's CFSP, launched under the Treaty of Maastricht (1992). In Maastricht Treaty, the WEU was acknowledged as the key agency for the harmonization of the security policy prior to CFSP (European Council 1992). The CFSP manifested EU's ambition to present it as a major global and regional security provider.

It was the crisis in the EC's neighbourhood that set in formation a series of events which led to the EU acquiring instruments and mechanisms in the quest to claim itself as an effective security actor. The crisis was set in motion by wars in the Balkan. The period between 1991 and 1995 saw the return of war to Europe, in a series of conflicts that led to a widespread destruction of property and life. The war had a catastrophic toll with almost 140,000 lives lost, and was the costliest since the destruction caused during Second World War (Hanhimäki 2012: 133).

The disintegration of Yugoslavia, caused because of aggressive Serb nationalism, and precipitated by the declaration of independence of Slovenia and Croatia ignited a period of ethnic conflict in the region. The initial confrontation began with the armed

clashes with the Yugoslav Federal Army in Slovenia. The crisis witnessed a quick reaction from EC, which called on Slovakia to suspend its declaration of independence. EC also called for a ceasefire, which resulted in the suspension of hostilities, albeit temporary. The EC viewed these developments as a successful assertion of it as a security actor. Jacques Poos, Luxembourg's Foreign Minister called it an "hour of Europe" (Riding 1991). In a similar vein, the Italian Foreign Minister Gianni De stated that "From our point of view, it a good sign for the future of political union. When a situation becomes delicate, the Community is able to act as a political entity" (Wintz 2006: 70).

However, the agreement proved fragile and conflict resumed. The EC threatened to end the aid of Yugoslavia and also to recognize the independence of Slovenia and Croatia. The EC then came out with the 'Common Declaration on the Peaceful Declaration of the Yugoslav Crisis' known as the Brioni Declaration which called upon all parties to refrain from violence. The declaration was accepted but not signed by the various parties in Yugoslavia.

The EC's response in Yugoslavia crisis was limited on account of an absence of consensus among the key Member States. Germany and Italy called for recognizing the independence of Slovenia and Croatia, while France, Greece, and Spain were reluctant to support their independence. The French wanted to maintain their traditional ties with Serbia, while Greece feared a conflict with an independent Macedonia. Spain had apprehensions that Catalan and Basque regions may assert their independence. Moreover, the scope of the Brioni declaration was vague regarding the application of its terms to Croatia. The EC contemplated the possibility of setting up of an observer mission to Croatia, but Yugoslavia resisted the same. There was also no consensus reached regarded the setting of a European peacekeeping force. Although the EC agreed to extend the observer mission to Croatia, and to enhance the support personnel, it was of no avail as pro-Serbian forces in Croatia did not permit EC observers to enter the conflict-ridden regions. The EC then declared that there was "nothing more" it could do in Yugoslavia. Efforts by the WEU and Conference on Security and Cooperation in Europe (CSCE) also did not materialize as the ministers of EC did not endorse the idea of an armed peacekeeping force in the wake of war in Yugoslavia. It was not until 1995 with the US Dayton Peace Agreements (DPA) that the fight ended.

Despite the DPA, the Bosnian War and later the violence in Kosovo marked the continuity of armed conflict on the European continent. The fact that Europe was unable to send 40000 to 50000 troops in Kosovo when EU Member States combined had 1.5 million troops combined highlighted EU's failure to play a proactive role during the conflict and put an end to the genocide. It was a clear manifestation that the "hour of Europe" had yet to arrive. Moreover, an effective European response to the crisis was also limited by the lack of coordination among international actors such as CSCE and NATO.³

It was the non-intervention of EU during the Kosovo crisis which led to the soul searching among EU leaders regarding its role as a security actor. According to Giegerich (2006: 54), "these crises provide an insight into how to react in this post-Cold War era: first, the crises showed the limitations of the military power of each EU Member State making them increasingly dependent on the US; second, the use of force has proven to be an efficient part of foreign policy and an effective crisis management tool as demonstrated in Iraq, Balkans, and Kosovo; and third, EU Member States realized that the US may not remain as a reliable partner in solving European crises". To effectively address the challenges of a new strategic environment after the crisis, the EU developed institutional foreign and security policy.

The realities of the crises in the backyard of Europe and the inabilities of EU Member States to act in 1998 in Kosovo played an axiomatic role in first institutionalization and second, materialization of the desire to make the EU a global security actor. After the Kosovo imbroglio, UK stressed upon building a self-reliant military capacity within the Union and to foster a common European policy on defence and security (Biscop 2005: 8). There was also a perception that NATO would disappear in the absence of a coherent European security and defence policy. There were also concerns allayed by European leaders that US investment in defence may gradually recede if the Trans-Atlantic security and defence alliance was devoid of clear goals. These factors were vital for UK under Tony Blair to adopt a common European policy on defence and security. As argued by Howorth(2014:53), "had the UK not been

³ . For example, NATO required that its intervention was to be called upon official CSCE request, but as CSCE foreign ministers failed to act, NATO ended up seeking for a UN-out-of-area mandate and was not ready to undertake peacekeeping operations until 1992.

convinced that the Alliance was in serious trouble, ‘we [the British] would not have touched Saint Malo with a bargepole’” . The Saint Malo Declaration was an important development towards a common European security and defence policy as it laid out the instrument of intervention for peacekeeping and crisis-management missions envisaged by the CSDP. The Saint Malo declaration called for the Union to develop “capacity for autonomous action, backed up by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crises” (European Council 2000 b).

The Amsterdam Treaty of 1997 incorporated external border controls, asylum, immigration, and the prevention and combating of crime within the scope of European Foreign Policy (European Council 1997). Earlier, at Tampere (Finland), in October 1997, an EU Area of Freedom, Security and Justice (AFSJ) was created and the underlying rationale for this was the concerns for the Union’s external border security.

The 1999 Cologne European Council called for the Union to “assume its responsibilities regarding a common European policy on security and defence” (European Council 1999 a). The contours of a common European Security and Defence policy were further outlined in the Helsinki European Council in 1999 which outlined the Helsinki goals. The Helsinki goals set an objective of having an operational military capacity, by 2003, to deploy within 60 days and to sustain for at least one year 50,000 to 60,000 military personnel capable of undertaking the full range of Petersberg Tasks. This objective became known as the Helsinki Headline Goal (HHG). A decision was also taken to establish new political and military bodies and structures within the Council to enable the EU to guarantee the necessary political guidance and strategic direction of such operations (European Council 1999 b). The Helsinki goals also established a standing PSC, a Military Committee, and a Military Staff. As a provisional measure, EU leaders established an interim Political and Security Committee, which comprised military representatives of member states’ chiefs of defence, a detachment of military experts from member states to supplement the ESDP and to form the core of the future Military Staff. The EU leaders also called on the European Commission to create a civilian rapid reaction facility and pledged to devote particular attention to developing the competence in crisis management: deployability, sustainability, interoperability, flexibility, mobility, survivability, and

command and control. The European Council also expressed its will to develop 'appropriate arrangements' for consultation and co-operation with NATO and affirmed the principle of full consultation, co-operation, and transparency between the EU and NATO, as well as necessary dialogue, consultation, and co-operation with non-EU European members of NATO (European Council 1999 b).

At the November 2000 Capabilities Commitment Conference in Brussels, EU defence ministers committed for the creation of European Rapid Reaction Force (ERRF). The Member States committed themselves, on a voluntary basis, to making national contributions corresponding to rapid reaction capabilities identified for attaining the Headline Goal. This conference constituted the first stage of the process of reinforcing military capabilities for crisis management by the Union with the purpose of achieving the Headline Goals (European Parliament 2000).

At the European Council in Nice, France, held on December 7 -11, 2000, three new permanent bodies were formed: PSC, the EUMC, and the EUMS (European Council 2000 b). The Presidency Report on ESDP made a proposal to NATO for regular EU-NATO consultation and co-operation. The report also included paragraphs on incorporation of certain WEU functions into the EU, the achievement of the Headline Goal, and of CCM objectives. The Treaty of Nice adopted at this European Council stated

The common foreign and security policy shall include all questions relating to the security of the Union, including the progressive framing of a common defence policy..... The policy of the Union in accordance with this Article shall not prejudice the specific character of the security and defence policy of certain member states and shall respect the obligations of certain member states, which see their common defence realised in the NATO, under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework (European Council 2000 b).

European Security after 9/11

European Security architecture was profoundly impacted by the attacks on World Trade Centre in New York on 11 September 2001. The attacks on the twin towers brought the threat of global terrorism to the attention of the international community. The attack shocked the EU as not only was US its main ally, but also for the fact that

the attack eroded the notion that US as the major global power was not vulnerable to any security threat. In this context, Shearman argues that events like 9/11 entailed a 'sudden shock' and had an impact at both the theoretical as well as the policy level. At the theoretical level, war on terror highlighted that there was a need to formulate new means to counter international conflicts (Shearman and Sussex 2004: 18-24).

9/11 also had an impact on the discourse of security architecture and on the public perception of security threat. Further, the bombings of Madrid, 2004 and London, 2005 highlighted the need for strengthening European security, particularly focusing on a counter terrorism strategy and making mechanisms for the global 'war on terror'. As Sherman and Sussex (2004) explained, "the door was opened for a new debate on the question of how appropriate Europe's existing security system was in order to manage effectively international crises and conflicts and to meet the whole spectrum of new security challenges and threats".

The EU response to the attacks of September 2001 had implications for the role of the EU and for the enhancement of its security capabilities. The EU articulated a non-military response and laid thrust on developing effective crisis management capabilities. The EU now differentiated between internal and external security threats and widened the definition of its security threats. 9/11 led the EU to reevaluate its foreign policy objectives beyond that of trade and development aid and enter into the foray of security cooperation (Boer and Monar 2002).

The attacks on the World Trade Centre reinforced the EU's policy objectives view that a strategy with primarily political and military dimension was not a sufficient policy option and there was a need to for the adoption of a comprehensive response to terrorism as opposed to the US approach of declaring a one-dimensional 'war on terror'. It can be said that 9/11 changed the contours of European foreign policy which now aimed at focused on the root cause of terrorism and eliminating them. 9/11 was thus the catalyst that triggered EU to change it security architecture.

In the Brussels Extraordinary European Council (September 2001) a cross-pillar approach to terrorism was suggested for the first time and it was mentioned that the "EU will step up its action against terrorism through a coordinated and interdisciplinary approach embracing all Union policies". The meeting called for "an in-depth political dialogue with those countries and regions of the world in which

terrorism comes into being” and “the integration of all countries into a fair world system of security, prosperity and improved development” (European Council 2001 a). Its clearest manifestation was the very comprehensive and consistently updated EU Action Plan on Terrorism based on four pillars namely: prevent, protect, pursue and respond (Council of the European Union 2005 b).

The very first response to September 11 was initiated on October 7, 2001 as the US engaged in the so called ‘Operation Enduring Freedom’ against the Taliban regime in Afghanistan. Despite the strong CFSP position of the EU in its initial response to September 11, the Afghan campaign showed the first divisions. The war in Afghanistan was the first case in the post-September 11 period where the durability of the EU’s solidarity in the CFSP began to be questioned due to the tension between the national foreign policies and the collective CFSP. What was significant was that the EU was able to disguise the discomfort among its members and maintained the image of solidarity (Duke 2002:160).

The EU’s response to 9/11 was a first true ‘cross-pillar’ test of the Union’s role as a security actor (Boer and Monar 2002:1). The ‘Table of Measures’ derived from the EU Council presidency ‘road map’ note of December 2001 comprehensively articulated the EU response.

Under the EC ‘first pillar’, the EU has the necessary competence to contribute to addressing social and economic issues, in terms of development aid, in states where terrorist groups may have bases. It also has the competence to address issues relating to terrorist finances and money-laundering. Other powers in this ‘pillar’ can be used in relation to people-movement controls, safety and security relating to transportation systems and general measures in the field of civil protection.

The first pillar called for the creation of ‘rapid reaction mechanism’ as an instrument for crisis management and called for enhancing EU’s competence in security related matters. The second pillar laid thrust on increasing cooperation between the various institutions that formulated policies related to countering terrorism and threats such as arms control. Under this pillar, the EU also put importance on the conditionality clause in establishing relations with those in Middle East and Africa. Primacy was laid upon human rights issues and devising counter terrorism measures. In June 2002, the EU Council declaration called for a “deepening of political dialogue with third

countries to promote the fight against terrorism, including by the promotion of human rights and democracy as well as non-proliferation and arms control, and providing them with appropriate international assistance” (Hillion 2014: 77)

The third pillar entailed mechanisms for judicial and police cooperation along with measures such as creating a European arrest warrant, an anti-terrorist team within Europol and a Eurojust coordinating network.

A major EU response to the challenges of security architecture in the light of the terror threat after 9/11 has been the externalization of EU Justice and Home affairs. The EU has responded to the trans-boundary challenges of organised crime and terrorism, uncontrolled migration through establishing coordination within various security institutions. The external Justice and Home Affairs (JHA) strategy adopted by the Council in 2005 called for assigning a central role for the policies in the justice and home affairs domain (Council of the European Union 2005 b).

The Hague programme (2005-10), aimed to reinforce the EU policies in the areas of migration, asylum and illegal employment both within and beyond EU borders. It states

The security of the EU and its member states has acquired a new urgency, especially in the light of the terrorist attacks in the United States on 11 September 2001 and in Madrid on 11 March 2004. The citizens of Europe rightly expect the European Union, while guaranteeing respect for fundamental freedoms and rights, to take a more effective, joint approach to cross-border problems such as illegal migration, trafficking in and smuggling of human beings, terrorism and organised crime, as well as the prevention thereof...The programme...seeks to respond to the challenge and the expectations of our citizens (Council of the European Union 2004 b).

This implied the need for the Union and its member states to focus on cross-border threats coming from the regions such as the Balkans and at the same time strengthening EU security capabilities on European borders. In addition, the EU perceives engagement with the bordering countries as requisite instrument to sustain, internal security. The EU also emphasized the use of cooperating mechanism for mainstreaming JHA issues within ambit of EU foreign policy.

Further, the impact of the war on terror was significant on the EU's foreign and security policy because the scope of the ESDP was broadened to include fight against

terrorism. It is argued that since 9/11 there has been a widening, deepening and securitisation of the CFSP. The widening is manifested in a wider EU commitment to crisis management and post conflict reconstruction or 'state building'. The deepening is characterized by the emergence of groups of EU countries, at the forefront in tackling diplomatic crisis and more deeply committed to crisis-management and in EU military affairs. It is believed that 9/11 has accelerated the trends towards emergence of a new nexus between what had until the late 90s been considered separate policy domains i.e. internal and external security and security and development (Bono 2006: 14-15).

Iraq War: European Security between 'Old and New Europe'

Apart from the declaration of 'War on Terrorism', US invasion of Iraq also greatly affected the course of EU foreign policy. On 20 March 2003, US invaded Iraq with the backing of 5 EU member states. The Iraq crisis not only highlighted the differences between the EU and the US administration, but also highlighted internal differences between the member states. John Peterson remarks that, "Iraq had been a bitterly divisive issue in both transatlantic and inter-European relations for at least ten years" (Peterson 2004). The difference between the EU and US was related to how to achieve and operationalize security. The EU was reluctant to use the non-coercive options before the use of force. This point was highlighted in the European Council meeting that stated "force should be used only as a last resort" (Council of the European Union 2003 a), while the US wanted to use the military power in Iraq. So it can be said the Iraq War gave a chance to the EU to evaluate the CFSP and challenged the EU's ability to become an influential international actor.

The Member States of the EU were divided over their national interest on the question of Iraq War and displayed a clear picture of the debate 'New Europe' vs. 'Old Europe'. This was in stark opposition to the EU response after terrorist attacks of the 9/11. As Wood (2003:2) states

A 'European' position, an operational Common Foreign and Security Policy, was conspicuously absent. Iraq was a manifestation of pre-existing difficulties in this area. The EU has no shortage of structures,

material resources, or instruments. What was lacking is a basic ingredient that pre-dates international institutions and nation-states.

When the Iraq crisis occurred, EU presidency was held by Greece. The Greek Prime Minister Simitis perceived the crisis as a chance to exhibit the EU's collective decision making abilities. He called to "reinforce common foreign policy and defence and security policy so the European Union can play an even more important role on the international stage" (BBC 2002). Although, the EU presidency tried to get the consensus over the Iraq Crisis and speak up in a one voice, but they was unable to reach the consensus on the threats posed by Iraq and missed the opportunity to respond collectively. The failed CFSP over the Iraq war proved that major fissures existed between its actual capabilities and the expectation (Hill 1993). This capability expectation gap still persisted after 9/11 on three accounts. First, Member States wanted to retain their sovereign policy decision making power. Second, there was an inherent institutional weakness in the decision making structures. Third, EU's policy response to international crisis still remained contingent on the US policy response (Zannini 2007).

The Iraq war showed to the EU the importance of coherence amongst Member States in EU's foreign policy articulation. The crisis also highlighted the importance of the use of military force in conflict situations and also showed the need for the EU to strike a balance between developing its hard and soft power. Menon (2004) argues that the Iraq crisis provided the impetus for the development of effective EU security architecture.

At the same time as the Iraq crisis escalated, the ESDP was becoming functional. The EUPM in BiH marked the first time an ESDP mission was launched, and the manner in which it worked out in its early stages was hailed as a success. This was followed by Operation Concordia in Macedonia and Operation Artemis in Congo. Operation Artemis was significant as it was the first EU Mission launched outside Europe. It was significant that ESDP became an "operational reality" at a time when Member States were in profound conflict over EU's strategy in the Iraq War. By the end of 2003, EU in line with its normative goals agreed on a multilateral UN backed reconstruction aid program (Schimmelfenning and Thomas 2009: 497).

It is significant that 9/11 and the Iraq war led to a re-evaluation and triggered a debate among Member States regarding the contour of EU strategic culture. But divisions still prevailed. While some called for establishing closer trans-Atlantic ties, others called for developing autonomous EU capabilities (Biscop and Coolsaet 2003:18).

It was with the development of the ESS in 2003 that EU began to assert itself as an effective global actor. The origins of ESS can be attributed primarily to three dimensions. First, ESS can be perceived as a critical self-reflective exercise on the part of EU of its role in Yugoslav crisis. Second, ESS can be perceived as a European counterpart to US National Security Strategy. Third, ESS can be seen as an EU mechanism to counter the regional and global security threat (Ellner 2005:223).

According to analysts, the major factor propelling the adopting of ESS was the intra-European crisis over American support to Iraq war. In 2003, the CFSP reached its lowest ebb and as a result ‘fierce recriminations across the Atlantic⁴ as well as between EU member states took place’ (Biscop 2008:5). According to some observers, rift in Europe was an indicator of the fact that Europe was unable to comprehend the current threats. They further questioned EU’s ability to “cope at all with the realities of power and responsibility in a world where ‘the bad guys’ were so remote from and contemptuous of anything like European norms” (Bailes 2005:9).

It was in this context that EU ministers of state met in Kastellorizo on the island of Rhodes on 2-3 May 2003 and entrusted Javier Solana, High Representative of the CFSP with the drafting of a ‘European strategic concept’ and present it before the next European Council. On June 19-20, Solana presented his first draft at the Thessalonica European Council which was later discussed in three subsequent Councils at Rome, Paris and Stockholm (*ibid: 11*). On 12 December 2003, the European Council meeting in Brussels adopted the final document, *A Secure Europe in a Better World-European Security Strategy*.

The ESS reflects upon the current conditions of global security environment. The introduction to the strategy highlights the fact that a Europe “ which has never been so

⁴ On 10th February 2003, Belgium, France and Germany broke the salient procedures introduced by NATO Secretary General, George Robertson to approve the number of US requests the framework of the planned invasion. In the final analysis there were divisions within EU member states on the issue of supporting American action in Iraq. The most vocal supporter of US invasion of Iraq was United Kingdom.

prosperous, so secure nor so free” and which as a “union of 25 states with over 450 million people producing a quarter of the world’s Gross National Product (GNP), and with a wide range of instruments at its disposal..[Is] inevitably a global player”, hence “Europe should be ready to share in the responsibility for global security and in building a better world” (European Council 2003).

The ESS appears more of an ‘inspirational sketch’ (Duke 2004) designed to repair the intra EU divisions that surfaced in the wake of conflicting positions on the support to US attack on Iraq. The ESS intends to show that EU does not want to remain a passive player in the domain of high politics.

The ESS, as mentioned earlier, was drafted in the aftermath of the deep fissures caused within the EU states on the issue of supporting US actions in Iraq. The motivation for the drafting of ESS was provided by the intra-European crisis over Iraq. The member states supportive of US actions in Iraq wanted to convey a message to Washington that the EU heeds concern to the security threats which were apparent by the United States and that the transatlantic alliance is not in a state of rupture. On the other hand, member states opposing US invasion of Iraq were keen to demonstrate to US that though they shared the threat perception of the United State, not essentially the magnitude of the threat, but they do not subscribe to the options adopted by US in tackling with these threats. Besides, there were certain events in mid-2003 that favoured the adoption of the ESS, like the optimism surrounding the drafting of a Constitutional Treaty and also, the positive climate of opinion aroused by Operation Artemis ⁵in Congo (Biscop 2008: 7).

The strategy is divided into three chapters. The first chapter pertains to an assessment of the security environment, the second chapter outlines the strategic objectives of the EU and the third and final chapter assesses the policy implications for the EU. The second chapter outlines the three strategic objectives. Under the heading, ‘Addressing the Threats’, EU initiatives such as European Arrest Warrant, EU non-proliferation policies and EU’s intervention in regional conflicts in Balkans, Afghanistan and Democratic Republic of Congo are mentioned.

⁵ Operation Artemis lasted from 12 June 2003 – 1 September 2003. The significance of the operation lay in the fact that it was for the first time EU had conducted military operations without the use of NATO assets and outside of Europe.

The second objective outlined in the ESS is “Building Security in our Neighbourhood”. It is necessary because in “neighbours where armed conflicts prevail, the state is weak and threats such as organized crime prevail pose a direct security threat for the EU”. The task before the Union is to establish a ring of well governed countries and this ring is seen to include the Balkans, Southern Caucasus and the Mediterranean. This objective can be seen as an attempt by the EU to be an effective regional actor. The EU’s desire to be a effective global power do have implications in the context of its engagement with neighbouring regions where the EU can potentially project itself with the full range of economic, political, diplomatic and military instruments and can most effectively promote its distinctive conception of security. The importance of the immediate neighbourhood for the EU is that it is also the main testing ground for the EU’s claim to have formulated the necessary means to help states achieve political and economic stability driven less by realistic policy tools and mainly through economic cooperation and introducing normative values (Dannreuther2008).

The European Union’s Neighbourhood Policy

As the EU was on course for developing a common defence and security policy, the security scenario also became vulnerable on account on the multitude of crisis stemming along its border in its Eastern and Southern neighbourhood. Apart from armed conflict, the crisis in these regions confronted EU with new security threats like illegal migration, arms and drug trafficking, and human conflict. The EU’s response to the perceived threat from the Eastern neighbourhood, particularly the Post-Communist States was to bring such countries within the ambit of the Union, subject to them fulfilling EU’s conditionality and norms, through which they could sustain their own development and reform.

Fig:2.1 : The European Union in Present Global Order



Source: One World - Nations Online 2017.

The enlargement process moves the EU closer towards the troubled and unstable neighbourhood. In order, to respond these troubled neighbourhood and maintaining peace, stability and prosperity the EU launched the ENP in 2004, which offers everything but institutions.

ENP is the geographical expression of the EUFP which expands over all external relation areas from high to low politics to, trade, and assistance. So, basically it is a gamete where the ENP is present. It is not necessarily a fore pledge policy as such to draw a tool box of instruments which are used to benefit of structuring relations with countries of the other periphery of the unions borders (Blockmans 2016)⁶. In that tool

⁶. This Point was mentioned by the Dr. Steve Blockmans in a personal interview held on 10 May 2016 in Brussels.

box the security instrument is present too. Whether it is rule of law, border management, or police reform

The ENP was formulated to include countries on the Eastern and Southern borders, which were not formal members of the Union, but within the ambit of EU foreign policy. The underlying objective was to prevent the security threats from the borders to enter into Union territories and keep EU borders secure. For the EU promoting rule of law, democracy, human rights and market economy has been recognised as the best way to accomplish peace, stability and security. Keeping this in the mind the ENP is a very well designed policy supporting internal reforms leading to democracy and stability (Börzel 2016)⁷.

An overview of the European Union's Neighbourhood Policy

The Enlargement process in 2004⁸ and 2007⁹ of the EU significantly altered the borders of the EU towards the east which are less stable and prosperous (Wesselink and Boschma 2012:6). The Enlargement process also brought security challenges closer to the EU's doorstep, it became necessary for the EU to revise the framework of relations with its old and new neighbours. This shift from Europe's internal borders to external borders was the result of the 2003 European Commission & Communication dialogue titled, "*The Wider Europe Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*" (European Commission 2003 a), which ensured that the entry of the 10 new countries does not create new dividing lines at the EU's frontiers. This new initiative formulated by the European Commission formed the core of the ENP.

The ESS adopted by the European Council stressed the need of a common policy for the neighbourhood and "to promote a ring of well governed countries to the east of the EU and on the borders of the Mediterranean" (European Council 2003: 8). Later

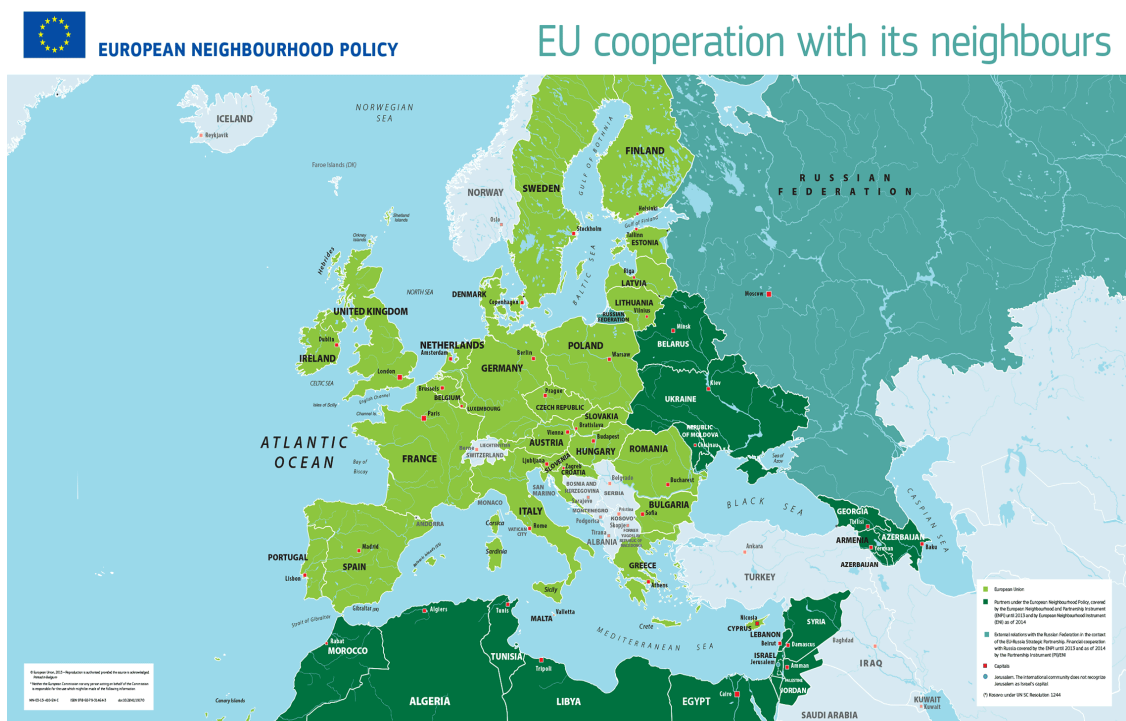
⁷ . This Point was mentioned by the Prof. Tanja Börzel in a personal interview held on 14 April 2016 in Berlin.

⁸ . On 1 May 2004, in its fifth time enlargement 10 more Member States: Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia became EU members. After this enlargement the EU 15 became EU 25.

⁹ . On 1 January 2007, the EU enlarged itself with the accession of two more countries, Bulgaria and Romania and EU 25 became EU 27.

in July 2003, the Commission tabled a Communication “Paving the Way for a New Neighbourhood Instrument” and established a Wider Europe Task Force and a Wider Europe Inter-Service Group (European Commission 2003 a) and finally on May 12, 2004, the Commission presented a Strategy Paper, on “European Neighbourhood Policy” which formulated the ENP’s principles and methods of implementation, as well as its geographical framework (European Commission 2004 b). The concept of stability, prosperity and peace closely linked under the broad concept of security. It is not always the military threats but it is also the social stability, government stability of states. The ENP based on security interests to establishing its neighbourhood in different circles is serving the interests of the EU in stable neighbourhood (Peters 2016)¹⁰.

Fig 2.2: ENP Countries



Source: European External Action Service

It names 16 states in the EU’s neighbourhood: Belarus, Ukraine and Moldova in the east, Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Authority, Syria and Tunisia in the south and Georgia, Azerbaijan and Armenia in the South Caucasus.

¹⁰ This Point was mentioned by the Dr. Ingo Peters in a personal interview held on 26 May 2016 in Berlin.

The EU has since then been developing and implementing the ENP from most of its eastern and southern neighbours (Gstöhl and Lannon 2015: 1).

The ENP is considered a geographical policy requisite for the EU ‘to consolidate a ring of friends around its rim’ (European Commission 2007) and through its ENP, the EU closely coordinates with its southern and eastern neighbours to achieve political stability and economic development. The thrust is on transposing EU norms – a free market economy, democracy, the rule of law, respect for human rights, and social cohesion - in these states. The ENP Action Plan is the main instrument for these policy objectives. Neighborhood is very important not only in security term but also for the stability. If the neighborhood became more prosperous then the same way the EU will become more prosperous and there will be less risk towards the crisis. The sufficiently prosperous and sufficiently mature neighbourhood is able to handle the democracy. In that context the ENP is a super idea to provide the security towards neighbourhood and the EU became the best security guarantor to the people from (Whitman 2016)¹¹.

The rationale behind the neighbourhood policy has two strong arguments; firstly, the EU’s role as a major international actor that encourages the EU to create a framework policy – a kind of umbrella under which the whole of the relations with the neighbourhood will be dealt with in the near future. This will be a cross-pillar framework for cooperation across a wide range of fields based on varying forms of cooperation which envisage variable prospects of integration into the EU, vacillating from the possibility of integration, to that entering into association agreements without prospect of accession (Wissels2006, Tocci 2005).

Second, in the Post-Cold War era, division of Europe provides the EU an entire set of new and unstable neighbourhood which was perceived as a threat towards the stability of the EU. It gives an ‘absolute’ reason to launch the framework policy to stabilize the neighbourhood mentioned in European Commission document

The European Neighbourhood Policy’s vision involves a ring of countries, sharing the EU’s fundamental values and objectives, drawn into an increasingly close relationship, going beyond co-operation to involve a significant measure of economic and political integration.

¹¹.This Point was mentioned by the Prof. Richard Whitman on Skype interview held on 22 April 2016.

This will bring enormous gains to all involved in terms of increased stability, security and well-being (European Commission 2004 b: 4).

Evolution of the European Union's Policy towards Neighbourhood

The ENP does not mark the first time that the EU has devised a strategy related to European neighbours without any reference to accession. In 1989 the European Community tried to accede to membership applications from European Free Trade Association member countries ('EFTAs'), through the formation of the European Economic Area (EEA). The EEA encompassed the economic benefits of single European market to the EFTA countries, but without any actual involvement in the related decision making mechanism. Some EFTA countries (Austria, Finland, and Sweden) discontented with this preferred to enter the EU in 1995; while others contemplated prospects of integration in EU in future (Baldwin 1994:19). Other proposals were also made but they did not receive widespread support. In January 1990 the French President, François Mitterrand, proposed the formation of a European Confederation. However it was met with a cold reaction. Another proposal was the formation of concentric circles policy that under which it was proposed to enter into 'Europe' association agreements with the CEECs as an alternate to accession talks(Nuttall 2000:39-44).

According to Commission President Delors' vision of a Europe of concentric circles, the CEECs and the Soviet Union would be situated innermost. To distinguish between CEECs from the EFTA countries, Delors suggested the EEA be articulated as a new form of economic partnership between CEEC and EEA countries (Bulletin of the European Communities 1989). However the Community would soon initiate negotiating Europe agreements with the CEECs. The formulation of "Europe association" was well beyond economic domain and incorporated a political dimension with talks in realms of foreign policy. To strengthen political relations, External Relations Commissioner Andriessen proposed a "European Political Area" and associate membership as a form of fractional integration in April 1991. Affiliate members were to be given equal powers with full members in certain specified policy areas of foreign policy, monetary affairs, transport, environment, research and energy along with representative powers in institutions such as parliament (Andriessen 1991).

In June 1992 the Commission mooted the formation a 'European Political Area', and proposed that European leaders would hold meetings on a regular basis within this area and discuss pertinent European issues. The June 1993 Copenhagen European Council further developed this idea into a 'structured relationship', (European Council 1993:14) preparing the ground for the discussion and cooperation between EU and CEECs. The EU also gave signs that through this mechanism, such countries would attain the necessary criteria for EU accession.

During the Essen Summit in December 1994, EU leaders lend their approval to a pre-accession strategy which had two principle components, namely an enhanced relationship with EU institutions and integration in the European single market area (European Council 1994). The was formulated in the light of the criticisms of the existing bilateral agreements and therefore the strategy aimed at underlining the importance of regular multilateral meetings focusing on each of the three pillars. This emphasis of the pre accession strategy on building good neighbourly relations was a reflection of Union's apprehension regarding the spill over of security threats as a result of enlargement. Hence the neighbouring countries that were candidates for accession were encouraged to comply with the principle of rule of law and respect for human rights. In 1995, the EU implanted the idea of a French Prime Minister Balladur and launched multilateral diplomatic process that eventually resulted in the signing of a Pact on Stability in Europe. A number of good neighbour and cooperation agreements signed between the accession applicant countries as well as between them and their non-EU neighbours were annexed with the pact.

The European Conference formed in December 1997 by the Luxembourg European Council extended the cooperation links between EU and the countries that had submitted the application. The Conference envisaged the increasing contact between heads of states and foreign minister to discuss the pertinent foreign policy issues and challenges.

The 2003 Wider Europe initiative, offering increasing political and economic cooperation to those countries with negligible prospects of accession, can be regarded as a precursor to the ENP. 'Wider Europe' initiative encompassed countries of North Africa and Middle East as well as countries like Russia, Ukraine, Belarus, Moldova, Georgia, Armenia and Azerbaijan which were on the Eastern peripheries of EU.

Apart from the increased financial resources, the main incentive would be that, “all the neighbouring countries should be offered the prospect of a stake in the EU’s internal market and further integration and liberalization to promote the free movements of persons, goods, services and capital”(European Commission 2003 a:4). It is noticeable that the ‘European Perspective’, although specifically pronounced as not being part of the policy, was however, not ruled out, “The aim of the new Neighbourhood Policy is...to provide a framework for the development of a new relationship which would not, in the medium- term include a perspective of membership or a role in the Union’s institution” (European Commission 2003 a: 5). Indeed , Commission president Romano Prodi declared , “ We have to be prepared to offer more than partnership and less than membership without precluding the later” (Prodi 2002:3). Although the idea of Wider Europe was to promote the stability and peace for the European Neighbourhood as well as within Europe, it was not welcomed with much enthusiasm because of the political uncertainties of countries that fell under the following four categories. First, Countries like Bulgaria and Romania, which were still complying with enlargement criteria at the time, regarded the Wider Europe concept as unconnected to accession process). Second, Turkey and Macedonia expecting to be the part of the enlargement soon, had misgivings that the wider neighbourhood project would be detrimental to their accession prospects, Third, such countries with remote chances of joining the EU, such as Ukraine, were unhappy due to this categorization in the same vein as other countries with different aims, Russia was not attracted to such proposals and countries in the Caucasus, Armenia, Azerbaijan and Georgia expressed their discontentment on grounds of omission from the initiative (Cameron and Balfour 2006: 14). The issue at stake for EU was to place limits on the final borders.

The ENP was officially launched in 2004 as the chief instrument for establishing relations with three eastern neighbours (Ukraine, Moldova and Belarus) and ten southern neighbours (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestinian Authority, Syria and Tunisia). Although the policy initially focused on Ukraine, Moldova and Belarus, the Wider Europe Communication of March 2003 expanded its geographical scope to also include the Barcelona partners (European Commission 2003 a). This policy was in response to the apprehensions of the southern member states that 2004 enlargement would alter the equilibrium towards

eastern neighbours. The primary justification was that economic advances in the southern Mediterranean countries would stem the flow of migration from the African and Arab regions toward Europe.

After Georgia, Armenia and Azerbaijan were officially added in June 2004, the ENP (now 16 partner countries) tried to coalesce together separately treated neighbourhood policies hitherto and attempted to create a 'pan European and Mediterranean region' stretching from Russia in Eastern Europe to Morocco in North Africa (European Parliament 2003: 18). The ENP reflected a significant policy shift within EU towards the South. The result of these efforts was the Communication from the Commission of May 2004 entitled 'European Neighbourhood Policy- Strategy Paper'. As a decisive policy the statement, delineated the specific objectives, contents, procedures and the financing of the policy and was the bedrock on which subsequent policy pronouncements with regard to neighbourhood would be made.

It was followed by further communication in November 2005 entitled Implementing and Promoting the ENP that represents a first progress report (European Commission 2005). Finally in December 2006, the Commission presented the Communication on Strengthening the ENP to the Council and European Parliament (European Commission 2006 a). It set out new proposals to strengthen and further develop the ENP and was accompanied by the progress reports on ENP Action Plans that had begun to be implemented in 2005.

Aims of the European Union's Neighbourhood Policy

The ENP developed at the same time when the ESS was formulated and when eight new Member States became EU Members in the May 2004 enlargement. The first outline of the ENP, published in March 2003, (European Commission 2003 b) stressed on reinforcing relations with those neighbouring countries that did not have prospects of EU accession in the near future. The Commission desired establishing cordial relations with "ring of friends' in a friendly neighbourhood, whereby through ENP, the Union aimed to implement a series of reforms to bring the political culture and economic growth in these countries on par with EU norms (Lippert 2007: 181). These ambitious goals were fulfilled by the country specific Action Plans. The key aim of

the ENP was to create stability in the neighbourhood region which has shared by the Member States.

As the strategic documents of the ENP the European Commission launched the ENP Action Plans to help neighbouring countries along with the implicit objective of protecting the interests of the EU (European Commission 2004 b). The European Commission document of 2004 explains the absolute aim of the ENP and mentions that “European Neighbourhood Policy’s vision involves a ring of countries, sharing the EU’s fundamental values and objectives, drawn into an increasingly close relationship, going beyond co-operation to involve a significant measure of economic and political integration. This will bring enormous gains to all involved in terms of increased stability, security and well-being” (European Commission 2004 b: 4). Coolsaet and Biscop draw the following aims of the ENP:

- Prevention of Conflicts in the EU’s neighbourhood and ensuring a check on acts of aggression against the Union Member States
- Settlement of conflicts
- Formulating comprehensive economic and political partnership centered around on the values of development and security
- Regulating non-traditional threats caused due to factors such as migration and illegal trafficking from the neighbouring regions
- Ensuring the security of such EU citizens residing outside EU territories in such neighbouring states (Coolsaet and Biscop 2004)

The ENP was reviewed in 2011 following the Arab Spring. On 25 May 2011, Catherine Ashton, EU High Representative for Foreign Affairs and Security Policy/Commission Vice-President and Štefan Füle, EU Commissioner for Enlargement and Neighbourhood Policy, launched the revised ENP. This was not a “one size fits all approach” and the support of EU to the neighbouring countries became qualified on the progress in consolidating democracy and the rule of law (European Commission 2011 a). The review focused on aspects of aid, democracy, mobility and trade. On aid and investment, the 2011 review marked an additional funding of €1.24 billion for support of the ENP in addition to the €5.7 billion already allocated for the period 2011-2013 (European Commission 2011) Another significant terminology used in the review document was ‘deep democracy’ which meant a

lasting democracy which is “socially and institutionally embedded in the target states. It is also a model of democracy which comes with inclusive economic development, including not only trade enhancement but also the narrowing of social inequalities” (Kurki 2012). The mobility partnerships, which were signed with the Eastern neighbourhood in Moldova (2008) and Georgia (2009) to ensure the smooth management of movement of persons, were now extended to North African nations of Morocco, Tunisia, and Egypt. According to Emerson, “the mobility partnerships were a ‘friendly sounding name’) for a policy primarily set to promote EU’s security interest (Emerson 2011:3).

In the domain of trade and investment, the revised ENP attached significance to the Deep and Comprehensive Free Trade Area (DCFTA) and called for negotiating them with the South and the Mediterranean States (Emerson 2011: 4).

The ENP was further reviewed in 2015 marking new contours in EU’s relationship with the Southern and Eastern Neighbours. According to Johannes Hahn, Commissioner for European Neighbourhood Policy and Enlargement Negotiation, along with conflict, terrorism, and radicalization, poverty, corruption and poor governance had also emerged as new forms of threat and as such, the ENP now aimed at increasing economic development, with a major focus on youth employment and skills (Hahn 2015). The 2015 review increased EU’s emphasis on security through, “developing Security Sector Reform programmes both in the East and South and strengthening efforts on disrupting organised crime and on enhanced cooperation in the area of Common Security and Defence Policy (CSDP)” (Ibid). The changing dimensions of security in ENP 2004 and in ENP 2015 are summarized by Fontana (2016:11) in the table below (reproduced from in original form).

Table 2.1: Conceptualizing security in the ENP in 2004 and 2015

	Security for whom?	Security for which values?	Security from what threats?	Security by what means?
ENP 2004	-Security as a public good for EU citizens	-Security vs. normative values	Common threat narrative -Interplay between external threats and(EU) internal concerns	- Interdependence narrative
	-Threat/interdependence narrative	-Security as a value and an end in itself	-Terrorism, migration, fraud, weapons, pollution, transnational crime	-Stability partnership
ENP 2015	-EU's own security -Threat/interdependence narrative	Security for deep democracy (SSR, intensification of political and security cooperation)	-Common threat narrative -Interplay between internal threats (neighbours) and EU's threats -Illegal Migration	Interdependence narrative -Political Reform and SSR

Source: Fontana 2016:11

The review intensified the close cooperation with neighbours on the issues policing, border security and counter-terrorism. The 2015 ENP review is rooted in realism. While 2004 ENP talked of shared interests and common values between the EU and the neighbours, the 2015 ENP reflects EU's strategic interests as the EU has now become more responsive rather than prescriptive. This implies that under the new ENP, the EU will deal with its neighbourhood states distinctly according to their specific security situations. European interests, especially regional stability, security and that of migration have now been referred explicitly (Furness and Schäfer 2015:2). ENP can be perceived as concept of moving beyond the bilateral process. It can be defined as future wing of partner and friends in which security is also provided to the country. Under the ENP the EU does not influence in a particular way but offers a kind of shopping list of norms which a country can choose and order. In ENP, the EU

is not much focused on the core EU values and principles but more on stability (Brueckner 2016). For achieving these objectives, the EU has also made use of the instruments Civilian Crisis Management which is examined in detail in the next section.

Genesis of the European Union's Civilian Crisis Management

The nature of conflicts and the subsequent security threats has undergone a change in the current global order. Traditional security threats to states focused on the balancing of military power by using measures of armed defence, along with containment and deterrence policies. In the traditional analysis of understanding security in military terms, the EU has been perceived as a weak security actor. However, there has been a broadening of the understanding of the concept of security in the Post-Cold War period with the emergence of new and non-traditional security threats such as terrorism, climate change, mass migration flows (Kaunert and Léonard 2011: 361-370) The non-traditional security threats have led to a more comprehensive security approach, with an understanding that post-conflict reconstruction, nation-building, and development are also pivotal elements in crisis management, apart from military intervention. This comprehensive security approach

is horizontal, including both civilian and military parties and, where possible, allies and international organizations and local nationals; and vertical, taking account of the different stages in the situation from the initial war fighting phase to reconstruction (House of Commons 2010:11).

The perception of EU as a weak security actor on the basis of a specific understanding of security is fallacious and the success of European integration has led to a significant decrease in the importance of traditional military threats in the EU security agenda. "There is a complex relationship between values and security at the heart of several EU policies (and) EU has sought to simultaneously pursue its security objectives and spread its values, such as democracy, rule of law, and human rights particularly in relation to its neighbourhood (Kaunert and Leonard 2013: 1-3).

The CCM, carried out by the EU under the umbrella of the CSDP, has emerged as a major tool of EUFP to enhance the effectiveness of its external action. CCM has been

formulated to strengthen the crisis management capacity of states in transition phase, establish the good practices based rule of law, protection of basic human rights, establishing good governance and a vibrant civil society, with tasks ranging from “support, monitoring, advising and training to acting as surrogates for different authorities, such as the police or the judiciary in executive missions along with prevention and management of cross border threats (The Ministry of Foreign Affairs 2014: 10; Halonen 2006: 17).

The CCM is a novel concept of the EU, which was established to maintain the peace, stability and prosperity in Europe. The role of the EU in the crisis management is not of recent origins. The European Commission has been involved in the conflict prevention and post conflict peace building processes, which are considered as a part of CCM before it was the part of the ESDP. Crisis management also known by the name of Petersberg tasks, were first introduced in WEU in 1992. The Petersberg tasks included full range of conflict prevention and crisis management tasks such as “‘humanitarian tasks’, ‘civil protection’, ‘peacekeeping’ and ‘peace-enforcement’” (Western European Union 1992:6). The Petersberg tasks were significant towards the evolution of a EUFP as they not only included both military and non-military (i.e. civilian) means to crisis management, but also reflected a willingness of the EU to deploy its forces in missions independent of the United States (Rupp 2016: 86).

The Treaty of Maastricht established CCM tools, mainly under the CFSP in second pillar of the EU. The fundamental objectives of the CFSP as stated in the Maastricht Treaty were “to safeguard the common values, fundamental interests, independence and integrity of the EU; to strengthen the security of the EU in all ways; to preserve peace and strengthen international security; to promote international cooperation; and to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms” (European Council 1993: Art. 11). The CCM as a major foreign policy tool of EU intervention in crisis entailed the identification of the nature of tasks ranging from peace enforcement operations to humanitarian and rescue operations.

The European Union Administration of Mostar (EUAM) from 1994-96 was an early example of a CFSP’s CCM operation. During the conflict in Bosnia and Herzegovina

in the aftermath of the breakup of Yugoslavia, the Western Balkan city of Mostar was heavily damaged. EUAM evolved as a result of a political compromise aimed to reverse the ethnic division of the city into a Bosnian controlled eastern part and a Croat controlled western part. While Bosnian side wanted Mostar to remain in the federation of BiH, Croats were firm in their opposition to a UN administration in the city. Under the Dayton Agreement, Mostar became an area under the EU administration, though officially it was still a part of BiH. EU was granted powers to administer the Mostar city municipality, and was also given regulatory and final decision power in the executive field. The two year mandate of the mission ended on 22 July 1996. Although EUAM marked the first major joint action of the EU Member States within the context of CFSP, it was a qualified success and as mentioned by a special report by the European Parliament, it managed to make only limited progress towards the reunification of the city (Stahm 2008: 302-303). According to Juncos (2015:105), EUAM with its initial focus on economic reconstruction appeared more of a development initiative undertaken by the European Commission, rather than a tool of EUFP.

The EU civilian crisis mission tools acquired a concrete shape with the signing of the Treaty of Amsterdam in 1999. Article 17 of the Treaty incorporated the Petersburg tasks which ranged from humanitarian tasks to those of peacekeeping. This was a significant development as EU explicitly defined and formalized the nature of EU crisis mission and conflict management (Petrov 2010).

The Cologne European Council of 1999 incorporated crisis management at the core process of the CFSP. In the Cologne declaration, the emphasis the development of a military force with capacity for being readily deployed. As part of EU Crisis Management measure, the Cologne European Council launched a stability pact for South Eastern Europe. The Council further aimed at giving more assertiveness to EUFP by adopting a Common Strategy on Russia and also deciding upon the appointment of high level political figure (Javier Solana) to the post of Secretary General/High Representative of the CFSP for a period of five years (Francia and Abbleán 2004: 142).

The 1999 Helsinki European Council formalized EU's role in CCM and agreed to establish "a non-military crisis management mechanism to coordinate and make more

effective the civilian means and resources in parallel with the military one, at the disposal of the Union and Member States” and an ‘Action Plan for crisis management in non-military spheres was adopted which established an inter pillar working group with the name of the Civilian Aspects of Crisis Management (CIVCOM). This committee now operates under the Council and reports to Committee of Permanent Representatives (COREPER) with the tasks to provide information, advice and guidance to other instruments of the Council (Halonen 2006:18). In the Presidency Reports to the Helsinki European Council on ‘Non-military Crisis Management of the European Union’ much emphasis was given to the coordination between the EU and the Member States in a number of areas such as civilian police, humanitarian assistance, administrative and legal rehabilitation, search and rescue, electoral and human rights monitoring (The Finnish Presidency 1999). It also focused on the need to set up a database for the maintenance and sharing of information on the pre-identified assets, capabilities and expertise in all areas related to non-military crisis management. To improve the performance and make the EU more capable in field of the CCM the Action Plans talked of strengthening the “ synergy and responsiveness of national, collective and non-governmental organizations’ (NGO) resources” (Norheim-Martinsen 2012: 127). It also included inter pillar cooperation and enhanced the EU’s capability to contribute in the activities within other organizations like the UN and the Organization for Security and Cooperation in Europe (OSCE). Helsinki thus conveyed “EU’s path to tangible military planning” and represented a “deepening in the European credibility discourse ... with the establishment of new political and military bodies and structure to ensure the necessary guidance and strategic directions of EU operations” (Koivula 2016).

Significant developments took place in the field of the EU’s CCM in June 2000, at the Feira European Council, where the civilian aspects of crisis management to the European agenda were added, and the priorities of the EU’s CCM were stated in the following fields: 1) Police- In the field of policing, the EU was to be capable of carrying out operations ranging from advisory, assistance, and trainings tasks to that of replacing of local police forces; 2) Rule of law- This entailed the strengthening of judiciary and other legal structures through training and reform.; 3) Civilian Administration- This entailed the building up of an efficient civil administration

mechanism in states where the CCM was deployed; 4) Civil Protection¹²- Under this, Civil protection is offered to states as per their needs (European Council 2000 a: Annex I)

Santa Maria da Feira Presidency Conclusion not only prioritized the main area of CCM but also talked about the institutional structure of the CCM such as guideline, training selection of judges, prosecutors, penal experts and other relevant categories within the judicial and penal system (Halonen 2006: 20) with the connection of the UN and other regional organizations mainly the Council of the Europe and the OSCE. As such capacity building was dependent on the capabilities offered by member states. Civilian policing and, to a slighter extent, establishing a rule of law was now accorded a leading role in the evolution of EU's response to crisis management. The Feira European Council was significant as it defined the original civilian targets and endorsed the arrangements about the need dialogue and information sharing during times of crisis consultation.

The CCM tasks were further expanded to include judicial and penal reforms, ensuring protection of human rights, establishing stability in political affairs, security sector reforms, mediation, disarmament, demobilization, and media policy (European Council 2004: 3) CCM capacity thus was to serve many goals (Boin et al 2003: 62). It must be mentioned though the instruments related to CCM and prevention of conflict were developed both within the first pillar and second pillars by the Commission and Council respectively, they sometimes overlapped and contained institutional differences in rules, procedures and policies.

Although the Feira Council laid out an institutional structure and coordination between the EU and the Member States regarding the CCM, these efforts were not able to strengthen the EU's CCM capability (European Council 2000 a). The next phase in strengthening the EU's CCM laid thrust on capacity building was with the conclusion of Nice European Council of 2000 which validated EU's crisis management procedures. The Nice European Council underlined the Union's approach to the various dimensions of crisis management, and identified the types of capabilities required. The Nice declaration called for strengthening of local policing

¹²A distinction was made between crisis management operations, and other types of disaster relief operations.

capabilities as a key function in conflict prevention, crisis management, and post-conflict rehabilitation. For the rule of law, it was agreed that the EU was now capable of specific targets in conjunction with the development of policing capabilities (European Council 2000b). There were talks about the need of the coordination between the military and civilian aspect of crisis management and conflict prevention (European Council 2000 b). Nice European Council set out to make CSDP more operational by validating European crisis management procedures (Koivula 2016: 60).

The development of CCM continued in Göteborg European Council in June 2001, which adopted the Police Action Plan and established a Police Unit within the Council Secretariat. The Göteborg European Council highlighted the importance of an establishing a training mechanism for experts of CCM. The EU adopted an Exercise Policy and also stated the rules of engagement of participation of non-EU actors in the police missions. The cooperation between the EU and other international organizations in the CCM was further deliberated upon and along with the adoption of the guiding principles in this field (European Council 2001 b). The meeting also defined the EU's guidelines for establishing an efficient civilian administration mechanism although it was accorded lesser priority.

The EU's actorness in this period vacillated from an international actor to a regional actor and then to a military actor (Barnut 2014: 46-47). The discourse on EU's actorness after Nice calibrated upon civilian aspects of crisis management which opened the prospect for EU to view itself as an effective civilian actor. Since the initiation of CCM and its subsequent evolution phase (1999 – 2001) significant progress has been made member states in the civilian aspects of crisis management, with parallel institution building along with the creation of military structures. Due to the efforts of Sweden, in May 2000, the CIVCOM comprising of Commission and the Council Secretariat officials, country diplomats and police experts (Cross 2010) was formed by a Council decision .CIVCOM was to advice the PSC and other Council's bodies on CCM matters, and supplemented with the work of the EUMC for military affairs. These new developments aimed at implementing a coherent civilian military co-ordination and focused on learning by doing.

However, the pace of CSDP progress decelerated because the Member States were slow to adopt their security policy architecture in consonance with EUFP. Also, the

9/11 attack on the US led the Member States to rethink on their internal security situation (Koivula 2016: 60). Post 9/11, EU felt the need for a defence dimension and this was defined in the Laeken European Council

Beyond its borders, in turn, the European Union is confronted with a fast-changing, globalized world. Following the fall of the Berlin Wall, it looked briefly as though we would for a long while be living in a stable world order, free from conflict, founded upon human rights.....The eleventh of September has brought a rude awakening. The opposing forces have not gone away: religious fanaticism, ethnic nationalism, racism and terrorism are on the increase, and regional conflicts, poverty and underdevelopment still provide a constant seedbed for them (European Council 2001 c).

The declaration emphasized the coordinated development of Union's military and civilian capabilities as a prerequisite for establishing crisis management capabilities. This implied a close coordination between all the resources and instruments both civilian and military available to the Union. The Laeken Declaration stated that the "Union will continue its efforts to develop means of rapidly achieving and implementing concrete targets in the priority areas recognized as rule of law, civilian administration and civil protection" (European Council 2001 c). Emphasis was given to the strengthening rule of law and civilian administration to establish EU as a credible civilian actor. The declaration marked the first time EU had formulated a security discourse independent of the United States. The balancing of military and civilian capacity, along with a thrust on civilian means and a minimal use of force thus laid out a normative power approach to the CSDP.

Seville European Council further laid thrust on the normative power approach by declaring that "non-proliferation, disarmament and arms control regimes" were capable of exercising a significant impact on conflict prevention. The Seville declaration decided to step up the action of the EU against terrorism "through a coordinated and inter-disciplinary approach embracing all Union policies, including the development of the CFSP and making the ESDP operational"(European Council 2002) .The Seville Council gave the birth to the EU's first ever CCM mission named EUPM in BiH 2003, which undertook the UNMIBH. The Presidency Council conclusion announced that EU was in a position to undertake its first crisis management, EUPM in January 2003 and mentioned that EUPM was a manifestation of the EU's objectives to stabilize post-conflict area through establishing the rule of

law and strengthening the CFSP. EUPM highlighted the significant institutional challenges of coordination of EU missions with other civil crisis management activities and “was a first source of lessons learned for the EU in the area of CCM” (Norheim-Martinsen 2012:129).

Civilian Crisis Management: From Theory to Practice

The EU’s CCM was derived from experience of the previous missions, which implied learning from the available external knowledge base, which included templates from national military forces as mainly developed in NATO. Moreover, the need for a fully experience-based and flexible approach in civilian peace operations was also felt by the Union. The first internal review of the EUPM recommended improving the financing the financing and recruitment process for missions, and highlighted the need for more pragmatic planning. An immediate response to the EUPM review was the expansion of human resource base for the CCM. A new directorate general for CCM was also founded within the Secretariat to the Council of Ministers. However, in the initial years the multi-dimensional nature of EU policy making rendered the functioning of its civilian crisis missions relatively less effective. Along with this, operational responsibilities of EU’s civilian missions outweighed the management capacity (Bossong 2012: 16).

In December 2003, the European Council adopted the ESS ‘A Secure Europe in a Better World’ (European Council 2003).The ESS for the first time provided a comprehensive perspective on security, going beyond the political and military dimension and offered a wider context for the ESDP. The strategy stressed on the prevention of crisis and mentioned that the Union should intervene in situation of conflicts before their escalation into full-fledged violent outbreak. The ESS affirmed that, “civilian crisis management helps restore civil government” (European Council 2003). The strategy also called for the use of all civilian instruments at EU’s disposal both in crisis management and post-crisis situations. The ESS thus broadened the EU capabilities and placed ESDP civilian and military missions within the broader ambit of EU crisis management instruments (Post 173: 2014)

The ESS reconciled conflict prevention and CCM in EUFP as the EU stressed on more comprehensive CCM capabilities. The Action Plan for the civilian aspects of ESDP adopted by the European Council reiterated EU's commitment in improving its effectiveness in the field of CCM

Given the increasing complexity of conflict and crisis management situations and the EU's desire to deploy crisis management missions to address these, it has become clear that the EU in addition to its existing capabilities should develop its capacity to deploy multifunctional civilian crisis management resources in an integrated format (European Council 2004).

The Action Plan presented EUFP in the framework of new security milieu and established civil crisis management as a core area of conflict prevention and post conflict peacekeeping

The Community makes a substantial contribution to civilian crisis management and its instruments will continue to be a core element in the EU's response. Its added value comes in particular from the continuity it provides with the existing programmes of assistance, and contribution to prevention of crises through long-term programmes of conflict prevention. The Commission will continue to develop its capacity to provide effective, rapid and flexible assistance to crisis management situations through Community instruments (European Council 2004)

The Action Plan emphasized that CCM missions should be developed as per the crisis situation and assimilated civilian experts too. The Action Plan also suggested that training of experts would be done in such a manner to ensure that such people who received training would be a part of actual CCM missions. 10,000 civilian personnel were pledged for CCM at the Civilian Capabilities Commitment conference: 5,761 for police, 631 for rule of law, 562 for civilian administration and 4,998 for civil protection (Juergenliemk 2011: 2).

In November 2004, the Ministerial Declaration of the EU's Civilian Capability Commitment Conference in Brussels underlined the objective of identifying civilian capabilities in the 10 new Member States. One of the major initiatives taken by EU Member States at the conference was the establishment of a European Gendermarie Force with paramilitary capabilities, which could be deployed rapidly to maintain public security and public order (Dunay and Lachowski 2005: 65)

The civilian aspects of EU crisis management capabilities were further bolstered by the Brussels European council in December 2004, which adopted the Civilian

Headline Goal (CHG) 2008 This marked a clear shift in the EU to establish more robust security architecture (Dyson 2016: 64). According to the Headline Goal, the EU would pursue to develop its capabilities in Civil Crisis Management, and deploy them at short notice. The Headline Goal also called for coherent EU actions and a smooth transition from CCM missions under the ESDP to following long-term European Commission programmes. In addition, the Headline Goal stated that CCM missions should function military and that the EU should pay heed to the requests from the UN and other global organizations (Council of the European Union 2004 d). The European Council aid thrust on building autonomous military and civilian capabilities (European Council 2007 a). According to Ginsberg (2007: 296), CHG were aimed at the development of civilian dimensions of ESDP across the spectrum of EU crisis management tasks by 2008.

The CHG 2008 process started in early 2005 and was watched over by the PSC, supported by the Committee for CIVCOM. It was directed by the EU Council General Secretariat with the help of expertise from EU Member States and the European Commission.

Under the CHG 2008 goals, ESDP diversified its tasks and missions. Between 2005 and 2007, 13 workshops on the implementation of CHG were held which elaborated upon areas pertaining to CCM such as the concept of rapid deployment of police element, “development of a common approach to the raising of personnel by Member States for civilian ESDP missions, development of a civilian capacity enabling the EU to support crisis management missions under ESDP, facilitate future co-ordination between the civilian and military ESDP capability development processes and to exchange information on future perspectives of civilian and military capability development processes” (European Council 2007 a).

Parallel to the Civilian Headlines Goals, the EU developed two concepts for civil military cooperation: Civil-Military Cooperation (CIMIC) and Civil-Military Coordination (CMCO). CIMIC encompasses the co-operation and coordination, as appropriate, between the EU military force and independent external civil organizations and actors (International Organizations (IOs), NGOs), local authorities and population’s cooperation at operational and tactical levels. CMCO covers within its fold internal EU co-ordination of the “EU’s own civil and military crisis

management instruments, executed under the responsibility of the Council. CMCO addresses the need for effective coordination of the actions of all relevant EU actors involved in the planning and subsequent implementation of EU's response to crisis" (Council of the European Union 2009 a).

After the conclusions of CHG 2008, there was a perception that the EU still needed to develop a body of crisis management capabilities and to use all available means to respond coherently to the whole spectrum of crisis management tasks. EUHR Solana stated this in an address

On the civilian side, Member States have not yet fully addressed how to resource additional police, prosecutors, judges and penitentiary officials for external deployment, when they are usually in short supply at home. If we don't change this, then we have to face up to the fact that supply will not meet demand, and ambition will be greater than the capability to realise it. Of course political willingness to act and take risks in support of our values is the most important capability of all. However, it is interesting that there is often more willingness when there is more capability (Solana 2007)

Acknowledging the scope for further and more focused action, EU Ministers therefore launched the Civilian Headline Goals 2010. CHG 2010 aimed at enhancing the EU's civilian capability to respond to crisis management goals. The CHG 2010 are covered by Article 43 of the Lisbon Treaty which states that

Union may use civilian and military means for joint disarmament operations, humanitarian, and rescue tasks, military advice and assistance tasks, conflict management and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post conflict stabilization(European Commission 2015 a).

The CHG 2010 also called for creating a Civilian Response Teams (CRT), a 100-person strong pool of experts prepared for rapid deployment (European Union External Action 2016 b).

CHG 2010 aimed at ensuring that EU was capable of effectively and swiftly deploying crisis management in line with the European Security Strategy along with increasing coordination of civilian and military capabilities (European Council 2007 b)

Civilian Headlines Goals were extended beyond 2010 by a Foreign Affairs Council meeting in Brussels on 21 March 2011. The Council also recognized the need for

developing Civilian CSDP Capabilities, “including in the framework of rapid deployment, in order to improve the EU's ability to have ready access to the wide range of EU's, and Member States' Civilian Capabilities subject to national decisions as required, to deliver effective civilian missions” (Council of the European Union 2011). The Council also urged increasing cooperation with the third countries.

Although the Civilian Headlines Goals achieved encouraging results by providing political incentive to the processes of selection, training recruitment, training and deployment of civilian personnel to international missions, yet a capability gap still existed (European External Action Service 2016 c). However CHG established the framework for the implementation of the multiannual Civilian Capability Development Plan (CCDP) established in July 2012. CCDP set out the concrete action lines on which CSDP civilian capability development was to focus. CCDP recommended the establishment of a list of generic civilian CSDP tasks, and introduction of a mechanism that is able to facilitate reception and collation of the considerable amount of disparate data. CCDP also called for an existing review of the border management in the framework of CCM, and also mooted for a Civilian rapid deployment concept. CCP thus aimed to help EU Member States to address the persistent civilian capability shortfalls through concrete actions (European External Action Service 2016 c, Council of the European Union 2012).

CCDP was a significant development towards the development of EU Civil Crisis Management abilities as it envisaged contextual changes deriving from operation experiences. As envisaged in the CCDP, the first generic civilian CSDP tasks were established in 2015 which aimed at helping civilian CSDP structures and Member States to identify capability requirements related to planning, conduct and overall support of civilian CSDP missions, and facilitating the work on civilian-military synergies to maximize the efficient use of resources. The generic CSDP task are grouped in five clusters: 1) Command and Control: This encompasses tasks for initiating, conceiving, enabling, monitoring and directing missions across the chain of command; 2) Engage and Implement: This encompasses undertaking agreed activities, aspects both of mandate delivery, engagement with local authorities and with other relevant stakeholder; 3) Inform Cluster: This cluster encompasses tasks of gathering, analysing and transmitting information from situation awareness in the field and ensuring that the right information is communicated in

the right way, also by using appropriate means; 4) Set up and Sustain Cluster: This cluster encompasses identifying numbers and profiles of mission staff required as part of the operational planning process and during mission conduct where applicable, launching calls for contributions and selecting staff thereby enabling civilian CSDP mission from a practical point of view; and 5) Duty of Care Cluster: This encompasses organizing safety and security such as mission specific safety standards and organizing medical support plans (Council of the European Union 2015).

From the above discussion, it can be argued that CCM has emerged as an effective EU crisis management response on account of their procedural efficiency and flexible nature. On average, CSDP civilian missions are relatively small in size, with around 100-120 EU and local staff combined. Civilian CSDP is funded through the CFSP budget (approximately €250 million was spent in 2015 on CSDP from a total CFSP budget of €320 million), as well as directly through the member states via the secondment of personnel. As regards flexibility, they can be changed in accordance with the situational needs of the crisis affected region. Moreover, EU CCM missions being instruments in hands of Member States and as such the control and strategic direction exerted both by the PSC and Committee for CIVCOM over the missions also reinforces the notion of member state ownership (Tardy 2016).

The rationale for developing CCM capabilities are reinforced by the security challenges at the EU's periphery or what is referred to as the European Neighbourhood, where in crisis affected regions, a need is felt to develop instruments such as rule of law, good governance and security sector reforms (SSR). Participation of the ENP countries in the ESDP missions and operations is one of the most important policy implementations. It makes the ENP partner countries participation more active in the EU crisis management, conflict prevention and civil protection. In the ESDP framework 33 missions are launched in the wider and immediate neighbourhood of the EU. Some of these missions are military, civilian and some are hybrid missions (Both military and civilian missions).

Table 2.2: The European Union’s Civilian Crisis Management Missions/ Operations

Name of the Mission	Nature of the Mission	Area	Time
EUPM	Police Mission	Bosnia and Herzegovina (BiH)	2003-30 th June 2012
EUPOL PROXIMA	Police Mission	Former Yugoslav Republic of Macedonia(FYROM)	2004-05
EUPAT	EU Police Advisory Team	Former Yugoslav Republic of Macedonia(FYROM)	2006
EUJUST THEMIS	Rule of Law Mission	Georgia	2004-05
EUJUST LEX	Rule of Law Mission	Iraq	2005-13
*Support to AMIS II	EU Support Mission	Sudan/Darfur	2005-06
AMM	Monitoring Mission	Ache/ Indonesia	2005-06
EUPOL Kinshasa	Police Mission	RD Congo	2005-07
EUBAM RAFAH	Border Assistance Mission	Palestine Territories	Since 2005
EUBAM	Border Assistance Mission	Moldova- Ukraine	Since 2005
EUSEC	Security Sector Reform Mission	RD Congo	Since 2005
EUPOL COPPS	Police and Rule of Law Mission	Palestine Territories	Since 2006
EUPOL	Police Mission	RD Congo	2007-14
EUPOL	Police Mission	Afghanistan	Since 2007
EUSSR	Security Sector Reform Mission	Guinea-Bissau	2008-10
EULEX	Rule of Law Mission	Kosovo	Since 2008
EUMM	Monitoring Mission	Georgia	Since 2008
EUAVSEC	Aviation Security Mission	South Sudan	2012-14

EUCAP NESTOR	Regional Maritime Capacity Building Mission in the Horn of Africa	Djibouti, Somalia, Seychelles, Tanzania	Since 2012
EUCAP SAHEL	Security Sector Reform Mission	Niger	Since 2012
EUBAM	Border Assistance Mission	Libya	Since 2013
EUAM	Advise on Civilian Security Sector Reform	Ukraine	Since 2014
EUCAP SAHEL	Reform Mission in internal Security Force	Mali	Since 2014

Source- European External Action Service 2016 a

Table 2.3: The European Union's Military Missions/ Operations

Name of the Mission	Nature of the Mission	Area	Time
ARTEMIS	Military Mission	RD Congo	2003
CONCORDIA	Military Mission	Former Yugoslav Republic of Macedonia(FYROM)	2003
EUFOR ALTHEA	Military Mission	Bosnia and Herzegovina	Since 2004
*Support to AMIS II	Military Mission	Sudan/ Darfur	2005-06
EUFOR	Military Mission	RD Congo	2006
EUFOR	Military Mission	Chad/RCA	2008-09
EU NAVFOR	Military Mission	Atlanta	Since 2008
EUTM	Military Mission	Somalia	Since 2010
EUTM	Military Mission	Mali	Since 2013
EUFOR RCA	Military Mission	Central African Republic	Since 2014
EUMAM RCA	Military Mission	Central African Republic	Since 2015
EUNAVFOR MED	Military Mission	Mediterranean	Since 2015

Source: European External Action Service 2016 a

**Hybrid (Civilian& Military) Mission of the EU in Sudan/ Darfur.*

It can be inferred that CCM missions have increased the global presence of the EU. Due to its sheer economic weight and the fact that it had some notable success in promoting peace and stability in its near neighbourhood, it has tried expand these goals to a broader geographical reach and so on (Fouéré 2016)¹³. The EU has always

¹³.This point was mentioned by Mr. Erwan Fouéré in a Skype interview held on 19 May 2016.

aspired to be a net contributor to the security at the global and the regional level and the CCM is an exclusive EU mechanism to achieve these objectives (Wolff 2016)¹⁴. The next chapter examines how the EU promotes the normative values of good governance, democracy, and rule of law in its neighbourhood through civilian means of crisis management.

¹⁴ . This point was mentioned by Professor Stefan Wolff in a personal interview held on 12 May 2016 in Brussels.

CHAPTER 3

THE EUROPEAN UNION AND THE CIVILIAN CRISIS MANAGEMENT IN BOSNIA-HERZEGOVINA

Understanding the Bosnian conflict

The disintegration of the Soviet Union and end of Cold War coincided with the escalation of violence and the disintegration of Yugoslavia. The Yugoslav conflict emerged as the most difficult and complex security problem on the subcontinent and became a testing ground for the EC as well as the UN and USA to “solve new types of threats to peace and security through a new system of conflict prevention” (Simić 1992: 59). In Yugoslavia, the end of Communism incited a violent merger of nationalism with democracy (Transchel 2007: 109)

The end of the Tito regime marked a major turning point in post-WWII Yugoslavian history where conflicting views began to emerge among various ethnicities about the nature of the Yugoslav republic. Yugoslavia had managed to be a viable state until the 1990s primarily because of a centralized Communist rule. Ethnic antagonisms began to re merge in the wake of the aggressive Serb nationalism of Slobodan Milosevic which led to the rise of self-determination and multiplication for the calls for an outright secession among the various ethnic communities. Milosevic’s aggressive Serb nationalism entailed a greater degree of increased centralism. The response to Serb calls for increased centralism was led by Slovenia later to be joined by Croatia. Slovenia had already trodden on the path towards independence in 1989 by amending its constitution that gave Slovenia complete and undeniable right to self-determination. Slovenia and Croatia were urging for either a transformation of Yugoslavia into a confederation or failing that independence. It was this stance that eventually led to a collapse of the League of Communist of Yugoslavia (LCY) at a federal level. At the 14th LCY Congress in January 1990, Slovenia’s proposal to transform the LCY into an equal league of Communist organization was rejected, which resulted in Slovenia and Croatia abandoning the Congress and signalled the political end of Yugoslavia (Radan 2002: 154).

Fig.3.1: Map of Yugoslavia



Source: Emerson 1990:150.

The first multi-party elections in Slovenia and Croatia since nearly 50 years were held in March and April 1990 in which the pro-independence parties emerged victorious over the Communist parties. On 5 October 1990, the Slovenian Assembly enacted amendments to the Slovenian constitution invalidated all of Yugoslavia's constitutional laws which were inconsistent with the Slovenian constitution. This was nothing but an assertion of Slovenia independence. These amendments were declared unconstitutional by the Constitutional Court of Yugoslavia. However, the Slovenian leadership ignored the Court rulings and on July 2 1990, the Slovenian Assembly adopted a Declaration on the Sovereignty of the Republic of Slovenia and claimed the right to self-determination. On 6 December 1990, the Slovenian Assembly passed a

law which stipulated that a plebiscite be held on the question on Slovenian independence. It was decided that in the case of a pro-independence vote, Slovenian independence would be declared within six months of the plebiscite. In the plebiscite, around 83% supported secession and by the end of 1990, Slovene Assembly adopted a declaration which proclaimed Slovenian sovereignty. In June 1991, the formal declaration of independence proclaimed the independence of Slovenia from the Socialist Federal Republic. The formal secession of Slovenia from Yugoslavia occurred on 8 October 1991.

In Croatia, the dormant Croat nationalism was revived in the electoral victory of Franjo Tuđman and his Croatian Democratic Union (CDU) in 1990. CDU had called for secession based on self-determination. Constitutional amendments in 1990 in Croatia proclaimed that “Republic of Croatia is hereby established as the national state of the Croat nation and a state of members of other nations and minorities who are its citizens: Serbs, Muslims, Slovenes, Czechs, Slovaks, Italians, Hungarians, Jews and others”. This relegated Serbs to a minority status. However, the Yugoslav Court declared the amendments unconstitutional. In February 1990, Croat Constitutional Assembly passed a resolution on the rights of the Croat people to exercise self-determination. The independence of Croatia was overwhelmingly voted for in the May 1991 referendum by 93% of the voters. On 25 June 1991, the Croatian Assembly passed another declaration pertaining to Croatia’s independence, based on the right to self-determination and the exercise of the right to disassociate it with Yugoslavia.

War erupted in June 1991 as both Slovenia and Croatia declared their independence. The Federal Yugoslav Army (JNA) attempted to prevent the dissolution and war ensued. Because of international pressure, JNA troops were withdrawn from Slovenia. The formal recognition of Slovenia’s right to peaceful secession was also recognized by Milosevic. However, it was in Croatia that was the JNA bough devastation. Tranchel remarks that “Croatia won its independence from Yugoslavia, but at a terrible price. Yugoslavia redrew its borders, partitioned Croatia into Serb and Croat regions, and eventually annexed Serb-populated territories of Croatia. In short, the war created arbitrary borders that left one-third of the country under Serb occupation and cut Croatia almost in half” (Tranchel 2007:9).

With the secession of Slovenia and Croatia, the disintegration of Yugoslavia began and the ethno- religious divisions that had been suppressed for a long time were now out in open as conflict became inevitable. The international recognition of Croatia and Slovenia provided a catalyst for the brewing ethnic conflict in Bosnia

Before the crisis escalated, Bosnia was regarded as a model of multi-cultural co-existence, where progressive minority politics was the established norm. Bosnians, Serbs, and Croat had lived intermixed in most of Bosnia's district.

Table 3.1: Ethnic Composition of Bosnia in 1991

<i>Ethnic Group</i>	<i>Percentage of the Population (%)</i>
Muslim	44
Serbs	31
Croats	17
Others	8

Source: Woodward (1995: 33).

Among the three major groups, the strongest Bosnian identity was manifested among the Muslims and the weakest among the Serbs. As regards the Croats, those in Bosnia were more inclined towards Bosnia, while those in Herzegovina viewed themselves as Croats and were inclined towards a union with Croatia.

Fig.3.2: Map of Bosnia- Herzegovina



Source: United Nations 2007

Political democratization in Bosnia began in 1990 when the Bosnian Parliament decided on a new constitution and approved a multi-party system in principle. Initially, the establishment of political parties under national names was forbidden

amidst the apprehensions of organization of party life on national lines. Alija Izetbegović was the leader of the predominantly Muslim party which was named as “Party of Democratic Action”. The League of Reform forces established by Prime Minister Marković emerged as another political player on the scene. The Serb Democrat Party, led by Radovan Karadžić, was opposed to Bosnian secession from Yugoslavia and even a confederation as it would bring the Serbs in a minority in BiH. Izetbegović’s party advocated for a unified Bosnia with Muslims, Serbs, and Croats as its three constituent factors. Croatian Democratic Community, under the leadership of Stjepan Kljuić, was opposed to the Serbian drive to keep BiH within a Serb dominated Yugoslavia.

In this scenario of turbulence and politics of co-existence, elections were held in November 1990 which marked the urgent need for constitutional reforms and new arrangements in the federal structure. The results also reflected the apprehensions of the nationalist parties which were uniformly applied taking the majority amongst all the three groups. The Serbian (31 percent) and Croatian minorities (17 percent) were ensured that their rights would be protected through the federal framework in apprehension of their situation in the times of turbulence, while the larger Muslim community, which constituted about 43 percent of the population, feared the consequences of the disintegrating republic.

However, as the independence of Slovenia and Croatia was recognized, there emerged divisions within Bosnia on the question of leaving the Federation or seeking independence. Since there was a failure to agree on a new federal framework before the disintegration of Yugoslavia, there were concerns about the security of the three major ethnic groups. Bosnian Croats and Serbs threatened to move towards autonomy in order to ensure their security (Greenberg and McGuinness 2000).

The first signs of political crisis in the region occurred in 1991 when the Serb-majority districts proclaimed a ‘Municipal Community of Bosanska Krajina’. This was met with opposition by the Republican authority, as they were concerned about the Serb ethnic aspirations. The Serb dominated regions formed their own regional association called the Serb Autonomous Region (SAR). There were frequent incidents of violence on the borderlands, which resulted in the proclamation of a declaration of neutrality by the State Presidency. In June 1991 Croatia and Slovenia in a show of

nationalism proclaimed their independence from the Yugoslavia. In response, Yugoslav People's Army (JNA) launched an attack against these two breakaway republics. The attack quickly waned in Slovenia, but continued in Croatia as the latter had a sizeable Serb minority. In the fighting that ensued for the next six months, there was heavy loss of life in Croatia.

In 1991, when the war in Yugoslavia began, the Croats and the Serbs from Bosnia were among the major warring parties. The Croats began providing training to the Muslims for war in Bosnia while on the other side, the JNA provided training and armaments to the Serb reservists throughout Bosnia that led to the chaotic war in BiH. While the conflict was escalating in Croatia and Serbia during 1991, other Yugoslav republics were also affected. In Bosnia, with a 44 percent Muslim, 31 percent Serb and 17 percent Croat population, conditions for ethnic conflict was brewing fast. Another factor that escalated the conflict was the Serb domination in the army (Burg and Shoup 1999:45-47, 62).

On 15 October 1991, the Bosnian Government declared BiH as a sovereign and independent state with a clearly defined border. This declaration, termed as a 'memorandum of sovereignty' was accepted by Muslim and Croat legislators, while this was not acceptable to the 73 percent Serbian delegation who rejected the move and walked out the National assembly(Silber 1997: 229).

By the end of 1991, Bosnian Croats had begun to organize self defence and this achieved with some success in defending some regions of the country. However, as the war grew, Sarajevo government was unable to find an effective solution. The Bosnian Croats then aimed at filling the power void in the regions where they were in majority. As far as the Muslim leadership was concerned, it wanted a unitary state as it perceived the Muslims as the only true protectors of the state. The Muslims were of the opinion that just like Serbia was formed for Serbs, and Croatia was formed for Croats, in a similar way the Bosniacs (Bosnian Muslims) should have Bosnia formed as their nation-state. It was in this atmosphere that the Bosniac President Izetbegovic suddenly decided to hold a referendum on independence.

In the plebiscite on 20 February 1992, 99.4 percent voted for independence from Yugoslavia. The Bosnian Serbs led by Radovan Karadzic did not participate and

boycotted the plebiscite declaring the refusal of Bosnian Serbs to separate from Yugoslavia. A referendum was held on 29 February 1992, where about 63 percent of the electorate voted in support of full independence¹⁵.

On 1 March 1992, the country was declared independent and was renamed the Republic of BiH. However, President Alija Izetbegovic declared Bosnian independence on 3 March 1992, which was followed by skirmishes between the Muslims and Serbs in Sarajevo. With the help of JNA, the Bosnian Serbs captured almost 70 percent of the territory. On 6 April 1992 in Luxembourg, EC Foreign Ministers recognized Bosnia as an independent state ¹⁶ (Shrivastava and Agarwal 2003). The war in Bosnia was a war against civilians in order to create pure ethnic areas. Local violent incidents turned into a serious war when Serbs were engaged in a systematic ethnic cleansing of the non- Serbs. The EC recognition of the independence of Slovenia and Croatia, and then of BiH triggered the war in Bosnia. The Serb attacks were accompanied by unprecedented atrocities, ethnic cleansings, and the construction of the concentration camps.

It was the siege of Sarajevo that was the bloodiest battle of the Yugoslav War, The siege lasted for almost three years and resulted in unprecedented civilian casualties. One infamous incident was the Markale Market massacre on 5 February 1994 in which 68 people were killed and 200 wounded by shelling.

The “international politicization” of the Bosnian war meant that human rights acquired prominence (Chandler 2006:18). The war was no longer viewed as a normal conflict arising out of erosion of state authority, but as a clear case of abandonment of principles of multi-ethnic -coexistence by the sectarian Serb and Croat extremists.

The extreme atrocities on Bosnian Muslims provoked the international outrage leading to intervention by the UN, and reluctantly by the European powers. Only with the active involvement of USA and NATO, did the warring parties finally accept the Dayton Peace Accord (DPA) on 14th December 1995.

¹⁵In the referendum of February 1992 more than 64 percent of the eligible voters participated, and 99.7 percent of them answered affirmatively to the question, “Do you support a sovereign and independent BiH?”

¹⁶On 5 April 1992, the Serbian forces began the siege of Sarajevo while 7 April, EC and USA recognised the country’s independence, and on 22 May 1992, the Republic of BiH was accepted as a member of the UN.

Bosnian conflict has played a very important role in the international security scenario. It provided the chance to the international actors to show their peacekeeping and conflict management capacity in a war situation. Not only the EU intervened to stop the war in order to protect their own borders but also the USA as well as the UN also aspired, though for different reasons and interests, to end the Bosnian War, as part of a larger agenda to maintain peace in the world. According to Greenberg and McGuinness

The war in Bosnia is a manifestation of not only the virulence of nationalism in the hands of unprincipled leaders, but also the challenges of coordinating an effective, principled international response to such conflicts. Bosnia, more than any other conflict, shattered the optimism of the international community and exposed fatal weaknesses in the very institutions that were to have sustained peace and democracy in the new world order (Greenberg and McGuinness 2000: 35).

International Response to the Bosnia- Herzegovina War

Since conflict in Yugoslavia broke out, different international peace-keeping actors faced a lot of problems pertaining to the intervention and the mediation process on account of the ethnic composition and conflicting territorial claims which posed challenges to territorial and administrative division. Further, since the major conflicting parties were small-arms combat among the ethnic communities, any form of contemplated military action was also likely to result in massive collateral damage and in all probability would cause heavy civilian casualties (Economides and Taylor 2005: 68). Initially, the international response to the Yugoslav crisis was thus limited. The limited humanitarian intervention and the reluctance to send their troops signified a lack of political will among the Western Countries to effectively deal with the Yugoslav crisis. It was this early lack of international action that offered an opportunity for the Bosnian Serbs to perpetrate large scale ethnic cleansing (Greenberg and McGuinness 2000:46). Moreover, the complexity of the crisis meant also revealed how the UN and the regional organizations concerned with peace-keeping, had limited capabilities during civil war like situations in the post- Cold War period. Another factor that hindered an effective international response to the

Yugoslav crisis was that the international actors pursued their “own, often conflicting national interests” (Burg 1996: 44).

Throughout the conflict, successive US governments failed to devise a singular response. Their response varied from supporting reinforcement to reluctance in drawing into crisis which it though should be solved by Europeans alone. The overwhelming perception was that Americans had done their share of maintenance of international peace and stability during the Gulf War. This crisis was seen as an opportunity for the Europeans to demonstrate and test the emerging machinery of the foreign policy cooperation in the EU, be it existing EPC or CFSP, and to create a stronger joint conflict resolution or military capacity. On the other hand, the Russians were more reluctant because of the implications of the crisis on their Federation. Further, as the crisis escalated there was hostility to military action against the Serbs (Mayall1996). Hence, from the beginning itself, the UN permanent members did not show inclination for the support of UN involvement in Balkans. They were of the view that the European powers should make the efforts at solving the crisis as the war was not ‘global’ but ‘European’.

In this environment, all the major international actors attempted to resolve the crisis in BiH through military as well as civilian means and acted in concert in various multilateral institutions directly engaged in the conflict finding a solution (Burg and Paul 2000:190).

United Nations Engagement in the Bosnia- Herzegovina Crisis

The UN addressed the Yugoslav conflict as a serious threat on the international peace and security and became involved in the Yugoslav crisis in 1991 when the Security Council adopted resolution No.713 (UNSCR) which imposed an arms ban on Yugoslavia in the quest for stabilizing the region. In the resolution, the Security Council for the first time expressed concerns to the consequences faced by the countries of the region formed by the breakup of the Yugoslavia and also the border areas of the neighbouring countries (Cuellemans 2005:42-45).The Resolution expressed its deep concerns for “the fighting in Yugoslavia which is causing a heavy loss of human life and material damage, and by the consequences for the countries of

the region, in particular in the border areas of neighbouring countries (and) that the continuation of this situation constitutes a threat to international peace and security” (UNSCR Resolution 713 1991:42).

The Resolution was aimed at preventing the outbreak of further conflict in Yugoslavia. Conditions were attached to a number of resolutions including the establishment of United Nations Protection Force (UNPROFOR) in Croatia in 1992. In December 1992, the Secretary-General requested the mandate to be expanded and called for reinforcing the functional capacity of UNPROFOR and expanding the area of the mission from Croatia and BiH to establishing a preventive mission in Macedonia. The mandate provided for monitoring and reporting the significant occurrences in the bordering regions of the republic with Albania and the Federal Republic of Yugoslavia (FRY) which comprised Serbia and Montenegro. In 1992, the mandate for UNPROFOR was expanded to provide humanitarian aid and it was allowed to use all measures necessary for this purpose. This operation in Bosnia was named as the UNPROFOR II. It was to support United Nations High Commission for Refugees (UNHCR) efforts to provide humanitarian aid in BiH, and was also entrusted with a responsibility to provide protection as and when the UNHCR deemed necessary.

UNSCR No.743 established UNPROFOR to be deployed in Croatia with its headquarters situated in Sarajevo. According to Glenny, “the reason for having headquarters there was probably firstly to underline UN’s impartiality but secondly also to prevent the conflict from spreading to Bosnia” (Glenny 1996: 200).The UNPROFOR mission was initially deemed ineffective because of the problems of understaffing, financial constraints and the unwillingness of UN representatives to get UNPROFOR troops involved in the conflict in peacekeeping role (Goga 2006). Many nations, including the UK, declared a limited commitment of their troops actions, confined to the protection of UN humanitarian work in Bosnia, and other minor actions such as the protection of the convoys carrying the supplies to those stuck in the conflict zone, agreement to set up no- fly zone over Bosnia and a naval blockade against Serbia-Montenegro, and monitoring the sanctions.

In May 1992, under the UNSCR No.757, the UN imposed financial sanctions against Serbia and Montenegro as a preventive measure to control Serbian aggressive

nationalism (UNSC Resolution 757 1992). A major problem was that there was no agreement on the political objectives of enforcement. The optimism that had followed the recognition of Croatia was quickly overtaken by the unravelling of the crisis.

In the wake of the above problems and also to justify the peacekeeping mission in the former Yugoslavia, UNPROFOR was rechristened and reorganized into three distinct but inter-related peacekeeping operations in Croatia in BiH and in the former Yugoslav Republic of Macedonia. On 19 February 1993, UNSCR 807 extended the mandate of the UNPROFOR until the end of year. The resolution affirmed that the UNPROFOR was acting under the Chapter- VII of the UN Charter and called on all the parties to “carry out all necessary concentrations and deployments, all movements of equipment and weapons and all humanitarian and logistical activities” (UNSCR 807 1993 a).

As regards the role of the UN, security experts are critical that UN peacekeeping forces, that were supposed to intervene based on the principles of consent and consensus, rather turned out as a “poor fig leaf for the Western powers’ lack of military and political will to bring about a peace that could be kept” (Greenberg and McGuinness 2000: 36). It was only after when the USA intervention, reinforced by NATO forces started when a solution to the crisis began to look in sight.

Carrington –Cutileiro Mediation

In early 1992, EC mediators Jose Cutileiro and Lord Carrington declared that “the power-sharing arrangement of the coalition should translate into a triune state in which three ethnic parties divided territorial control among them” (Greenberg and McGuinness 2000). The Lisbon Agreement, also known as the Cutileiro Plan, was signed on March 18, 1992, but was rejected by Bosnian President Izetbegovic and Bosnian Croat leader Mate Boban as both leaders expected more favourable terms later on. It was also rumoured that Izetbegovic had rejected the plan as US ambassador to Yugoslavia Zimmerman had encouraged him to object to the ethnic divisions proposals inherent in the plan (Kozljak 2013: 164).

Vance- Owen Plan

On September 3, 1992, the EC, in conjunction with the UN, established the International Conference on the Former Yugoslavia (ICFY) under the former British member of Parliament and Foreign Secretary Lord David Owen (representing the EC) and former U.S. Secretary of State Cyrus Vance (representing the United Nations) to establish a permanent solution to the conflict and put an end to the ethnic cleansing.

The Vance–Owen Peace Plan came into formal existence in Geneva in January 1993 with a purpose to end the ethnic cleansing. The plan called for the division of the country into ten “Cantons”. The proposed division had three cantons having a Serb majority, two having a Croat majority, three having a Muslim majority and one having mixed Croat–Muslim majority. Sarajevo, the tenth Canton, was to be administered via power sharing among the three major ethnic groups (Greenberg and McGuinness 2000:48). The ten-fold division of Bosnia in which each province retained significant power implied a weak government at a center. The Plan also called for a freedom of movement among citizens in Bosnia, whose identity documents would reveal neither ethnicity nor religion. The plan also envisaged a human rights court in Bosnia with five foreign judges and monitors from all groups to stop ethnic cleansing (O’Ballance 1995: 118).

The plan made efforts to maintain the territorial frontiers of Bosnia, and also the continuation of a multi-ethnic framework. On the negative side, it was felt that the plan “unmistakably regarded Serbian aggression and legitimized its systematic practice of genocide in territories seized by force” (Gaffney 1993). However, despite having gained more territory, the Bosnian Serbs staunchly opposed the plan and “made it clear that the “peace plan” would not deter Slobodan Milosevic loyalist from pursuing the goal of a “Greater Serbia”.

The two mediators continued fruitlessly to persuade the three Bosnian groups to the peace plan, the UN passed a string of resolutions in early 1993, which did not positively move toward enforcement, but pushed in this direction and kept the pressure on the Bosnian Serbs.

Owen-Stoltenberg Plan

During 1993, Owen and Stoltenberg, the Special Representative of the Secretary General and the head of UN Mission in former Yugoslavia made attempts at the continuation of the peace process and to reinforce the ICFY. The two officials convinced the foreign ministers of the leading European powers to join the negotiations and engage with the warring sides in Yugoslavia. Although, the plan tried to present a solution by increasing the Muslim share of Bosnia to 33.5 percent, it was still a failure. There could be no agreement between European leaders and US regarding the mechanisms for the enforcement of the boundaries established by it.

United States of America's Engagement in Bosnia- Herzegovina

Since the beginning of the conflict, the US had been a reluctant player. During the early phase of the war, US leaders posed a threatening stance to interfere in Bosnia's matter, if Serbia continued on its aggressive war path. Both in the Adriatic Sea, as also in the Adriatic air base, a significant number of forces were deployed that were to assist in the enforcement of sanctions against Serbia. However, these moves were seen as "vague" threats that "increased Serb intransigence" (Druckmann 2000) and the Serbs continued their policy of territorial expansion through seizure.

Post the failure of the Vance-Owen Plan, President Clinton assured an active engagement in the peace process and proposed a series of measures to solve the deadlock¹⁷. These comprised imposing strict sanctions against Serbia and imposing the no-fly zone over Bosnia. UNSCR 816 of 31 March 1993 authorized NATO war planes operating under UNPROFOR umbrella to intercept the Serbs planes in the zone (UNSCR 816 1993b). A war crime tribunal was established which was authorized to initiate action against those accused of war crimes. The resolution called for an increasing participation of Russia in the peace talks.

The US launched an alternate strategy called, "Lift and Strike" under the Secretary of States, Warren Christopher, which aimed at ending the arms ban on Bosnia. Another

¹⁷.In the United States, the Bush administration formulated policy toward Yugoslavia until January 1993 favoured Yugoslav unity and opposed involvement in that country after it began to disintegrate. Although the next President, Bill Clinton was very critical of Bush's inaction there but also did not offer much.

major component of the US intervention policy was to launch NATO air strikes against Serbian. “Lift and Strike” was summarily and consistently rejected by the Europeans as it openly subverted the Vance–Owen process.

Fall of Srebrenica and the Failure of UNPROFOR

The most important event that outraged the world was the excessive shelling and subsequent fall of Srebrenica in 1993¹⁸. Srebrenica exposed UNPROFOR as a humanitarian mission characterized by inadequate planning, and in no manner an effective alternative to concrete military action required to stop the ethnic cleansing. UNPROFOR was a peacekeeping mechanism but without a definite mandate to enforce peace. Its only defined mandate was delivering food, medicine, clothing, and other humanitarian aid. The lack of a specified mandate further became painfully obvious when the UNSCR 819 of April 16, 1993 designated Srebrenica as a “safe area¹⁹” (UNSCR 819 1993C).

Washington Framework Agreement

In May 1993, the United States, along with the major European powers - Britain, France, Russia, and Spain, -introduced the Joint Action Plan (JAP), with the fundamental premise of “containment” i.e. closing the Bosnian border to safeguard against Serb and Croat aggression, deploying troops in Macedonia to prevent the conflict from spreading further and including six Muslim towns in an expanded safe area. The most significant element of the peacekeeping framework of the JAP though was establishing a War Crimes Tribunal at Hague having the mandate to investigate and take actions against those includes of War crimes.

¹⁸Srebrenica, a town in the Drina Mountains close to the Serbian border, was now home to many Muslim refugees who had been “cleansed” from neighbouring towns and villages.

¹⁹Even though the term “safe area” was politically, militarily, and legally ambiguous, for the first time, “the international community had committed itself—morally, if not in any effective practical sense—to the protection of one side in the war against the other” (Greenberg and McGuinness 2000). The Security Council later extended the “safe area” designation to other predominantly Muslim majority towns such as Sarajevo, Tuzla, Zepa, Gorazde, and Bihac .

The US had taken note of the lack of success of the Joint Action Plan and the Owen–Stoltenberg plan and thus worked with the ICFY to mediate peace between the Muslims and Croats and also laid the foundation for creating a Bosnian Federation. The Federation created a single Bosnian entity, which was representative of the interests of the Bosnians Muslims and Croats, in discussions with the Serbs. The alliance continued to hold at least in theory till US remained engaged and was successful in ending the hostilities between the Muslims and Croats.

The Contact Group Plan

The year 1994 witnessed the growing hostilities of the Bosnian Serbs. The Contact Group had representatives from the two big powers, US, and Russia, along with Germany, France, and the United Kingdom and the representatives from UN and the EU. The Contact Group created a new peace plan according to which BiH was allowed to retain its international borders. At the same time, the plan envisaged an internal allocation of the territory between the Federation which was to receive 51 percent of the territory and the Bosnian Serbs who were granted 49 percent of the territory. The governments of Bosnia, Yugoslavia, and Croatia, reluctantly agreed to the proposal but it was rejected by the Bosnian Serbs which led to their exclusion from further peace negotiations.

In February 1995, the UN announced that UNPROFOR could take preventive action in defence of life and property and was allowed to initiate action against those who interfered in the smooth functioning (Shrivastava and Agarwal 2003).

It was the genocide of Zepa and Srebrenica in 1995 that led the US to take the peacekeeping efforts in the region more seriously. NATO carried out air strikes under the code name of “*Operation Deliberate Force*” on the Serb’s position despite Russian protests. The strikes were carried on till September 1995 until the Bosnian Serb’s agreed to remove their heavy armaments from the 20 kilometer exclusion zone and assured cooperation in the peace mechanism. Finally, affirmed cease fire was decided upon on 5 October, 1995 and Srebrenica was declared as the “greatest shame” of the West. The principal players in US foreign policy proclaimed Bosnia as a “globally significant place and as a ‘test’ of America’s global leadership” (Tuathail

2002: 611). The events in Srebrenica pushed the US administration towards making a strong military commitment in war ravaged Bosnia.

The USA's policy practitioners and also the allies now decided that it was time for a concerted military action. The then National Security Advisor Anthony Lake now started contemplating on a 'post withdrawal' strategy -the actions that USA would take once the UN forces were withdrawn (Daalder 1998). By the end of 1995, USA's new strategy of active military intervention in Bosnia was successful in the transformation of Bosnia into relatively peaceful country, a peace that was enforced via the involvement of 60,000 USA and NATO forces. In December 1995 UNPROFOR was replaced by IFOR. The war came to an end by the American peace proposals, initiated by the President of BiH, Alija Izetbegovic.

The Road to the Dayton Peace Accord

USA had been a relatively passive international actor during the initial years of the Bosnian war and it was only when the situation on the ground in Bosnia became serious as Srebrenica fell in July 1995 that USA decided to pursue a full-fledged military intervention policy.

Encouraged by the inability of the UN and NATO to frame a common view regarding the use of force, and expecting a US reluctance to directly commit ground forces in the region, the Serbs held 350 UN peacekeepers as "human shields" as retribution for NATO air strikes at places where Serb weapons were stored. President Clinton pursued "the Endgame Strategy" aimed at establishing a lasting settlement, ending the atrocities, and putting an end to the failures of UN and NATO peacekeeping. In late 1994, the United States pursued direct negotiation with Slobodan Milosevic. It was at this time that Croatia launched "Operation Storm", recaptured Krajina and expelled 100,000 Serbs from the region. USA however remained passive regarding the Croatian act of aggression despite the surfacing reports of the atrocities of Croatian government forces on the Krajina Serbs –akin to the ethnic cleansing the Bosnian Serbs had done in Bosnia. The administration's

“Endgame Strategy”²⁰ made it clear to Bosnian President Izetbegovic that he had no option but to be part of the peace negotiations. In case, the Bosnian government thought of thwarting any agreement, the United States threatened to lift the arms embargo.

While the international community was making efforts at negotiations, Serb aggression continued and manifested one of its most virulent forms as shells were launched by Serbs into the crowded marketplace in Sarajevo on 5 February 1994, which killed thirty-seven civilians. The immediate US response was the launching of NATO strikes to regain the control of peacekeeping forces over Sarajevo. On February 28, NATO fighters shot down four Serb planes for violating the no-fly zone, in what was the first military action in the forty-four-year history of the alliance. On August 30, in what was the largest NATO military action ever, more than sixty aircraft, flying from bases in Italy pummelled Bosnian Serb positions around Sarajevo. They were joined by the French and British artillery (CIA 2013).

On September 8 1994, the foreign ministers of Bosnia, Croatia, and Yugoslavia decided upon the continuation of Bosnia as a single state in which Bosniak-Croat and Serbs would share territory on 51-49 percent share. Towards the end of the month, the US negotiating team had succeeded in reaching an agreement regarding the recognition of BiH as a sovereign and democratic state. On October 4, President Clinton gave his approval for organizing a conference in the USA, and on the next day, the conflicting parties agreed to a nationwide ceasefire in BiH, taking effect from October 10 and gave the Croats and Bosnians five days to secure their gains on the ground. The conference was scheduled for November 1, 1995. To maintain the momentum of the peace talks. Slobodan Milosevic of Yugoslavia Alija Izetbegovic of Bosnia and Franjo Tudjman of Croatia attended the talks near Ohio. By November 21, the parties agreed on a map with defined borders and also a framework for power sharing within a unified Bosnian state (Greenberg and McGuinness 2000:64). President Bill Clinton in his Presidential Speech of 27 November 1995 mentioned that “exhausted by war, they (conflicting parties) made a commitment to peace. They agreed to put down their guns, to preserve Bosnia as a single state, to investigate and prosecute war criminals, to protect the human rights of all citizens, to try to build a

²⁰In what became known as the “lift and leave” approach, was eventually accepted by the European counter-parts.

peaceful, democratic future”(Rubinstein, Shayevich, and Zlotnikov 2015). Clinton categorically stated that the NATO was the only capable force to enforce peace in Bosnia, and as such US will be an essential part of NATO forces

If we're not there, NATO will not be there; the peace will collapse; the war will reignite; the slaughter of innocents will begin again. A conflict that already has claimed so many victims could spread like poison throughout the region, eat away at Europe's stability, and erode our partnership with our European allies” (Rubinstein, Shayevich, and Zlotnikov 2015).

The Bosnian Prime Minister Haris Silajdzic and Foreign Minister Mohammed Sacirbey along with representatives of the other Contact Group countries were also a part of the peace talks along with representatives of EU and OSCE. However, there was no UN representative. As the conference began, Assistant Secretaries of State John Kornblum and Robert Gallucci held direct talks with the Europeans and the Contact Group on a number of issues such as Bosnian elections, a constitutional framework for the country and establishing an international police force to oversee the implementation of the agreement(Greenberg and McGuinness 2000:65-66).The USA wanted an agreement acceptable to all the parties, which could be forced through a peacekeeping implementation force which would function on the terms set by USA and NATO.

The final peace agreement was signed by the parties at a peace conference in Paris on 14 December 1995 named Dayton Peace Accord (DPA)²¹. The agreement recognized Bosnian current borders. Bosnia comprised of two semi-autonomous regions -the Muslim-Croat dominated Federation of BiH and the Bosnian Serb dominated Republika Srpska. Both the regions had their own parliaments and governments and a military. According to the agreement, foreign policy, foreign trade, customs policy, and monetary policy were placed under the control of the Central Government. The DPA also called for democratic elections for central and municipal governments. The elections were held on September 14, 1996 under OSCE supervision.

²¹ The key implementers mentioned in the Dayton Agreement were: International High Representative (civilian implementation), NATO (military aspects), Organization on Security and Cooperation in Europe (regional stabilization, elections, and human rights), UN (police), International European Court for Human Rights (constitution, human rights), Council of Europe (Human Rights), United Nations High Commissioner on Refugees (human rights, refugees and displaced persons), International Monetary Fund (constitution), European Bank on Reconstruction and Development (Public Corporations), United Nations Educational Social and Cultural Organization (national monuments) and International Arbitrator (inter-entity boundary line and related issues).

Under the terms of the accord, the Bosnian Federation was given 51 percent of the territory of Bosnia-Herzegovina, while the share of Republika Srpska was 49 percent. The accords also called for all the parties to extend full cooperation with the international war crimes tribunal for the former Yugoslavia. The plan contained agreement to establish human rights mechanisms and provided refugees the right to return to their homeland or receive compensation. The accord also called for building institutions with non-Bosnian. The DPA also included agreements on defining the role of an international “high representative” for implementation of the civilian mechanisms of the pact (Albright 1997).

After the signing of the DPA, the UN role in the aforesaid crisis also underwent a significant shift. The DPA created the Implementation Force (IFOR) with approximately 70,000 troops with NATO leadership and authorized by UNSCR No.1031 (UNSC 1995). IFOR continued for one year and in December 1996 was replaced by the Stabilization Force (SFOR), authorized by UNSCR No.1088 (UNSC 1996) and finally European Union Peacekeeping Force (EUFOR) which took over in December 2004 authorized by UNSCR no 1575 (UNSC 2004). With the formation of IFOR, UN role was restricted to that of a civilian crisis manager. The UN established a new mission named United Nations Police Mission in Bosnia and Herzegovina (UNMBiH) in BiH. Apart from the humanitarian goals and reconstruction, the UNMBiH consisted of mainly two activities:

- 1) The International Police Task Force (IPTF) was created to perform monitoring, training, and advisory functions towards law enforcement
- 2) The Judicial System Assessment Programme (JSAP) was created in 1998 to ensure the implementation of judicial reforms.

In retrospect, it can be said that UNMBiH has been comparatively more successful than the UNPROFOR and the main reasons behind this are the non-inclusion of military aspects, the cooperation of UN member states and the changing security context (Goga 2006).

The European Union's Involvement in Bosnia - Herzegovina

The failure in Kosovo prompted the EU to take action itself for the solution of the problem of BiH and formulate a CCM mechanism in the form of the EUPM. The Kosovo conflict (1998) clearly demonstrated to the EU that it was high time it focused on the security scenario in the western Balkan region, and offer prospects of the EU accession for the countries in those regions, thereby aiming to promote regional stability. Upon the significance of EU's involvement in the region, Juncos remarks that "involvement of the EU in the country is one of the most ambitious associations to date and here the Union has gone beyond being a traditional civilian power towards a more robust role with the deployment of several instruments under the European security and defence policy (ESDP)" (Juncos 2007: 47).

From Dayton to European Union Police Mission

The EU's involvement in Bosnia was on account of its strategic geo-political location of the Bosnia as there were concerns that war in its neighbourhood would create a security threat to the Union²². The EU also launched its biggest civilian crisis management mission named EUPM in Bosnia till date. However, EU's involvement in the crisis can be traced much before the start of EUPM and as Helly and Flessenkemper (2013:7) remarks the EU's engagement with BiH as an actor was not new, neither politically nor operationally.

The Dayton Peace Agreement did not recognize the EU as a major crisis manager in BiH, but that did not imply that EU remained a mere spectator in post war Bosnia. EU's involvement in Bosnian war can be categorized into four phases. The first phase of EC intervention began on 15 July 1991 with the creation of the European Community Monitoring Mission (ECMM). The ECMM was tasked with the overseeing the observance of the ceasefire in the war in Slovenia and the withdrawal of JNA from Slovenia. ECMM continued its functioning after 1995 and in December 2000 transformed into the European Union Monitoring Mission, directly governed by the Brussels and dissolved on 24 August 2007. The EUPM had its mandate similar to ECMM and included the tasks of monitoring "political and security developments in

the area of responsibility, giving particular attention to border monitoring, issues and refugee return, providing analytical reports on the basis of tasking received,” and contributing “to the early warning of the Council and to confidence building, in the context of the policy of stabilization conducted by the Union in the region”(Council of the European Union 2007 c:2).

The second phase of EU’s intervention began when EU took the charge of administration of the damaged city of Mostar under EUAM on 23 July 1994. The EUAM assisted by the WEU member states, Bosnian Croats and Bosniaks involved in the former conflict adopted a wide variety of governance tasks. which included the central objective “to create the conditions leading to a unified city of Mostar” (Official Journal of the European Communities 1996) and also included other objectives like “rehabilitation of public utilities, organizing and providing humanitarian assistance, support in the reconstruction of industries, maintaining public order, assisting in the establishment of all public functions, ensuring the national, religious and cultural identity of all peoples and proposing a structure for a unified city government” (ICG 2000:4). The EUAM was dissolved in January 1997.

The third phase of EU’s involvement began when the European Commission delegation devised a number of programs to facilitate Bosnia’s international assistance. Towards this end, EU’s pre-accession programs PHARE and the Community Assistance for Reconstruction, Development and Stabilization (CARDS) played a vital role. CARDS, created by a Council of Ministers’ decision in December 2000, aimed to support democratic stabilization, good governance and institution building. With the evolving European enlargement process and accession of Eastern European States resulting in a reconfiguration of EU borders, CARDS were replaced with the Instrument for Pre-Accession Assistance (IPA) in 2007. Apart from providing precession assistance, the EC delegation also provided regular political analysis, carried out evaluations and contributed to post conflict reconstruction.

The fourth phase of EU’s involvement began when the European Commission representative and the Presidency became the Peace Implementation Council’s Steering Board. Under this institutional arrangement, the Steering Board was the main institution to provide political guidance to the High Representative and as the part of

the Steering Board, the EU could monitor the implementation of the Dayton Peace Agreement.

Despite its involvement in BiH, the EU only got a proper recognition as a major crisis manager when it launched EUPM in January 2003. The EU's approach towards BiH is very unique because its first CCM operation EUPM replaced NATO led Police Mission and also that it had a military mission named EUFOR ALTHEA at the same time in BiH. This was the third mission overall. The mission had the mandate to confirm compliance with the 1995 DPA, to support the international community's High Representative, also the EUSR in BiH -and also to support local authorities in tasks such as mine clearance and control of lower airspace. According to Bertin(2008:61), the mission represented "a major step forward in the development of the military dimension of the ESDP, confirming the Union as an actor in international security affairs".

Table 3.2: Instruments/ Initiatives deployed in Bosnia and Herzegovina in the framework of the EPC/CFSP

Instruments /Initiative by European Union	Time Period
EC/EU Monitoring Mission	1991-2007
EC Peace Conference	1991-1992
Economic Sanctions and Arms embargoes	1991-1998
EC/EU envoys(Lord Carrington, Lord Owen, Carl Bildt)	1991-1995
EU Administration in Mostar	1994-1996
Stability Pact for South Eastern Europe	1999-2008
EU Special Representative in Bosnia	2002--
EU Police Mission	2003-2012
EU Military Force Althea	2004--

Source: Juncos 2013:8

Before describing the EUPM as the EU's civilian tool of crisis management in BiH in detail, it is essential to summarize the preceding missions of similar nature, deployed by other major international organizations. NATO was operational in the country since 1995, when 60,000 troops were deployed under the IFOR. SFOR numbering 30,000 replaced the IFOR in December 2006. SFOR strength was gradually reduced. In June 2004, at its Istanbul summit, NATO announced that SFOR was to be replaced by EUFOR, by end of the same year. The transition phase for handover of SFOR to EUFOR took six months, primarily due to variance in the exact meaning of EU access

to NATO's resources (Koehane 2009: 212). EUFOR was a significant step towards the realization of EU's potential as an effective crisis mediator. The relative ineffective response of the EC to the Yugoslav crisis had rendered its image among locals as a politically and militarily weak actor. Operation Althea largely reversed this "first by engaging in a high operational tempo (i.e. patrols, exercises) to show EUFOR strength and capabilities, and pro-actively communicating the positive results of EUFOR activities in the Bosnian media. Second, by emphasizing that EUFOR was practically the same in terms of size, types of personnel and capability as the NATO run SFOR had been"(Bertin 2008:63)

However, EUFOR was by itself not sufficient and it required some coordination with other peacekeeping missions, if the challenges of organised crimes were to be met. At this time, the 'major EU crisis management' actor was the EUPM.

The European Union Police Mission in Bosnia and Herzegovina as a tool of Civilian Crisis Management

The EU has engaged in crisis engagement and conflict prevention in order to establish itself as a creditable security actor. The main instrument towards achieving this goal is the ESDP which combines military and civilian tool to deal with external security threats. The EU strives to promote the rule of law, democracy, and accountability in the fragile and failing states in the bordering regions in through a distinctive combination of hard and soft power instruments, the latter being referred to as instruments of civilian crisis management (Korski and Gowan 2009:21).

The EU's involvement in the Balkans since the early 1990s was aimed at preventing the spill-over effects of the conflict in Western Europe. Woodward argues that "the myriad of reforms and programmes in south-eastern Europe are aimed at providing security for Western European states and citizens in defence against south-eastern Europe" (Woodward 2003: 297). The EU could not be expected to be considered as an effective global actor if it failed to act and stabilize its own neighbourhood. As Solana remarked:

I make no apologies for concentrating on the Balkans. They are on our doorstep. The security of Europe depends on stability in the Balkans.

They are also a test case for Europe's enhanced Common Foreign and Security Policy. Nowhere more than in the Balkans is the EU expected to deliver (Solana 2001).

This was recognised in the 2003 ESS which identified terrorism, Proliferation of WMD, Regional Conflicts, State failure, Organized crime as a threat to global security. BiH had a direct relevance two of the five threats mentioned: state failure and organized crime (Javier Solana 2003). At the time of the launch of ESS, Bosnia was perceived as an exporter of threats, and thus by establishing security architecture for war ravaged Bosnia, EU aimed to secure its border.

As part of securing its neighbourhood, EU has intensely employed the instruments of civilian crisis management of ESDP in BiH. The EU's involvement in neighbouring Bosnia serves two purposes: stability and transformation. The instruments of the EU's second pillar ESDP, aimed to maintain the political stability of Bosnia, while the community instruments were tasked with the handling of the accession process. It is hoped that the EU integration perspective will bring in much needed momentum for the redefinition of post-conflict politics in Bosnia. BiH is a unique case as a future EU candidate country whose political and territorial integrity is under the guarantee of the Peace Implementation Council (PIC) of the International Community maintained by the EU security instruments. The security instruments of the EU, the EUFOR Althea and the EUPM, have a mandate to enforce the full implementation of the DPA. It is the most crucial element of the international community's presence that could transform the inoperative political institutions of BiH into efficient, competent political bodies that would follow through with the implementation of reforms all over Bosnia. A regional approach and conditionality principles constitute the underpinnings of the EU approach to the Western Balkans, and BiH in particular. These two principles are clearly present in the Stabilization and Association Process (SAP).

In BiH, the EU policies were aimed at managing the conflict situation in BiH not only by military intervention but also through their police and civilian crisis management mission. The EUPM is an experiment for the EU to put its CCM concept into practice and is one of the most ambitious attempts of the EU to test its CCM competencies in the area of rule of law in BiH. The EUPM, the first mission under the ESDP, was launched on January 1, 2003, initially for a period of three years. Michael Emerson

remarks, “After the terrible war and genocide in 1992, BiH was in total political mess. The European factor helped to keep peace. EUPM in that sense is an excellent and useful part of bigger picture of conflict resolution” (Emerson 2016)²³.

At its inception, EUPM was instructed by the Council to “establish sustainable policing arrangements under BiH ownership in accordance with best European and international practice, and thereby raising current BiH police standards To this end, it was entrusted with the authority to ‘monitor, mentor and inspect’” (Council of the European Union 2002). While The IPTF, early police mission in BiH, had executive powers, the EUPM’s area of work was limited as per the principle of local ownership and sustainability with the mandate of “monitoring, mentoring and inspecting” the police structure comprising of middle-level management as well as the senior officers and, the political authorities over the daily police operations (Celador 2007:13). This mandate gave much responsibility to the Bosnian authorities in the policing sector as the EUPM was not mandated for direct engagement in police restructuring because of its non-executive nature.

As regards an overview of the structure of the mission, the mission comprised approximately 500 police officers from more than 30 countries, estimated at an annual budget of 38 million Euros (European Commission 2002). Approximately 80 percent of the police officers were nationals of EU member states and the remaining 20 percent came from so-called “Third States” (i.e. non-EU countries).²⁴ The mission cooperated closely with the EUSR, the Office of High Representative (OHR), EUFOR Althea, the OSCE, the EU Monitoring Mission (EUMM)²⁵, and the International Criminal Tribunal for the former Yugoslavia (ICTY).

Police operations encompassed an advisory role along with providing assistance, training, and even replacing the local police forces as EUPM mentioned in its agenda to “monitor, mentor and accountable” police and combat the threat organized crime

²³ .This point was mentioned by the Mr. Michael Emerson in a personal interview held on 13 May 2016 in Brussels.

²⁴In 2003 the group of “Third States” participating in EUPM with personnel included Canada, Cyprus, Bulgaria, Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Norway, Poland, Romania, Russia, Slovakia, Slovenia, Switzerland, Turkey and Ukraine with similar rights as those enjoyed by EU Member States. However decision making at the senior level remained with EU states.

²⁵European Union monitoring mission was established in Western Balkan in 1991 by the name of European Community Monitoring Mission and it transformed in EUMM after the adaptation by the Council of the European Union on the 22 December 2000 of Joint Action 2000/811/CFSP European Union Monitoring Mission.

which is one of the greatest threats identified by the ESS for the EU. The EUPM, EU's first CCM operation under its ESDP, may be regarded "as the most important laboratory for testing the EU civilian crisis management competences in the area of the rule of law" (Briganti 2002). In the opening speech of EUPM, Javier Solana remarked that the main goals of the mission were to establish peaceful and stable BiH and firmly establish the Rule of Law

The framework for a democratic and professional police is crucial to providing all citizens of Bosnia with a safe and stable environment. A peaceful and stable Bosnia and Herzegovina is our first common goal in EUPM (Solana 2003:8-9).

The EU considered state failure as a major cause for organized crime (Osland 2007:1). Javier Solana also recognized the Balkans as a 'Criminal Network', and regarded restoring good government and promoting democratic governance as an effective means to combat with organized (Solana 2003:6). In the Bosnian security context, the EU was also concerned with the rising problem of illegal trafficking of goods, arms, drugs, as well as humans towards Western Europe. Another factor that drove EU to intervene was the threat of a terrorist attack on displaced persons, refugees and minorities in Bosnia (Ibid).

However, the most important issue which the EU tried to address was the reform of Bosnian police structure. Towards this end, the EUPM was a follow up to IPTF and aimed to ensure the effective functioning of the basic standards of democratic policing structure which were laid down by the IPTF. As part of its objective of police reforms, the EUPM was to overview and enhance the managerial and operational capacity of the Bosnian police. However to facilitate the transition from IPTF, EUPM retained some of the latter's elements. Sven Fredrikson, the first head of EUPM was thus the former commissioner of the IPTF. The EUPM also retained 119 police experts of the IPTF (Padurariu 2014). The retention of such elements meant that the EUPM did not completely disassociate itself with the legacy of IPTF. This was also on account of the fact EUPM took over most of the unfinished tasks of the IPTF.

As part of the building a security framework for Bosnia, the EUPM Police Commissioner laid emphasis on two major issues that EUPM would address: first, BiH police was able to ensure the safety for returnees, and second, BiH police could combat the threats of organized crime and corruption. This was in line with the threats

identified in the ESS. As Javier Solana High Representative of the European Security Strategy stated, “BiH is directly relevant to two of the five threats identified in the ESS: state failure and organized crime” (Solana 2003:4).

By 2003, when EU took over the police mission, it was argued that the immediate post-conflict era was over, and that the task of policing was to be transferred to local police structures. It was clear from the beginning that the objectives of the current EU mission were streamlined with those of existing UN mission. For that reason, the mandate of the EUPM was more political and focused on institution-building compared to its predecessor, the more technical and action oriented IPTF mission of the UN²⁶ and following the decision of the peace implementation council and Steering Board²⁷ The mission’s mandate was derived from the objectives mentioned in Annex 11 of the DPA, which was initially formulated for the IPTF. The mandate focused on capacity building measures for improved rule of law. In spite of the increased scope in the definition, the mission focused primarily on police matters. Adopted on 11 March 2002, the Council Joint Action outlined the goals set forth in the EU Police Mission’s mandate, which provides aspects of policing aspects within rule of law framework

The European Union Police Mission (EUPM), supported by the Commission’s institution building programmes, should, as part of a broader rule of law approach, aim, in line with the general objectives of Annex 11 of the Dayton Agreement, to establish should establish sustainable policing arrangements under [Bosnia-Herzegovina] ownership in accordance with best European and international practice, and thereby raising current [Bosnia-Herzegovina] police standards. The EUPM, entrusted with the necessary authority to monitor, mentor and inspect, should achieve its goals by the end of 2005 (Council of the European Union 2002 preamble para 2).

To achieve these objectives, the EUPM operation was divided into three pillars: providing support to the local police in the fight against networks of organized crime, making the local police answerable and providing support to the implementation of

²⁶Security Council Resolution 1396 of 5 March 2002 allowed the transfer of international police role from the UN to the EU.

²⁷For the day-to-day management of the peace implementation, a Steering Board was created which is made up of the United States, Canada, Russia, Germany, Great Britain, France, Italy, Japan, the Presidency of the European Union, the European Commission as well as Turkey as representative of the Organisation of Islamic Countries. The steering board was entrusted with identifying projects from those areas which were under the Working group.

police restructuring (Council of the European Union 2007 a). The EUPM assistance through these strategic pillars aimed to strengthen Bosnian ownership and set up functioning institutions for rule of law. As Javier Solana remarked in the opening ceremony of the EUPM, EUPM further sought to establish effective policing arrangements under BiH ownership in accordance with best European and international practice. EUPM aimed to establish a sustainable, professional and multiethnic police service through mentoring, monitoring, and inspection in BiH. The significance of the EUPM mandate lay in the fact that it encouraged BiH to start taking over the business of 'doing' things for itself rather than having decisions imposed from abroad (Brljavac 2012).

EUPM I and II missions can be regarded as a component of broader EU missions addressing issues such as rule of law aspects in BiH. In 2006, the mission's mandate and size were modified; the EUPM II mission was expected to last till 2009. The mission's mandate was as follows

Under the direction of the EUSR, the EUPM coordinates the policing aspects of the European Security and Defence Policy (ESDP) efforts in the fight against organized crime and as part of the broader rule of law approach in BiH and in the region, aims through mentoring, monitoring, and inspecting to establish a sustainable, professional and multiethnic police service in BiH, operating in accordance with the best European and international standards. This police service should operate in accordance with commitments made as part of the Stabilization and Association Process with the European Union, in particular with regard to the fight against organized crime and police reform. It assists local authorities in planning and conducting major and organized crime investigations (Council of the European Union 2007 a).

After the two extensions in 2007 and 2009 the EUPM, which was launched on 1st January 2003 with a three year mandate ended on 30th June 2012.

As regards organized crime, the initial mandate of the EUPM did not mention about the threats of organized crime networks and the issue of corruption. The second mandate of the EUPM the council refined the mission's previous objectives. The Council Joint Action of March 2002 did not mention much about the organized crime and corruption (Flessenkemper 2013:27). However this lack of clear explanation of the mandate coupled with the ground situation of the BiH itself provided the room for the EUPM officials to interpret it in these terms.

The renewed EUPM II emphasized that the mission was to be refocused on “the fight against organized crime, through strengthening BiH operational capacity and assisting in planning and conducting of major and organized crime investigations, and the implementation of police reform, which will create a single structure of policing, improve law enforcement co-operation and reduce corruption and waste” (Council of the European Union 2005 c: 3).

In 2009, the fight against organized crime became one of the main goals of the mission and on the April 26, 2010, mission mandate further strengthened “the operational capacity and joint capability of Law Enforcement Agencies engaged in the fight against organised crime and corruption” by authorizing it to “assist and support in the planning and conduct of investigations in the fight against organized crime and corruption in a systematic approach” (Council of the European Union 2009 b: Art 3). The mandate also provided for “enhancing police-prosecutor interaction as well as increasing regional and regional and international cooperation” (Council of the European Union 2009 b). Thus, EUPM was designed as main coordinating agency of the ESDPs’ all policing aspects which looked after the fight against organized crime.

The EUPM aimed to fight against organised crime through mentoring, monitoring and as well by performing an advisory role to the local police structure ((Briganti 2013). Security institutions such as the State Investigation and Protection Agency (SIPA), Ministry of Security (MoS) and the State Border Service (SBS) were enhanced through sharing of knowledge and expertise. EUPM entailed much greater degree of executive power and focussed on institution and capacity building at management level than previous police mission, as part of its strategy of combating organised crime (Penksa 2006: 4). Officers of EUPM were to provide operational advice and support by monitor and inspect the police operations on their early planning stage (European Union Council Secretariat 2006). Moreover, the EUPM equipped the Bosnian police with technologically advanced surveillance capacity and led to increasing coherence between law enforcement agencies and prosecutors.

The EUPM in its second as well as third stage functioned towards enhancing the capacity in Bosnia to combat organized crime. An integral part of such enhancement was the establishment of a Criminal Justice Interface Unit with the stated objective of

improved police –prosecutor collaboration. EUPM functioned alongside the criminal justice system including officials from the police and customs, chief prosecutors, judges, and in-charge of prison, and gradually morphed into an advanced rule of law mission from a police mission.

The European Council hailed the EUPM for its fight against organized crime and for the increase in the “number of large scale anti-organised crime operations conducted by BiH police, including cross-border operations”. It also added that “EUPM helped the police to develop its outreach activities and to raise its image, integrity and accountability towards the citizens through public information campaigns” (European Union External Action 2012:2). However, the mission’s role in combating organized crime had certain shortcomings. Owing to the lack of executive powers, the EUPM was forced to focus on institutional development and capacity building through extending cooperation with the European Commission Delegation in the BiH. The European Commission Delegation in the BiH was also involved in the promoting of local ownership which was the main objective of the EUPM. This promoted a clash because of the duplication of the task between the EUPM officials and European Commission delegation in BiH. The EUPM functioned in accordance with local ownership principles. This mission had no executive power from the beginning and its objectives lied only to support the local agencies. This along with EUPM’s focus on the technical issues like law enforcement and criminal justice hampered the mission’s capability to combat organised crime.

The European Commission also took cognizance of these factors and in its 2011 progress report stated that “the lack of institutionalized cooperation between all law enforcement agencies and the limited strategic guidance remain challenges to achieve more efficient policing” and described the “cooperation between police and prosecutors (as) weak” (European Commission 2011 b: 57- 58).

The second major strategic pillar pertained to making the police mechanism more accountable and transparent. This strategic pillar was related to addressing the issue of corruption and violation of human rights in the conduct of normal policing. In BiH, it was agreed upon by all that corruption is an important problem, which, was the main reason of low level of accountability and trust in the police institutions. Transparency International Report in 2004 showed that “BiH citizens perceive corruption as the

second biggest problem in the country” (Transparency International 2004). Studies estimated that, “44.3% were familiar with cases of corruption in police.....Altogether, over 50% of respondents were aware of corruption” (Dalzer, Muralbegovic, Maljevic and Budimlic 2006:299). Corruption in police remained an endemic problem in BiH.

The EUPM set its main agenda to improve the level of awareness against corruption in its rule of law area. The EUPM officials were supposed to fight bribery among the local police in BiH but there were some obstacles in cooperation with local police. The language barrier and the short-term appointments of the police officers to the EUPM mission obstructed the development of a productive relationship through which an active learning process could be possible for the Bosnian police. Thus the EUPM officials were unable to tackle the problem of corruption.

According to the European Commission in 2009, corruption in BiH was still “prevalent in many areas and continues to be a serious problem, especially within government and other State and Entity structures, linked to public procurement, business licensing, in the health, energy, transportation infrastructure and education sectors”(European Commission 2009:14-15).In 2010 United Nations Development Programme (UNDP) Survey presented a report that more than 2/3rd of the Bosnian citizens either claimed police units to be corrupt or accused them of violating human rights during the conduct of police operations (Zoran and POPOVIĆ 2010).In 2010 *EuroActive* warned that, based on the Gallup surveys, 81 percent of Bosnia’s citizens believed that the government was corrupt and that “more than a quarter of respondents (...) said they are personally affected by organized crime in their day-to-day life” (Euro active 2010).

EUPM launched a series of campaign with the message, “*Corruption takes everything from You*” to build an awareness against the corruption and its negative impact on the society in the citizens and also to establish rule of law with the ‘*Best European Practice*’. In 2010 EUPM supported support to an initiative called “*Anti-Corruption Jolly Ambassadors*” which was developed and implemented by a group of youth and student associations to encourage citizens and relevant institutions to fight against corruption. “*Fighting corruption begins with me*” was also a slogan of their second campaign implemented in 2011 and assisted by EUPM (Council of the European Union 2014:96).

But due to absence of political determination to implement effective legislation, anti-corruption measures in BiH remained poorly implemented like the other reform areas. The 2014 European Commission progress report concluded that “the track record of investigation and prosecution in high profile cases remains unsatisfactory and the overall level of effective investigations, prosecution and convictions is low” (European Commission 2014: 3). The EU attributed this failure to a mix of factors such as unwarranted political influence on local police, persistent corruption and absence of coordination between the agencies of law enforcement and those of persecution (BTI 2016:31).

Promotion of local ownership in BiH and police accountability was another major objective of EUPM. The EUPM’s approach on local ownership was based on the best European and international practices. The “EUPM’s trademark was from the very beginning greater local ownership, something that has acquired more importance as Bosnia’s accession to the EU cannot be based on top-down, imposed reforms” (Celador 2009:234). According to European Council

The EUPM inspects and monitors police operations from its early planning stages, through investigations or operations, until the case in question reaches court. The EUPM also monitors the situation inside the police situations that are perceived as unlawful, misconduct or contrary to the best practice or generally applied rules of engagement (European Council 2009:2).

Frequent interaction with people in the field was essential in identifying recurrent problems and improving the need of police accountability in BiH. In order to address the issue and thereby make Bosnian police more accountable, the EUPM scrutinized conditions which were seen as illegal within the police, such as exercising right to free access to every document or person related to specific functions (Briganti 2013).

In order to improve police accountability in BiH, the EU took the help of audit and inspection department. Media was also monitored to take stock of the disputed cases. In addition, the mission head received regular complaints of inadequate behaviour.

The mission increased the accountability of the local police through providing professional training assistance and instructing internal control units to investigate misconduct. To insure the police accountability, the Inspection Department received

overwhelming support from SIPA and the Border Police (Merlingen 2009). The EUPM's overall success in BiH can be seen in the form of concrete and better results in BiH. Because of the Accession incentive of the BiH, the EUPM proved to be a successful CCM mission and provide ground learning's for other future CCM missions (Ioannides 2016)²⁸.

Assessing the European Union Police Mission in Bosnia and Herzegovina

Western Balkans is always perceived for the EU as special case in the neighbourhood. Initially EU failed to respond the genocide. In that context, over the time the EU felt special responsibility to stabilize the Balkans situation. An overall assessment of EUPM's functioning with reference to the objectives outlined in the mission's statements reveals that it can be credited with some achievements. Strategically, EUPM cooperated with the major security actors in Bosnia: the International Criminal Investigative Training Assistance Programme (ICITAP), NATO, the OSCE and the UN. These organisations commended the peacekeeping role played by EUPM and the EU was now perceived as a major international security actor.

The main achievement of EUPM's primary achievement was the reform of the Bosnian security sector through institutional and legislative changes as well as enhanced capacity building. In the ten years of its function, EUPM was successful in improving police functioning through harmonisation of police laws and increased cooperation.

There was a restructuring from the state level security agencies and creation of new institutions such as SIPA, the Ministry of Security and the Directorate of Coordination for Police Bodies and the Bosnian border police received a boost. All the state level security agencies received a distinctive functional role, aided by increased state police intelligence, and this gave them the power to ably execute police as well as specialised security functions. Through this partnership bases approach, it provided assistance to the state level security agencies and enhanced the intelligence gathering capabilities of police structures at state level. EUPM entailed

²⁸.This point was mentioned by Dr. Issabelle Ioannides in a personal interview on 11 May 2016 in Brussels.

security sector reform (SSR) through guidance, assistance, technical training and an advisory role to the local police (Penska 2013: 69). The EUPM also enhanced the Bosnian legislative framework through measures such as Agreement on Restructuring of Police), introducing changes to the Immigration Service Law, working with law enforcement agencies to establish the necessary conditions from visa liberalisation according to EU roadmap, and ensuring the mechanisms for Stabilisation and Association (SAA) process. The Bosnian police academy was also restructured. These measures immensely contributed to the promotion of security and the rule of law in BiH.

The EUPM inherently focussed on ‘capacity building’ through police and security reform. It established a framework for subsequent EU missions, whereby the focus was on building a competent police structure along with an unbiased judiciary, acceptable to mutually suspicious ethnic groups (Korski and Gowan 2009:27) According to Merlingen, EUPM transformed the Bosnian police from an “instrument of ethnic warfare into a professional service” and introduced significant institutional changes to make it closer to the “European standards” (Merlingen 2009:162).

The EUPM’s revised mandate in accordance with police restructuring made a number of achievements. The setting up of a Police Steering Board (co-chaired by the EUPM and local authorities) with the coordination of the Directorate for the Implementation of Police Restructuring (DIPR) made substantial gains in local ownership in BiH. The significant part in the increasing levels of coordination was played by the Steering Board (Maras 2009: 13).

The EUPM in BiH was also perceived as a means to advance the EU’s assertiveness in the region, which suffered massively in terms of life and property during the war. The EUPM, in recent years, assisted in achieving greater security for BiH citizens, and in achieving higher democratic and professional standards in BiH security sector. As High Representative Catherine Ashton said

EUPM BiH has in many respects contributed to shaping our common security and defence policy and the EU’s role as a security provider. Since 2003, we have developed the capacity to deploy efficiently both civilian and military means on various continents, and our neighbourhood has always been a priority. The completion of

EUPM reflects the progress achieved by Bosnia and Herzegovina in strengthening the rule of law (European Council 2012:1).

Juncos points out that “the EUPM managed to create at least an understanding of the need for intelligence in fighting crime and a culture of exchanging intelligence among law enforcement agencies” (Juncos 2007:63). It also helped the EU to realize that in order to help the country with a transformation process Brussels needs to develop a coherent plan, coordinate actors’ presence on the ground and make them work with each other. The EUPM and EUFOR Althea were perfect examples of a lack of cooperation between missions that should have worked together and complemented each other’s programs. The main achievement of the mission was that the presence of a host of many international police officers in BiH helped towards the creation a safe and secure environment

However, the EUPM was hindered by certain shortcomings. Security analysts remarks that the EU has not completely realized its capacity to develop a comprehensive mechanism for establishing democratic norms in BiH on account of its lack of a coherent plan, weak mandate and under qualified staff which resulted in reducing the effectiveness of the EUPM. Eralp remarks that EUPM was not experienced in dealing with a post conflict country with complex, multiple layers of governance structure based on a delicate balance among the three constituent nations (Eralp 2012).

On a grand scale the aim of the EU’s presence in BiH was to assist the country with physical, political and social reconstructions, to help it became sustainable and secure and consequently bringing it closer to the EU. In order to achieve its goals, Brussels deployed in BiH a whole range of tools from economic assistance to crisis management instruments. As the Council of the EU stated in its “European Security Strategy: Bosnia and Herzegovina/Comprehensive Policy” adopted in 2004, “all EU actors/instruments, whether political, military, police-related or economic, will contribute to implementing this overall EU policy towards Bosnia and Herzegovina”(Council of the European Union 2004a:3) Thus, the EUPM was part of the EU’s “complex plan for Bosnia”, and its performance should be judged in a context of EU overall presence in the country. It seems that the country can serve as a perfect example of what Christopher Hill called in 1993 a ‘capability – expectation gap’. In Hill’s opinion there was a huge discrepancy between what EU was suggesting

it can do and what it was really able to achieve (Hill 1993:315). The case of EUPM's presence in BiH is a perfect illustration of this problem.

As it was presented earlier in this study, when deployed on the ground, the EU police mission was not ready to handle the difficult political and social situation in Bosnia. It lacked almost everything, from a general idea of what it should be and how it should implement its goals to well trained and suitable job officers. It was unable to reform the Bosnian police, tackle corruption or seriously affect organized crime. Unfortunately, the failure of the mission hurt not the EU, but BiH itself. The weak mandate of EUPM and its even weaker interpretation along with the lack of experts among EUPM's staff, language barriers and double standards taught Bosnia's authorities that the EU was incapable of maintaining its own mission, and thus, even less capable of influencing any serious changes in BiH. In case of the police reform, the EU's lack of a carefully thought-out plan that would satisfy both Brussels and BiH, led to a situation in which it was the Bosnians dictated the rules and the EU was adapting to them. As Bedrudin Brljavac points out, "a number of local politicians re-modified the European standards in line with their 'Bosnian standards' built in particularistic ideological interests" (Brljavac 2011:1). In case of police reform the result of this process was especially distressing - when the agreement was finally reached it had almost no value.

Due to the low standards of the EUPM mission, the EU lost a lot of credibility within Bosnian society. As presented throughout the study, European officers were perceived as a laughing stock and their achievements minimal. The EU treated the country as its training field. It took Brussels two years, from 2004 to 2006, to solve the disagreements between EUPM and EUFOR over the missions' competencies. From Brussels' perspective those were *only* two years, which helped the European Union to improve its crisis management concept. From Bosnia's perspective those were *crucial* years. Not only because they could have been devoted to solving some of the country's problems, but most notably because those were first years of the EU presence in Bosnia and thus, Bosnians were learning how they should perceive the European Union. Unfortunately, Brussels presented itself more as a baby in the woods than an experienced and strong player.

It is also important to mention that it took the EU a long time to agree on how it conducted coordination between its civilian and military crisis operations. Chivvis (2010:9) and Gebhard (2008:3) argue that throughout most of its presence in BiH the EU was not able to coordinate its missions.

The EUPM was also hindered by the lack of a precise definition of “best European and international practice”(Flessenkemper 2013:28).Moreover, the Bosnian public’s ownership over the local police structures in its present form contradicts the strategic component of the EUPM mandate for assisting the restructuring of police structures (Orsini 2004:13). In combating organized crime, the EUPM also faced the problem of the coordination with other organizations that were also present on the field in BiH, and also lack of expertise. The EUPM faced the challenge with the parallel EU Military mission named EUFOR ALTHEA, which was deployed in December 2004 Bosnia with a strength of 7200 troops

The relation between the EUFOR Althea and the EUPM were problematic from start. Combating organized crimes, one of the goals of the EUPM and also an important element in EUFOR’s mandate was the bone of contention between these two missions. The EUFOR over interpreted its mandate and overlapped with the mandate of the EUPM. Many scholars and officers on the field argued that the EUFOR was overlapping with EUPM mandate and jumped into the civilian side of the crisis management.

EUPM has also been criticised from a gender dimension. The EU requested Bosnia to fulfil the requirement of a 10 percent female rate among police personnel, yet, the EUPM itself did not meet this standard (Celador 2007:19). A report by British Institute of International and Comparative Law mentioned that “although human rights and gender mainstreaming were two distinct areas of work there was only one Gender and Human Rights Advisor in EUPM” (Caranta 2002).

Bosnia’s political, social and economic situation was in 2004, and still is in 2017 remains extremely difficult. There is no easy solution for the country’s problems. Yet it can be argued that the European Union crisis management missions, if better prepared and conducted, could have been more successful. This verdict especially applies to the civilian mission. As Brljavac argued in 2011, “if the EU does not define

clearly and openly what it expects from the Bosnian government then the Bosnian politicians will understand the EU standards and criteria as they wish”(Brljavac 2011). In July 2012 when the EUPM terminated it left Bosnia ethnically divided, lacking reformed police forces, unable to amend the constitution and unprepared not only to join EU, but more notably to agree with the reforms Brussels’ proposes.

The European Union’s Police Mission: Shaping of Bosnia’s EU Candidacy

The EU has considerably expanded its role in the Western Balkan conflict management from just a mere observer to that of a peace-keeper and a security actor. With time, the EU took notice of the complex situations in the Balkans, as well as the problems of the challenge of post-conflict management and peacekeeping. It was not until its missions in BiH, that EU in actual practice developed the policies, institutions and mechanisms for an integrated crisis management mechanism, one that was built around the EU “neighbourhood”.

The EUPM in the BiH, a different and difficult country in the EU neighborhood can be considered as a successful CCM mission of the EU because of the membership perspective. The membership perspective is the biggest motor for the reform in BiH (Kempin 2016)²⁹.

The EU’s approach has been integrative with instruments such as EUPM missions, and the beginning of the SAP, which assigned a membership perspective to BiH. The Mission has supported Bosnia’s measures aimed at integration through eliminating the security risks, and establishing a threat free environment. The approach of focusing on building local ownership has been successful in fighting organized crime.

The *Bosnia and Herzegovina 2013 Progress Report* by the European Commission states explicitly that in order to have any prospect of accession, Bosnia must strive to meet the Copenhagen criteria and implement constitutional reform (European Commission 2013). The BiH’s Strategy for Fight against Corruption 2009-2014 needs to be more effectively implemented. There is a need to further step up strategies and policies to combat organized crime and corruption and identify the sources. Human rights situation remains a concern. Reforms are required in the judiciary also.

²⁹ This point was mentioned by Dr. Ronja Kempin in a personal interview on 12 April 2016 in Berlin.

The EU launched its first police mission EUPM in 2003 under the domain of CCM. Since then, the EU has reinforced its mechanisms for its conflict prevention and crisis management and has also evaluated the impediments that hindered the execution of an adept crisis-management policy. The EUPM thus represents a qualified success in peacekeeping and initiating a post-war Bosnia on the road to EU accession. Scholars are unanimous that accession process is best suited for establishing a reign of peace and ending conflict in the region (Bassuener and Lyon 2009).

Although being a successful CCM mission in BiH, the EUPM has also faced criticisms. Although nature of EUPM was related to the CCM and it also experienced the flexibility in the procedures and concepts but in planning phase of EUPM, all aspects of crisis management were not followed as per their mention in different EU concepts papers (Nowak 2006:27).

Certainly, the EUPM when it was devised has the critical role in peace building. In the beginning they police reforms were not included but now police mission in BiH have developed considerably and are seen to play an “important role in the long term development of the country” (Fouéré 2016)³⁰.

Although EUPM was not able to fully stabilize BiH and was relatively ineffective in creating the rule of law in the country, yet its operationalization led EU to take note of the country from a membership perspective. EUPM also functioned as a mechanism to keep the dead EU integration “process” alive and conjure new “momentum” in BiH by providing the better conditions of rule of law and owners, by fully harmonizing it with Union’s geopolitical interest (Weber and Bassuener 2014 :25). Lyon appropriately sums up the EUPM assessment in the following words: “the police missions have just have been a partial success story with many scopes for improvement” (Lyon 2005). According to Wolff, “No doubt what the EU is doing in Balkans is to make the path comfortable for the accession. It will be unreasonable not to think that the EUPM made some contribution to the BiH’s accession process” (Wolff 2016)³¹.

³⁰. This point was mentioned by Mr. Erwan Fouéré in a Skype interview on 19 May 2016 in Brussels.

³¹. This point was mentioned by Professor Stephan Wolff in a personal interview on 12 May 2016 in Brussels.

CHAPTER 4

THE EUROPEAN UNION AND CIVILIAN CRISIS MANAGEMENT IN GEORGIA

Georgia in European Geopolitics

The South Caucasus region which includes Armenia, Azerbaijan, and Georgia is one of the conflict laden zones in the world. (Sabanade 2002:3). The region was a part of the erstwhile USSR before disintegration. The dissolution of the USSR into smaller nation state brought about a major geopolitical change in the region. While parts of northern Caucasus continue to remain as parts of Russia, Georgia, Azerbaijan and Armenia became independent nation states in the 1990s.

The region assumes geo-strategic as well as economic significance for USA, Europe and Russia (Chyzmyz 2010 For the West, the region “constitutes a vital land bridge between Asia and Europe, physically linking the Caspian Sea region and Central Asia with the Black Sea and Western Europe”(Moustakis and German 2009:3). The region has vast reserves of natural gas and oil and acquires added significance on account of being located along the Caspian Sea transport route. (Juntti 2004: 325).

Georgia, sharing its border with Russia in the north, Azerbaijan in the east and Armenia in the South acquires a significant prominent geo-political and geo-economic significance. The strategic location of the country provides a transport route for the natural resources. The Baku-Ceyhan pipeline runs through the country. The ports of the Black Sea are easily accessible. Georgia though is significant more in geo-strategic terms (Botera 2015).

Caucasus region in the Post-cold war period become, in the terms of Garfli (2016), an “overlapping or conflicting interests and patterns of influence and affiliation by five main actors, the US and NATO, the EU, Russia, Turkey³², and Iran³³”. As regards

³² After the disintegration of USSR, Turkey recognized the independence of Armenia, Azerbaijan, and Georgia, aiming to establish relations and cultural and economic ties. Georgia served as a transit route between Turkey and Azerbaijan. However, Turkey’s relation with Georgia became complicated when Abkhazia joined the Russian sanctions against Turkey.

³³ Iran-Georgia relations have been limited to the implementation of various economic, energy, and transportation projects via Armenia, commerce, and the aspiration of gaining influence over Georgia’s Shia population. Religious activities in Iran, especially in the predominantly Azerbaijani-populated region of Kvemo Kartli, triggered concerns in Tbilisi

Russia, its strategic interests in South- Eastern Europe rooted in realpolitik changed its foreign policies and relationship towards Georgia. The Russian strategic interest towards Georgia and the South Caucasus region can be attributed to a number of reasons. Russia perceives the region as a sphere of its influence and aspired to be regional hegemon.

Fig.4.1: Map of South Caucasus



Source: International Crisis Group (2006 a: 28)

Georgia is geopolitically a very complicated region and a buffer state between Russia and Turkey. After the country attained independence from Russia, it was faced with severe domestic crisis as Russia exerted its authority to subdue it. As a result, Georgia aligned itself with the regional powers as a safeguard against Russia (Kakachia 2011:1). The West too has been receptive to Georgia in order to check the Russian influence in the region (Janeliunas and Kirvelyte 2009: 145), Georgia is thus “perceived as possessing significance for the West in terms of its strategic location at Europe’s south-eastern periphery, bordering Russia and the Baltic Sea to the north and west, NATO member Turkey to the west, the Middle East, the Islamic world and

Iran to the south and east, and the Caspian Sea and Central Asia to the east” (Herzig 1999: 114).

History of Georgian Conflict

On 9 April 1991, Georgia declared its independence from Russia (IIFMCG 2009b: 4). When Georgia was a part of the Soviet Union it included two autonomous regions, Abkhazia and South Ossetia. After Georgia’s declaration of independence, armed conflicts ensued between Georgia and Abkhazia as well as between Georgia and South Ossetia.

Fig. 4.2: Map of Georgia



Source: United Nations 2015.

The reason for the conflict between Georgia and South Ossetia was that the South Ossetia wanted the status of “autonomous republic” and hence sent an official request to that effect to Georgian Supreme Soviet in 1989. The plea however was denied which led to an increase in tensions between the Georgian government and South Ossetia. This was followed by a ban on regional parties by Georgian Supreme Soviet by adopting a law to that effect. As a reaction to that Ossetia boycotted the elections and held their own. The new Georgian government did not recognise the Ossetia elections and also snatched the autonomous status of the region, This was followed by the deployment of Georgian troops into the South Ossetia capital of Tskhinvali in January 1991 and war ensued (Jentzsch 2009:3). This led to a year of warfare with fighting escalating in spring 1992 with occasional Russian involvement. Therefore, on 24 June 1992, an agreement was signed in the Russian city of Sochi between Boris Yeltsin and Eduard Shevardnadze that led to the ceasefire (ICG 2004: 4). The Sochi Agreement observed

In order to exercise control over the implementation of cease-fire, withdrawal of armed formations, disband of forces of self-defence and to maintain the regime of security in the region, a mixed Control Commission composed of representatives of opposing parties shall be set up and this Commission shall carry out its functions in close cooperation with the joint group of military observers created in accordance with the agreements reached in Kazbegi (United Nations Peacemaker 1992).

The agreement established a conflict resolution mechanism called Joint Control Commission (JCC), a quadrilateral body in which the representatives of North and South Ossetia, Russia and Georgia, along with OSCE participated. Various tasks were outlined in the terms of reference for the JCC which included implementation of the measures to settle the conflict, promotion of political dialogue, economic recovery, ensuring respect for human rights and dealing with the problem of refugees and internally displaced persons (ICG 2004:4).

The agreement also led to the establishment of a Joint Peacekeeping Force (JPKF) numbering 1500 and comprising of Russians, North Ossetians and Georgians placed under Russian command (Merlingen and Ostrauskaite 2009: 4). A mission to Georgia was deployed by the Conference for Security and Cooperation in Europe (CSCE) in December 1992 and was entrusted with a mandate for promoting a settlement to the conflict. New tasks such as democracy promotion, ensuring human rights and

establishing the rule of law were incorporated in the mandate after a year. The mission was also given a charge to monitor the Joint Peacekeeping Forces and to ensure that it functioned in compliance with CSCE standards (Merlingen and Ostrauskaite 2009: 4).

War resulted in around 1000 casualties and displacement of 60,000 to 100,000 internally displaced persons and refugees (Merlingen and Ostrauskaite 2009: 4). JCC made some progress in demilitarising the conflict zone in the second half of the 1990s and in confidence building. In 1997, an Experts Group meeting was initiated by the OSCE mission which in 1999 came out with a framework towards a process of political settlement resulting in what was referred to as the Baden document. Negotiations ended with the election of Eduard Kokoity as South Ossetia's President (Merlingen and Ostrauskaite 2009: 5).

Georgia-Abkhazia Conflict and Negotiations

Georgia-Abkhazia conflict in early 1990s was the outcome of extreme nationalistic commitment prevalent in Georgia at that time. The dominance of radical nationalist groups led to an atmosphere of prevailing intolerance. In 1989, the launch of the 'State Program for Georgian Language' led to fears of "Georgianisation" amongst the minorities.

Therefore, there was a movement in Abkhazia to restore its status to the one it enjoyed between 1921 and 1931 (ICG 2006b: 5). While Tbilisi was preparing a separation from the Soviet Union and return to the 1921 constitution, Abkhazia declared its sovereignty on 25 August 1990 (ICG 2006b:5). Furthermore, an all-union referendum in March 1991 to preserve the Soviet Union further led to the deterioration of relations and increased tensions. While Georgians were against the Union treaty, the ethnic minorities were supportive of it. Therefore, the Abkhaz argued that by supporting the treaty, they had chosen to leave Georgia and stay in the Soviet Union, which according to them was legal as per Soviet law. Therefore, after the disintegration of USSR disappeared they claimed their independence. Following the overthrow of President Gamsakhurdia, Georgia reverted to the 1921 constitution. The lack of clarity in terms of Abkhazia's status led them to send a draft treaty

regarding the territorial status, but they received no reply from Georgian State Council. This was followed by the reinstatement its 1925 constitution by the Abkhaz parliament in July (ICG 2006b: 5). Thus, fighting started on 14 August 1992 when Georgian armed forces arrived in Gali region of Abkhazia on the pretext of rescuing the government hostages and securing rail lines to Russia, However Georgian troops attacked other areas in Abkhazia which led to the armed conflict between the two (ICG 2006b:5). Russia helped both Georgia and Abkhazia in terms of equipment and training, but more help was given to the Abkhaz side (ICG 2006b: 6). An agreement in July 1993 brought into existence the United Nations Observer Mission in Georgia (UNOMIG) which had a mandated of monitoring the termination of conflict (UNSC1993d). Even though the mission was deployed the fighting continued. After many failed attempts at brokering a ceasefire between the two, the military conflict ended with the signing of the “Agreement on a Ceasefire and separation of forces” in Moscow on 14 May 1994 between Georgian and the Abkhazian leaders. The agreement was facilitated by Russia and had the support of UN (ICG 2006b:6). As per the Agreement, “The peacekeeping force of the Commonwealth of Independent States and the military observers, in accordance with the Protocol to this Agreement, shall be deployed in the security zone to monitor compliance with this Agreement”(United States Institute for Peace 1994).

Hence, a peacekeeping force comprising of personnel from the Commonwealth of Independent States (CIS) along with military observers was established. The mandate of the UNOMIG was expanded to oversee the peace-mechanism was consistent with the agreement (UNSC 1994). The responsibility for monitoring the CIS peacekeepers and patrol the areas under dispute, including the Kadori valley were given to the UNOMIG’s unarmed military observers. Within the mission, an office was established in 1996 to oversee the human rights condition in Abkhazia.

Apart from the Moscow agreement signed in 1994, which brought to an end to conflict and established a peacekeeping mission to overlook the compliance to the agreement, the UN started the Geneva Process in 1994 aimed at settling the political conflict in a peaceful manner. The negotiations under the Geneva process were renewed in 1997. A new coordinating Council was established comprising Abkhazia, Georgia and the UN as the main forum for negotiations (Merlingen and Ostrauskaite

2009: 6). In the negotiations, observer status was given to the OSCE and the Group of Friends of the UN Secretary General for Georgia that included USA Britain, France, Germany and Russia. But hardly any progress was made (Merlingen and Ostrauskaite 2009: 6).

A federal solution for Abkhazia was put forth in “basic principles for the distribution of Competencies between Tbilisi and Sukhumi” also called the Boden Plan in 2001(ICG 2007a:9). It was the result of a more active UN initiative and was unlike previous draft proposals based on a compromise between the two sides (ICG 2007a: 9).On the other hand its intention was to create consensus regarding Abkhazia’s status among the Group of Friends supported by the Security Council to be put forth as a starting reference of negotiation (ICG 2007a: 9).

The Boden Plan or “*The Principles for the Distribution of Competencies between Tbilisi and Sukhumi*” (Boden Document 2001) proposed a federal status for Abkhazia, while upholding Georgia’s territorial integrity. The plan was rejected by Abkhazia and hence, the opportunity at some kind of solution between Georgia and Abkhazia was not utilised.

Conflict in Georgia after the Rose Revolution

In 2003, a non-violent revolution also referred to as the Rose Revolution, displaced President Eduard Shevardnadze owing to protests over disputed parliamentary elections in Georgia and increasing corruption. It accelerated the process of political transformation in Georgia from authoritarianism to democracy The Rose Revolution also brought about a change in Georgian stance towards Abkhazia and South Ossetia.

After the “Rose Revolution” in 2003, the situation in Georgia was fragile but peace prevailed as Mikheil Saakashvili, an aggressive Georgian nationalist succeeded as the president of Georgia in January 2004 after the resignation of the President Eduard Shevardnadze, who had ruled Georgia for 30 Years, as the last and longest-serving post-independence president (BBC News 2005).

Before the election in Georgia, Russian President Putin had expressed the hope that the new administration of Georgia will work, “to restore the traditions of friendship

between our two countries” (Peuch 2003). The new presidency of Georgia not only stressed the friendlier relations with Russia but also acknowledged the presence of Chechen separatist on Georgian territory and expressed his desire to help Russia against them (Tsygankov and Wahlquist 2009:4).

May 2004 marks as an important year in Russia-Georgia relations because not only did the economic relations between the two countries gained momentum but also for the fact that Russia gave assistance to solve the Ajaria³⁴ crisis in Georgian territory and avoid the bloodshed.

The overthrow of Eduard Shevardnadze as Georgian president and the annulment of the November 2003 election result was followed by a state of emergency in Ajaria which did not recognise Mikhail Saakashvili as Georgian president. Ajaria leadership accused Georgian forces of planning an invasion of Ajaria. Russia avoided any possibility of secession of Ajaria from Georgia and helped President Saakashvili to maintain Georgian sovereignty over the Ajaria (Areshidze 2004). Russian cooperation gave a ray of hope that friendly relations between both countries could be established and that the issues regarding the separation of Abkhazia and South Ossetia would be worked out.

The friendly cooperation between Russia and Georgia ended in August 2004 when Georgian president expressed his desire to join the EU and NATO, and also responded aggressively in the South Ossetia crisis which was not welcomed by the Moscow (Peuch 2004).

The year 2005³⁵ marked an important year in the history of the conflict between Georgia and South Ossetia, as a New Peace Process for the South Ossetia was introduced by the President Saakashvili. This peace process offered a significant degree of autonomy. The process called for a settlement in three stages. In the first stage, the region was to be demilitarised. The second state would be that of economic rehabilitation and the third and final stage would aim at finding a political settlement (Nichole 2009:3). Although this peace process was rejected by the South Ossetia president Eduard Kokoiti, it had an international recognition by the Ministerial

³⁴ Adjara is an autonomous republic in Georgia. The crisis was about to turn into a military confrontation.

³⁵ Saakashvili presented a revised version of his original peace proposal at a conference in Batumi in July 2005 on conflict resolution.

Council of the OSCE in December 2005. In response to Georgian peace proposal, Kokoiti also presented peace proposal by South Ossetia that he considered big benchmarks, but it not welcomed by Georgians as it assumed South Ossetia independence (Radio Free Europe 2007).

No progress was made towards resolving the conflict. The tensions escalated when South Ossetia held a popular referendum to reaffirm its “independence” from Georgia. A voter turnout of 95 percent was reported and 99 percent of the people approved the referendum. Kokoiti was re-elected with 96 percent of the votes in a separate poll. However, the legitimacy of these votes was questioned by OSCE and US State Department, which refused to recognise the results.

At nearly the same time, the ethnic Georgians in South Ossetia and also those who were displaced from the region held an alternate voting and elected Dmitriy Sanakoyev, with pro-Georgian leanings as the governor of South Ossetia. The territorial integrity of Georgia was also approved by a referendum.

The next important development took place in March 2007 when President Saakashvili offered a peace plan for South Ossetia which called for establishing “transitional” administrative districts across the region-apparently under the authority of Sanakoyev and such newly created administrative units would have an emissary representing them at JCC or alternative peace talks. In July 2007, President Saakashvili issued a decree which proclaimed the creation of a Commission which was entrusted with the task of working out the status of South Ossetia as an integral part of Georgia. In October 2007, a JCC meeting was held in Tbilisi which was also attended by Georgia’s emissary. However, a dispute arose when the Russian Foreign Ministry accused Georgian emissaries of making unacceptable demands and sabotaging the events. As a result, no further talks took place

In July 2008, Russia conducted a military exercise code-named Caucasus 2008 in proximity to the Georgian border. The military exercise which involved more than 8000 troops witnessed Russian forces practising counter-attack by air, land, and sea. This was protested by Georgian foreign ministry which allayed is concern over a possible Russian aggression. In the response by Georgia, a military drill operation code named Immediate Response was conducted which involved about 1,000 U.S.

troops, 600 Georgian troops, and also a representation of forces from Armenia, Azerbaijan, and Ukraine (Nicole 2010:3) The conflict remained frozen until 2008.

The Five Day War in Georgia

The conflict situation in Georgia got worse in August 2008 and it went beyond its borders, with the Russia Federation also getting involved directly. Tensions were already simmering between Russia and Georgia since 2006 when Georgia arrested four Russian intelligence officers on the charges of being a spy. In retaliation, Russia severed business ties with Georgia, deported Georgians in Russia and threatened to double the price of gas. In April 2007, Georgia approached the European Court of Human Rights and sued Russia with respect to the issue of deportation. President Saakashvili also sought proximity with the West and NATO so that such association could act as a bulwark against Russian influence. Georgia also initiated a process to formally end Russian peacekeeping activity in Abkhazia. The declaration of independence by Kosovo on February 17, 2008, and then Russia's ending the sanctions on Abkhazia twenty days later marked a shift in the Russian policy towards Georgia. Russia now signalled a policy of military confrontation towards Georgia. This stance eventually led to the five day war between Russia and Georgia.

Russia sent 1500 fresh troops to Abkhazia in April 2008, and in the same month, Russian President issued a decree that established his country's direct relations with Georgia's secessionist territories. Russia ended Georgia's blockade of Abkhazia by repairing the Abkhaz road. These developments led increasing hostility between Georgia and the secessionist territories.

The Russian army was officially supposed to remain only until 2 August 2008, but they continued to remain after that date. On 7 August, Russian troops began their advance to South Ossetia. Georgia decided on a pre-emptive action to check this Russia advance, and this, in turn, allowed Russia to claim that Georgian aggression led to the war. On 9th August, Russia Air Force, paratroopers and mechanised force launched a massive attack deep into Georgia territories. Russian military offensive continued to hit Georgia hard. On August 10, the same day when Western diplomatic effort for a ceasefire. Russia launched a military offensive on a second front in

Abkhazia and pushed Georgian forces out of, Tskhinvali, On August 12, Dmitry Medvedev ordered the termination of 'peace enforcement' operation in Georgia, after five days of conflict.. The five day War thus ended with the defeat of Georgia (Sputnik 2008).

A week later, on 15 August 2008, the EU mediated to solve the conflict and Georgia and Russia signed a preliminary agreement for a new ceasefire. The agreement came out with a commitment for Georgia not to attack the two secessionist republics. However, after the initial withdrawal of its troops, the Russian army continued with the occupation of two buffer zones on the border between Georgia, Abkhazia and Ossetia on the pretext of preventing future military offensives.

The EU sent its 200 military observers to mediate in the conflict and on 8 October, the Russian troops pulled out from the buffer zone on the border of South Ossetia (Sputnik 2008). At the end of this war, Moscow recognised South Ossetia and Abkhazia. It was a diplomatic victory for EU and provided a positive momentum to the EU-Georgia relations. In reality, this war can be considered as a war of propaganda used by the Russian media to portray Georgian President Saakashvili as guilty of genocide against Ossetia population. On the other hand, western media denied Georgian responsibility and called that the war was the result of "big" power (Russia) aggression against the "small and democratic" country Georgia (Ferrari 2008: 129).

The 2008 Georgian conflict attracted the attention of major global actors, namely US, Russia, and EU intervened. War torn Georgia became a seat for a further multitude of interests of the major actors. In August 2009 International Monetary Fund approved an 18-month Stand-By Arrangement to promote macroeconomic stability. The agreement was extended until June 2011 with an allocation of EUR 835.7 million (IMF 2008). The EC also provided an additional grant of EUR 46 million of Macro Financial Assistance (MFA). According to the European Commission 2010 report:

"The Council Decision of 30 November 2009 provided a macro-financial assistance to Georgia in the amount of EUR 46 million in grants. This assistance was part of an international package amounting to 4.5 billion USD, to which the EU pledged up to EUR 500 million (including in the form of MFA) to support Georgia's economic recovery in the aftermath of the August 2008 armed conflict

with Russia. This MFA complemented the Stand-by Arrangement agreed by Georgian government with the IMF to help the country through the global crisis”(European Commission 2010:6).

What Caused the War between Georgia and Russia?

After Putin’s first term of presidency, Russian foreign policy was increasingly characterized by a new imperialistic intention with a focus on expanding the sphere of influence, and at the same time demanding more respect from the western actors. Russia aims to be one of the major poles in the multipolar world, and regain the same position in international order which the erstwhile USSR had in the Cold War era. Suny remarks that Putin considered Georgia as a test for Russia’s own responsible foreign policy and perceived Russia a “ fair minded arbiter of Georgian affairs” wanting to be the “regional hegemon, not the imperial warlord of the southern tier”(Suny 2010:68). In particular, Russia perceives Georgia as a security threat because Chechen militants used Georgian border to come back with strength and continue fighting with Russia. Further, NATO’s expansion towards the eastern countries made Russia suspicious, which was perceived as a threat to its security. The main intention of the Russia to opposing NATO expansion is to protect its own interest and power in the region. This explains the fact that although Russia removed their military from Georgian territory, it was difficult for them to see the other powers occupying their place.

USA’s increasing activities in Georgia also caused Russian apprehensions and prompted the Russia to re-establish its ascendancy in the region. During the Clinton era, US pursued a watchful policy towards the South Caucasus, as the region was not regarded as a distinctive a geopolitical unit but rather a continuance of the US policy towards Russia. Active engagement of US started in the late 90s through financial aid, supporting democratic institutions, military cooperation bilaterally and through NATO, and by diplomatic interventions in the regional crisis. Under the Bush administration, Georgia was perceived as the most pro-US country in Caucasus. According to Saunders (2008), USA contributed to Georgian war in two major ways. During the Kosovo crisis, US used force to drive out the Serbian army without the approval of the United Nations Security Council. This set a precedent for Russia to justify its use of force acting as a peacekeeper alleging that Georgia was conducting

ethnic cleansing and genocide in South Ossetia. Under the Bush administration, Georgia received massive foreign aids from the USA as well as extensive military aid and training for Georgian troops.

Apart from the above mentioned foreign and strategic reasons, economic interests also lie at the core. A lot of Russian companies were operating, and had heavily invested as well in Georgia. So, Russia has been more willing to protect their economic interest in Georgia. Russia is a major country for Georgia in terms of investment, trade, energy and remittances (Kapanadze 2014:2). Many energy routes cross through Georgia and Russia wants its dominance over them. In order to fulfil its interest, Russia has tried to limit the possibilities of Georgia having a pipeline from other countries. Therefore, it made Georgian territory unattractive for the international companies by actively participating in Georgian conflict. In this region, Russia was also facing the competition from Georgian oil and gas market.

Thus, it was the mix of all these political and economic and strategic factors that led to the Russian intervention in Georgia and led to the 2008 war.

Russian Involvement in Georgia

Russian involvement in Georgian conflict is complex in nature. Since the 1990's, it was actively involved in Georgian conflict. It played a dual role resenting itself as protector of Georgian territorial integrity on one hand and on the other extending support to the secessionist entities authorities. The dual nature of Russian role in Georgian conflict resolution can be explained on the basis of the divided decisions of the authority in Moscow. During this time in the internal politics sphere there were lack of clearly defined policies, institutions were not well managed, the decisions were not coordinated so in that chaotic domestic situation some Russian authorities supported Georgian integrity while other supported the secessionist Abkhazia (Markendenov 2007).

In order to pacify its own secessionist Chechnya, Russia supported Georgia in the beginning of 1990's to fulfil its strategic interest and played a mediating role between the warring parties to protect the territorial integrity of Georgia. But when Georgia showed its support to the Chechen rebels and was not willing to cooperate with Russia

towards the cutting of external support for Chechen rebels, Russian policy towards Georgia underwent a change and Moscow became supportive of the secessionist cause in Georgia offering them political, economic and security support. This incident made Georgia sceptic about Russian role as a peace negotiator.

Russia heavily supported Abkhazia and South Ossetia on the political level. In meetings with the secessionist authorities being held in Moscow, Russian leaders exchanged thoughts with them and also supported them in the electoral campaigns (Popescu 2006). Many times, Russia acted as a link between the secessionist authorities of Abkhazia and South Ossetia. Moreover, it supported institution building in Abkhazia and South Ossetia region and some of the institutional functions were transferred to Russia, Popescu termed this action as “outsourced” (Popescu 2006:11). In addition, many retired Russian officials held significant positions mainly in security sector of the secessionist entities (Lynch 2006, Popescu 2006).

The second Chechen war and the 2003 Rose Revolution led to changes in the Russian security Policy. President Putin declared the Chechen war as a war against Islamic Fundamentalism rather than a secessionist war.. This proposition also received support through USA’s anti –terrorism strategy, and provided Russia legitimacy to use various instruments of hard power to combat terrorism. Such means to deploy hard power included a legitimate right to deploy pre-emptive strikes across Georgian borders for self-defence against terrorist threats. In addition, the Rose Revolution of 2003 also changed the Russian policy stance with respect to Georgia. The Russian powers considered the Rose revolution as a process to diminish its influence by the outside powers and viewed Georgian commitment towards democracy as an anti-Russian sentiment.

In 2004, Soviet Passports were declared invalid in Georgia and left the people of the two secessionist regions stranded and unable to travel to Russia. Georgia also refused to provide them with UN passports. In response, Russia emphasized on a law adopted in 2002 by which all citizens of the former USSR could get citizenship of Russia if they desired so. Russia’s policy of passportization was practiced largely in Abkhazia and South Ossetia (Kirova 2012:16).

Thus, many South Ossetia and Abkhazian people got Russian passports since 2004. According to estimates, in South Ossetia and Abkhazia, 80-90 percent of the population acquired Russian citizenship during 2000-2008 (Popescu 2006: 5). Thus, Russia launched a war on Georgia also on the pretext of protecting Georgian citizens.

United States of America's Involvement in Georgia

After the end of the Cold War and the disintegration of USSR, USA remained as the major global power. However, in the new unipolar world, USA was in search of regions where it could exert its influence in order to assert itself. This avenue was provided by the newly independent states after the breakup of USSR. Among such states, Georgia on account of its strategic positioning emerged as an important region in US's quest for expanding its influence.

From the early 1990's, USA showed keen interest to establish economic relations with the South Caucasus countries especially Georgia. The geopolitical and strategic location of Georgia provided the US with the channel to strategically engage with the Russia, Iran, and Turkey and with the Middle East region (Zarifian 2015:5).

Although USA supported Georgia widely from the 1990's but did not have a clear and firm strategy towards it. After the end of the Cold War, the main focus of the Bush administration was on the foreign policy but he didn't establish a "grand strategy" as such, which could guide the U.S. to about its role in the new geopolitical world scenario (Suri 2009:620).

President Bill Clinton with the help of his National Security Advisor Anthony Lake developed a "grand strategy" which mainly focuses on the economic dimension. Although the idea behind this strategy was to promote U.S.'s economic interest in the world, at the same time, it was aimed at establishing democracy and free market, particularly in the newly independent former member states of USSR which were facing challenges in the transition from Communism. In September 1993, Lake remarked, "The successor to a doctrine of containment must be a strategy of ... enlargement of the world's free community of market democracies" (Friedman 1993).

US assistance now shifted towards the countries which got independence from the Soviet Union and Georgia became a major recipient of US developmental assistance aid. The aid to Georgia is often perceived as part of Washington's objective to strengthen its influence in the post-communist states of Soviet Union and challenge Russia's regional hegemony in South Caucasus.

Since the 1990's, Georgia received more than \$ 3 billion US aid under the Freedom Support Act. This aid supported Georgia's transition to democracy and a free market economy which led to US being viewed in positive light in Georgia.

Georgia participated in the NATO operation in Kosovo in 1999 to 2000 which further brought about a security dimension in USA- Georgia relations. Although the political leaders of Georgia were hesitant about Russia's response because of its active participation in the NATO mission, Moscow leadership did not see this Georgian move as a significant issue.

After 9/11 and the declaration of the 'War on Terror', USA changed its strategy towards Georgia. US influence was manifested as Georgia and the other Caucasus countries became US allies in the "War On Terror". Caucasian countries offered access to the US aircrafts to fly over their airspace, and also provided them a base (Yalowitz and Cornell 2004:105).

Before the terrorist attacks of 9/11, the Chechen militants who operated from the Pankisi George, Northern Georgia were not considered terrorists by the US, but after the 9/11 attacks, the perception of the US towards them changed and they were considered as a part of dangerous global jihadist network constituting a threat to global security. The US Security Strategy of September 2002 defined the "countries with possible terrorist networks, regional conflicts, weak states or non-states, countries with weapons of mass destruction as threats to its security" (National Security Strategy 2002). In this context, Georgia was identified as a fragile state that could become a fertile ground for the terrorist networks.

The recognition of the Chechen militant as a threat to global security by the USA provided the window of opportunity for Russia to launch their military operation in the Pankisi region against the Chechen militants. The Russian actions created tensions between Tbilisi and Moscow. In order to check the Russian influence, US framed the

so-called “red line policy” on Georgia through which it offered military assistance to Georgia via Georgia Train and Equip Programme (GTEP) that began on 30 May 2002 (Cornell 2007:149) and was equipped with four specialized battalions, one company-sized team, and about 200 staff officers in Georgia. GTEP program was formulated to enhance the counter-terrorism capabilities of Georgia so that the crisis in Pankisi Gorge could be solved by Georgia itself and the advance of the Russian troops crossing the border in order to solve the Chechen Rebel problem could be halted (Rhem 2002). The mission formally came to an end in 2004. The impact of GTEP on Georgian defence capabilities became further visible on as Georgia deployed an infantry battalion in support of US operations in Iraq (Global Security.org 2002).

Russia became apprehensive of these developments and expressed concerns that the GTEP troops would be involved in the conflict in South Ossetia. On the question of the South Ossetia and Abkhazia, the US always supported Georgian point of view that the status quo in South Ossetia and Abkhazia could not be maintained. The USA declared its support for Georgian territorial integrity and called for a peaceful settlement of conflict ‘step by step’ along with increasing the OSCE staff in South Ossetia’ (ICG 2004).

According to Lynch, the support provided by the US to Georgia had two major implications. Firstly, this implied US support for expanding the mandate of OSCE’s in South Ossetia. Second, US “backed Georgia’s proposal for settling the conflict in South Ossetia” (Lynch 2006: 53).

In the first phase, USA-Georgia relations mainly depended on the aid policies provided by the USA to Georgia, but after the 2003 ‘Rose Revolution’, relations between two entered a new phase. Georgia not only acted as a ‘consumer of the security but also a contributor in the external security scenario’. Georgia contributed a large number of troops in the US led missions in Afghanistan³⁶ and Iraq³⁷ (Cornell 2007:13). The National Security Advisor Eka Tkeshelashvili noted Georgia’s

³⁶ .Georgia contributed 15,000 troops in US led mission in Afghanistan, which were higher after the USA’s own troops in this mission.

³⁷ . Georgia maintained about 2500 troops in Iraq war from 2003-2008. Georgian contribution starts with a Coalition operation in Iraq with a deployment of a medical detachment and engineering platoon in 2003 to Tirkat. That contribution expanded steadily over the next four years and in 2008 its became its highest numbers 2700 troops.

contribution of troops to NATO's Afghan mission and mentioned that "Our main message is that Georgia which is a country under threat is not just a consumer of security, but a frequent contributor as well. I believe our partners understand this" (Whitmore 2009). The Number of soldiers provided by Georgia in Afghanistan and Iraq was 20 percent of its active duty force which were extremely high as compared to the most developed militaries such as UK which deployed only 5 percent of its military in NATO mission (Selden 2016: 113). Georgia's active military support to US during the Iraq War risked its integration in the EU as many EU members were opposed to US intervention in Iraq.

After the elections in 2003 Mikhail Saakashvili, a pro-USA leader became the president of Georgia and showed his commitments towards the democratic reforms which were equally welcomed by Washington and Brussels. Security cooperation between Georgia and the US advanced further with the launch of Georgian Sustainment and Stability Operations Program (GSSOP), under which \$159 million was to be provided during 2005-2008 to continue for providing training approximately 6000 troops. Under the program, OIF was to be deployed for supporting the activities of the coalition, and enhance the capabilities of Georgian troops regarding counter-insurgency initiatives (US Government Printing Office 2009).

On August 31, 2009, the United States forces began imparting training to 730 Georgian soldiers for deployment to NATO's ISAF mission in Afghanistan utilising \$24 million available Coalition Readiness Support Program (CRSP) funds. On November 16, 2009, the first such deployment departed (US Government Printing Office 2009).

**Table 4.1: U.S. Security Assistance and Training in Georgia
(\$ millions)**

	Foreign Military Financing (FMF)	Section 1206	Georgia Train and Equip Program (GTEP)	Georgia Sustainment and Stability Operation Program (GSSOP)	Coalition Readiness and Support Program (CRSP)	Foreign Military Sales Deliveries	International Military Training and Education Program (IMET)	Total
FY 2002	55.5		64.5			3.6	0.889	124.5
FY 2003	6.9					9.8	1.18	17.88
FY 2004	12					7.3	1	20.3
FY 2005	11.9					11.5	1.4	24.8
FY 2006	11.8			60		10.5	1.26	83.56
FY 2007	9.7	6.5		28		25	1.15	70.35
FY 2008	9	11.5		71		72.3	0.799	164.6
FY 2009	11						1.15	12.15
Total FY 2002-2009	127.8	18		159		140	8.9	518
FY Request	16		64.5		24		2	43

Source: US Government Printing Office 2009, Appendix III.

US military support to Georgia (as described in detail in the above table) and the active participation of Georgian armed forces in Afghanistan and Iraq and US engagement entailed an important ideological dimension. Georgia demonstrated that it could be perceived as a reliable security partner to the US. US too perceived Georgia as an important strategic partner in the Caucasus region against Russia in the post-Cold War era, and also as an example of US aiding a post-communist state to achieve democratic transformation(Mitchell 2009:172).

The victory of the Barack Obama in the US presidential election led to a change in US policy towards Georgia and Russia. Obama administration followed a policy of reset of relations with Russia, which was hailed as a foreign policy success as it led to a more cooperative relationship between the two countries on social and economic issues (Deyermond 2013:500-501).Although Washington continued to support Georgia, it was not at the same level as the previous Bush administration (Khelashvili 2011:2). Georgia was no longer being positioned as the “beacon of democracy” and

hardly even a post-Soviet country in transition. But American support for this Caucasian republic after 2009 became clearer and more systematic.

First, the Obama team moved away from the excessive personalization of Georgian politics. The White House and State Department proved that it was possible to develop effective bilateral relations without Saakashvili, within an overarching vision of foreign policy prospects. Second, the Obama administration, during all its years, never questioned the territorial integrity of Georgia or its attitude towards Abkhazia and South Ossetia. A US Resolution also condemned Moreover, the U.S. Congress, which adopted a resolution condemning the Russian occupation (Markedonov 2016).

Role of International Organisations in Georgia

The conflict in Georgia attracted many international actors. Not only but some international organisations such as UN and the OSCE were also present to resolve the conflict. The crisis management mechanisms provide by these two international organisations have been elaborated below.

The United Nations

The UN launched the United Nations Observer Mission in Georgia (UNOMIG) in 1993 with the aim of monitoring the ceasefire agreement between Georgia and Abkhazia. The mandate of the mission included, “(1) overseeing the “security zone” where no military presence was permitted and the “restricted zone”, where no heavy weapons were to be deployed, on both sides of the line of ceasefire line, (2) patrolling the Kodori, and (3) observing the operation of the Commonwealth of Independent states peacekeeping force within the framework of the implementation of the Moscow agreement” (United Nations 1993). Within the mandate of the UNOMIG, 100 military observers were appointed and entrusted with the task of “monitoring the implementation of the Agreement on Ceasefire and Separation of Forces” (United Nations 1993).

‘Geneva Peace Process’³⁸ a complex mechanism for peace talks was developed by the UNOMIG to talk about the settlement of the conflict between Georgia- Abkhazia. It consisted of a Coordinating Council and three working groups dealing with preventing and addressing the problem of refugees IDPs along with economic issues, within the ambit of the Geneva framework.

The Group of Friends was related to the UN peacekeeping operations and the UN Geneva Process. In Abkhazia, the common view was that this group of friends was not able to fulfil the expectations of the Abkhazian and was protecting the economic and geostrategic interests of the Western powers. So, the Geneva Process was not able to meet its goal because of such suspicious nature of Abkhazians. During 2003-2006, direct negotiations between Georgia and Abkhazia largely failed and at that time the Group of Friend became very influential to make the decision including the drafting of the Security Council resolutions and presidential statements on Georgia (ICG 2007 a). The Group of Friends went to Sukhumi, in 2003 with the aim to build confidence with the Abkhazians, since then they held there periodic meetings in that region.

Despite the UNOMIG, another peace mechanism known as the Boden Paper³⁹, was launched by UN in Georgia which was based on the Basic Principle on the distribution of the Competences between Tbilisi and Sukhumi. The Boden Paper mentioned the territorial integrity of Georgia’s borders and offered Abkhazia broader powers in a federation. The Boden Paper stated that

Abkhazia is a sovereign entity, based on the rule of law, within the State of Georgia, which is established by a Federal Agreement, providing for broad powers and defining the spheres of common competences and delegated powers, as well as guarantees for the rights and interests of the multi-ethnic population of Abkhazia (ICG 2007 a:8-9).

The document strived for a balance by maintaining Georgia’s territorial integrity on one hand and offering Abkhazia sovereignty inside it on the other. The document and “its letter of transmittal, finalised by, and with all support of, all members of the Group of Friends” received the support of the Security Council Resolutions (ICG

³⁸.The Geneva process was chaired by the UN, with Russia as a facilitator, while the OSCE and the Group friends of the Secretary General (Unites States, Germany, United Kingdom and France) had observer status in this process.

³⁹This paper resulted from negotiations between Russia and Western countries and not from a compromise between the parties to the conflict.

2007 a: 9). Georgia approved the document, while the attempts to communicate it officially to Sukhumi and initiate deliberations on it were met with failure. The Boden paper was perceived as an externally imposed resolution on the status of Abkhazia and hence unacceptable to them. The Western members of the Friends of the Security General were unable to convince Russia to maintain enough pressure on the Abkhazian authorities for entering into negotiations.

The Organization for Security and Cooperation in Europe

The OSCE's mandate towards Georgia- Abkhazian peace process was very limited and it had only complementary activities with the UN actions in the conflict zones. In Abkhazia region the OSCE had a negative image as Abkhazians had been accused of ethnic cleansing in a number of OSCE summit declarations.

In 1992, the OSCE mission was established to settle the first Georgian-Ossetia conflict and to “encourage dialogue and identify and eliminate sources of tensions” (ICG 2004: 19). The original mandate of OSCE talked about the promotion of the negotiation for the peaceful political settlement, support for the government of Georgia in conflict settlement, democratisation, human rights and rule of law. In 1994, it expanded the mission mandate with the monitoring of positioned peacekeeping forces and became also involved in the Joint Control Commission. During 2000-2004, the OSCE Mission's Border Monitoring Operation was mandated to monitor movements across parts of the border between Georgia and Russia. On 1 February 2008, the OSCE mission had total 142 staff with 29 seconded international staff.

In March 2004, the extended mandate of the OSCE involved the monitoring of the operations of the JPKF. The main OSCE mechanisms of the South Ossetia conflict settlement were implemented by the Needs Assessment Study (NAS) which focused on the proposals for infrastructure rehabilitation and economic development.

Although the OSCE sponsored a large number of confidence- building programmes in Georgia, it did not leave any impact regarding the question of the South Ossetia's status and the efforts of the OSCE it faced growing criticism from all sides⁴⁰.

In order to face the new and change realities on the ground level, it was necessary to review of the OSCE's presence in the region and revise the given mandate of OSCE towards Georgia but Russia blocked the process.

Russia and its closest partners are the members of the OSCE and they were in the position of the influence the decision making process in the organisation which leads to the lack of the capabilities in the OSCE mandate. At the end of 2008 the mandate of OSCE wasn't renewed because due to conflict among the member states, OSCE Permanent Council failed to reach the consensus⁴¹ (Peuch 2009).

The European Union's Engagement in Georgia

The EU has a direct interest in peaceful resolution of frozen conflicts in Georgia. Frozen conflicts are, "those in which violent ethnopolitical conflict over secession has led to the establishment of a de facto regime that is recognised by neither the international community nor the rump state from which the secession occurred" (Clancy and Nagel (2009: 14). Frozen Conflicts thus refer to a situation in which active and armed conflict is not going on but no lasting peace treaty or a lasting political framework has been established to resolve them. Conflicts in Moldova (Transnistria), Georgia (Abkhazia and South Ossetia), Armenia and Azerbaijan (Nagorno-Karabakh) in Europe; Jammu and Kashmir (India and Pakistan), the conflict between mainland China and Taiwan, Arab- Israeli conflict and Cyprus

⁴⁰.For years Georgians claimed that the OSCE's failure to resolve the conflict added more legitimacy to independent South Ossetia. Before August 2008, the OSCE mission to Georgia consisted of headquarters in Tbilisi and a smaller, subordinated field representation in South Ossetia's capital Tskhinvali, which served as a base for eight unarmed OSCE military monitoring officers (MMOs) mandated to verify the implementation of the 1992 Georgian-South Ossetia ceasefire agreement. After the war additional 20 OSCE MMOs were deployed to areas adjacent to South Ossetia with a distinct mandate.

⁴¹. Some twenty unarmed military monitoring officers were to remain deployed under a mandate that expired on 30 June 2009. Russia blocked the extension of the mandate of the OSCE mission to Georgia for another 12 months and suggested instead that the Tskhinvali office be separated from the Tbilisi headquarters and that its status be upgraded to that of a fully-fledged mission. Other OSCE participating states rejected Russia's proposal. Talks entered a deadlock and, in the late December of 2008, Finland - which then held the rotating chairmanship of the OSCE - announced the imminent termination of the organization's mission to Georgia.

Dispute come under the category of frozen conflicts. The trouble situation with the frozen conflicts is that they can turn hot at any moment and conflict can escalate again which creates the environment of insecurity and instability in the international world order.

The need for EU's engagement in Georgia stems from its security concern to establish peace in the conflicts of Abkhazia and South Ossetia region. The conflict zones in Abkhazia and South Ossetia are vulnerable to the smuggling, drug trafficking and illicit arms trafficking. A continuing conflict in the region could not only disturb the security architecture in the European mainland but could also have political and economic implications.

The crisis all over the world made it clear that the military forces alone were not able to create an environment of peace and long term stability in the conflict regions. So, the EU developed a novel idea of tackling conflict which is called the CCM and tested it for the first time in the BiH. After the success of the EU's CCM capacity in the neighbourhood, the EU expanded its CCM horizon towards the wider neighbourhood and Georgia was a testing ground for this relatively newly established form of crisis management.

Georgia thus became a testing case for EU's capacity to take responsibility for the security of larger Union in what is often referred to as the wider European neighbourhood where the EU aims to maintain stability in order to secure its border. The EU's action in Georgia came within the ambit of the security dimension of the ENP and reinforced the EU's CFSP which aims to maintain security and stability within the neighbourhood. As Georgia comes under the ENP, the EU launched two CCM missions there. They were:

- 1) The European Union's Rule of Law Mission named EUJUST THEMIS and;
- 2) The European Union Monitoring Mission named EUMM Georgia.

Through the use of ENP, the EU aimed to achieve the objectives of political stability coupled with economic reforms and good governance in Georgia. The CCM missions were an important auxiliary towards achieving this end as they were aimed as peacekeeping missions in Georgian conflict zones. The EU's engagement in Georgia can be contextualised as a pre and post ENP policy response.

The European Union's Engagement in Georgia: Pre European Neighbourhood Policy:

Regarding its initial engagement in Georgia, the EU was more of an economic actor rather than a political actor, as Popescu argues that “it is relatively difficult to talk of an EU policy towards the conflicts in the South Caucasus in the 1990's. There was virtually none.” (Popescu 2007: 4). But the EU's commitment towards solving the conflict in Georgia became more visible as a political and security actor in the late 1990's when the EU decided to intervene in South Ossetia conflicts through CFSP joint actions (Tocci 2007).

The EU is involved in Georgia from 1990's to solve the conflict between two separatist states of South Ossetia and Abkhazia. The EU took much interest in the conflict in South Ossetia as compare to Abkhazian conflict. Starting its policies towards Georgia, the EU signed a Partnership and Cooperation Agreement (PCA) in 1996, which came into force in 1999 and included a mechanism for facilitating political dialogue along with laying thrust on economic cooperation, culture and technology. In addition to its policies towards Georgia, the EU launched Technical Assistance for the Commonwealth of Independent States⁴² (TACIS) which focused on support for establishing rule of law, promoting good governance and democracy respect for human rights, alleviation of poverty prevention of conflict and rehabilitation (Tocci 2007). Until 2007 Georgia benefitted with this instrument.

The European Commission also provided finance for rehabilitation assistance since 1997 to tackle the conflicts in Georgia with the objectives

to build greater trust between the conflict affected populations.... improving living conditions of the population affected by the conflict and creating conditions for the return of internally displaced persons, as well as facilitating progress in a constructive dialogue between the conflict parties” (European External Action Service 2011:10).

The EU expressed its willingness to engage more in conflict prevention with the South Caucasus in the General Affairs Council of February 2001 (European Commission 2001 a). Initial EU approach centered around border control initiatives and civilian interventions towards conflict settlement in South Ossetia.

⁴² TACIS, which was a financial aid program directed to 13 States. Georgia received 370€ million, of which 27 had been used to for the rehabilitation of the conflict zones.

Along with these instruments, Georgia was also the part of the EU regional programme named Transport Corridor Europe-Caucasus- Asia⁴³ (TRACECA) and in order to support cooperation in the oil and gas infrastructure system, the EU launched Oil and Gas Transport to Europe(INOGATE) (Lynch 2006, Popescu 2007: 2-3).The EU also actively participated to provide humanitarian financial assistance in Georgia from 1992-1994 with the European Commission Humanitarian Office(ECHO), and food aid through the Food Security Programme (FSP) (Lynch 2006). Georgia also became a beneficiary country with another 29 countries around the world that are benefiting from the European Initiative for Democracy and Human Rights (EIDHR) since 2002.

The Union also takes interest towards establishing security in Georgia because it is important for the Europe to access Caspian Sea's energy reserves. The Baku-Tbilisi Ceyhan (BTC) oil pipeline and Baku- Tbilisi- Erzurum natural gas pipeline (a sister project of BTC) make Georgia very important for Europe and provide access to the Caspian Sea's energy and oil to Europe. The EU estimates that imports in energy will rise from 50 percent to 70 percent by 2020 or 2030(European Commission 2002). This estimation proves the geo-economic importance of Georgia for the EU.

Thus, it was imperative for the EU to establish good governance in Georgia, and restore the territorial integrity. Before the Rose Revolution, Georgia was considered as a failing state with a failing democracy by the international community. The 'Rose revolution' provided an opportunity for the EU in asserting its actorness in an erstwhile failing state through democracy promotion and assist Georgia in the path of democratic transition.

The ESS was a strategy which was drafted to promote EU's security by protecting its neighbours. The ESS recognize the interdependence between the EU member states and its neighbours and in order to remove the adverse consequences or conflict spill-over effect on the EU, the ESS gave main focus to the stabilization of the EU periphery countries and identifies the priority areas such as good governance, conflict prevention, fight against organized crime and establishing a rule based international order to fulfil the EU's objective of building a secure neighbourhood

⁴³ The TRACECA, the most important one, was also aimed to the development of a deeper regional cooperation, so not only circumscribed at the economic sector, but was also important for the political one.

State failure, Organized crime and Regional conflict are three of five key threats mentioned in the ESS as a threat to EU's security (European Council 2003:4). Since its independence these threats have been constantly present in Georgian political and security system and providing a main concern for the EU. In this context, Georgia can be regarded not a failed state but certainly as fragile one with possible threat to the security interest to the EU. A report prepared for USAID too assessed the same:

[w]eak and corrupt state institutions have led to a lack of confidence in the political system, cynicism about the rule of law and a tendency to resolve conflict in extra-legal ways [...] public administration is, in fact, so saturated by venality in Georgia that it cannot respond to direction (Lynch 2006: 21-22).

After that the ENP came in and in Georgia became the part of the ENP, EU became more involved in Georgian crisis. Popescu remarks that "In some respects the 1990's style of the EU policy towards Georgia ended in 2003" (Popescu 2007: 4).

Table 4.2: Action and Interest of different states in Georgia

Actors	Actions	Interest
Russia	Disproportionate counter-offensive attack Invasion of Georgian cities and ports Accusation of violation of human rights and ethnic cleansing Recognized Abkhazia and South Ossetia as independent states	Undermine Georgia's territorial integrity Prevent Georgia from joining NATO Send strong message to Ukraine Protect its sphere of influence Control of the Caucasus and its energy resources Promote "regime change" in Georgia.
NATO/US	Accusing Russia of disproportionate response Suspension of NATO-Russia Council	Security and stability in the region Observance of international law Energy security Commitment to idea of democracy NATO Membership Action Plan (MAP)
The European Union	Shuttle diplomacy between Russia and Georgia Signing ceasefire agreement, ambiguity Accusing Russia of disproportionate response Appeal of use of diplomatic means to resolve conflict Suspension of EU-Russia Partnership talks	Human rights protection Observance of international law Access to energy resources

The European Union's Engagement in Georgia: Post European Neighbourhood Policy:

In terms of geopolitics, Georgia clearly became an important neighbour for the enlarged EU. The ESS clearly mentions that failure of state to provide the fertile ground for the organized crime, drug trafficking from the Central Asia and also provide the ground for illegal labour migration (European Council 2003). In order to stop this kind of unrest on the border and secure their objective of stability and prosperity the EU launched ENP towards the wider neighbourhood which included Georgia. A democratic and stable neighbourhood is a principal objective of the EU's security and Georgia as a fragile and deteriorating state could serve as a source of danger towards Western Europe.

With the accession of Romania and Bulgaria in 2007, the South Caucasus became part of the immediate vicinity of the Union, where Georgia shares a maritime border with existing EU members, thus increasing its importance for the EU's security purposes. First of all, the proximity of the region is particularly important due to unresolved conflicts of South Ossetia, Abkhazia, and Nagorno-Karabakh which pose immediate threats to the Union. Secondly, the South Caucasus should be considered as a buffer zone between the EU and the farther away unstable regions, increasing its importance for the purposes of international security.

Georgia and the European Neighbourhood Policy

In recent years, the ENP as a foreign policy tool presents an opportunity to challenge the perception of the EU as a weak and invisible foreign policy actor (Emerson 2002:2) and to demonstrate its potential "to act beyond the dichotomy of accession/non-accession, drawing on a range of tools to promote its interests" (Lynch 2005: 33-34). The EU expressed its willingness 'to assert its identity on the international scene'(European Council 2006:Art 1) and the ENP proved to be a regional existence of the EU's willingness, whereby geographical proximity requires the EU to define its interests in neighbouring regions and choose instruments to pursue those interests. The importance of these interests was officially acknowledged in relation to the 2004 accession of the new member states to the EU. Thus, the ENP

emerged as a policy with a clear geographical dimension, in which the main criterion for countries involvement with the ENP is their vicinity. The ENP covers Eastern Europe, the South Caucasus and the Mediterranean⁴⁴. Within this wider pattern, the inclusion of these states within the ENP manifests the shift of attitude from the EU towards the region, where it has its own interests to pursue. The ENP takes into account the EU's strategic interest in its neighbourhood and in particular the significance of maintaining the stability of the South Caucasus, as stressed in the ENP Strategy Paper(European Commission 2003 a).

The interests of the EU in each of Georgian region included in the ENP are different. The importance of Georgia is highlighted by its strategic location in the midst of world powers, whose agenda does not always coincide with the EU's. Thus, the wider geopolitical picture of the region can be considered a key determinant of the policy's implementation. Along with it, an interlinked rationale was the creation of more secure EU borders, which was seen as an alternative to the policy of Enlargement (Marise 2008:251). This is identified as an objective in ENP policy papers. Security is behind the rationale for integrating the neighbours to a certain extent without promising them membership. This, in turn, requires identification of the primacy of democratization within the policy and the normative image the EU exploits within the ENP.

The inclusion of Georgia in the ENP was not only the result of the change in the political situation in Georgia but also the result of the new geopolitical situation and necessary strategic reorientation for the EU created by the EU's 'Big – Bang' enlargement in May 2004, which made Georgia closer to the EU.As it was mentioned by the European Commission in the EU-Georgia Action Plan:

The enlargement of the European Union on 1 May 2004 has brought a historical shift for the Union in political, geographic and economic terms, further reinforcing the political and economic interdependence between the EU and Georgia. It offers the opportunity for the EU and Georgia to develop an increasingly close relationship, going beyond co-operation, to involve a significant measure of economic integration and a deepening of political cooperation. The European Union and Georgia are determined to make use of this occasion to enhance their

⁴⁴Countries involved in ENP are Eastern European States which are Ukraine, Belarus, Moldova, and South Caucasian states, that is Armenia, Georgia and Azerbaijan and Mediterranean region Algeria(currently negotiating an ENP action plan), Egypt, Israel, Jordan, Lebanon , Libya, Morocco, Palestinian Authority, Syria, Tunisia.

relations and to promote stability, security and welfare (European Commission 2006).

The country faced a governance crisis as corruption had permeated heavily weakening the central authority. The presidency of Eduard Shevardnadze faced criticism and discontentment on account of failure to implement economic and political reforms that could overcome the Soviet legacy. It was during the changes in the Saakashvili era and the momentum of the Rose Revolution which kindled hopes for much overdue reforms. After Saakashvili was elected, the Council stated:

EU now looks forward to helping Georgia and the other countries of the South Caucasus come closer to the European family” and the EU is aiming to “assist the new government in its efforts to bring local standards with regard to rule of law closer to international and EU standards” as well as to “embed stability in the region (Council of the European Union 2004 c).

The new Georgia government was pro West and sought closer cooperation with US, NATO, and the EU. The EUJUST THEMIS was launched at the request of Georgian Prime Minister (Smith and Webber 2008:91).The European Commission deployed a Rapid Reaction mechanism and also offered more assistance for strengthening the post democratic process. Towards this end, EU closely cooperated with the development programmes of other actors in the region such as OSCE and UN (Popescu 2007:34-37).

Additionally, after 2003 the EU focussed conflict resolution as imperative for achieving political stability and economic development in the region. According to European Commission:

The EU wants Georgia to develop in the context of a politically stable and economically prosperous Southern Caucasus. In this respect, the conflicts in Abkhazia (Georgia) and Tskhinvali region/South Ossetia remain a major impediment (European Commission 2003 b:4).

In November 2006, Georgia agreed on a Joint Action Plan for reforms and cooperation under the ENP. According to the ENP Action Plan,

Georgia is invited to enter into intensified political, security, economic and cultural relations with the EU, enhanced regional and cross border co-operation and shared responsibility in conflict prevention and conflict resolution (European Commission 2006:1).

This Action Plan noted Georgia's European aspirations and mentioned that

The EU welcomes Georgia's readiness to enhance cooperation in all domains covered by the Action Plan. The level of ambition of the relationship will depend on the degree of Georgia's commitment to common values as well as its capacity to implement jointly agreed priorities, in compliance with international and European norms and principles (European Commission 2006: 1).

In the Joint Action Plan of 2006 the Priority Area Sixth under the heading 'Promote Peaceful Resolution of internal Conflicts' mentioned the conflict resolution provisions, while Tbilisi wanted that it should be given the first priority under the Action Plan. The EU mentioned that it was willing to "contribute to the conflicts settlement in Abkhazia, Georgia and Tskhinvali Region/South Ossetia, Georgia, based on respect of the sovereignty and territorial integrity of Georgia within its internationally recognized borders" (European Commission 2006: 10).

The ENP Action Plan also mentioned that the EU needs to, "contribute actively, and in any relevant forum, to accelerating the process of demilitarization and of conflict resolution of conflict resolution on the basis of the Peace Plan supported by the OSCE Ministerial Council in Ljubljana in December 2005⁴⁵" and "to increase the effectiveness of the negotiating mechanisms. The work of the Joint Control Commission should be measured by the rapid implementation of all outstanding agreements previously reached and in particular by the start of demilitarization⁴⁶" (European Commission 2006: 10).

In 2003, the Council appointed the EUSR for South Caucasus⁴⁷ to promote the EU's policies and further its interests in South Caucasus region. The EUSR's mandate included support to the political and economic reforms, conflict prevention and resolution and enhancing support to the United Nations Secretary General and his Special Representative for Georgia, the Group of Friends of the United Nations Secretary General for Georgia, the OSCE Minsk Group, and the conflict resolution mechanism for South Ossetia under the OSCE mechanism (Council of the European Union 2003 b:Art 3(d)). Later in a new Joint Action in 2006, the mandate was

⁴⁵ Sixth Priority Area (iii).

⁴⁶ Sixth Priority Area (IV).

⁴⁷ Currently the EU has seven EUSR's dealing with different topics, countries and regions of the world: Afghanistan, BiH, Horn of Africa, Kosovo, Sahel, South Caucasus and the crisis in Georgia.

extended and got strength in settlement of conflicts and implementation of settlements. As it is stated in Council's Joint Action Plan EUSR can

contribute to the settlement of conflicts and to facilitate the implementation of such settlement in close coordination with the United Nations Secretary General and his Special Representative for Georgia, the Group of Friends of the United Nations Secretary-General for Georgia, the Organisation for Security and Cooperation in Europe and its Minsk Group, and the conflict resolution mechanism for South Ossetia (Council of the European Union 2006: Art. 3(d)).

The EU launched the Rule of law mission for Georgia named EUJUST THEMIS under the ESDP umbrella on 16 July 2004 for a period of one year with the aim to support Georgian authorities in dealing with the criminal justice issues and assisting the reform process(Council of the EU 2004 c).

After the failure of the EU to deploy a full border mission, the EUSR Border Support Team (BST) was established on 28 July 2005(Council of the European Union 2005 a). In the background of this mission, the main factor was the OSCE Border Monitoring Operation (BMO) in Georgia which was assigned to monitor the Russian- Georgia border.

When in early 2005 Russian vetoed its continuation, then on the request of Georgian officials, the EU assumed the operation (Lynch 2006). The extended mandate of the EUSR Border Support Team explains the purpose of the mission to

provide the European Union with reporting and a continued assessment of the border situation and to facilitate confidence-building between Georgia and the Russian Federation, thereby ensuring efficient cooperation and liaison with all relevant actors (Council of the European Union 2006:Art.3(g)).

Since 2006, the EU policies towards secessionist region changed and the EU became the largest international donor to both secessionist regions. These EU funded project were much focused on technical assistance at tried not to be politicised (Popescu 2007).The EU projects towards both secessionist region was different. For Abkhazia, the focus was on economic rehabilitation and humanitarian aid. In the case of South Ossetia, the main focus of the EU projects was the provision of basic amenities like drinking water supply, restoration of schools, electricity and gas networks, railways, and support for agriculture growth. In some regions, the projects were linked the

political process dialogue within the JCC, with its execution contingent on a consensus of its four parties.⁴⁸

In August 2008, Georgia entered into a war with Russia, which ended due to the mediation of EU. The EU drafted a ceasefire that called for ending the conflict, recognising Georgia's territorial integrity and re-establishment status quo (Pipia 2014:343). A civilian monitoring mission of 340 observers was set up and EUR 500 million was marked for post-conflict assistance. The EU engagement resulted in the of "Six-point Cease-fire Agreement between Russia and Georgia".

In the emergency EU summit convened by French Presidency on 1 September 2008, Russia was criticised for unilaterally declaring the independence of Georgia's secessionist region. The EU summit did not recognise such proclamations of independence. On 15 November 2008, The EUMM in Georgia was established to monitor the "Six-point Agreement". On 15 October 2008, the Geneva negotiations started and included leaders from EU, OSCE, UN, and U.S along with Georgian and Russian representatives. The talks discussed about the security situation in Georgia and called for measures for facilitate the returns of refugees and internally displaced person. In Georgian Donor's Conference⁴⁹, 4.5 billion dollars were pledged to support stability in Georgia for the period 2008-2010 (OSMGEEAI 2016).

Georgia's proximity to Russian borders and the subsequent Russian intervention also was a factor that undermined the ENP in the East. The relations between EU and Russia were also strained on account of Georgian conflict (Keukeleire and MacNaughtan 2008). Russian presence has been one of the factors that has hindered EU's active engagement in its eastern neighbourhood. Russia regards EU's action in Georgia as an encroachment on its position as a regional hegemon. The multitude of institutions within the EU and their respective capabilities further undermine the effective realisation of a unitary EU foreign policy. Moreover, lack of consensus among the Member States has also hindered the external policy goals of the EU. In this political environment in order to protect EU's interest in the Eastern neighbourhood as well as to maintain the EU-Russia strategic partnership the EU

⁴⁸ These four parties included Georgia, South Ossetia, North Ossetia and Russia.

⁴⁹ Georgian Donor's Conference was held in Brussels on 22 October 2008 and was organised by the EU and the World Bank.

needs to soon find a denominator with Russia to create a 'shared neighbourhood'(Lynch 2005).

Russia-Georgia relations strained after the Rose Revolution with the election of a pro-West government. Russia resorted to sanctions and a transport block and further imposed a ban on Georgian agricultural products, wine and imports of mineral water (Civil Georgia 2005, Civil Georgia 2006). Arbitrary deportations of Georgians also increased along with the tightening of the visa regime (ICG 2007b:8). The new Georgian President Saakashvili gave primacy to the unification of Georgian territories (ICG 200 a:7). Georgia' changing relations with its separatist regions was an echo of the strained Russian- Georgian relations.

Other international factors such as Kosovo's independence in February 2008 and its recognition by US and most of EU Member States increased Russian apprehensions about Georgia's relations with the West (Eckel 2008).The withdrawal of Russia from the 1996 Commonwealth of Independent States (CIS) pact followed soon. Russians apprehensions increased as the NATO Bucharest summit in April 2008 promised Ukraine and Georgia membership of NATO (NATO 2008). This was followed by an increases Russian military presence in Abkhazia, although within the limits for peacekeepers set by the CIS agreements.

The EU then made efforts for a diplomatic intervention in its quest for the role of an effective regional actor. Although the Member States approved of the Ceasefire during the Emergency session of the European Council, divisions emerged regarding the course of policy to be followed against Russia. While the Baltic and Eastern European Member States called for a tough policy, the old Member States called for a more restrained approach (ICG 2008 b:21, Council of the European Union 2008 b(ii)). The EU suspended a new agreement with Russia until Russian troops completely pulled out of Georgian territory (Goldirova and Vucheva 2008).This indicated that EU, and in particular the Member States, were interested in risking their relations with their powerful neighbour.

The EU's involvement in Georgian conflict can also be analysed within EU's energy and security interest in the region. First, stability in Georgia is important for the EU because of the transit of the energy resources from the Caspian Sea. After Baku-

Tbilisi-Ceyhan oil pipeline became operational, Georgia acquired significance as country from which Caspian oil was supplied to the European Markets. As Sierra states that:

The EU is interested in the stability of Georgia given the strategic position of the country as a transit corridor – both in transport and energy – and the risks of escalation of internal and regional conflicts (Sierra 2009: 481).

Second, stability in Georgia is the central condition for EU's security interest. The geography of Georgia in the South Caucasus region is strategically most important for EU. Georgia is direct neighbour of the EU by sea and in future, if Turkey's accession takes place, it will share its land border. A European Council conclusion mentioned that, "We should now take a stronger and more active interest in the problems of the Southern Caucasus, which will in due course also be a neighbouring region" (European Council 2003: 9) and prevent Georgia from become a home ground of international organized crime and illegal migration.

After the five day War, in 2010, the European Neighbourhood and Partnership Instrument (ENPI) assistance for Georgia stood at EUR 120.4 million. In the same year, on 10 May, the General Affairs Council mandated the European Commission to initiate discussion on the Association Agreement with Georgia. €180.29 million was allocated under the National Indicative Programme (NIP) for the period 2011-13. The Country Strategy Paper (CSP) 2007-2013 agreed regarding the objectives and modalities of EU assistance to Georgia. The NIP set up four priority areas. Democratic development, rule of law, good governance was included in priority area 1. Trade and investment, regulatory alignment and reform were included in priority area 2. Regional development, sustainable economic and social development, poverty reduction were the focus of Priority Area 3, and Support for peaceful settlement of conflicts was included in priority area 4 (ENPI Info Centre 2010)

The visa facilitation and readmission agreements between EU and Georgia began on March 1, 2011. Talks on the Deep and Comprehensive Free Trade Area (DCFTA) Agreement between them officially started on 28 February 2012. On 4 June, visa liberalisation dialogue between the EU and Georgia was initiated. This was followed by the adoption of the Eastern Partnership Road Maps 2012-2013 on 23 July 2012 at the Foreign Ministers Meeting of the Eastern Partnership countries. DCFTA

negotiations as part of the Association Agreements were successfully completed on 22 July 2013. In November 2013, EU-Georgia relations got a further boost when Georgian seafarers were allowed to work on EU vessels (OSMGEEAI 2016).

The European Neighbourhood Instrument (ENI), which replaced the ENPI of 2007-2013 is now the primary financial instrument allocated to the Neighbourhood for the period 2014-2020. It will provide aid towards defence and security related sectors along with economic assistance and development of infrastructure. (European Commission 2014:9) From 2014-2017, ENI bilateral assistance to Georgia was between range €335 million and €410 million (European Commission 2014:8).

The European Union's Civilian Crisis Management Mechanism in Georgia

The EU has evolved a unique institution mechanism in the field of the CCM capabilities. The EU has launched its CCM missions all over the world to tackle the security threats which can potentially escalate into violent conflict. The EU CCM missions launched under the ESDP umbrella entail the following four key priority areas, “ a) Police, b) Rule of Law, c) Civilian Administration and d) Civil Protection” (European Council 2000 a).

The EU is using its CSDP instrument in the Eastern Neighbourhood to stabilize the region under the framework of the European Neighbourhood Policy and the Eastern Partnership (EaP). The EU's involvement in the Georgia which can be discussed under the CCM mechanism of the crisis management. Georgia is also covered under the ENP and the country hold strategic significance for the EU on account of its geographic location and its geo-strategic location as an access to energy market in Europe. Georgian conflict has thus also attracted the attention of other major international actors like USA, Russia, and the OSCE.

EU launched two CCM missions in Georgia, namely The Rule of law mission (EUJUST Themis) for a short period of one year, and an EU Monitoring Mission EUMM (2008) which continues till date. The Rule of law mission, the EUJUST Themis was launched after the ‘Rose Revolution’ to reform the justice sector, and the second monitoring mission in EUMM was launched as a strategy of EU's intervention after the August 2008 war between Russia and Georgia.

These two EU civilian crisis management missions in Georgia echoed the EU's difficult situation to identify and address the security challenges at its Eastern border as Georgia is considered as a source of instability due to the presence of the secessionist entities and 'Frozen Conflicts', which provided the fertile ground for the organized crime, trafficking and illegal migration. The next section examines these missions in detail along with the background before their launch and then evaluates EU's CCM capabilities in Georgia by looking at these two missions.

EUJUST THEMIS: The EU Rule of Law Mission in Georgia

After the disintegration of the Soviet Union in 1991, EU-Georgia relation moved in a positive direction and from 1992, EU became a major donor for the newly independent country, in order to move Georgia closer to international and European standards (Office of the State Minister of Georgia on European and Euro-Atlantic Integration 2017).

In 1999 Georgia got the admission to the Council of Europe and it became mandatory that the legal environment of Georgia must be according to the Council of Europe's norms (Parliamentary Assembly 1999). In order to prepare the ground for the legal environment which provide admission to Georgia in the Council of Europe, President Shevardnadze launched several reforms in criminal law along with judicial reforms and anti-corruption measures with the coordination of institutions of European Commission, the Council of Europe, the American Bar association, the British Council, and the US department of judiciary (Human Rights Watch 2000).

In December 2001, the European Commission discussed Georgian condition in the country strategy paper and summarised that the country was suffering from two major internal challenges widespread corruption due to the failed governance in Georgia and the failure of the conservative force to initiate much needed reforms (European Commission 2001 d: 3).

The post 'Rose Revolution' phases was marked by a power change in Georgia. The new regime was rooted in democratic values and the principles of free market. Thus it focused on promoting democratic values and a market economy. Inevitably, this led to an improved relationship between the regime and the EU. In order to fasten its

democratic process, Georgia showed its strong commitment to becoming member of the EU as well as NATO. According to the Country Strategy Paper 2002-2006 on Georgia,

“Georgia has been a member of the Council of Europe since April 1999 and President Shevardnadze has repeatedly declared that ultimately his country should become a member of the EU. More recently he also referred to his country’s intention to join NATO” (European Commission 2003 b: 5).

In 2003, the revised country strategy for 2003-2006 was launched for Georgia which highlighted the EU’s interest towards Georgia focused on fast and sustainable economic development and reduction of extreme poverty (European Commission 2003 b:5). In the same strategy paper, the Council and Commission put the main focus on promoting the rule of law (European Commission 2003 b:21). The Country Strategy also showed the failing situation of the internal security and the failure of Georgian government for the establishing peace and stability. European Commission 2003 b: 9).

The Georgian judicial system was often being criticised because it was not sustainable and according to the European Standards. The reasons stated behind this was the security threat due to unresolved regional conflicts in South Ossetia and Abkhazia, unstable political system and bad governance and organised crime (Helly 2006:89). Georgian government had made some efforts towards laying the ground for the establishment of law and justice system, but they largely failed to meet their objectives.

After the ‘Rose Revolution’ Georgia’s internal situation became unstable. In this transition phase, the newly formed Georgian government showed its commitment to the better governance in Georgia and reforms in Justice sector also were considered as a priority by the Georgian government. Georgia also put the Justice reform as its primary agenda in the Donors’ Conference which was organised jointly by the European Commission and World Bank in June 2004 in Brussels (European Commission 2004 c).

The Big bang enlargement of the EU on 1 May 2004 altered the geographic and political boundaries of the EU and brought it closer to the conflict areas. As in 2001 European Commission mentioned that, “The enlargement process will bring the EU

frontier closer to Georgia and the southern Caucasus” (European Commission 2001 d:5). The preamble of the PCA between the EU and Georgia recognised that protecting Georgian independence and the country’s territorial integrity was vital for establishing peace and stability in Europe.

In January 2004 President Mikhail Saakashvili assumed power and EU decided to support the new government as part of ‘early action’ to establish good governance and stabilize the condition of the country (European Commission 2004 a: 11) and also on Georgian president’s request to the EU for asking “for rapid support in the field of Rule of Law”⁵⁰. Hence, on 15 July 2004 the European Council launched the EUJUST Themis, an ESDP Rule of Law Mission with a mandate for twelve months (Council of the EU 2004 c) to aid the process of the transition in Georgia and to “assist the new government in its efforts to bring local standards with regard to Rule of Law closer to international and EU standards”(Council of the European Union 2004 c) and “embed stability in the region (Council of the European Union 2004 c).

On Saakashvili’s request, CIVCOM was asked to devise a strategy paper rule of law mission to Georgia. CIVCOM responded to the request through forming a Fact Finding Mission (FFM) before making a final decision on a mission. The report of the FFM⁵¹ assessed the security situation in Georgia and discussed the political dimensions, objectives and modalities of the Rule of Law Mission.

Thus, The crisis which took place in Georgian territory due to the unstable security situation, bad jurisdiction and corrupt political system provided an opportunity for the EU to intervene in Georgia as Civilian Crisis Manager and the EU launched the Rule of Law Mission named EUJUST THEMIS with the aim of “secure public security environment and promote the democratic rule of law in Georgia” (Dwan 2006).

The EUJUST THEMIS was the first ever ESDP mission in the Post-Soviet Space. Although the mission was officially not stated as a peacekeeping mission, it entailed a set of mechanisms for establishing the necessary conditions for the “peaceful reintegration of the break-away Soviet republics”(Merlingen and Ostrauskaite 2009: 286).

⁵⁰. This appeal was followed by a formal invitation by Georgian Prime Minister Zurab Zhvania two months later.

⁵¹. FFM committee was headed by the French judge Sylvie Pantz, who later became the head of EUJUST Themis.

Through the launch of EUJUST THEMIS, EU conveyed a clear political message to Georgia that it was committed to establishing democratic polity based on a rule of the law in the country. The mission also provided EU with an opportunity to assess its civilian management capabilities in its neighbourhood. EUJUST THEMIS was also driven by EU's desire to promote peace, through interdependence and adherence to common standard establishing a rule of law and stressing on security (Study Group on Europe's Security Capabilities: 12).

In consonance with these larger strategic objectives, the Rule of Law Mission aimed to “a) Provide urgent guidance for the new criminal justice reform strategy; (b) Support the overall coordinating role of the relevant Georgian authorities in the field of judicial reform and anti-corruption; (c) Support the planning for new legislation as necessary, e.g. Criminal Procedure Code; (d) Support the development of international as well as regional cooperation in the area of criminal justice ”(Council of the EU 2004 c: Art. 2). The EU was also concerned at the threat of corruption and the related transnational organized crimes, and as such, the mission's criminal justice system sector laid thrust on capacity building

The rule of law missions entails two inter-related objectives: strengthening the rule of law mission according to internationally accepted standards by providing the positioned personnel education, give them the training of monitoring and advice; and reforming the local judiciary (Council of the European Union 2003a). As EUJUST Themis had these two characteristics, it can be regarded as the first rule of law mission within the CSDP to test the Civilian Crisis Management capabilities.

EUJUST THEMIS was a small mission with 10 legal experts coming from the member states such as Lithuania, Latvia, Denmark, and Sweden (Nowak 2006:91). The Organization Plan of the mission divided it into three phases: “an Assessment Phase (2 to 4 months), a Drafting Phase (4 to 6 months) and an Implementation-Planning Phase (2 to 4 months)” (Nowak 2006: 92). An important provision in the Joint Action was the assistance extended by the EU experts in different ministries to legal authorities of Georgian administration, which even included the Prime Minister's Office along with the Ministry of Justice, the National Security Council; the Council of Justice, the Prosecutor General's Office and the Public Defender's Office (European External Action Services 2004:2).

In the ENP Policy paper, Georgia came under the ENP and thus, the EUJUST THEMIS Mission comes under the title of CCM mission in the neighbourhood.

The Commission's commitment towards Georgia put forward the discussion, drew legal and financial tensions for an ESDP mission in the same realm. But the coordination between two instruments and complementing nature of the ESDP mission avoided all legal, financial and administrative competition that could cause the inter-institutional struggle which could harm the mission's success. On the question of the reform of the criminal justice system, the EUJUST THEMIS followed a different course from that of the Commission. According To Nowak, "[a]lthough EUJUST THEMIS was an ESDP mission it supposedly prolonged or complemented, to a certain degree, what the EU had already been doing with first pillar instruments in the rule-of-law sector" (Nowak 2006: 89).

The budget of the EUJUST THEMIS was very less in terms of resources. Only 2million euro were provided for the first year of operation and in terms of the human presence, only 10 personnel were present in the Tbilisi along with the EU Commission delegation (Council of the European Union 2004 c: art.10).

Although the Council expanded its area towards the well-established community policy area which involved the fundamental pillars of the development, democracy, rule of law and economic stability. But the Commission imagined a narrow role for the Council and the CFSP. According to Council of the European Union (2004 c)

The Joint Action for launching EUJUST THEMIS assesses the security situation as stable with the potential to deteriorate and have serious impact on regional and international security. The political commitment and resources including the mission was seen as a stabilizing factor (Council of the European Union 2004 c).

The EUJUST THEMIS expanded the scope of security threats and recognised that anti-corruption and the related organized crime were threats that were to be addressed apart from regional security. In this context, it is apt to mention that the mission statement articulates about the criminal justice sector and also gives special significance to anti-corruption measures.

Location of the Conflict

The EUJUST THEMIS had an important internal and external dimension. At the internal level, it had institutional coordination with the Commission and ENP mechanism of the EU and on the other hand at the external level the EUJUST THEMIS offered an opportunity to the EU to present itself as an effective regional security actor and also to enhance its credibility with relations to its actions in Georgia. Merlingen and Ostrauskaite point out:

“While the rule of law mission EUJUST THEMIS had no official peace building role, a generous reading of its mandate may conclude that it assisted in creating the preconditions for the peaceful reintegration of the break-away republics”(Merlingen and Ostrauskaite 2009: 19-20).

Impact of the EUJUST THEMIS in Georgia

The EU’s yearlong “rule of law” mission to Georgia, EUJUST THEMIS was first ESDP rule of law mission as well as the first mission to be deployed after the disintegration of USSR. It also became a test case for the EU relations with Russia (Korowai 2009: 202). It was a manifestation of EU’s soft power through a focus on reform of the justice system, police structures and civilian administration, EUJUST THEMIS led to an enhancement of EU’s standing as a security provider in Georgia. The EU enjoyed a “very favourable position pursuing a holistic approach” when compared with the other international actors who were present in the region (Sierra 2009:485).

For the stabilization of the country’s situation and consolidated democratic structures the EU had recognized the Rule of law as a priority area, Lynch calls it “a democracy in the making” (Lynch 2006:9) and the EU itself refers to it leading to stability, security and prosperity of the EU and its neighbouring regions.

EUJUST THEMIS provided a chance to the EU to fulfil its commitment to be a credible foreign policy and security actor and also opened the window of opportunity for Georgia in terms of democratization, rule of law and good governance and served as an important case for testing the CCM capabilities of EU

Due to its civilian nature, the mission got the support from even those EU Member States which had good relations with Russia and were afraid of the political repercussions of an eventual launch of the ESDP Rule of law mission in Georgia. EU also aimed to put the experience it acquired during its mission in Georgia in future ESDP operations. The mission marked a symbol of the EU's commitment of support towards the new appointed Georgian government. This mission not only showed the EU's will for the co-operation and support to Georgia but also could be seen within the wider perspective of EU's interest to achieve stability in its bordering regions.

The rule of law mission was successful in the planning and implementation of the criminal justice strategy. These parts of the implementation of the strategy were also included in Georgia action plan of the ENP. According to EUJUST Themis Mission Members, it was significant on the following three counts: First, a reform strategy was drafted with detailed and strategic guidelines as stated in the Operational Plan(OPLAN) Second, the Mission sought to increase cooperation with the various stakeholders in the judiciary to establish an effective and reformed criminal justice system in the country; Third a reform of Georgian criminal system was considered to be a major step in bringing Georgia closer to the European norms as established in the concept Rule of Law.

Through EUJUST THEMIS, the EU also aimed to assert itself as an effective global actor and show that the ESDP was not confined only to establishing regional security in EU's borderland in Western Balkans, but was capable of acting in conflict zones outside the European landscape.

The success of EUJUST THEMIS was however limited on account of various factors. First, the mission did not have the adequate support from Georgia government. It was only after the election of President Saakashvili that the mission got a formal approval in Georgia.

Further, there was a lack of coordination between the EU Member States and no actual consensus was reached regarding EU's competencies. As Juncos comments, the mission suffered from the "institutional turf wars" between the European Commission and the Council, as both sought to protect and even extend their areas of competence(Juncos 2016:26). The delegation of the European Commission did not

offer much support to the two members of the European Council who were tasked with overseeing the Rule of Law Mission in Georgia. The institutional rivalry between EU institutions was also visible as the European Commission tried to expand its area of competence by negotiating the action plan of the European Neighbourhood Policy with Georgian government, without much consultation with the European Council.

EUJUST THEMIS also revealed some weakness of the EU as a security provider. There was no real assertiveness on the part of the EU regarding its actual role in Georgia on account of a lack of clear EU foreign policy vision. Although there has been criticism of the EUJUST THEMIS on the basis of its smaller size, success or failure of the mission cannot be measure on the basis of the broader and small mandate of the missions. EUJUST THEMIS had particular sets of goal and mandates and tried to achieve those goals in its maximum capacity and it became successful to achieve its aim as discussed in the mandate (Ivan 2016)⁵².

EUMM Georgia: The European Union Monitoring Mission in Georgia

The EUMM is considered the fastest peacekeeping mission in the history of EU's foreign and security policy. EUMM launched on 1 October 2008 under the French Presidency of the EU (Council of the European Union 2008 c). The EUMM mission mandate was to work with the Geneva talks for Georgia's territorial conflicts settlement. Through establishing a regional cooperation mechanism with the conflicting parties, namely Georgian government, and the representatives of Abkhazia and South Ossetia, and the Russia authorities, the mission aims to exchange information in order to avert a return to violent conflict and maintain peace and security at the de facto fragile border.

Interests of the EU in launching CSDP Mission in Georgia

The EUMM to Georgia was deployed as a result of the EU acquiring a unique conflict mediation role in the Southern Caucasus. The Russian-Georgian war of August 2008 provided an opening for the EU under the dynamic French Presidency to become

⁵². This Point was mentioned by Paul Ivan in a personal interview held on 11 May 2017, in Brussels.

actively involved in peace negotiations and the subsequent post-conflict security arrangements in Georgia.

The EU Presidency had an important part in settling the conflict in South Ossetia (Council of the EU 2008 a). On the one hand, it supported the OSCE missions which were already presented in Georgian territory and at the same time it played major role in drafting a ceasefire plan.

On 10 August 2008 the EU Presidency, in cooperation with the OSCE, launched a negotiation mission, which resulted in the signing of the Six Point Ceasefire Agreement by Russia and Georgia(Fischer 2009:380). The External Relations Council (GAERC) which was extraordinary in nature provided a Six Point Plan which was welcomed by all participating parties (Council of the EU 2008 b(i)).The six principles which were discussed at the GAERC meeting were as follows: 1)There would be no use of force 2) There would be permanent cessation of hostilities; 3) Free access to humanitarian aid would be provided 4) Georgia military forces would have to withdraw to their bases 5) Russian military forces would have to move back to the lines they held before the start of the conflict.6) International talks on building security and stability arrangements in Abkhazia and South Ossetia would take place(Council of the European Union 2008 b(i)).

The Council highlighted the necessity for a prompt reinforcement of the OSCE's observer capabilities and also envisaged that the EU must offer its full cooperation to the international community towards establishing peace in Georgia, respecting Georgian territorial sovereignty as well as the need to implement humanitarian emergency measures.

On 1 September, the European Council echoed GAERC's apprehensions regarding the weakening security environment as well as highlighted the willingness of the EU to commit, to peacekeeping, including mission deployment (Council of the European Union 2008 e). More significantly, it did not recognise the Abkhazia and South Ossetia which undermined the Russian standing in the region

Before sending the EUMM in Georgian territory, the EU send some tentative missions in Georgia to collect the information about the actual condition of the conflict area and define the potential areas on the ground in which the CSDP mission

activity launched. A Crisis Management Coordination Team had been already established by the Council Secretariat, which had sent two teams to Georgia to examine the security scenario there and provided further reinforcement to the EUSR for the South Caucasus based in Tbilisi. The European Commission also sent its crisis assessment team to Georgia, while the European Commission's Humanitarian Aid Office (ECHO) also dispatched a team to gauge the humanitarian situation in Georgia (Fischer2009:381). On September 1, the European Council sent a fact finding mission to Georgia with the aim of "defining the modalities for an increased European Union commitment on the ground, under the European Security and Defence Policy" (Council of the European Union 2008 e:2)

After the Council and Commission dispatches studied the ground situation in EU, and defined the course of action and responsibilities to be undertaken in the CSDP mission to Georgia, a combined team of European Council and European Commission visited Georgia to finalize the mission's concept of operations (CONOPS) and the Joint Action that defined the EUPM mandate. The Civil Conduct and Planning Capability (CCPC) was also actively engaged in establishing the modalities, and then in the implementation, planning and launching of the EUMM in Georgia (Grevi 2009:45).

The mission was continued as "a monitoring mission in nature" and centred on security assurance in the crisis area. The Joint Action under which the EUMM Georgia was established provided a mandate of stabilisation, normalisation, confidence-building, and information provisions (Council of the European Union 2008 c: art 1 and 3). The EUMM provided 'civilian monitoring of parties' actions process centred on complying with the Six Point Plan as well as the normalisation process of civil governance, focusing on rule of law (Council of the EU 2008 c : art. 2). Within only two weeks of the adoption of the Joint Action, the EU was able to deploy the EUMM on the ground, enabling monitors to begin patrols on 1 October 2008. Originally authorised for 12 months, the mandate has since been extended six times. On 12 December 2016, the European Council extended it until 14 December 2018 (European External Action Service 2017 a: 1).

Fig.4.3: EUMM Personnel presence in Georgian Region



Source: European External Action Service 2017 b

Since the mission operated in an area which was close to the EU borders and EU neighbourhood, the European Council called for increasing the EU's engagement with its Eastern neighbour through the instruments of ENP and the Black Sea Synergy initiative.

The EUMM mission under CSDP did not boost the EU's capacity for independent action because it was a purely civilian mission which lacked the executive powers. It has only 200 monitors without any executive powers (Solana 2008). This number exceeds and reached at 205 in July 2016. The distribution of the monitors according to the EU member state is given in the following table:

Table4.3: EU Member States contributing to the EUMM

Country Map	Country Name	Number of Monitors
	Austria	6
	Belgium	4
	Bulgaria	12
	Croatia	2
	Cyprus	3
	Czech Republic	11
	Denmark	7
	Estonia	3
	Finland	15
	France	0
	Germany	14
	Greece	11

	Hungary	15
	Ireland	3
	Italy	2
	Latvia	5
	Lithuania	6
	Luxembourg	0
	Malta	0
	Netherlands	8
	Poland	15
	Portugal	3
	Romania	27
	Slovakia	4
	Slovenia	0
	Spain	1
	Sweden	24
	United Kingdom	12
Total		213

Source: European External Action Service 2017 b

The deployment of small unarmed civilian monitors restricted by freedom of movement limited its capacity as a robust mission. Although its mandate clearly declared that it has the monitoring capacity but this monitoring power has its own limit. The main question was what they have to monitor?

Although the EUMM mandate was applicable to the entire Georgian territory but Russia and secessionist authorities of Abkhazia and South Ossetia didn't gave the permission to mission representatives access in their respective regions of South Ossetia and Abkhazia. Although the mission lacks access to Abkhazia and South Ossetia, it has contributed towards maintaining peace due to its presence on the Georgian side of the border (Fischer 2009). As The Head of Mission, Ambassador Haber said, "Having no access to South Ossetia and Abkhazia, the EUMM cannot monitor this deployment properly" (Pop 2009). But on 4 November Abkhazia gave the permission to enter the EUMM Georgia monitors in its region for the first time (EUMM Georgia 2008).

Additional external factors also prevented the EU from deploying a more robust mission. Most notably, Russia's role as a permanent member of the UN Security Council has prevented a UN mandate. Nonetheless, the international community appreciated the EU actions in the conflict zone (Forsberg and Seppo 2011). The mission was in the interest of the major EU countries but there were still internal divisions. France, Germany, Italy and Spain followed a softer approach towards Russia as compared to UK, Sweden and the Central and East European countries. However, it did not cause the EU to change its stance (Gupta 2009:10).

At the second UN Security Council meeting on 8 August 2008, the UK supported French Presidency in a manifestation of a coordinated European approach. Ms. Pierce, the UK representative, stated, "My Government is pleased to support the efforts outlined by the representative of France, speaking for the European Union, setting forth what is happening on mediation from the Organization for Security and Cooperation in Europe and the European Union" (UN Security Council 2008:6).

However, EU's position vis-à-vis Russia was relatively weak on account of its energy dependence, and in this strategic scenario, the bilateral negotiations on the Partnership and Cooperation Agreements continued. On October 21, 2008, European Parliament

held a plenary debate on EU-Russia relations in the context of the events in Georgia. Benita Ferrero-Waldner Commissioner for External Relations and European Neighbourhood Policy remarked that the “violation of Georgia’s territorial integrity with the use of force, and Russia’s unilateral recognition of Abkhazia and South Ossetia were unacceptable and cast a serious shadow over EU-Russia relationship” (Waldner 2008).

On 14 November 2008, the French Presidency of the EU hosted the EU-Russia Summit in Nice, and called for the withdrawal of Russian forces from Akhalkori valley in South Ossetia and the village of Perevi in west Ossetia (Union Européenne 2008).

The French President proactively advanced EU interests and remarked that “The EU’s prime objective was to stop the violence from escalating beyond the Caucasus. The six principles of the cease-fire agreement brokered with the Russians by the French EU presidency, could, in essence be interpreted as the common EU goals in the resolution of the conflict”(Forsberg and Seppo 2011). A follow-up report prepared by the UK House of Lords concluded that the response of the EU was “rapid and reasonably successful, and owed much to the effectiveness of a strong EU Presidency” (Stationary Office 2009:9). The discord and lack of coordination among the EU Member States again came to the fore as a German member of European Parliament held Sarkozy responsible for failing to establish coordination with the other EU Member States and blamed him for solely pursuing French interests rather than that of EU. Finland, which then holds the Presidency of the OSCE, offered its full cooperation to European Presidency.

Security in the EU Neighbourhood

The EUMM Georgia mission was launched to promote the prestigious CSDP monitoring mission to solve Georgian crisis. The crisis was unexpected and the response of the EU was so swift which did not leave any room for the internal power politics among the EU institutions. Before the launch of the EUMM, there were two kinds of choices - either to deploy a heavy mission with military personnel- which was rejected by the European Council or to support the UN and OSCE monitoring

mission. But the EU took the decision to check its CSDP capacity individually and after the launch of the Six Point Plan launched the EUMM under the leadership of President Sarkozy. This initiative was appreciated by the international community and it also improved the EU's prospects as an international actor (Forsberg and Seppo 2011, Whitman and Wolff 2010).

The full withdrawal of Russian troops from Georgia could at one level be attributed to the deployment of EUMM, and at another level as a result of negotiations between Sarkozy and Dmitry Medvedev.

On 22 October 2008, Benita Ferrero-Waldner chaired a Georgia Donors Conference in Brussels, which was held in association with World Bank. The European Commission assured an aid to the tune of 500 million euros (\$642.8 million) to 2010. The EU's 27 member states and the European Investment Bank also pledged their contributions that brought the total to 863 million Euros. European Commission President Jose Manuel Barroso remarked that it was the moral duty of the EU to help a neighbour

Any conflict on Europe's borders clearly has implications for European security and stability.....This particular conflict also has potential costs for Europe in terms of our energy security and our diversification strategy (Barroso 2008).

The European Council and the European Parliament also accepted Georgian crisis as a problem of energy security (Council of the EU 2008 d) The CSDP mission also had a rationale protect the EU's energy interests and to strengthen European security.

Evaluating the EUMM

Since 2008, the Mission has been working with all the parties to prevent the conflict from escalating again and ensuring that the areas adjacent to South Ossetian and Abkhazian Administrative Boundary Lines remain safe for the local population residing there.

Three agreements between the EUMM and the Georgian government have been instrumental in the implementation of the mandate. First, the Provisional Arrangement for the Exchange of Information signed between the EUMM and the Georgian

Ministry of Defence in January 2009 and amended in 2010 restricts the deployment of Georgian forces in the regions near the Administrative Boundary lines. Second, Technical Arrangements signed between the EUMM and the Georgian Ministry of Internal Affairs in October 2008 restricts the use of equipment and the activities of the Georgian police forces near the Administrative Boundary line. he Technical Agreement signed between the EUMM and the State Security Services of Georgia (SSSG) in November 2015 gives the EUMM power to monitor the functions of SSSG personnel. The EUMM continues to function according to the Six-Point Agreement. However, point five of the agreement has not yet been implemented as of June 2017 as Russia continue to have its military personnel in and equipment in both South Ossetia and Abkhazia (European External Action Service 2017 b).

On 12th December 2016, European Council prolonged the mandate of the EU Monitoring Mission in Georgia, EUMM Georgia until 14 December 2018. It also allocated a budget of €18 million for the period from 15 December 2016 to 14 December 2017 (European Council 2016).

The European Council draws the attention to put forward the regional cooperation and escalating the relations with the eastern neighbourhood countries with the ENP and the development of the Black Sea Synergy initiative which encouraged cooperation within countries surrounding the Black Sea (Council of the European Union 2008 e: 3).

Before the launch of the CSDP mission in Georgia, the European Council urged for the EU support already presented OSCE and UN missions in Georgia. The Joint Action under which the EUMM was established mentioned about the coordination with the OSCE mission and UN activities in Georgian territory (Council of the EU 2008 c). While supporting the OSCE activities in Georgia the EUMM get the closer interaction with the existing OSCE mission⁵³ and it reveals that there is a lack of capabilities and to some extent, the mandate was also not up to the mark to address the situation in Georgia.

⁵³. The objective of the OSCE mission was to promote negotiations between the conflicting parties.

Russia and its close allies are OSCE Members and as such they could influence decision making process in the organisation and reducing the capabilities in the OSCE mandate. At the end of 2008, the mandate of OSCE wasn't renewed because due to conflict the OSCE Permanent Council failed to reach the consensus.⁵⁴

It can thus be concluded that the EUMM mission was the result of unforeseen e Russia- Georgia War. Although, the mission was not able to fulfil the aim of the mandate because a small number of civilian monitors were not able to respond effectively in Georgia, it can be inferred that was regional conflicts are identified as the major threat to the EU and the CSDP mission.

EUMM is perceived by EU Member States and others as an important contributor to safeguard security and stability on the ground (EEAS Factsheet 2017 a: 2). At the early stage of the conflict the EU was not able to solve the conflict, not because of the EU's typical weakness or lack of consensus but because of the legacies of Georgia's own past with the autonomous republics of Abkhazia and South Ossetia and the own very problematic heritage and the presence of Russia next door. These are the main reasons as to why the EU in possible future never matches the strength or possibilities to become a global player in Georgian region. However, the EUMM is one of the flagship mission works that has worked with respect to daily phoning and the border meeting to attend. The EUMM contributes a lot as filler on the ground. It has its importance as a symbol of the solidarity. Its presence shows the EU's visibility in the monitoring the conflict. It can't be defence per say when it comes to the harder decisions. It is important to count all sorts of the CBM's and fillers on the ground that is necessary in order to able to talk to the other side to arrange meetings (German Official 2016)⁵⁵.So, it can be concluded that on the global EU missions, EU has its own importance and strength to respond the conflict.

Georgia holds importance in the international politics because of its geostrategic location. The relationship between the EU and Georgia dates back to the 1990's but it gained momentum after Georgia became the member of the ENP in 2004. Before

⁵⁴. Twenty unarmed military monitoring officers were to remain deployed under a mandate that expired on 30 June 2009.

⁵⁵.This Point was mentioned by German Official in a personal interview held on 29 April 2016 in Berlin.

ENP was launched, the EU was not so much interested in Georgian conflict situation and was avoiding to be deeply engaged in Georgia because of the presence of Russia in that region. But in the post ENP period, the EU became proactive in Georgian conflict and send CCM missions to ensure the peace and stability in that region and to resolve the conflict in Abkhazia and South Ossetia

Georgia's security situation has undergone significant changes since the inception of ESS in 2003, and its subsequent review in 2008. One of the objectives of the ESS of 2003 was that of building security in the neighbourhood. The EU achieved this objective in Georgia through the appointment of as EUSR for the South Caucasus and the deployment of the two CCM mission in Georgia the EUJUST THEMIS and EUMM Georgia to stabilise the situation in the country. One is EUJUST THEMIS, EU's first ever rule of law mission improved the law and governance in Georgian territory. EUJUST THEMIS had its significance because it was the first rule of law mission under the EU's CCM capability and it was also first in the sense of any CCM mission outside the EU borders. The EUMM was the only remaining mission that had an international mandate in Georgia after Russia forced the termination of the UN and OSCE missions in Abkhazia and South Ossetia, and this enhanced the capabilities of security actorness of the EU in regional conflicts. In Georgia, two EUSR (for the South Caucasus and for the crisis in Georgia) have been deployed. The ENP and the Eastern Partnership have made conflict management as one of the major priorities. High-level intervention by EU leaders was a success of diplomacy of EU leaders during Georgian–Russian war of August 2008 (Council of the European Union 2008 e).

Rule of law mission EUJUST THEMIS in Georgia is more the set of governance or legal system exported to Georgia. But the EUMM is more stretched towards the crisis management mission. Both these missions have very clear and different interests in Georgia. The EUMM is more likely to help to stabilise the situation on the lines of control but it also set some sort of channels of communication and has the ability to keep some kind of process going between Abkhazians separatists and Georgia. In that

sense, the EUMM is a real crisis management mission, while the EUJUST THEMIS is some extent contributed to the norms in Georgia (Wolff 2016)⁵⁶.

According to Whitman and Wolff (2010:93), the 2007 Country Strategy should be viewed within the context of the ENP, in which Georgia has become a participant since 2004. The 2008 report on the implementation of the ESS refers to Georgian crisis and mentions that EU has been effective towards finding a solution to the crisis through offering mediation, humanitarian assistance, a civilian monitoring mission, and financial aid (Council of the European Union 2008 f).

After an examination of the two CCM missions in BiH and Georgia, it can be said that EU has followed a comprehensive approach to security entailing an effective use of civilian tools at its disposal for crisis management. However, the use of CCM tools varies in the two cases of post-conflict reconstruction. The next chapter will analyse the differences in the EU's deployment of CCM tools in BiH and Georgia.

⁵⁶. This Point was mentioned by Professor Stefan Wolff in a personal interview held on 12 May 2016 in Brussels.

CHAPTER 5

CONCLUSION

The foreign policy of the European Union (EU) has evolved in response to new political, economic, social and security challenges that have emerged in the post-Cold War era. In particular, the EU faces a host of security-related issues that call for coordinated action with the member states and other international actors. The first security challenge that confronted the EU in the post-Cold War period was the wars in Yugoslavia in its neighbourhood and the young EU was still not ready to respond to the crisis. It was however seen as a challenge because without a coordinated action, the EU cannot be a significant actor and its fragmented voices would underline that it was a weak player. In this context the EU could achieve three things: 1) assert its influence in the Balkans; 2) expand its geostrategic outlook; 3) emerge as a security actor without the US's assistance/dependence.

The EU's involvement in former Yugoslavia was driven by multiple factors relating to the goals and methods of European integration and the desire to redefine and secure its neighbourhood being involved it would also reflect its identity as well as to reach a consensus about its relations with the other European security organizations with which most of the EU's member states were also affiliated.

However, with limited military capability, it was soon realized that the EU was largely ineffective in resolving the Yugoslav crisis. Europe had moved from the period of the long peace during the cold war to the rise of ethnic and intra-state conflict within its territory. Balkan wars, first in Bosnia and Herzegovina (BiH) (1992-95), then in Kosovo (1998-99) were a painful learning experience for the EU because these intrastate wars highlighted the direct need for a coordinated security mechanism and a new operating framework both at the international and regional level as it meant that the concept of sovereignty would be compromised. The crisis in BiH finally came to an end with the US intervention and signing the Dayton Peace Accord in 1995. Since the war in BiH from 1992-1995 was also the period of creation of the Common Foreign and Security Policy (CFSP), which perhaps explains the failure of the EU in the beginning.

In 1993 the EU also adopted the Copenhagen criteria which lay down the conditions of the rule of law, human rights, respect for the protection of minorities, and the existence of a functioning market economy about membership into the EU. Thus Enlargement presented the values of the EU for the accession countries which can be recognised as instruments of the Union's Soft Power.

However, the need for devising a 'Hard Power' EU response equipped with effective military and defence capabilities were felt during the Balkan Wars that occurred in the aftermath of the disintegration of Yugoslavia and the ensuing ethnic conflict. Seen from hindsight, the war in the Balkans –in particular BiH, provided the EU an opportunity to develop not only its CFSP but also various tools that would subsequently be available for the conduct of foreign policy at the regional and global levels.

In this backdrop, in 1999, the European Council in Cologne was significant given that the EU defined its role at the international stage. The Member States adopted “to give the EU the necessary means and capabilities to assume its responsibilities regarding a common European policy on security and defence” (European Council 1999 a:1).

Going a step ahead within six months in the EU Helsinki European Council in December 1999, where the EU set a military target known as the Helsinki Headline Goal. The June 2000 Feira European Council and the Nice Treaty of December 2000 further introduced important changes in the European Security Policy. As a result of these of these Council meeting's the European Security and Defence Policy now included humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management which also included peacekeeping and crisis management. All of this meant that the EU was slowly adding new competencies and in paper becoming more of a security actor. The effectiveness of the EU as a Security actor can only be judged by looking at the missions.

However, in response to the security situation in Europe, the EU was caught on the back foot with the September 11 terror attacks in the US. These terror attacks emphasized more emphatically that the security threats had diffused and were no longer limited to the neighbourhood. In fact, within ten years of the end of the Cold War, the rise of the non-state actor and terrorism were to become defining points of

the new security landscape. In this context the Laeken European Council which spoke off developing more capabilities so that it “will (be) enable the Union progressively to take on more demanding operations” (European Council 2001 c).

In the backdrop of the September 11, 2001, attack, the 2003 Iraq crisis had a profound effect on the EU’s role and identity and its ability to speak with one voice in its foreign policy. From the Maastricht Treaty to 2003 Iraq war, the EU developed itself as a more effective foreign policy actor, but not adequately and suffered from the lack of coherence in its CFSP. It was the visible disunity among the member states that led the EU to task the High Representative Javier Solana to develop a security policy recommendation. In a significant development, the Solana document was adopted by the European Council in December 2003 as the *‘European Security Strategy: A Secure Europe in a Better World.’* The development of the European Security Strategy (ESS) shows that the EU situated its security within a global context – a better world. It aspired to develop the security identity faster to confront the terrorist attack and the threats coming from outside towards the EU. Within the 10 years of the launch of the Maastricht Treaty the EU announced in the ESS its security strategy based on three pillars: 1) extending the security zone around Europe; 2) establishing effective multilateralism based on the UN and 3) responding to the five key threats namely: terrorism, the proliferation of weapons of mass destruction, regional conflicts, state failure and organized crime.

Reading the document of the ESS along with the Civil War in the BiH it becomes obvious that why ‘building security in its own neighbourhood’ was the first objective of the EU. Political and security instability in the immediate neighbourhood had the largest potential to destabilize the entire union if it could not respond such threats. Second, the prosperity and well-being of the EU were also depended on the secure neighborhood. In this context, the ESS gains importance because as it says, “Even in an era of globalization, geography is still important. It is in the European interest that countries on our borders are well-governed. Neighbours who are engaged in violent conflict, weak states where organized crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe”(European Council 2003:7).

The weakness of the EU as an actor during the Bosnian Civil War was attempted to be overcome through the articulation of a security strategy that identified both the means and ends for the EU as a security actor.

It is one of the findings of the research that, in the context of the newly launched security strategy, the EU was getting into its first Civilian Crisis Management(CCM) role, although it was never defined in that. It can be firmly argued that the European Union Police Mission (EUPM) in BiH provided input into two important policy and instrument developments.

The ESS, which was initiated in 2003, in the backdrop of the Iraq war and the crisis within the EU on supporting American action the EU expressively stated that “the role of the Union as a major player able to respond to global security challenges, especially in its neighbourhood.” Based on the above the EUPM was launched in 2003, with the objectives of “monitor, mentor and inspect” as part of the newly formed ESS’s objective to secure its border from the unrest and conflicts by promoting peace and stability through a police mission.

Through the EUPM, the EU also sought to secure its border from any outside threat and assisting the countries in the neighbourhood achieving good governance and the rule of law according to the ‘Best European Practice. Thus, CCM has emerged as an important dimension of the European Union’s foreign policy, which entails the deployment of the Union’s civilian mission in the conflict zones of the world.

Coming out of the ESS, in 2004, the EU launched the European Neighbourhood Policy(ENP) that was to give the EU significant foreign policy identity. The ENP talked about “promoting peace, stability, and security in the neighbourhood.”The ENP is directly related with the ESS. Thus, the ENP as a policy document was seeking to address some of the security threats identified in the ESS. In particular, the ENP is a policy aimed at the immediate neighbourhood of the east and south of the Union. Both the flank have a high propensity for security risk to the EU. As shown in Chapter 1, fig 1, the EU has undertaken three kinds of missions under the ENP such as Military missions, Civilian Crisis Management(CCM) Missions and Hybrid Missions. However, this study focuses only on the CCM missions. The Balkans fell in the space between the Eastern and Southern flanks and would be the first source of

instability to the newly formed EU in 1992. Thus when civil war broke out in BiH in 1992, the EU was neither prepared, nor did have the requisite policy instruments.

This research is putting emphasis based on the findings that the EUPM launched in 2003 in BiH although not the part of the ENP (as the Balkans are not the part of the ENP) can be considered as the launchpad for future CCM missions under the ESDP.

Apart from the CSDP which focuses on the overall security of the EU territories, the policies such as ENP focusing on security in specific regions have been important for long-term structural stability in Europe.

In its nascent phase (2002-2006), the ENP had a predominately economic dimension and talked about “everything but not institutions” and ENP as a document of broad objectives and principles of how to promote democracy and economic reform as a way to resolve existing insecurities and conflicts. It was after 2006 that ENP laid thrust on the security dimension.

The EU’s response to the crisis through the CCM is not only limited in its immediate neighbourhood (BiH), but the EU also broadened its horizon in the conflict zone of Georgia, in what is referred to as the far neighbourhood.

In June 2004, Georgia, a South Caucasus country became a member of the ENP and also became very important for the EU because of its geopolitics. Although the EU’s involvement in the Georgia was from 1990’s, through the development aid and economic assistance. But after 2004, the EU became assertive with the launch of the EUJUST Themis mission, first ever rule of law mission in the post-Soviet space to settle the bad jurisdiction and the rule of law situation and tested its CCM capabilities in the far neighbourhood. Keeping in mind the ENP’s objective one can said that the 2008 Georgian conflict posits the security threat towards the EU’s border. The EU considered the 2008 Georgian conflict as an opportunity for the EU to vying for regional hegemony vis-a-vis with Russia through getting involved in the Georgian crisis. This is the main reason that the EU got involved in 2008, Georgian conflict and launched its European Union Monitoring Mission (EUMM) to ensure to prevent the hostilities in the region and inform EU policy in Georgia and the wider region.

The research is based on the following hypotheses. First, by promoting normative values like peace, democracy, rights, and the rule of law in its neighbourhood through

the ENP and CCM, the EU is projecting itself as a security actor. Second, the EU's CCM mechanism as a major policy instrument to address the security challenges in the European neighbourhood is different in BiH and Georgia, as BiH is an accession country, while Georgia is a case of the non-accession ENP.

Bosnia – Herzegovina: Addressing the Neighbourhood Challenges and Development of EU as a Security Actor

The ENP with the specific objectives of “promoting peace, stability, and prosperity in neighbourhood” strives to contain negative spillover from the eastern and southern flank being imported into its territory. When the EU implements the ENP through the military and civilian mission. It enhances the Union as a security actor.

From the security perspective, the BiH presented the first major test case for the EU's CCM capabilities where the EU had an opportunity to position itself as an important and influential actor in the region. The EUPM was the first ever CCM mission in the BiH launched in 2003 because of the EU's commitment to secure Europe from outside threats and the whole idea behind the EUPM was to secure the European borders from the threats by promoting the security, and stability in the immediate neighbourhood, since some of these countries are probable accession countries.

The EUPM helped BiH to deal the crisis and normalize the ground situation of the BiH with the help of police reform and local ownership. The EU made the EUPM's mandate a part of Brussels broader approach towards Bosnia, an approach that would extend beyond the DPA. The goal was to move Bosnia from the “Dayton to European period” by taking over UN and NATO responsibilities. Since then it was Brussels, not the DPA that was supposed to serve as a main source of law. With the help of the EUPM, the authority of Brussels is paying attention to Bosnia, which leads to a step towards the conscious effort to avoid “overstating” threats in the BiH. Countries with a membership perspective, such as Bosnia and Herzegovina – fully harmonize with the Union's geopolitical interests and the EU actors attempted to keep the dead EU integration “process” alive and conjure new “momentum” in BiH by providing the better conditions of the rule of law and ownership. Thus along with the EUPM and

other reform, the accession process provides a ray of hope and is perceived as the main driver for reform in BiH.

Georgia: Addressing the Neighbourhood Challenges and Developing the EU's Security Capability

Georgian crisis is an important check of the EU's capabilities as a security provider in the European neighbourhood region, and cultivate a meaningful policy for a non – accession candidate country. The ENP embodies the EU's desire for stability, good governance and economic reforms within Georgia. Georgia's inclusion in the ENP has put the EU's focus in what is now defined as “Wider Europe.”

The EU has been actively engaged in Georgia within the framework of ENP, and the EU also launched their two CCM missions in 2004 and 2008. In 2004 the Rule of Law mission EUJUST THEMIS presents an interesting case because it was the first ever rule of law mission launched outside the EU territory. The EUJUST THEMIS helped to promote good governance and improve the rule of law situation in the Georgia.

Georgia became the part of the ENP Action-Plan in 2006, and after that, the EU became more proactive in resolving the conflict in the Georgia. When the 2008 War took place between Russia and Georgia, it showed the volatile security situation in EU neighbourhood. The EU first intervened in this war situation on the level of diplomacy, which was unsuccessful. This demonstrated that the ENP itself was not sufficient to ensure stability and security in the neighbourhood. Followed by the 2008 war, the EU launched its second CCM mission in Georgian territory named: European Union Monitoring Mission (EUMM) with the objective of stabilization, normalization and confidence building,

The EU is apprehensive of border threats coming from the Eastern borders, and thus it strives for promoting democratic and economic reforms so as to ensure economic stability in such regions. This was manifested in the EU's role during the crisis in Georgia. The EU delineated its strategic role in enhancing relationships with Georgia. The EU's involvement in the conflict resolution in the Georgia is serving its interest to stop the threats outside the EU borders and challenge the Russian regional

hegemony. To promote their interest, the EU launched the ENP as a policy instrument. Within the ENP, Georgia can be considered as an exercise in the EU's normative policies that aim to promote good governance, democracy, and liberal economy to the neighbouring countries.

On the basis of the two case studies of BiH and Georgia, the first hypothesis is proved that by promoting normative values like peace, democracy, rights, and the rule of law in its neighbourhood through the ENP and CCM, the EU is projecting itself as a security actor. Throwing the light on the EUPM mission (BiH), EUJUST Themis and EUMM(Georgia) proved its goals are achieved, and EU proved its capability to become a security actor.

European Neighbourhood Policy and the European Union as a Civilian Crisis Manager and Security Actor

The thesis argues that the EU's CCM mechanism in BiH differs substantially from those countries which come under the ENP like Georgia. It can be attributed to geostrategic factors such as the presence and engagement of the other international actors like USA, Russia and even China in countries under the scope of ENP some regions. The BiH and Georgia present a very interesting case. BiH received its CCM mission in 2003(although it was the first-ever CCM mission launched by the EU) a long time after the burst of ethnic conflict of BiH in 1992, whereas in Georgia the EU sent its CCM mission immediately after the confrontation between Russia and Georgia in August 2008 and tested its emerging crisis management capabilities in the Southern Caucasus. The Council of the EU expressed "grave concern at the open conflict which had broken out in Georgia, and expressed the readiness of the Union to commit itself to supporting every effort to secure a peaceful and lasting solution to the conflict" and appointed a special representative to Georgia "to enhance the effectiveness and visibility to the European Union in helping to resolve the conflict in Georgia"(European Council of the European Union 2008 d).

The factor behind this difference can be considered the 'prospect of accession for BiH.' In effect, the EU has significantly less leverage regarding conditionality compliance in these countries than it does in the BiH, where the accession prospect is

the key to the Union's success. Accession is linked to the political vision of the Union, whereas ENP is a tool to address political instability in European borderlands through promoting European values. Conflict management under the framework of ENP has also shown that there is no fixed pattern of engaging with the neighbourhood. This is the important difference between EU's engagement in BiH and Georgia, where in the latter accession is not an option in ENP framework on account of Russian influence. In these two different geographical countries, the dimension in the different CCM mission has not only underlined the diversity of the partner countries specific situation but also demonstrated that the EU member states also peruse different foreign policy priorities and interests.

On the basis of the above hypotheses the main key finding of the research is that the *EUPM was the first ever civilian crisis management mission in the BiH launched in 2003 because of the EU's commitment to secure Europe from outside threats and the whole idea behind the EUPM was to stabilize the unstable war ridden Bosnia by promoting the police reforms and the rule of law.* The main objective of this civilian mission was to establish a smooth and viable police system under Bosnia's ownership with the best European and international norms. Thus based on the Copenhagen Criteria 2004 was a turning point for the EU as ten new countries from the Central and Eastern Europe joined the Union.

Keeping this in mind, the EU officials came up with another policy instrument of the EU named ENP in 2004 to secure the neighbourhood from any external threats and promote the prosperity in respective areas. So, the main finding of the thesis is that although the BiH is not the part of the ENP, it can be said that the EU's crisis management action in BiH was the predecessor of the ENP which fulfills the EU's aim to promote prosperity, peace, and stability in the EU's neighborhood.

The thesis argues that EU's involvement in the Bosnian crisis was not only a test case for the CCM capabilities of the Union during the crisis but was also a precursor to the launch of the ENP as a policy devised with an objective of preventing conflicts in the neighbourhood.

As part of its CCM Strategy, the EU has invested a lot in BiH and has emerged as a major aid and trading partner and an assistance provider. Bosnia is also regarded as a candidate for the enlargement.

Since the Balkans has an accession prospect, the experience gained in the EUPM in BiH has an impact on the EU's missions undertaken within the framework of the ENP. The thesis argues that EUPM can be considered the missing link between the ESS (2003) and ENP (2004) on the point of securing the neighbourhood.

The EU has been investing a lot in CCM as compared to the traditional means of crisis management. The research posits that BiH not only provided the link between the EU CCM and the neighbourhood to make the EU as security actor but along with enlargement, it contributed to the creation of the ENP, as a new policy instrument to establish peace and security in the neighbourhood. Also, one might claim that the EU's military power, and therefore one "side" of its actorness, had developed together with its engagement in BiH, as one of the first ever EU, military and police missions took place simultaneously.

The EU's Global Strategy and its transformation as an Actor

As a crisis manager, the EU strives for achieving stability in the near and far neighbourhood through the use of civilian and military operations. In Europe itself, the EU is confronted with terrorist threats among many others that pose a threat to the security. In response to this, military and civilian capabilities were developed to address the risks and threats to Europe's security.

Thus, it became clear that in a new potentially more fragmented and unstable border at its periphery, a new approach was required by the EU to engage with countries in the Eastern and southern neighbourhood. A new framework for ENP was also felt on account of increasing Russian assertiveness in the Eastern region. The 2015 ENP review called for its integration within the overall framework of EU foreign policy "involving other regional actors beyond the neighbourhood" and increasing coordination between EU and the Member States. The revised ENP is aimed at becoming more strategic and 'closely coordinated as part of the broader work on the EU Global Strategy(EUGS), which is a broader form of the ESS 2003'.

The ENP has acquired more significance in the security dimension because of the new threats that have emerged in what is referred to as a 'wider Neighbourhood'. The Rise of ISIS in the Middle East has brought the threat of terrorism at the borders of the Union. The unstable political situation in the middle eastern countries that emerged after the Arab Spring has not only caused a security threat to the Union but has also led to the influx of refugees within the EU borders that has posed an internal threat within the Union. The EUGS has also noted these threats. The official document of EUGS states that "We live in times of existential crisis, within and beyond the European Union. Our Union is under threat" (European Commission 2016). The EUGS then identifies the five priority areas of EU's security. The first area pertains to strengthening EU's security through counter-terrorism measures along with policies aimed at enhancing cyber and energy security, along with strategic communications. The second aspect pertains to focussing on the conflicts and turbulence in the EU's Eastern and Southern neighbourhood covering a geographic perimeter bounded by the Western Balkans, Sub-Saharan Africa, and Central Asia and also devising an effective policy towards addressing the problems of migrants and refugees. The third aspect calls for an integrated and coordinated EU approach to respond to conflicts and crises founded on pre-emptive peace, security and stabilization, conflict settlement and addressing the "political economy" of insecurity. The fourth area envisages establishing the regional mechanism. It is explicitly stated that these are required to check Russia's actions in Ukraine and also calls for selective engagement on other global and regional dossiers, the Mediterranean, Middle East and Africa, the Northern and Southern Atlantic, Asia and the Arctic. The Fifth aspect pertains to conducting EU actions in a multilateral, rules-based system of global governance, which is guided by "transformation rather than preservation of existing forums such as the UN and 'Bretton Woods' institutions.

Thus the interests and priority areas mentioned in the EUGS are consistent with a review of European Security undertaken in June 2015 by the EU High Representative. Five challenges were identified in the June 2015 EU HR review, namely "redoubling the EU's commitment to European neighbours to the East and dealing with Russia; rethinking the EU's approach to an increasingly unstable Middle East and North Africa; redefining Europe's relationship with Africa; reviving Atlantic

partnerships and playing a fully-fledged role in Asia. Thus, the EUGS makes the EU more assertive in the domain of security and defence capabilities.

It can be inferred, that the ENP as a policy instrument of the EU got further impetus from the EUGS along with the CCM and became successful to project the EU as a security actor in the international global order.

The Neighbourhood will continue to be in a state of flux, instability and be a source of non-traditional threats. The EU is expanding its scope and defining itself as a security actor as seen in the EUGS 2016. In this context, it is to be seen how the EU is going to projecting itself as a security actor.

Through the security dimension of ENP, EU has moved beyond the foreign policy of conditionality with respect to its neighbours and has positioned itself as a security actor through the use of CCM missions such as the EUPM in Bosnia and EUMM in Georgia as a means to bridge the capability-expectations gap.

For further research, it would be interesting to take a military and hybrid missions to see how they address the aspects of the crisis management as indicated in the introductory chapter of the research and how the EU has grown and the project itself as a security actor. The nature of mission has a large impact on how the values are promoted and how the EU projects itself as a security actor in the areas where the mission takes place.

With Donald Trump's entry into the White House in January 2017, the Transatlantic partnership has come under a lot of cloud. For the first time in its history, the relations between the US and Europe is strained as, Trump has openly questioned NATO and its security functions. It is in this context that EU will have to increasingly provide for its own security a point that was also reiterated with Angela Merkel, who also said that U.S. is no longer a reliable partner for Europe. Thus it is important for the EU to show its capabilities and prove itself as a security actor in changing international world order.

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Annex1: List of Experts Interviewed and Institution visited during the Field Work from 7 January 2016 -6June 2016.

S. N.	Name of the Expert	Institution	Date	Consent	
				YES	NO
1	Dr. Ulrich Brueckner	Freie University, Berlin, Germany	7.4.2016	Yes	—
2	Mr.Bodo Weber	Senior Associate and Board member of the Democratization Policy Council (DPC),Berlin, Germany	8.4.2016	Yes	—
3	Dr. Ronja Kempin	Senior Fellow Stiftung Wissenschaft und Politik Berlin Germany	12.4.2016	Yes	—
4	Mr.Wolfgang Richter	Senior Associate Stiftung Wissenschaft und Politik Berlin Germany	14.4.2016	Yes	—
5	Prof. Dr. Tanja A. Börzel	Centre for European Integration ,Jean Monnet Chair, Freie University, Berlin Germany	19.4.2016	Yes	—
6	Nicole Koenig	Research fellow at the Jacques Delors Institut - Berlin Political and institutional issues, Berlin, Germany	20.4.2016	Yes	—

7	Professor Richard Whitman	Senior Research Fellow, The UK in a Changing Europe , School of Politics and International Relations Rutherford College University of Kent Canterbury Director, Global Europe Centre, Kent, U.K.	22.04.2016	Yes	—
8	Mr. Andreas von Brandt	Deputy Head of Division Southern Caucasus and Central Asia (207) German Foreign Office, Berlin Germany	29.4.2016	Yes	—
9	Dr. Steven Blockmans	Head of EU Foreign Policy, Centre for European Policy Studies (CEPS),Brussels Belgium	10.05.2016	Yes	—
10	Mr. Paul Ivan	Senior Policy Analyst European Policy Centre (EPC),Brussels Belgium	11.05.2016	Yes	—
11	Dr. Issabelle Ioannides	Senior Associate Researcher, Institute of European Studies, Vrije University, Brussels, Belgium	11.05.2016	Yes	—
12	Professor Stefan Wolff	Department of Political Science and International Studies Professor of International Security, Birmingham,UK.	12.05.2016	Yes	—
13	Mr. Michael Emerson	Associate Senior Research Fellow, Centre for European Policy Studies (CEPS), Brussels, Belgium	13.05.2016	Yes	—
14	Mr. Erwan Fouéré	Associate Senior Research Fellow, Centre for European Policy Studies (CEPS), Brussels, Belgium	19.05.2016	Yes	—
15	Dr. Ingo Peters	Freie Universität Berlin, Otto-Suhr-Institute for Political Science Centre for Transnational Relations, Foreign and Security Policy Berlin	26.05.2016	Yes	—

		Germany			
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*Consent release form was given to each expert before the interview, so that their name and views could be quoted in the research.

*However, some experts did not want to be explicitly named but were willing to share their opinion and expertise on the topic. Thus the confidentiality of the person has been maintained.



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.5.2004
COM(2004) 373 final

COMMUNICATION FROM THE COMMISSION

European Neighbourhood Policy

STRATEGY PAPER

{SEC(2004) 564, 565, 566, 567, 568, 569, 570}

INTRODUCTION AND SUMMARY

With its historic enlargement earlier this month, the European Union has taken a big step forward in promoting security and prosperity on the European continent. EU enlargement also means that the external borders of the Union have changed. We have acquired new neighbours and have come closer to old ones. These circumstances have created both opportunities and challenges. The European Neighbourhood Policy is a response to this new situation. It will also support efforts to realise the objectives of the European Security Strategy.

In March 2003 the Commission presented its Communication “Wider Europe – Neighbourhood: A new Framework for relations with our Eastern and Southern Neighbours”¹, following a joint letter to the Council by the High Representative Mr Javier Solana and Commissioner Patten in August 2002.

In June 2003 the Council welcomed this Communication as a good basis for developing a new range of policies towards these countries, defined overall goals and principles and identified possible incentives. The Thessaloniki European Council in June 2003 endorsed the Council conclusions and looked forward to the work to be undertaken by the Council and Commission in putting together the various elements of these policies.

In July 2003 the Commission tabled a Communication “Paving the Way for a New Neighbourhood Instrument”² and established a Wider Europe Task Force and a Wider Europe Inter-Service Group. In October 2003, the Council “invited the Commission with the contribution, where appropriate, of the High Representative to present in the light of the conclusions of June detailed proposals for the relevant action plans early in 2004 in order to take this matter forward by June 2004.” The Council also welcomed the communication on the new neighbourhood instrument. The European Council of October 2003 welcomed the progress made on this initiative and urged the Council and the Commission to take it forward, with a view to ensuring a comprehensive, balanced and proportionate approach, including a financial instrument.

On this basis the Commission has made a detailed analysis of the elements which could be included in this initiative, both with respect to substance and procedure. The Commission has made two oral progress reports to the Council, in October 2003 and February 2004, and contributed to detailed discussions in the Permanent Representatives Committee and the relevant Council working groups, concerning the possible elements to be included in European Neighbourhood Policy (ENP) Actions Plans with a number of countries in Eastern Europe and the Mediterranean region. The parts of these Action Plans related to enhanced political co-operation and the Common Foreign and Security Policy have been worked on and agreed jointly by the services of the Commission and the High Representative

The Commission has held exploratory talks with partners in Eastern Europe and the Southern Mediterranean³ which have Partnership and Cooperation Agreements or Association Agreements in force. These talks have confirmed their interest in ENP and ascertained their

¹ COM(2003) 104 final, 11.3.2003.

² COM(2003) 393 final, 1.7.2003.

³ Israel, Jordan, Moldova, Morocco, Palestinian Authority, Tunisia and Ukraine.

views on the priorities to be addressed in Action Plans. The intention is progressively to extend the process to other countries, which are at present within the scope of this initiative, as their agreements advance from the signature to the ratification stage.

At the same time the Commission has made an evaluation of the present situation in these countries, with respect to their political and economic systems and their co-operation with the European Union. The present Communication is designed to convey, to the Council and the European Parliament, the results of this work and to map out the next steps in carrying forward the European Neighbourhood Policy.

Since this policy was launched, the EU has emphasised that it offers a means to reinforce relations between the EU and partner countries, which is distinct from the possibilities available to European countries under Article 49 of the Treaty on European Union. The objective of the ENP is to share the benefits of the EU's 2004 enlargement with neighbouring countries in strengthening stability, security and well-being for all concerned. It is designed to prevent the emergence of new dividing lines between the enlarged EU and its neighbours and to offer them the chance to participate in various EU activities, through greater political, security, economic and cultural co-operation.

The method proposed is, together with partner countries, to define a set of priorities, whose fulfilment will bring them closer to the European Union. These priorities will be incorporated in jointly agreed Action Plans, covering a number of key areas for specific action: political dialogue and reform; trade and measures preparing partners for gradually obtaining a stake in the EU's Internal Market; justice and home affairs; energy, transport, information society, environment and research and innovation; and social policy and people-to-people contacts.

The privileged relationship with neighbours will build on mutual commitment to common values principally within the fields of the rule of law, good governance, the respect for human rights, including minority rights, the promotion of good neighbourly relations, and the principles of market economy and sustainable development. Commitments will also be sought to certain essential aspects of the EU's external action, including, in particular, the fight against terrorism and the proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution.

The Action Plans will draw on a common set of principles but will be differentiated, reflecting the existing state of relations with each country, its needs and capacities, as well as common interests. The level of ambition of the EU's relationships with its neighbours will take into account the extent to which these values are effectively shared.

Progress in meeting the agreed priorities will be monitored in the bodies established by the Partnership and Cooperation Agreements or Association Agreements. The Commission will report periodically on progress accomplished. On the basis of this evaluation, the EU, together with partner countries, will review the content of the Action Plans and decide on their adaptation and renewal. Decisions may also be taken, on this basis, on the next step in the development of bilateral relations, including the possibility of new contractual links. These could take the form of European Neighbourhood Agreements whose scope would be defined in the light of progress in meeting the priorities set out in the Action Plans.

The Action Plans will be put forward by the Commission, with the contribution of the High Representative on issues related to political co-operation and the CFSP, following exploratory talks with the countries concerned. It is suggested that they be approved by the respective Cooperation or Association Councils. If any of the Actions proposed imply the need for legal acts or formal negotiations, the Commission will put forward the necessary proposals or recommendations.

The Action Plans will provide a point of reference for the programming of assistance to the countries concerned. Assistance from existing sources will be complemented in the future by support from the European Neighbourhood Instrument. The present communication puts forward for discussion an outline of this instrument, building on the Commission's communication of July 2003. Meanwhile Neighbourhood Programmes are being developed through existing support mechanisms. The Commission seeks to offer neighbouring countries additional support through instruments such as technical assistance and twinning. It is also conducting a survey of EU programmes and agencies where the participation of neighbouring countries may be in the interests of the enlarged EU and of neighbouring countries.

Russia is a key partner of the EU in its immediate neighbourhood. Together, Russia and the EU have decided to develop further their strategic partnership through the creation of four common spaces, as defined at the St Petersburg summit in May 2003.

Belarus and the EU will be able to develop contractual links when Belarus has established a democratic form of government, following free and fair elections. It will then be possible to extend the full benefits of the European Neighbourhood Policy to Belarus. Meanwhile the EU will consider ways of strengthening support to civil society in ways described below.

The EU looks forward to Libya's entry into the Barcelona process on the basis of Libya's full acceptance of the Barcelona acquis and of the resolution of outstanding bilateral issues. This will pave the way to the establishment of normal relations so that Libya will be able to benefit from the European Neighbourhood Policy.

The present Communication contains recommendations concerning the inclusion of the countries of the Southern Caucasus in the European Neighbourhood Policy.

The European Neighbourhood Policy will reinforce existing forms of regional and sub-regional cooperation and provide a framework for their further development. The ENP will reinforce stability and security and contribute to efforts at conflict resolution. This document contains recommendations on the development of regional cooperation and integration, as a means to address certain issues arising at the enlarged EU's external borders. By further developing various forms of cross-border co-operation, involving local and regional authorities, as well as non-governmental actors, the EU and its partners can work together to ensure that border regions benefit from the EU's 2004 enlargement. In the south, the ENP will also encourage the participants to reap the full benefits of the Euro-Mediterranean Partnership (the Barcelona process), to promote infrastructure interconnections and networks, in particular energy, and to develop new forms of cooperation with their neighbours. The ENP will contribute to develop further regional integration, building on the achievements of the Euro-Mediterranean partnership, notably in the area of trade. It will reinforce efforts to meet the objectives of the European security strategy in the Mediterranean and the Middle East.

The European Neighbourhood Policy's vision involves a ring of countries, sharing the EU's fundamental values and objectives, drawn into an increasingly close relationship, going beyond co-operation to involve a significant measure of economic and political integration. This will bring enormous gains to all involved in terms of increased stability, security and well being. The Action Plans, which are to be developed on the basis of the principles set out in this Communication, constitute a first major step towards realising this vision. The Action Plans will define the way ahead over the next three to five years. The next step could consist in the negotiation of European Neighbourhood Agreements, to replace the present generation of bilateral agreements, when Action Plan priorities are met. Progress made in this way will enable the EU and its partners to agree on longer term goals for the further development of relations in the years ahead.

The Commission invites the Council to consider the approach outlined in the present Communication and to draw up conclusions on the way to carry this initiative forward, addressing the substance of potential Action Plans and the countries with which they should be drawn up, bearing in mind the commitment to shared values. On this basis, the Commission, with the participation of representatives of the Presidency and the High Representative, is ready to complete exploratory talks with the countries identified and to present draft Action Plans. It suggests that these Action Plans be approved by the respective Cooperation or Association Councils. It is also ready to begin preparations with certain other countries, referred to in this Communication, to which this initiative applies.

PRINCIPLES AND SCOPE

A Neighbourhood Policy for a European Union acting coherently and efficiently in the world

A comprehensive neighbourhood policy, integrating related components from all three 'pillars' of the Union's present structure, will enable neighbouring countries to share the benefits of EU enlargement in terms of stability, security and well-being. This has been reflected in the preparatory work for the adoption of the European Union's Constitutional Treaty. The importance of a neighbourhood policy is also highlighted in the European Security Strategy, endorsed at the European Council of December 2003, which states that the EU's task is to "make a particular contribution to stability and good governance in our immediate neighbourhood [and] to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations".

The ENP is designed to give new impetus to cooperation with the EU's neighbours following enlargement. Relations with partner countries will be enriched drawing as appropriate on the experience gained in supporting the process of political and economic transition, as well as economic development and modernisation in the new Member States and candidate countries.

The ENP should reinforce the EU's contribution to promoting the settlement of regional conflicts. The ENP can also help the Union's objectives in the area of Justice and Home Affairs, in particular in the fight against organised crime and corruption, money laundering and all forms of trafficking, as well as with regard to issues related to migration. It is important for the EU and its partners to aim for the highest degree of complementarity and synergy in the different areas of their cooperation.

The EU and Russia have decided to develop their strategic partnership through the creation of four common spaces as agreed at the St Petersburg Summit in May 2003⁴. Russia and the enlarged European Union form part of each other's neighbourhood. It is in our common interest to draw on elements of the ENP to enrich work on the common spaces, notably in the areas of cross-border and sub-regional co-operation. The EU and Russia need to work together, as neighbours, on common concerns. The Commission recommends that Russia be offered support for implementing relevant parts of the strategic partnership from the proposed European Neighbourhood Instrument, in addition to existing forms of support.

As far as the Mediterranean countries are concerned, the ENP will contribute to the achievement of the objectives of the Strategic Partnership for the Mediterranean and the Middle East. The implementation of the Strategic Partnership for the Mediterranean countries should draw on the implementation of the ENP. The ENP, itself, will be implemented through the Barcelona process and the Association Agreements with each partner country.

In the implementation of the ENP it is of the utmost importance that the Institutions and Member States act in a consistent and coherent way.

⁴ These are: Common economic space, (including and with specific reference to environment and energy), a common space of freedom, security and justice, a space of co-operation in the field of external security, as well as a space of research and education, including cultural aspect. The EU-Russia energy dialogue is a key element of the overall relationship.

Geographic coverage

The ENP is addressed to the EU's existing neighbours and to those that have drawn closer to the EU as a result of enlargement. In Europe this applies to Russia, Ukraine, Belarus and Moldova. The EU and Russia have decided to develop their strategic partnership further through the creation of four common spaces, as defined at the 2003 St. Petersburg summit⁵. In the Mediterranean region, the ENP applies to all the non-EU participants in the Euro-Mediterranean Partnership (the Barcelona process) with the exception of Turkey⁶, which is pursuing its relations with the EU in a pre-accession framework. The Commission also recommends the inclusion of Armenia, Azerbaijan and Georgia within the scope of the ENP⁷.

Exploratory talks to identify elements for inclusion in possible Action Plans have begun with partners having Partnership and Cooperation Agreements or Association Agreements in force⁸. Reports on the current situation in these countries and their cooperation with the EU are attached to this communication.

The development of Action Plans with other neighbours should begin, once those currently under preparation have been presented. The Commission suggests that it begin to explore in the second half of 2004 the possibility of drawing up Action Plans with countries in the Mediterranean, which have themselves ratified Association Agreements, that is, Egypt and Lebanon. Exploratory talks could begin with other countries in this region, once their prospective contractual links with the EU have reached a similar stage. The Presidency and the Secretariat will be fully involved in this process and the Member States consulted on the timing and the contents of possible additional Action Plans.

ENP and Existing Instruments

Relations between the EU and most countries participating in the ENP are already highly developed. In Eastern Europe, the Partnership and Cooperation Agreements provide the basis for contractual relations. In the Mediterranean, the Euro-Mediterranean Partnership (the "Barcelona Process") provides a regional framework for co-operation which is complemented by a network of Association Agreements.

These agreements allow for the development of cooperation and economic integration across a wide range of fields. The full potential of these agreements has not yet been realised. The ENP points the way to enhanced cooperation in a number of well-defined fields, in order, initially, to enable the EU and its partners to attain the full benefit of the structures which are in place. To this end, the Action Plans will establish key priorities to be addressed in the years ahead. Progress will be carefully monitored in the committees and sub-committees established under the agreements, and in the appropriate dialogue structures. The definition and attainment of these priorities will be an important first step towards the ambitious goals set out in the Commission communication of March 2003.

⁵ Cf. the recent Commission Communication on relations with Russia, COM(2004) 106, 9 February 2004, as well as the Council Conclusions of 24 February 2004.

⁶ Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia, as well as the Palestinian Authority.

⁷ See section (3) below.

⁸ Israel, Jordan, Moldova, Morocco, Palestinian Authority, Tunisia and Ukraine.

Joint Ownership

The ENP is an offer made by the EU to its partners to which they have responded with considerable interest and engagement. Joint ownership of the process, based on the awareness of shared values and common interests, is essential. The EU does not seek to impose priorities or conditions on its partners. The Action Plans depend, for their success, on the clear recognition of mutual interests in addressing a set of priority issues. There can be no question of asking partners to accept a pre-determined set of priorities. These will be defined by common consent and will thus vary from country to country. The endorsement of these plans by the highest instance of the agreements in place will give added weight to the agreed priorities for action.

The ambition and the pace of development of the EU's relationship with each partner country will depend on its degree of commitment to common values, as well as its will and capacity to implement agreed priorities.

Differentiation

The point of departure for the Action Plans is a common set of issues, which correspond with the ENP's objectives. These are outlined in section (4) below. However the drawing up of an Action Plan and the priorities agreed with each partner will depend on its particular circumstances. These differ with respect to geographic location, the political and economic situation, relations with the European Union and with neighbouring countries, reform programmes, where applicable, needs and capacities, as well as perceived interests in the context of the ENP. Thus the Action Plans with each partner will be differentiated.

Differentiation should at the same time be based on a clear commitment to shared values and be compatible with a coherent regional approach, especially where further regional co-operation can bring clear benefits.

Added value

The ENP brings added value, going beyond existing cooperation, both to partner countries and to the EU. This added value takes a number of forms:

1. The ENP offers a means for an enhanced and more focused policy approach of the EU towards its neighbourhood, bringing together the principal instruments at the disposal of the Union and its Member States. It will contribute to further advancing and supporting the EU's foreign policy objectives.
2. The implementation of the ENP itself brings with it the perspective of moving beyond cooperation to a significant degree of integration, as set out in the March 2003 communication, including through a stake for partner countries in the EU's Internal Market. It will also avoid any sense of exclusion which might otherwise have arisen from enlargement and provide an opportunity to share in its benefits. It will set out the ways and means by which partner countries participate progressively in key aspects of EU policies and programmes.
3. The ENP will upgrade the scope and intensity of political cooperation with partner countries and make it more effective.

4. The ENP will encourage reforms that will bring benefits in terms of economic and social development. The convergence of economic legislation, the opening of partner economies to each other, and the continued reduction of trade barriers will stimulate investment and growth and reduce unemployment.
5. The ENP will provide incentives for resolving outstanding issues which have arisen in bilateral relations. The issues concerned vary from country to country.
6. The Action Plans will define priorities and provide focus for the implementation of existing agreements. They will include “deliverables” of importance to the EU and the country concerned in various fields covered by the agreements.
7. The Commission will propose the introduction in 2007 of a new financial instrument, the European Neighbourhood Instrument, which will address specific areas of cooperation, in particular cross-border co-operation, *in addition* to the areas addressed by existing instruments or their successors. All partners in the ENP will be eligible for support under this instrument. Meanwhile, for the period 2004-2006, Neighbourhood Programmes will add value to cross-border, transnational and regional co-operation.
8. The Commission has proposed that existing funds or their successors be increased significantly under the new financial perspectives, in keeping with the priority given by the EU to the ENP.
9. The Commission is examining the possibilities of gradual opening of certain Community programmes, promoting cultural, educational, environmental, technical and scientific links.
10. The ENP will provide support including technical assistance and twinning for partners that wish to meet EU norms and standards.
11. New contractual links, in the form of European Neighbourhood Agreements, whose scope will be defined in the light of an evaluation by the Commission of progress in meeting the priorities set out in the Action Plans.

Taken together, these incentives provide considerable added value to participating countries. When the monitoring process demonstrates significant progress in attaining the priorities which have been set, these incentives can be reviewed, with a view to taking further steps along the path to greater integration with the internal market and other key EU policies. The process is a dynamic one, with the Action Plans constituting an important first step.

Priorities for action

Action Plans will cover two broad areas: first, commitments to specific actions which confirm or reinforce adherence to shared values and to certain objectives in the area of foreign and security policy; secondly, commitments to actions which will bring partner countries closer to the EU in a number of priority fields. These priorities for action will be as precise as possible, depending on the issue at stake, and thus will constitute benchmarks which can be monitored and assessed. Partners can, for example, move towards the free circulation of goods by taking action to remove specific technical obstacles, identified in the Action Plans.

The Action Plans will identify key actions in a limited number of fields which need to be addressed as a particularly high priority, as well as actions in a wider range of fields, corresponding to the scope of the bilateral agreements in force. A clear time horizon will be given for addressing these different priorities.

Monitoring

Monitoring will take place within the bodies set up under the Partnership and Cooperation Agreements or Association Agreements. These have the advantage of bringing together representatives of partner countries, member states, the European Commission and the Council Secretariat. Monitoring in this setting should reinforce joint ownership. Partner countries will be asked to provide detailed information as a basis for this joint monitoring exercise. The sub-committees, with their focus on specific issues, as well as the economic dialogues, will be particularly useful for monitoring.

The Commission will draw up periodic reports on progress and on areas requiring further efforts, taking into account assessments made by the authorities of the partner country. The Action Plans will be reviewed and may be adapted in the light of progress towards meeting the priorities for action. It is suggested that a “mid-term” report be prepared by the Commission, with the contribution of the High Representative on issues related to political co-operation and the CFSP, within two years of the approval of an action plan and a further report within three years. These reports can serve as a basis for the Council to decide the next step in contractual links with each partner country. These could take the form of European Neighbourhood Agreements whose scope will be defined in the light of progress in meeting the priorities set out in the Action Plans.

THE PARTICIPATION OF OTHER NEIGHBOURING COUNTRIES

In this section the Commission reviews the situation regarding certain other countries within the proximity of the enlarged EU.

Southern Caucasus

The European Union has a strong interest in the stability and development of the Southern Caucasus. The European Security Strategy, adopted by the European Council in December 2003, clearly identifies the South Caucasus as one of the regions, in which the EU should take a “stronger and more active interest”.

The European Commission, in consultation with the High Representative and taking account of the proposals of the EU Special Representative as well as the view expressed by the European Parliament⁹, recommends that a decision be taken by the Council to include Armenia, Azerbaijan and Georgia in the European Neighbourhood Policy. Each country should be given an equal opportunity to develop its links with the EU within this framework. The EU should consider the possibility of developing Action Plans with these countries in the future on the basis of their individual merits. With this in view, the Commission will report to the Council on progress made by each country with respect to the strengthening of democracy, the rule of law and respect for human rights.

⁹ Cf. Parliament resolution of 26 February 2004 on “EU Policy towards the South Caucasus”.

The EU wishes to see reinforced, credible and sustained commitment towards democracy, the rule of law, respect for human rights, and progress towards the development of a market economy. These common values also underlie the membership of Armenia, Azerbaijan and Georgia in the Council of Europe and OSCE. Increased efforts to promote the settlement of the conflicts in the region and to develop good neighbourly relations are needed. Concrete steps forward need to be made by each of the three countries to make further progress in implementing their respective Partnership and Cooperation Agreements, in particular to strengthen the rule of law, and to promote conflict settlement. The ENP should reinforce the EU's contribution to promote these objectives.

To help Armenia, Azerbaijan and Georgia prepare for further reinforced cooperation with the EU, the EU stands ready to support credible, concrete and sustained reform efforts, in particular in the above mentioned priority areas, by additional means of assistance. Co-operation should also be developed in the area of energy, as the Southern Caucasus is an important region both for the production (the Caspian basin) and the transit of energy.

Belarus

The Commission's March 2003 Communication on Wider Europe notes that "the EU should aim to engage Belarus in a measurable step-by-step process focused on creating the conditions for free and fair elections and, once achieved, the integration of Belarus into neighbourhood policy, without compromising the EU commitment to common and democratic values".

The EU's long-term goal is for Belarus to be a democratic, stable, reliable, and increasingly prosperous partner with which the enlarged EU will share not only common borders, but also a common agenda driven by shared values.

Through the ENP, the EU will reinforce its lasting commitments to supporting democratic development in Belarus. When fundamental political and economic reforms take place, it will be possible for Belarus to make full use of the ENP.

Currently however, an authoritarian system is in place in Belarus. Elections since 1996 have failed to meet international democratic standards and democratic structures are lacking. Under these circumstances, it is not yet possible to offer the full benefits of the ENP to Belarus.

The EU will support democratic parliamentary elections in the autumn, working in coordination with the OSCE and the Council of Europe, as well as raising awareness of EU policies and assistance benefiting Belarusian citizens. It will also confirm the perspective of closer relations, including in the framework of the ENP, provided that fundamental reforms are carried out. This will give a visible signal to the population of Belarus, setting out the benefits available to support civil society and democratization, regional and humanitarian cooperation, neighbourhood programmes and travel facilitation in border regions.

If significant positive developments take place in democratisation in Belarus, there is scope for more active engagement with the Belarusian authorities at political level. Contacts between officials at technical level could be intensified and meetings at senior level, such as the Regional Directors' Troika resumed. Travel facilitation for Belarusian citizens could be considered along with support for people-to-people contacts through EU assistance schemes.

The Commission also proposes that EU assistance to Belarus be strengthened with a clear focus on civil society. More can be done in the areas confirmed in Council Conclusions in 1997, in particular to support civil society, democratisation, independent media, the alleviation of problems in the areas affected by the Chernobyl disaster, humanitarian assistance as well as regional cooperation.

Belarus is already eligible to participate in three of the Neighbourhood Programmes (Baltic Sea Programme, Latvia-Lithuania-Belarus, Poland-Ukraine-Belarus). Belarus will also be eligible under the new European Neighbourhood Instrument (ENI).

Libya

The Commission's Communication of March 2003 stated that the EU should give consideration to how it could incorporate Libya into the neighbourhood policy. The EU currently has no contractual relations with Libya¹⁰. In April 1999, following the suspension of UN sanctions, Libya acquired observer status in the Barcelona Process and was invited to become a full member as soon as the UN Security Council sanctions have been definitively lifted and once Libya has accepted the full Barcelona 'acquis'.

Libya has recently announced its readiness to move towards full membership of the Barcelona process. This positive move needs to be confirmed formally by Libya and followed up by steps towards acceptance of the Barcelona acquis. Progress towards full membership of the Barcelona process will not be able to proceed beyond the exploratory stage without resolution of outstanding bilateral issues with EU member states.

Full integration into the Barcelona process is the first step towards new relations with the EU, which include the negotiation of an Association Agreement. If it is achieved and once there are contractual arrangements with the EU, participation in ENP will allow further development of the EU' relationship with Libya as for all other countries in the Barcelona process.

ACTION PLANS

Commitment to shared values

The Union is founded on the values of respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights. These values are common to the Member States in a society of pluralism, tolerance, justice, solidarity and non-discrimination. The Union's aim is to promote peace, its values and the well-being of its peoples. In its relations with the wider world, it aims at upholding and promoting these values.

The Union's neighbours have pledged adherence to fundamental human rights and freedoms, through their adherence to a number of multilateral treaties as well as through their bilateral agreements with the EU. All the EU's neighbours are signatories of UN human rights conventions. Some are members of the Council of Europe¹¹ and OSCE and have ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms and

¹⁰ A mandate for negotiations on a Fisheries agreement between EU and Libya is presently discussed in the Council.

¹¹ Moldova, Russia and Ukraine.

committed themselves to adhere to relevant conventions and bodies setting high democratic and human rights standards as well as to accept strong and legally binding mechanisms to ensure that they comply with human rights obligations. Signatories to the Barcelona declaration have accepted inter alia a declaration of principles to act in accordance with the United Nations Charter and the Universal Declaration of Human Rights, and to develop the rule of law and democracy in their political systems, respect human rights and fundamental freedoms and guarantee the effective legitimate exercise of such rights and freedoms.

Partner countries are committed to respecting core labour standards and to promoting fundamental social rights, as parties to relevant ILO conventions; they are also committed to the pursuit of a sustainable mode of development, as defined at the Johannesburg world summit.

The European Neighbourhood policy seeks to promote commitment to shared values. The extent to which neighbouring countries implement commitments in practice varies and there is considerable scope for improvement. Effective implementation of such commitments is an essential element in the EU's relations with partners.

The level of the EU's ambition in developing links with each partner through the ENP will take into account the extent to which common values are effectively shared. The Action Plans will contain a number of priorities intended to strengthen commitment to these values. These include strengthening democracy and the rule of law, the reform of the judiciary and the fight against corruption and organised crime; respect of human rights and fundamental freedoms, including freedom of media and expression, rights of minorities and children, gender equality, trade union rights and other core labour standards, and fight against the practice of torture and prevention of ill-treatment; support for the development of civil society; and co-operation with the International Criminal Court. Commitments will also be sought to certain essential aspects of the EU's external action, including, in particular, the fight against terrorism and the proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution.

A more effective political dialogue

Through the ENP, the parties will strengthen their political dialogue and make it more effective. This encompasses foreign and security policy issues including regional and international issues, conflict prevention and crisis management and common security threats (e.g. terrorism and its root causes, proliferation of weapons of mass destruction and illegal arms exports).

Areas for enhanced dialogue with each country will be identified in Action Plans. The EU and partner countries should also work together on effective multilateralism, so as to reinforce global governance, strengthen coordination in combating security threats and address related development issues. Improved co-ordination within the established political dialogue formats should be explored, as well as the possible involvement of partner countries in aspects of CFSP and ESDP, conflict prevention, crisis management, the exchange of information, joint training and exercises and possible participation in EU-led crisis management operations. Another important priority will be the further development of a shared responsibility between the EU and partners for security and stability in the neighbourhood region.

Economic and social development policy

The approach proposed by the ENP has important economic implications, as it envisages enhanced preferential trade relations and increased financial and technical assistance. It also offers neighbouring countries the prospect of a stake in the EU Internal Market based on legislative and regulatory approximation, the participation in a number of EU programmes and improved interconnection and physical links with the EU.

The economic benefits from this process are expected to be substantial and to accrue both directly and indirectly. Directly, the reduction of tariff and non-tariff barriers to trade should bring about efficiency gains and improve welfare through increased market integration. The indirect effects, particularly on partner countries, are even larger. By bringing the neighbouring countries closer to the EU economic model, also through the adoption of international best practices, the ENP and particularly the proposed extension of the internal market, will improve the investment climate in partner countries. It will provide a more transparent, stable and enabling environment for private sector-led growth. A positive impact on foreign direct investment inflows is expected as a result of a more favourable policy environment, falling trade and transaction costs, attractive relative labour costs and reduced risk.

The ENP has a potential to improve economic and social conditions in the EU neighbourhood. However, the actual delivery of these benefits requires effective implementation of the agreed measures and appropriate accompanying policies. Increased economic integration with the EU, notably with respect to capital movements liberalisation, may increase macroeconomic and financial volatility in specific contexts. The implementation of the ENP will thus have to be properly sequenced, tailored to each country's specific circumstances and accompanied by sound macroeconomic, social and structural policies.

The extent to which the ENP is perceived as beneficial depends on its effects on living standards. Participation in the ENP project should be accompanied by active policies to address poverty and inequality.

The Action Plans' economic and social component needs to be consistent with partner countries' own strategies. Strengthened dialogue is needed through the relevant sub-committees and economic dialogues. It will also be important to ensure appropriate co-ordination with the International Financial Institutions. These have valuable contributions to make both in terms of policy advice and financing.

Enhanced dialogue and co-operation on the social dimension will cover in particular socio-economic development, employment, social policy and structural reforms. The EU will encourage partner governments' efforts aiming at reducing poverty, creating employment, promoting core labour standards and social dialogue, reducing regional disparities, improving working conditions, enhancing the effectiveness of social assistance and reforming national welfare systems. The idea is to engage in a dialogue on employment and social policy with a view to develop an analysis and assessment of the situation, to identify key challenges and to promote policy responses.

Issues related to the movement of workers, in particular as regards equal treatment or living and working conditions of migrant workers, and on co-ordination of social security will continue to be addressed within the framework of the association and co-operation agreements.

Trade and internal market

The Action Plans will set out ways and means to ensure that both the EU and its partners derive the full benefits of the provisions on trade contained in the existing Partnership and Cooperation or Association Agreements. Due account will also be taken of initiatives at regional level.

Legislative and regulatory approximation will be pursued on the basis of commonly agreed priorities, focusing on the most relevant elements of the *acquis* for stimulation of trade and economic integration, taking into account the economic structure of the partner country, and the current level of harmonisation with EU legislation. Both Partnership and Co-operation and Association Agreements contain provisions on legislative approximation over a broad area.

The ENP also foresees greater market opening in accordance with the principles of the WTO. In the context of the Barcelona Process, a free trade area for goods has been agreed, and asymmetric liberalisation has begun. The ENP will provide ways and means to deepen trade liberalisation and regional integration in coherence with the Euromed partnership. For the Eastern neighbours, the priority remains fuller implementation of the trade-related provisions of the PCA, accession to the WTO (in the case of Ukraine) or full implementation of the WTO accession agreement (in the case of Moldova), along with continued economic reform. Deeper integration of trade and economic relations, as foreseen in the PCAs, will then be considered.

The Action Plans will set out concrete steps to exploit to the full the opportunities provided in these frameworks. These steps will depend on each partner's needs, capacities and economic policy priorities. The measures discussed below will be introduced progressively, as appropriate to each partner.

Regarding goods, steps should be taken to improve administrative co-operation, and ensure the gradual elimination of non-tariff barriers to trade and the development of appropriate infrastructures. The movement of industrial products can be facilitated through convergence with the Union's laws and regulatory structures. This could be supplemented by the conclusion of Agreements on Conformity Assessment and Acceptance of Industrial Products (ACAAs) between the Community and individual partners, building on experience with the current initiative towards neighbouring Mediterranean countries. Legislative approximation in the area of customs, along with capacity-building and modernisation, including computerisation, will also contribute to trade facilitation. For Mediterranean partners, these actions are in line with the Palermo recommendations. Actions to combat fraud in the customs area and to establish risk-based customs control as well as measures to ensure the security and safety of goods will also be included in the Action Plans.

For agricultural products, convergence with EU standards for sanitary and phyto-sanitary controls will greatly enhance reciprocal trade between the partner countries and the EU. Exchanging information and close co-operation in international organisations responsible for the control of animal and plant diseases and improved sanitary conditions to protect consumers are priorities. Most countries also need to improve administrative capacity to ensure levels of food safety to enable them to access EU markets.

The goal of free trade in services with and among partner countries will also require further legislative approximation in fields such as company law, accounting and auditing rules. A comprehensive prudential regulatory framework, combined with efficient and independent

supervisory bodies, is particularly important for the financial services area. It will be key to the creation of business and the promotion of investments that these countries ensure that companies are able to operate on a level playing field. In combination with the above measures, access to European financial markets should, over time, add to the stability of partners' financial markets and help enhance their overall economic performance. The further liberalising of capital movements will provide new opportunities.

The objective of improving the investment climate, including by ensuring transparency, predictability, and simplification of these countries' regulatory framework will help to facilitate and increase two-way investments. Non-discriminatory treatment of investors is an essential element in this process. Actions enhancing a systematic dialogue covering all investment-related issues and consultation with stakeholders will be key to improving the bilateral investment environment, and reducing administrative barriers to the development of business. Strengthening of the functioning of the judicial system will also contribute to a better investment climate.

Regulatory convergence in key trade-related disciplines will bring economic benefits, both in terms of reforms in partner countries, and in terms of enhanced investment climate. In particular, increased levels of effective protection of intellectual and industrial property rights as well as effective enforcement of such rights, along with regulatory convergence and improved market access in the area of public procurement are likely to have significant effects on economic development and on investment levels. Actions could also be taken to increase harmonisation and the sustainability of the statistical systems.

In addition, partners should be encouraged to enforce competition discipline through independent competition authorities with adequate powers and resources as well as proper training. Convergence towards comparable approaches and definitions, legislative approximation on anti-trust as well as State aid regulations, will eventually be needed for partners to advance towards convergence with the Internal Market. Such steps will also benefit domestic markets as well as facilitating trade.

Actions to modernise and increase transparency in the tax system, including through convergence with the Code of Conduct for Business Taxation of the European Union, in line with WTO requirements, adoption of conventions for the avoidance of double taxation would improve the business climate. The strengthening of tax administrations and improved co-operation between them would also promote the functioning of market economies.

Justice and Home Affairs

The ENP aims to avoid new dividing lines at the borders of the enlarged Union. Improving the effective functioning of public institutions, with a view to ensuring high standards of administrative efficiency, is a shared interest between the EU and the partner countries. Partners are facing increased challenges in the field of Justice and Home Affairs, such as migration pressure from third countries, trafficking in human beings and terrorism. Working together on these matters is a common interest. The identification of priorities in each Action Plan will depend on the particular issues which are most salient for the partner in question and for the EU.

Border management is likely to be a priority in most Action Plans as it is only by working together that the EU and its neighbours can manage common borders more efficiently in order to facilitate legitimate movements. The Action Plans should thus include measures to improve

the efficiency of border management, such as support for the creation and training of corps of professional non-military border guards and measures to make travel documents more secure. The goal should be to facilitate movement of persons, whilst maintaining or improving a high level of security.

Moreover, a Commission proposal for Regulations on the establishment of a local border traffic regime is currently under consideration by the Council and will, if adopted, make it possible for border area populations to maintain traditional contacts without encountering excessive administrative obstacles. The European Union may also consider possibilities for visa facilitation. Facilitation by one side will need to be matched by effective actions by the other.

Action Plan priorities could furthermore include co-operation on migration, asylum, visa policies, measures to combat terrorism, organised crime, trafficking in drugs and arms, money laundering and financial and economic crime. Action Plans will identify concrete steps to strengthen the judiciary and to increase police and judicial co-operation, including in the area of family law as well as co-operation with European Union bodies such as EUROPOL and EUROJUST. Relevant international conventions need to be ratified and implemented. Action Plans should also reflect the Union's interest in concluding readmission agreements with the partner countries.

Connecting the neighbourhood

Energy

Enhancing our strategic energy partnership with neighbouring countries is a major element of the European Neighbourhood Policy. This includes security of energy supply and energy safety and security. The European Union is the world's largest energy (oil and gas) importer and the second largest consumer and is surrounded by the world's most important reserves of oil and natural gas (Russia, the Caspian basin, the Middle East and North Africa). It will increasingly depend on imports, from its current level of 50% to 70% by 2030, on present projections. Neighbouring countries play a vital role in the security of the EU's energy supply. Many countries seek improved access to the EU energy market, either as current or future suppliers (for instance, Russia, Algeria, Egypt, Libya) or as transit countries (Ukraine, Belarus, Morocco, Tunisia). The Southern Caucasus countries are also important in this respect in terms of new energy supplies to the EU from the Caspian region and Central Asia. Improving energy network connections between the EU and its partners, as well as legal and regulatory convergence, are thus strong mutual interests. Moreover, increased energy co-operation provides mutual business opportunities and can also contribute to socio-economic development and improvement to the environment.

Action Plans will contain concrete steps to increase energy dialogue and co-operation, and to foster further gradual convergence of energy policies and the legal and regulatory environment. This will include policies to promote increased energy efficiency and energy savings, as well as the use of renewable energy and co-operation in energy technologies, such as clean coal. Possibilities for partners to participate in the Intelligent Energy Programme and for their gradual involvement in European Union regulatory practices and bodies (e.g., the European Gas and Electricity Regulatory fora) will be explored.

Reinforcing networks and interconnections will be necessary for ensuring the security and safety of energy supplies and for extending the internal energy market to partner countries.

The Action Plans will build on existing bilateral or regional initiatives, such as the EU-Russia Energy Dialogue, the Tacis-funded Inogate programme dealing with the Caspian basin (oil and gas pipeline systems); energy co-operation in the context of the Euro-Mediterranean partnership (in particular the creation of a Euro-Maghreb electricity market, which could be complemented with a gas market, and the agreed Euro-Mediterranean energy networks); enhanced energy co-operation between Israel and the Palestinian Authority; increased gas co-operation in the Mashrek region (all in the Euro-Mediterranean context), as well as Moldova's observer status in the South East Europe Regional Energy Market initiative.

Transport

Generating more trade and tourism between the Union and its neighbours, requires efficient, multimodal and sustainable transport systems. Only if the transport sectors of partner countries are able to handle today's complex transport flows will they be able to take full advantage of closer relations and improved market access.

Operational changes to the way the transport sector is structured (e.g., introduction of competition in port services and air transport, modern regulatory frameworks, more efficient road haulage operations, inter-operability of railway systems etc.) can have a major impact on the efficiency of transport. Another important task is to step up aviation relations with partner countries with the aim to open up markets and to co-operate on safety and security issues. The Action Plans will contain specific provisions to address these issues.

It is essential to improve the physical transport networks connecting the Union with neighbouring countries. In view of the costs involved, it will be crucial to co-ordinate closely in drawing up investment plans for these networks. Existing initiatives such as the Pan-European Transport Network Concept, various Pan-European Transport Conferences, or the Commission's proposals of June 2003 for a Euro-Mediterranean transport network provide a sound basis to move forward. Project funding by the EIB will be important, on the basis of mainly medium-term actions agreed in the Action Plans. Concrete needs will be explored on a case-by-case basis.

The Action Plans will also contain specific provisions to address the vulnerability of transport networks and services vis-à-vis terrorist attacks. The highest attention will be paid to enhance the security of air and maritime transport.

Environment

Environmental pollution does not respect borders and can therefore be best addressed through a mix of international, regional and national action. Enhanced environment protection will bring benefits to citizens and businesses both in the Union and in partner countries. It can help to avoid conflicts over scarce resources, such as water. Whilst the benefits of improved environmental management are clear, the fact that it often represents a major short- and medium-term financial burden for both public and private actors is an issue which needs to be taken into account in planning and funding.

Action Plans will promote good environmental governance in partner countries to prevent environmental degradation and pollution, protect human health, and achieve a more rational use of natural resources. Priorities will be identified in key areas such as water quality, waste management, air pollution and the fight against desertification. Regional co-operation

between the partner countries needs to be further enhanced and ratification and implementation of international agreements promoted.

Information society

Information and communications technology is of particular significance for the development of modern economies and societies. It is vital therefore to support partners in their efforts to take advantage of the Information Society, and thus avoid a technology gap. In a number of Southern Mediterranean partner countries the Information Society is already emerging, in particular where the liberalisation of the market for mobile telephony is in an advanced stage.

Recognising the link between successful policy reform and sector-specific performance, the Action Plans will promote policy measures such as the institutional separation of regulatory from operational functions, by encouraging the establishment of independent regulatory authorities. The policy will also set out to support governments willing to promote the commercialisation of incumbent operators. In the context of sector reform, steps such as the opening of the market for fixed telephony and for advanced services such as Internet, as well as the tendering of additional GSM licences and liberalising value-added services are important for the development of the Information Society. Action Plans will identify steps to promote new technologies and electronic communication services for the use of business, public bodies and citizens.

Research and Innovation

The opening of the European Research Area to partner countries is a challenge of the 6th Framework Programme for RTD and a factor of integration of the scientific communities of neighbouring countries. These countries already participate in priorities such as life sciences, energy, transport, environment, IST, food safety or societal issues in a knowledge based society, as well as in the specific measures for international cooperation focused on the needs and potential of these countries at a regional level.

In order to increase the participation of these countries in the Community's RTD activities and to improve their national research systems' contribution to economic growth and social welfare, structural and institutional capacity building activities need to be supported. These activities will be identified and implemented through the Action Plans.

People-to-people, programmes and agencies

An effective means to achieve the ENP's main objectives is to connect the peoples of the Union and its neighbours, to enhance mutual understanding of each others' cultures, history, attitudes and values, and to eliminate distorted perceptions. Thus, in addition to contacts between public bodies or businesses, the ENP will promote cultural, educational and more general societal links between the Union and its neighbourhood.

Human resource development is an essential component to reach objectives such as increased competitiveness, social inclusion and active citizenship. The deficit in the knowledge society needs to be tackled urgently in order to address development challenges in certain partner countries, especially in the Mediterranean area, as highlighted by the conclusions of the Arab Human Development Report 2003.

The ENP also seeks to promote actions in the field of public health in order to improve the general health status of the population and tackle certain specific issues, such as communicable diseases.

The European Neighbourhood Policy envisages the gradual opening of certain Community programmes, based on mutual interests and available resources. Areas to be explored include education, training and youth, research, environment, as well as culture and audio-visual. The YOUTH programme, which already promotes people-to-people contacts and co-operation between civil society actors in the youth field, should be further enhanced. The Tempus and Erasmus Mundus programmes offer possibilities to strengthen contacts between students and teachers. The Action Plans will identify concrete opportunities for partners to participate in such programmes.

As participation in programmes designed for Member States can pose practical difficulties to third countries, the creation of dedicated programmes geared specifically to meeting partner countries' needs should also be explored. For instance, the Commission has proposed to create "Tempus Plus", a dedicated programme addressing the education and training needs of the countries covered by the ENP¹². The reform and modernisation of learning systems is a *sine qua non* condition for the economic competitiveness and the social and political stability of partner countries and Tempus Plus could play a crucial role in this respect.

Several partners have shown interest in participating, possibly as observers, in certain co-operative or rule-making Community fora. The Action Plans will identify possibilities taking into account the legal and administrative situation.

REGIONAL COOPERATION

As outlined above, the ENP will be differentiated in its application to different partner countries. Nevertheless, it is important to foster closer cooperation both across the EU's external borders and among the EU's neighbours themselves – especially among those that are geographically close to each other. In doing so it should be kept in mind that specific circumstances in various parts of the EU's neighbourhood vary, and so does the history of our relations.

EU support for regional cooperation in the East and South, and for concrete projects implemented in these regions, will come from existing EU programmes (Tacis, Meda, Phare) or their successors, as well as from Neighbourhood Programmes and, in the future, the European Neighbourhood Instrument.

Regional cooperation on the EU eastern borders

Greater regional co-operation in Eastern Europe will bring substantial benefits. The participation of the Russian Federation as a partner in regional cooperation, on the basis of mutual interest and common will, should be encouraged.

¹² Communication on the new Generation of Community Education and Training Programmes, after 2006, COM(2004) 156 final of 9 March 2004.

Initiatives should focus on issues of common concern, which would benefit from a multilateral approach. As shown by the experience in other geographical contexts (including the Northern Dimension area), regional fora could in many cases offer substantial added value to bilateral efforts. Priority cooperation sectors include:

- Reinforced cooperation on economy, business, employment and social policy, trade and infrastructure, including the adoption of European and international standards, effective implementation of WTO norms and rules and support to SMEs in order to encourage the sustainable socio-economic development of the countries in the region, including poverty reduction and the fight against social exclusion. Joint infrastructure and security projects of regional relevance in the sectors of energy and transport (including border-crossings) should also be considered as highly relevant priorities.
- Environment, nuclear safety and natural resources. Trans-boundary by their nature, many environmental problems can best be addressed at a regional level. Water and air pollution, the management of spent nuclear fuel, the gradual harmonisation of environmental standards and legislation are only some of the selected areas regional cooperation should focus on in the short and medium-term.
- Justice and Home Affairs, and in particular regional cooperation on border management, migration and asylum, the fight against organised crime, trafficking of human beings, illegal immigration, terrorism, money laundering and drugs as well as police and judicial co-operation. Regional cooperation and networking on such issues could build on the experience gained, inter alia, in the framework of the “Söderköping Process”, which includes Belarus, Moldova and Ukraine and, on the EU side, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Sweden.
- People-to-people issues, including civil society development, activities in the fields of media and journalists’ exchanges, promotion of good governance and respect for human rights, professional, academic and youth exchanges, visit schemes, cooperation in the sectors of education, training, science and culture, twinning between local and regional administrations as well as civil society organisations. Due attention should be paid to public health issues and to tackling effectively the spread of communicable diseases such as HIV/AIDS and TB.

The Council of Europe, the Baltic Sea Council, the Central European Initiative (CEI), the Black Sea Economic Cooperation (BSEC) and the Stability Pact have an important part to play, together with Euroregions and cross-border cooperation at the local level.

Euroregions involve concrete cooperation between regional and local authorities on both sides of the border, which can in time lead to substantial and effective links across the borders. They can promote common interests and thus strengthen civil society and local democracy as well as having beneficial effects on the local economy.

The European Union is not seeking to establish new bodies or organisations, but rather to support existing entities and encourage their further development; the importance of local ownership is one of the most pertinent lessons that can be drawn from the Northern Dimension.

Mediterranean

Regional and sub-regional co-operation in the Mediterranean, in the context of the European Neighbourhood Policy, will build on the 'acquis' of the Euro-Mediterranean Partnership by fully integrating a tailor-made approach adapted to each country or group of countries.

The Euro-Mediterranean Partnership comprises two complementary tracks, the bilateral and the regional agenda.

The regional agenda, fed by the orientations and conclusions of the Euro-Mediterranean Conferences of Foreign Affairs Ministers as well as of sectoral Ministerial Conferences in areas such as Trade, Economy and Finances, Energy, Industry, Environment. It is supported by MEDA through the national indicative programmes for each partner and the regional indicative programme.

The Commission will continue to promote the regional dimension of the partnership with significant financial support. In line with the political orientations established in the Euro-Med Valencia and Naples Ministerial Conferences, the strategic priorities of regional cooperation in the Mediterranean should be: South-South integration; sub-regional cooperation and the harmonisation of the regulatory and legislative environment. Possible areas for further sub-regional co-operation will be identified in the bilateral action plans, building also on the Euro-Mediterranean Ministerial Conferences and may include reform of the judiciary, independence of the media and freedom of expression or promotion of equal opportunities for women. Proposals for such co-operation would be drawn up on the basis of common objectives defined in the action plans and could be presented either by two or more neighbouring countries or by a group of countries that would like to further advance in a certain policy area.

Regional and sub regional cooperation will be guided by bilateral action plans, building also on the results of Euro-Med ministerial meetings. Activities could be carried out on a regional level, but also cross-border cooperation between two or more neighbouring countries, and even cooperation between countries that are not sharing a common border which pursue common interest. Cooperation could include the following priorities areas:

Infrastructure interconnection projects: Assistance could be given in the planning of networks in order to facilitate trade and access to the EU market. Possibilities include new gas networks and connection projects between North Africa and Europe, as well as electricity interconnections and cooperation between Morocco, Algeria, and Tunisia; a gas pipeline from Egypt through Jordan, Lebanon, Syria to Turkey and the EU; electricity interconnections between Israel and Palestinian territories; development of a blueprint for sub-regional inter-modal transport networks in the Maghreb and in the Near East, including rail and road infrastructure interconnections and maritime transport; improvements at border crossings and ports-hinterland connections. Furthermore, assistance for promoting security projects could be provided.

Environment: Cooperation could be pursued on environmental policy issues and action taken to address specific problems where they are better dealt with at regional or sub-regional level, such as maritime pollution, management of water resources and waste prevention, or desertification.

Justice and Home Affairs: It is important to improve border management, including short sea-crossings; cooperation between enforcement bodies and agencies; cooperation in the fight against organised crime and cross-border crime and in civil and commercial judicial matters; cooperation in the fight against illegal immigration, and management of legal migration and implementation of migration plans (for example with the three central Maghreb countries, Libya and Egypt); cooperation in the fight against drug trafficking, reduction of drug supply and implementation of national strategies against drugs; cooperation between neighbouring countries in the effective control of borders by specialised and trained personnel; judicial and police cooperation.

Trade, regulatory convergence and socio-economic development: Cooperation should promote regional economic integration between neighbouring countries or between countries willing to co-operate more closely on economic issues in view of the completion of the Euro-Mediterranean free trade area and the progressive participation of the more advanced countries in the EU internal market. Regional trade and investment should be encouraged through common rules of origin, liberalisation of services, regulatory approximation and trade facilitation instruments, as well as further support to the Agadir process. The Action Plans should also encourage the negotiation of Free Trade Agreements in goods as well as in the service sector between the Mediterranean countries themselves. Regulatory convergence between the partner countries should also be promoted in this context. Sustainable development methodologies and environmental legislation and policy development should be included. Dialogue on employment and social policy with a view to identify key challenges and to promote policy responses should be enhanced. There could be cooperation on standards, veterinary issues, public health, and food safety in order to prepare the ground for future agriculture liberalisation negotiations; relevant aspects, such as dealing with infectious diseases, would be tackled on a sub-regional basis.

People-to-people projects will be encouraged, aiming at promoting civil society initiatives in support of human rights and democratisation, supporting youth organisations, and promoting intercultural dialogue through educational and youth exchanges, as well as human resource mobility and transparency of qualifications.

SUPPORTING THE EUROPEAN NEIGHBOURHOOD POLICY

Existing financial support to ENP Countries

In recent years, the EU has provided substantial financial support to the countries covered by the European Neighbourhood Policy. Grant assistance to Russia and the WNIS is mostly provided through the *Tacis* programme and in the Mediterranean countries through the *MEDA* programme. Assistance channelled through these instruments over the period 2000-2003 amounted to €3716.1 million (A country-by-country overview is provided as an Annex). The *European Initiative for Democracy and Human Rights (EIDHR)*, which aims at promoting the principles of liberty, democracy, respect for human rights and the rule of law in third countries, provides funding for these activities primarily in partnership with NGOs and international organisations. Between 2000 and 2003 €19.3 million have been allocated to projects in Russia and the Western NIS and €41.4 million to projects in the Mediterranean countries.

The *European Investment Bank (EIB)* has been providing loans to the Mediterranean countries (€3445 million for the period 2000-2003). Since 2002 lending operations have been

extended, with financial support from the EU, to include a private-sector oriented Facility for Euro-Mediterranean Partnership (FEMIP). Lending to Russia has been open since 2001 within a specific mandate, with an overall ceiling of €100 million, in the context of the Northern Dimension to cover environment projects in North-West Russia.

Macro Financial Assistance (MFA) has been provided to third countries facing exceptional balance of payments financing needs. Among the countries covered by the European Neighbourhood Policy, operations were approved in 2002 for Ukraine (€110 million) and Moldova (€15 million), but not yet disbursed.

In the period 2000-2003, the European Union has also provided €277 million of humanitarian assistance to assist ENP countries confronted with emergencies and €103.5 million in food aid.

Linking the existing instruments to the policy

The ambitions of the European Neighbourhood Policy must be matched by adequate financial and technical support. This is reflected in the Commission's proposal for the next financial perspectives¹³, which gives this policy high priority. The Commission has proposed that a new set of harmonised instruments will support assistance to third countries, including those presently covered by Tacis and MEDA. These instruments will be designed in a way to support implementation of ENP and adequate financial resources will be allocated to that effect.

A European Neighbourhood Instrument was first envisaged in the Commission's March 2003 Communication and further developed in the July 2003 Communication "Paving the Way for a New Neighbourhood Instrument"¹⁴. In view of the number of legal and budgetary questions to be resolved, the Communication set out a two-phase approach. Under this approach, for the period 2004-2006, Neighbourhood Programmes based on enhanced co-ordination among existing instruments have been introduced, while after 2006 a new neighbourhood instrument will be established.

Following the July 2003 Communication, resources within existing financial instruments were identified for the Neighbourhood Programmes. The total level of funding for the period 2004-06 under external assistance instruments is €255 million (€ 75 million for Tacis, € 90 million for Phare, € 45 million for CARDS and €45 million for MEDA). Approximately €700 million will be provided for the corresponding EU internal borders under the Interreg programme.

The Phare-CBC regulation was amended in October 2003 to include the external borders of Romania and Bulgaria. The Tacis CBC indicative programme, covering the borders between the enlarged EU and Russia, Ukraine, Belarus and Moldova was adopted by the Commission in November 2003. Work on harmonisation of procedures will be completed shortly. Programming is well advanced on all borders covered and should be completed by June 2004. Joint management structures have been set up. The first calls for proposals will be launched in July 2004.

¹³ COM(2004) 101 11 February 2004 "Building our Common Future: Policy Challenges and Budgetary Means of the Enlarged Union 2007-2013".

¹⁴ COM(2003) 393, 1 July 2003.

Until 2007, Tacis and MEDA will remain the main financial assistance instruments for partner countries. They will provide support for the European Neighbourhood Policy and in particular for the implementation of the Action Plans. The relevant National Indicative Programmes for 2005-6 are being adapted to reflect ENP priorities. Particular attention will be devoted to institution building. Twinning and technical assistance along the lines provided by the EU's Technical Assistance Information Exchange Office (TAIEX) will be extended to partner countries.

Regional and cross border co-operation will continue to receive targeted Community assistance. The Regional Indicative programmes of Meda and Tacis for 2005-2006 provide support for the regional dimension of ENP.

Starting from 2007, the new European Neighbourhood Instrument will support cross border co-operation as well as regional co-operation projects involving both EU member states and partner countries. In addition, the Economic Co-operation and Development instrument proposed in the Commission's Communication on the next Financial Perspective will address both regional and cross-border co-operation among partner countries.

EIB lending capacity has also been reinforced. In November 2003, in the context of the mid-term review of the EIB external lending mandate, the Council agreed to the Commission proposal to increase the lending ceiling for the Mediterranean countries by € 2,180 million. In addition, it was decided to provide for a conditional extension of the EIB lending mandate to cover Russia and the Western NIS. The extension will allow the EIB to conclude loans up to €500 million until the end of 2006 without sectoral limitation. The legal base for implementing the decision is under preparation. Consultations are ongoing with EIB to ensure that the need to support ENP countries is adequately reflected in the next generation of lending mandates.

The European Neighbourhood Policy in general and the Action Plans in particular will provide a guiding framework for other financial assistance instruments. Whenever future macro financial assistance operations and other operations pursuing macro-economic objectives are negotiated with the ENP partner countries, the Commission considers that the conditionality element should draw on the economic priorities and measures of the Action Plans, ensuring that this type of assistance is an additional incentive to pursue political and economic reform.

EIDHR programming will also be consistent with the policy goals while supporting civil society in areas such as democracy, rule of law, human rights and fundamental freedoms. Work is underway to look into possible support on a regional basis from 2005.

Consultations are also underway with the European Bank for Reconstruction and Development and other IFIs to ensure better co-ordination of programmes.

The European Neighbourhood Instrument

In its proposal for the financial perspective 2007-2013, the Commission includes the new European Neighbourhood Instrument (ENI) as one of the six financial instruments that should operate in the area of external relations after 2006.

The European Neighbourhood Instrument will complement assistance provided under the existing financial instruments or their successors, and will focus specifically on cross-border

cooperation and related activities. The Commission intends to come forward with a draft regulation as part of its package of proposals for financial instruments which will operate in the next financial perspective.

The July 2003 Communication sets out three alternatives to be considered for the development of the new Neighbourhood Instrument:

- A Expanding the content and geographical scope of an existing co-operation instrument;
- B Creating a single new Regulation to govern a Neighbourhood Instrument to fund activities both inside and outside the Union;
- C Focusing further on co-ordination between already existing instruments.

Having reviewed the options, the Commission has concluded that option A would not be fully in line with the objective of having a financial instrument combining external policy objectives and economic and social cohesion. It also concluded that there are limits to the level of co-ordination that can be achieved among different financial instruments (option C).

Option B is therefore the option that best responds to the nature of the proposed instrument and would allow for efficient implementation overcoming existing co-ordination problems. In addition, although the ENI covers both internal and external actions, the Commission proposes to use a single budget chapter, drawing from the cohesion and external policies headings of the proposed new Financial Perspectives for the full amount of the instrument. The instrument will operate through a single management mechanism and with a single set of procedures.

The legal basis

There are no relevant legal precedents for an instrument, with a dual nature covering external policy and economic and social cohesion within the EU and with the ambition of operating on an equal footing on the two sides of the EU's external border. In the Commission's view, Article 181a TEC would be the appropriate legal basis for the new Neighbourhood Instrument, since it will be an important tool of EU policy towards the neighbouring countries. As this article concerns co-operation with third countries, it should allow funding of actions that are joint in nature and involve beneficiaries from both Member States and partner countries. The benefits from the results of the actions will take place in the eligible areas, regardless of whether they are situated within or outside the Union's borders. The instrument will build on the principles of existing cross-border programmes such as partnership, multi-annual programming and co-financing.

Geographical Coverage

Building on the July 2003 Communication, the ENI will cover all the borders between EU Member States on one side, and countries covered by the European Neighbourhood Policy on the other side. It will also support trans-national co-operation involving beneficiaries in at least one Member State and one partner country and replace existing internal and external cross-border programmes in Member States and partner country regions adjacent to the future EU external border.

In view of the fact that the ENI will be an instrument particularly adapted to respond to the specificity of cooperation across external EU borders, the extension of its geographical scope to candidate countries and pre-candidate countries may be considered at the time of drawing up the regulation concerned.

The main elements of the new Neighbourhood Instrument

The ENI will build on the experience gained in establishing the Neighbourhood Programmes for the period 2004-2006. It will focus on the four key objectives identified in the July 2003 Communication:

- Promoting sustainable development in regions on both sides of common borders;
- Working together through joint actions to address common challenges, in fields such as environment, public health, and the prevention of and fight against organised crime;
- Ensuring efficient and secure common borders through joint actions;
- Promoting local cross-border "people-to-people" type actions

Within this framework, it is important to ensure that the priorities of partner countries are sufficiently taken into account in a spirit of partnership. This is particularly relevant for the Mediterranean Region where priority setting should take into account the strategic framework established in the context of the Association Agreements and through the Euro-Mediterranean ministerial conferences which are part of the Barcelona process.

To these ends, the European Neighbourhood Instrument will finance joint projects proposed by and for the benefit of partners from both the EU Member States and partner countries. As such it will complement external and internal funding instruments able to operate only on one side of the Union's borders.

The ENI will operate through two separate funding windows:

Window One will support cross border co-operation. Eligibility will extend to all concerned land and maritime borders¹⁵. Programmes will primarily be bilateral although multi-lateral programmes may be established in particular over those maritime crossings where distance and other factors do not allow for efficient bilateral cross-border co-operation. Multi-annual programmes will be established for single borders or groups of borders, and will be designed by the relevant partners in beneficiary countries on both sides of the border. Management will be delegated by the Commission to a management body operating through shared management or other suitable arrangements. Project selection and programme implementation will be carried out through joint structures involving national, regional and local authorities of EU Members States and partner countries.

Window Two will provide more flexible support for wider trans-national co-operation involving actors and beneficiaries from both EU Member States and partner countries. Co-operation will be mostly focussed on specific themes to be defined in the regulation based

¹⁵ Co-operation under window one will normally take place at NUTS III level except for multilateral maritime programmes where co-operation at NUTS II level will be allowed.

on identified common challenges in fields such as environment, integration into energy, telecommunication and transport networks, public health and the prevention of and fight against organised crime. The Commission will also have the possibility to identify, select and propose projects of particular technical and political importance for funding. Eligibility will cover all the territory of EU Member States and the relevant parts of the territory of partner countries. Programming will be centralised in the Commission. Implementation will also be centralised, although indirect management through delegation to external bodies such as executive agencies may be considered.

Budget

The Commission intends to propose a substantial increase in the annual amounts to be allocated to the instrument compared to those allocated during the period 2004-2006 to the Neighbourhood Programmes.

The split in funding between the two Windows will be determined at a later stage, taking into account the relative importance of the two types of co-operation, the specific characteristics of the different borders, the desirability of having an appropriate balance in the distribution of funding among the geographical areas covered and the need to limit direct Commission involvement in implementation and management. In order to eliminate obstacles to absorption of funds and reward good performance, provisions will be made to allow for reallocation of funds between windows, and within windows, among programmes and projects.

Financial allocations within Window One will be determined by programme, covering a single border or a group of borders, on the basis of objective criteria. These allocations will also take into account the specific characteristics of the borders, and the potential absorption capacity.

CONCLUSIONS

The Commission invites the Council to approve the orientations contained in the present Communication and to draw up conclusions on the way to carry this initiative forward, addressing the substance of potential action plans and the countries with which they should be drawn up, bearing in mind the commitment to shared values.

On this basis, the Commission, with the Presidency and the High Representative, will take contact with the partner countries concerned, with a view to completing Actions Plans with them before the end of July 2004. Member States will be kept fully informed of the development of these consultations.

The Commission recommends that the relevant Association and Cooperation Councils be invited to endorse the Actions Plans.

Monitoring the fulfilment of the Action Plans will take place within the institutions of the relevant Association or Partnership and Cooperation Agreements.

On the basis of its assessment of the results of this monitoring process and of information provided by partners, the Commission, with the contribution of the High Representative on issues related to political co-operation and the CFSP, will present a mid-term review of progress achieved within two years and a further review within three years of the formal approval of each Action Plan.

The Commission recommends that any decision concerning the further development of the EU's contractual links with each partner be taken in the light of these reviews.

The Commission will make the necessary proposal to the Council for the establishment of the European Neighbourhood Instrument, referred to in this Communication. In the period before the entry into force of this instrument, the EU will continue to develop Neighbourhood Programmes with partner countries, in the framework of existing financial instruments.

The Commission will promote regional and sub-regional cooperation involving partner countries, on the basis of the orientations contained in this Communication.

Annex

MEDA and Tacis Assistance to ENP Partner countries in the period 2000-2003

<u>Country</u>	<u>Amount 2000-2003</u> <u>M€</u>
<i>Countries covered by Tacis</i>	
Russia	599.6
Ukraine	435.6
Moldova	46
Belarus	10
Multi-country Programmes	241
<i>Total Tacis</i>	1332.2
<i>Countries Covered by Meda</i>	
Algeria	181.8
Egypt	194.5
Jordan	169.4
Lebanon	55.7
Morocco	525.3
Syria	82.7
Tunisia	306.6
West bank and Gaza strip	277.8
Regional Programmes	590.1
<i>Total Meda</i>	2383.9
<i>Total ENP partner countries</i>	3716.1

Main economic indicators 2002

based on World Bank statistics

	Belarus	Moldova	Ukraine	Russia	Algeria	Egypt	Israel	Jordan	Lebanon	Libya	Morocco	Syria	Tunisia	Georgia*	Armenia*	Azerbaijan*
<i>Population (m)</i>	9.9	4.3	48.7	144.1	31.3	66.4	6.6	5.2	4.4	5.4	29.6	17.0	9.8	5.2	3.1	8.2
<i>Surface area (in th. of sq. km)</i>	207.6	33.9	603.7	17075	2382	1002	21.1	89.2	10.4	1760	446.6	185.2	163.6	69.7	29.8	86.6
<i>GNI (current US\$ in bn)</i>	13.5	1.7	37.9	306.6	53.8	97.6	105.2	9.1	17.7	..	34.7	19.1	19.5	3.4	2.4	5.8
<i>GNI (per capita in PPP in intl. m \$)</i>	5500	1600	4800	8080	5530	3940	19000	4180	4600	..	3730	3470	6440	2270	3230	3010
<i>GDP growth (annual %)</i>	4.7	7.2	4.8	4.7	4.1	3.0	-0.8	4.9	1.0	-0.2	3.2	2.7	1.7	5.6	12.9	10.6
<i>CPI inflation annual average (%)</i>	42.6	5.2	0.8	15.7	1.4	2.7	0.7	3.5	1.8	-9.8	2.8	3	3.1	5.7	1.2	2.8
<i>Central government balance, excl grants (% of GDP)</i>	0,4	-0.9 ¹⁶	0.2	1.4 ¹⁷	0.2	-7.0	-6.4	-10.2	-13.6	3.9	-4.5	-2.8	-3.5	-2.0	-0.5	-0.5
<i>Current account balance (% of GDP)</i>	-2.6	-6.1	7.7	8.6	7.7	0.0	-2.1	4.9	-14.5	-1.2	2.9	7	-3.5	-6.0	-6.6	-12.6
<i>Trade volume with EU (m €)</i>	2372	666	9722	78193	22377	9586	22002	2254	3162	12607	13992	6153	13629	500	401	1640
<i>EU Trade Balance with country (m €)</i>	-646	137	1332	-17264	-6201	3097	4908	1665	2792	-6345	1402	-1959	1539	78	82	-633
<i>Foreign direct investment, net inflows in reporting country (current US\$, m)</i>	453 ¹⁸	117	693	48 ¹⁹	1100	647	1600	55.9	257	..	428	225	794.8	165	111	1400

Source: World Bank data, in: www.worldbank.org/data/countrydata/countrydata.html, except where indicated otherwise

* The data for CPI, current account balance and general government balance is based on EBRD, 2002
IMF estimates for Libya

-
- 16 EBRD general govt balance.
17 general govt balance.
18 EBRD TRU 2004.
19 EBRD.

KEY INTERNATIONAL CONVENTIONS: STATE OF RATIFICATION

	<i>Belarus</i>	<i>Moldova</i>	<i>Ukraine</i>	<i>Russia</i>	<i>Algeria</i>	<i>Egypt</i>	<i>Israel</i>	<i>Jordan</i>	<i>Lebanon</i>	<i>Libya</i>	<i>Morocco</i>	<i>Syria</i>	<i>Tunisia</i>	<i>Armenia</i>	<i>Azerbaijan</i>	<i>Georgia</i>
United Nations Core Human Rights Conventions																
International Covenant on Economic, Social and Cultural Rights	1976	1993	1976	1976	1989	1982	1992	1976	1976		1979	1976	1976	1993	1992	1994
International Covenant on Civil and Political Rights	1976	1993	1976	1976	1989	1982	1992	1976	1976		1979	1976	1976	1993	1992	1994
Optional Protocol to the International Covenant on Civil and Political Rights	1992		1991	1992	1989									1993	2002	1994
Second Optional Protocol to the International Covenant on Civil and Political Rights															1999	1999
International Convention on the Elimination of All Forms of Racial Discrimination	1969	1993	1969	1969	1972	1969	1979	1974	1971		1971	1969	1969	1993	1996	1999
Convention on the Elimination of All Forms of Discrimination Against Women	1981	1994	1981	1981	1996	1981	1991	1992	1997		1993	2003	1985	1993	1995	1994
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women	s2002		s2000	s2001											2001	2002
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1987	1995	1987	1987	1989	1987	1991	1991	2000		1993		1988	1993	1996	1994

	<i>Belarus</i>	<i>Moldova</i>	<i>Ukraine</i>	<i>Russia</i>	<i>Algeria</i>	<i>Egypt</i>	<i>Israel</i>	<i>Jordan</i>	<i>Lebanon</i>	<i>Libya</i>	<i>Morocco</i>	<i>Syria</i>	<i>Tunisia</i>	<i>Armenia</i>	<i>Azerbaijan</i>	<i>Georgia</i>
Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment																
Convention on the Rights of the Child	1990	1993	1991	1990	1993	1990	1991	1991	1991		1993	1993	1992	1993	1992	1994
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict		s2002	s2000	s2001			s2001	s2000	s2002		2002		2003	s2003	2002	
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	2002	s2002	2003			2002	s2001	s2000	s2001		2002	2003	2002	s2003	2002	
1951 Convention relating to the Status of Refugees	2001	2002		1993	1963	1981	1954				1956		1957	1993	1993	1999
1967 Protocol to the Convention relating to the Status of Refugees	2001	2002		1993	1967	1981	1968				1971		1968	1993	1993	1999
<i>S: signed but not ratified</i>																
Fundamental ILO Conventions on Core Labour Standards:																
Nr 87: Freedom of Association and Protection of the Right to Organise (1947)	R	R	R	R	R	R	R			R		R	R		R	R

	<i>Belarus</i>	<i>Moldova</i>	<i>Ukraine</i>	<i>Russia</i>	<i>Algeria</i>	<i>Egypt</i>	<i>Israel</i>	<i>Jordan</i>	<i>Lebanon</i>	<i>Libya</i>	<i>Morocco</i>	<i>Syria</i>	<i>Tunisia</i>	<i>Armenia</i>	<i>Azerbaijan</i>	<i>Georgia</i>
Nr 98: Right to Organise and Collective Bargaining (1949)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Nr 29: Forced Labour (1930)	R	R	R	R	R	R	R	R	R	R	R	R	R		R	R
Nr 105: Abolition of Forced Labour (1957)	R	R	R	R	R	R	R	R	R	R	R	R	R		R	R
Nr 138: Minimum Age (1973)	R	R	R	R	R	R	R	R	R	R	R	R	R		R	R
Nr 182: Worst Forms of Child Labour (1999)	R	R	R	R	R	R		R	R	R	R	R	R			R
Nr 100: Equal remuneration (1951)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Nr 111: Discrimination (Employment and Occupation) (1958)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R

Council of Europe “Core” Conventions on Human Rights																	
European Convention for the Protection of Human Rights and Fundamental Freedoms		R	R	R											R	R	R
Protocol No.6 to ECHR concerning the abolition of the death penalty		R	R	S											R	R	R
European Convention for the prevention of torture and inhumane or degrading treatment or punishment		R	R	R											R	R	R

	<i>Belarus</i>	<i>Moldova</i>	<i>Ukraine</i>	<i>Russia</i>	<i>Algeria</i>	<i>Egypt</i>	<i>Israel</i>	<i>Jordan</i>	<i>Lebanon</i>	<i>Libya</i>	<i>Morocco</i>	<i>Syria</i>	<i>Tunisia</i>	<i>Armenia</i>	<i>Azerbaijan</i>	<i>Georgia</i>
Framework Convention for the Protection of National Minorities		R	R	R										R	R	S
Protocol No.13 to ECHR concerning the abolition of the death penalty in all circumstances		S	R	NS										NS	NS	R

R: Ratified, S: Signed but not ratified, NS: Not signed

Rome Statute of International Criminal Court																
Signed		08/09/00	20/01/00	13/09/00	28/12/00	26/12/00	31/12/00	07/10/98			08/09/00	29/11/00		01/10/99		18/07/99
Ratified								11/04/02								05/09/03
UN Framework Convention on Climate Change																
Convention	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Kyoto Protocol		R	R	S		S	R	R			R		R	R	R	R
Barcelona Convention for protection of the marine environment and the coastal region of the Mediterranean																
Convention ²⁰	na	na	na	na	R	R	R	na	R	R	R	R	R	na	na	na
Protocols ²¹	na	na	na	na	R	R	R	na	R	R	R	R	R	na	na	na

na: not applicable

²⁰ Algeria, Israel, Lebanon, Libya, Morocco, Syria except the 1995 amendments to the Convention.

²¹ Algeria, Israel, Lebanon, Libya, Syria except the Protocol on specially protected areas, except new Emergency Protocol, except amendments to Dumping Protocol, except amendments to Land-Based Sources Protocol.

Egypt except the Protocol on specially protected areas, except amendments to Land-Based Sources Protocol.

Morocco except the Protocol on specially protected areas, except new Emergency Protocol.

Tunisia except new Emergency Protocol.



HIGH REPRESENTATIVE
OF THE UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

Brussels, 18.11.2015
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**JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL,
THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE
COMMITTEE OF THE REGIONS**

Review of the European Neighbourhood Policy

{SWD(2015) 500 final}

I. INTRODUCTION

The European Neighbourhood Policy (ENP) was launched in 2004, to help the EU support and foster stability, security and prosperity in the countries closest to its borders. The EU remains committed to these goals, but events of recent years have demonstrated the need for a new approach, a re-prioritisation and an introduction of new ways of working.

In the past 12 years, there have been radical changes in a large number of the countries that surround the EU. There have been some positive developments: local actors took action to initiate reforms to obtain rule of law, social justice, and increased accountability, as exemplified by the Nobel Peace Prize awarded to the Tunisian Quartet. At the same time, conflict, rising extremism and terrorism, human rights violations and other challenges to international law, and economic upheaval have resulted in major refugee flows. These have left their marks across North Africa and the Middle East, with the aftermath of the Arab Uprisings and the rise of ISIL/Da'esh. In the East, an increasingly assertive Russian foreign policy has resulted in the violation of Ukrainian sovereignty, independence and territorial integrity. Protracted conflicts continue to hamper development in the region.

In the meantime, the EU's own interdependence with its neighbours has been placed in sharp focus. Growing numbers of refugees are arriving at the European Union's borders hoping to find a safer future. Energy crises have underlined the EU's need to work with neighbours on energy security, including diversification of energy sources, routes and suppliers. There have been acts of terror affecting the EU and the neighbourhood, most recently the heinous terrorist attacks in Paris on 13th November.

The purpose of the current review of the ENP is to propose how the EU and its neighbours can build more effective partnerships in the neighbourhood. In doing so, the EU will pursue its interests which include the promotion of universal values. The EU's own stability is built on democracy, human rights and the rule of law and economic openness and the new ENP will take stabilisation as its main political priority in this mandate.

Differentiation and greater mutual ownership will be the hallmark of the new ENP, recognising that not all partners aspire to EU rules and standards, and reflecting the wishes of each country concerning the nature and focus of its partnership with the EU.

The EU cannot alone solve the many challenges of the region, and there are limits to its leverage, but the new ENP will play its part in helping to create the conditions for positive development.

The review, proposed by President Juncker and requested by EU Member States, has brought over 250 responses to the public consultation from Member States, partner governments, EU institutions, international organisations, social partners, civil society, business, think tanks, academia and members of the public, which largely confirm the need for change in the ENP both in substance and in methodology.

The public consultation has demonstrated that while the offer of a closer relationship with the EU for those countries which have undertaken governance reforms has encouraged change in some countries, current practice and policy has been regarded by other partners as too

prescriptive, and as not sufficiently reflecting their respective aspirations. The consultation has further indicated that ownership by both partners and EU Member States needs to be stepped up; that cooperation should be given a tighter, more relevant focus; and that greater flexibility must be sought to enable the EU and its partners to respond to ever changing needs and circumstances.

More effective ways will be sought to promote democratic, accountable and good governance, as well as to promote justice reform, where there is a shared commitment to the rule of law, and fundamental rights. Open markets and growth, inclusive economic development, and in particular the prospects for youth, is highlighted as a key to stabilising societies in the neighbourhood. There will be greater attention to the energy security and climate action both of the EU and of the partners themselves.

There will be a new focus on stepping up work with our partners on security sector reform, conflict prevention, counter-terrorism and anti-radicalisation policies, in full compliance with international human rights law. More than ever after the November 13th terrorist attacks in Paris, intensified cooperation with our neighbours is needed in these areas. Safe and legal mobility and tackling irregular migration, human trafficking and smuggling are also priorities.

The new ENP will seek to deploy the available instruments and resources in a more coherent and flexible manner. Additionally, it will be important to seek a deeper involvement of EU Member States in re-energising work with our neighbours. Equally, the aim will be a deeper engagement with civil society and social partners.

On a regional level, the Eastern Partnership will be further strengthened in line with commitments at the Riga Summit in 2015. The Union for the Mediterranean can play an enhanced role in supporting cooperation between southern neighbours. The new ENP will now seek to involve other regional actors, beyond the neighbourhood, where appropriate, in addressing regional challenges.

The adoption by the UN General Assembly of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs) and the EU's strong support for its implementation have provided a new transformative political framework in which to engage with partners. Furthermore, this review is being closely coordinated as part of the broader work on the EU Global Strategy on Foreign and Security Policy.

With these and other measures, the EU will seek to reinforce the ENP as a framework for relations with all partners in the future.

II. STABILISING THE NEIGHBOURHOOD

The ENP is a long-term engagement with the EU's neighbours, but it also needs to take account of the most pressing needs. In the next three to five years, the most urgent challenge in many parts of the neighbourhood is stabilisation. The causes of instability often lie outside the security domain alone. The EU's approach will seek to comprehensively address sources of instability across sectors. Poverty, inequality, a perceived sense of injustice, corruption, weak economic and social development and lack of opportunity, particularly for young

people, can be roots of instability, increasing vulnerability to radicalisation. The new ENP will make a determined effort to support economies and improve prospects for the local population. The policy should help make partner countries places where people want to build their future, and help tackle uncontrolled movement of people.

During the public consultation, a large number of stakeholders including many partner countries also strongly expressed the view that the EU should increase its engagement with partners in the security sector. As in other areas, the revised ENP will offer a tailor-made approach to cooperating on security-related matters, and will actively ensure that our overall engagement is conflict-sensitive, and fully compliant with international law, including international human rights law. The new ENP aims to work on conflict prevention through early warning, coupled with early preventive measures, and enhance partners' capacity in this regard. The measures set out in this Joint Communication seek to offer ways to strengthen the resilience of the EU's partners in the face of external pressures and their ability to make their own sovereign choices.

III. STRONGER NEIGHBOURHOOD, STRONGER PARTNERSHIPS

The consultation asked far-reaching questions about whether and in what form the ENP should continue. There is consensus that:

- *Our partners have different aspirations: our relations should reflect this more fully
- *The ENP should reflect EU interests and the interests of our partners
- *Partnerships should be more focused on fewer priorities
- *There should be greater involvement of Member States in the ENP
- *Ownership by the partners should be enhanced

Most interlocutors in the consultation on the ENP wished to see some form of a common policy framework for the Eastern and Southern neighbourhood. However there was a clear demand for change, with more tailor-made, more differentiated partnerships between the EU and each of its neighbouring partners to reflect different ambitions, abilities and interests.

Where a partner wishes to pursue deeper relations with the EU based on shared values, work will develop on the existing basis. Georgia, the Republic of Moldova, and Ukraine have chosen the path of political association and economic integration with the EU through new generation Association Agreements/Deep and Comprehensive Free Trade Areas (AA/DCFTA); Morocco benefits from an advanced status in its relations with the EU and Tunisia has a privileged partnership. The EU will work with those partners to further develop their relations and to maximise the benefits for both parties to those agreements. To underpin these partnerships, the EU should increase opportunities for political dialogue at ministerial level with these partners.

The EU proposes to start a new phase of engagement with partners in 2016, consulting on the future nature and focus of the partnership. The expectation is that different patterns of relations will emerge, allowing a greater sense of ownership by both sides. The EU is ready to discuss the possibility to jointly set new partnership priorities, which would focus each relationship more clearly on commonly identified shared interests.

The incentive-based approach ("More for More") has been successful in supporting reforms in the fields of good governance, democracy, the rule of law and human rights, where there is a commitment by partners to such reforms. However, it has not proven a sufficiently strong incentive to create a commitment to reform, where there is not the political will. In these cases, the EU will explore more effective ways to make its case for fundamental reforms with partners, including through engagement with civil, economic and social actors.

There will no longer be a single set of progress reports on all countries simultaneously. Instead the EU will seek to develop a new style of assessment, focusing specifically on meeting the goals agreed with partners. These reports will be timed to provide the basis for a political exchange of views in the relevant high-level meetings with partner countries, such as Association/Cooperation Councils. For those partners who prefer to focus on a more limited number of strategic priorities, the reporting framework will be adjusted to reflect the new focus. In addition to the country-specific reporting, regular reports will track developments in the neighbourhood. These reports will contain the elements required under the Regulation on the European Neighbourhood Instrument, including information on fundamental freedoms, the rule of law, gender equality and human rights issues.

The new ENP should be the focus for a more coherent effort by the EU and the Member States. The EU is more influential when united in a common approach and communicating a single message. It offers partners more when using its resources in a strategic and well-coordinated way. Therefore, alongside discussions with partners, there will be a greater role for the Council and Member States in identifying priorities and in supporting their implementation. This will include joint programming. Member States will be invited to play the role of lead partner for certain initiatives or to accompany certain reform efforts.

The Commission and the High Representative will keep the European Parliament, the European Economic and Social Committee and the Committee of the Regions informed regularly about the implementation of the new ENP.

IV. GOOD GOVERNANCE, DEMOCRACY, RULE OF LAW, AND HUMAN RIGHTS

The consultation confirmed the very strongly held view that the EU should uphold and promote universal values through the ENP. It equally confirmed that the methods used currently are regarded by some as ineffective and by others as obstacles to equal partnership.

- *The EU is committed to promoting good governance, democracy, rule of law and human rights
- *The ENP will seek more effective ways to promote reforms with each partner in mutually agreed formats
- *The ENP will do more to support civil society

Ensuring the rule of law and independent and effective justice systems will remain priorities for the EU. They are crucial to social and economic stability, to create trust in state institutions and to provide legal certainty. An independent, transparent and impartial judicial system free from political influence which guarantees equal access to justice, protection of

human rights, gender equality and non-discrimination, and full application of the law will continue to be a goal of the EU with all its partners. Accountable public administration at central and local government level is key to democratic governance and economic development. Therefore public administration reform is essential. This includes strengthening democratic and independent institutions; developing local and regional authorities; depoliticising the civil service, developing eGovernment and increasing institutional transparency and accountability. The EU will also support work to improve partner's capacity in policy development, service delivery and management of public finances, and support the work of national parliaments.

Effective anti-corruption measures, mostly on the preventive side, should be implemented in relation to large-scale public procurement, (re)privatisations, reform of state-owned/controlled companies or similar areas where vulnerabilities to corruption are high, including by supporting the key role of civil society.

The EU will continue to work with partner governments, civil society and citizens on human rights and democracy related issues, including electoral processes, as laid down in the Treaty on European Union and the EU's Action Plan on Human Rights and Democracy. We will promote and defend the universality and indivisibility of all human rights both at home and in partnerships with countries from all regions.

The EU will engage with all partners in an inclusive dialogue on human rights and democracy issues, including on areas where experiences may differ. Human rights and democracy will continue to be an agenda item in our political dialogue with all partners in mutually agreed formats. Support will be provided to civil society fora.

Particular attention will be paid to implementing the EU Gender Action Plan 2016-2020¹, which should inform ENI programming, and to supporting ENP partners in delivering on their commitments to gender equality and girls' and women's empowerment, in line also with the universal 2030 Agenda. Emphasis will be given to ensuring girl's and women's physical and psychological integrity, promoting the social and economic rights and empowerment of women and girls, their access to justice, education, health care and other social services, strengthening their voice and political participation and shifting the institutional culture to deliver on these commitments.

The EU will look to support citizens' ability to hold governments accountable and will work to improve the pluralism, independence, and professionalism of the local media, helping it to act as a forum for public debate and as the catalyst for change in partner countries. An open and free internet should also be promoted.

Sub-national, national and intra-regional civil society should be supported further, both through direct means and through facilitating other organisations' involvement. The European Endowment for Democracy can play an important role in this regard. The EU should support developing the capacities of civil society professionals and leadership in the neighbourhood,

¹ 13201/15 Council Conclusions 26 October 2015

using programmes such as Civil Society fellowships, recognising the important role of young people in that regard.

In many neighbourhood countries ethnic, religious and cultural identities and traditions play a crucial role as regards the way society functions. During the public consultation, stakeholders referred to these factors and asked the EU to allow more co-ownership. The EU should therefore expand outreach to relevant members of civil society in its broadest sense as well as social partners.

V. PROPOSED JOINT PRIORITIES FOR COOPERATION

V.1 ECONOMIC DEVELOPMENT FOR STABILISATION

Partners responding to the consultation signalled strongly their interest in the EU as a partner for economic development and modernisation, investment and for developing the employment options for youth. This is linked to the continuing strong interest in mobility and the possibility to travel to and work in the EU.

Economic and social development should be at the heart of the EU's contribution to stabilising the neighbourhood and building partnerships.

Enhancing economic governance, strengthening fiscal stability and supporting structural reforms for improved competitiveness and inclusive growth and social development, are keys to developing a country's economic resilience. Macroeconomic stability and economic reform in the neighbourhood are a priority and the EU will continue to provide support notably through Macro-Financial Assistance operations. The EU should promote capacity building and new opportunities for training to help develop a new generation of public administrators capable of delivering effective and inclusive economic management and sustainable social outcomes. The modernisation of the economy, fostering innovation, the creation of jobs and boosting skills and promoting economic, social and territorial cohesion are other key aspects.

Some new, but also many existing instruments can be deployed more effectively to help create better conditions for jobs and growth. The EU should step up cooperation with the International Financial Institutions (IFIs), notably the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD), the World Bank and the International Monetary Fund (IMF) and relevant international organisations on private sector development and initiatives that promote inclusive growth and employment and improve living conditions for citizens. In addition actions to strengthen partnerships with the private sector should be promoted, and the use of innovative approaches such as blending grants and loans as an important way of leveraging additional resources and increasing the impact of EU aid should be boosted.

TRADE

The consultation showed that market access remains key, but reflected a feeling that greater flexibility is needed on trade agreements
*Aim for creation of an economic area with those who enter DCFTA
*Lighter, more flexible trade agreements for those who do not

A key instrument in promoting prosperity in the ENP so far has been granting access to the EU market. Some neighbours have chosen a path of close economic integration with the EU. Three agreements on a Deep and Comprehensive Free Trade Area (DCFTA) have been concluded with Eastern partners (with Ukraine, the Republic of Moldova and Georgia) as part of Association Agreements (AAs). In the Southern neighbourhood, one DCFTA is under negotiation (with Morocco), while negotiations with Tunisia have just been launched. The EU will support the on-going negotiations with Southern Mediterranean partners, including through a differentiated, progressive and asymmetric approach based on mutual priorities. The EU will support the neighbours' domestic reforms conducive to the implementation of AA/DCFTAs and other bilateral agreements.

Full and effective implementation of these agreements is a key priority for the AA/DCFTA partners. It will foster reforms and sustainable growth. As set out at the Eastern Partnership summits in Vilnius in 2013 and Riga in 2015, the implementation of AA/DCFTAs, accompanied by reforms, will result in the partners' comprehensive approximation with international standards and EU legislation and standards. This will lead to the gradual economic integration of partners in the EU internal market and therefore to the creation of an economic area. Such an ambitious long-term vision for economic integration between partners concerned and the EU is desirable. It will also contribute to the long-term goal of a wider area of economic prosperity based on World Trade Organisation (WTO) rules and sovereign choices throughout Europe and beyond.

However, a number of partners do not currently wish to pursue such a model. For those who do not wish to engage in negotiations for a DCFTA, we will seek to jointly determine attractive and realistic alternatives to promote integration and strengthen trade and investment relations that reflect mutual interests. The EU will offer more flexibility where possible, with lighter options, going beyond existing preferential or non-preferential trade agreements for those who choose not to engage across all sectors at the outset.

As an example, the possibility to sign Agreements on Conformity Assessment and Acceptance (ACAAs), which allow free movement of industrial products in specific sectors, is foreseen in the AA/DCFTAs. ACAAs might also be suitable for other ENP countries whose current contractual relationship with the EU envisages approximation in the area of technical regulations, standards and conformity assessment.

The EU remains committed to encouraging trade between the EU, ENP partner countries and their trading partners.

ECONOMIC MODERNISATION AND ENTREPRENEURSHIP

*Support reforms that lead to better business and investor environment

*Support growth through support to SMEs

*Support growth through modernisation of existing sectors and diversification into new ones

The EU will support partners to modernise their economies for smart and sustainable growth by engaging in economic dialogue, policy advice and the mobilisation of financial assistance. It will promote a better business environment and reforms that allow greater investment, and more and better jobs. It will also focus on supporting the small and medium enterprises

(SME) sector which is a primary creator of employment (and is already supported under the DCFTA facility, notably by working to improve access to finance and information. Reforms to underpin economic and social development (such as skills development, social protection, education, water and health) should be encouraged and supported.

Research, science and innovation are crucial to create decent and sustainable jobs in the neighbourhood so the modernisation and diversification of economies should be encouraged by facilitating increased participation of neighbourhood countries in EU initiatives, such as the Enterprise Europe Network, Horizon 2020 and COSME EU programmes, connection to GÉANT and by promoting the concept of ‘smart specialisation’ as developed in the EU’s regional policy for the design of research and innovation strategies. The development of a Common Knowledge and Innovation Space between the EU and its Eastern and Southern neighbours should be fostered, using scientific evidence to create knowledge-based jobs and attract investors to innovative businesses in the EU and the neighbourhood. The EU will continue to align and integrate joint research and innovation priorities through joint programmes such as the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) and neighbours` association to Horizon 2020.

Agriculture is a major source of jobs in many partner countries and the EU should continue to support sustainable and inclusive policies and investment in modernisation of the sector, and diversification to other income creating activities in rural areas where necessary. The EU will support a resource-efficient economy by addressing environmental challenges such as degradation of and competition for natural resources. Similarly, the EU should also contribute to developing maritime economies, while working together towards a common vision for the sustainable use of shared seas.

Support for the digital economy should be stepped up, to harmonise the digital environments between the EU and its neighbours. This will create jobs, growth and innovation, particularly benefiting the young in terms of opportunities for education and employment, locally or at a distance, and for starting up low initial capital businesses.

EMPLOYMENT AND EMPLOYABILITY: FOCUS ON YOUTH

- *Focus on jobs and skills, particularly of the young
- *Step up support for Erasmus +
- *New emphasis on Vocational Training
- *New incentives for brain circulation

The EU can help improve the employability of the local workforce, and help to focus efforts on the development of skills and competences and creation of opportunities particularly for young men and women. This should range from support for fostering out-of-school education ('non-formal learning') to facilitating access to primary and secondary education, and fighting illiteracy, to ensuring the development of skills, apprenticeships and work-based training. The EU will significantly step up the scope for engagement of neighbourhood partners in Erasmus +, including a higher level of funding. Particular attention should also be paid to facilitate the participation in Erasmus + of higher education institutions from conflict regions.

The EU will foster mobility in vocational education and training, in order to be able to give greater support in this crucial area. The EU will also support the mobility of European and neighbouring countries' trainees seeking to have a work experience abroad.

The EU will consult partners on the establishment of a panel on youth employment and employability within the Eastern Partnership. The EU will also encourage exchanges on education, training and youth policies between the Southern Mediterranean countries within existing fora for cooperation in the region. The EU will invite the European Training Foundation to play an active role in this context.

The EU will support policies towards matching skills and labour market needs, improving academia-industry collaboration and development of students' employability skills for knowledge-based and sustainable jobs and will promote incentive schemes for people who have studied or acquired skills in the EU to return to their home country.

PARTNERSHIPS FOR GROWTH

- *Develop partnerships to support investment and economic modernisation
- *Greater involvement of the private sector to boost investment and reform
- *New alliances of private sector, EU, Member States and IFIs supporting strategies for growth, jobs or youth

With those neighbours who wish, the EU will develop cross-cutting partnerships to support growth, employment and economic modernisation. This will bring together public and private sector, EU and interested Member States, IFIs and other partners that can help the country develop in line with a Smart Specialisation strategy.

In particular, the EU will encourage entrepreneurs to engage directly with partners in the Neighbourhood. Economic diplomacy missions to ENP partners need to be undertaken more systematically mobilising European business more effectively to promote trade and investment in the Neighbourhood. In addition such missions will be used to provide neighbours with appropriate partners to lend hands-on support on particular economic development challenges, including strengthening their skills base, entrepreneurship, and diversifying their economic activity.

TRANSPORT AND CONNECTIVITY

- Support for greater connectivity as a key area for co-operation is confirmed by the consultation
- *Extend core TEN-T networks to the Eastern partners
 - *Identify regional networks in the south to be included in the TEN-T guidelines

Cooperation on transport connectivity and telecommunications contributes to the economic development of partners and can be a means to foster dialogue and a starting point for regional co-operation between them. In the East, a safe and sustainable transport system, connected to the Trans-European Transport Network (TEN-T), is the key to promoting economic growth between the neighbourhood partners and the EU. The EU should therefore extend the core TEN-T to the Eastern partners and together with the IFIs and other partners promote the necessary investment in this extended network.

In the South, regulatory convergence and harmonisation should be sought in line with the Regional Transport Action Plan 2014-2020 addressing maritime, aviation, rail, road and urban transport. At the same time the EU should identify priority regional infrastructure projects and prepare the indicative maps of the future Trans-Mediterranean Transport Network.

A Common Aviation Area will be promoted by implementing agreements signed so far with Georgia, Israel, Jordan, Moldova, and Morocco (and close to finalisation with Ukraine) and negotiating new agreements. The EU should also help its partners' ability to benefit from the Motorways of the Seas with improved port infrastructure and related services.

Furthermore, the EU will pursue convergence on telecommunications with our partners through regional groups of regulators in the East and South respectively and further space cooperation with interested partners.

ENERGY SECURITY AND CLIMATE ACTION

The consultation revealed strong support to give energy cooperation a greater place in the ENP, both as a security measure (energy sovereignty) and as a means to sustainable economic development

*Support greater energy independence through support to diversification of energy sources, better cooperation on energy efficiency, and transition to the low carbon economy

*New framework for cooperation with partners beyond the neighbourhood

With the goal of building a resilient Energy Union, with an ambitious climate policy at its core, the EU is committed to strengthen its energy dialogue with neighbourhood countries in energy security, energy market reforms and the promotion of sustainable energy. The EU strongly relies on its neighbourhood for safe, secure and predictable generation and transportation of energy and therefore needs to strengthen its dialogue with partner countries on energy security and sustainable production. Equally, energy is key to the stable development and resilience of the partners themselves.

Some of our partners have significant or potentially significant income from their energy resources or from their position as transit countries. However all partners' economic stability depends to a greater or lesser extent on a sustainable balance between their energy consumption and the profile of their energy supplies or production. Some partner countries in the East are vulnerable to over-dependence on specific suppliers and therefore have a vital interest in increasing sovereignty by diversifying their sources of supply. The EU will continue to support such efforts. Others in the South also face challenges in managing their rising energy demand.

Initiatives such as establishing gas reverse flow capacity to Ukraine, completing the Southern Gas Corridor and making best use of the new energy discoveries while assessing and preventing potential risks are important to achieving pan-European energy security.

Increased cooperation on energy efficiency, renewable energy sources, on demand management and on action to mitigate and adapt to climate change will help to develop economies that are more efficient, competitive, resilient and stable while increasing energy sovereignty and reducing emissions. The promotion of the full implementation of the expected Paris Climate Agreement and its subsequent developments including in particular

the commitments by our partners are important to meet these goals. The EU will work to share best practice and undertake joint research, including on the phasing out of subsidies for fossil fuels, introducing robust emissions monitoring, reporting and verification frameworks, including in the longer term, emission trading systems, which could be linked to the EU emissions trading system as they become ready.

To increase the opportunities for investment and trade, the EU will enhance full energy market integration with the Republic of Moldova, Ukraine, and Georgia through the Energy Community. The EU should also pursue regulatory approximation with other partners on sectors of mutual interest. As regards the Southern Neighbourhood partner countries, the EU will offer cooperation, on a tailored basis, to promote the production, distribution, trade and efficient consumption of energy. As a first step, the EU will work with interested partners and the International Energy Agency to establish comprehensive country energy policy reviews, including an inventory of barriers to energy investments and the identification of the appropriate reforms.

The EU will support sub-regional cooperation as appropriate in the Eastern Mediterranean, the Maghreb and the Southern Caucasus. Beyond the neighbourhood, a new Thematic Framework should be used to develop work with partners such as Turkey, Kazakhstan, Turkmenistan, and potentially Iraq and Iran. This will facilitate trans-regional work and investment on these issues, building on successful initiatives such as INOGATE. When the conditions are right, the EU could consider reframing the energy relationship with Russia, on the basis of international and European law.

V. 2. THE SECURITY DIMENSION

The consultation showed a very widespread wish to see security given a stronger place in the ENP, in order to make partner countries more resilient against threats they currently experience. The new focus on security will open up a wide range of new areas of cooperation under ENP. Cooperation could include security sector reform, border protection, tackling terrorism and radicalisation, and crisis management.

In June 2015, the European Council restated the need to empower and enable partners to prevent and manage crises, including through concrete projects of capacity building with a flexible geographic scope. Given the specific security challenges partners are facing, the EU should focus on enhancing cooperation on security sector reform. Building further on the European Agenda on Security,² the new ENP will prioritise tackling terrorism and preventing radicalisation; disrupting serious and organised cross-border crime and corruption; improving judicial cooperation in criminal matters, and fighting cybercrime, in full compliance with the rule of law and international law, including international human rights law.

Proactive engagement with partners in the neighbourhood is necessary to address root causes of cross-border threats and to contribute to securing common borders. Together with

² Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions : the European Agenda on Security, COM (2015) 185 final

interested partner countries, information-sharing and capacity building to tackle cross-border threats should be stepped up. In addition, the new ENP will tackle cross-cutting migration related security challenges, such as smuggling of migrants, trafficking in human beings, social cohesion and border protection/management.

Further efforts will be made to mainstream and strengthen the implementation of UNSCR 1325 on women, peace and security, its follow-up resolutions and a gender perspective in Common Security and Defence Policy planning, implementation and review.

Security sector reform: the EU intends to step up outreach to partner countries' authorities who deal with matters related to security. Interested partner countries should be supported in their reform of the civilian and military security. Such cooperation may include strategic and policy advice, institution and capacity building activities, dialogues with civil society, and support for community security programmes.

Tackling terrorism and preventing radicalisation: The threat of terrorism and radicalisation is affecting both Europe and its neighbours. The EU will therefore step up work with partners on counter-terrorism, including preventing radicalisation, countering violent extremism, supporting criminal justice responses to counter-terrorism, and countering and suppressing the financing of terrorism via appropriate anti-money laundering frameworks. Involving civil society, especially youth organisations, in preventing radicalisation will be crucial. The existing Radicalisation Awareness Network (RAN) and its recently established Centre of Excellence will be a crucial platform for exchange and cooperation. Tackling broader issues such as ineffective justice, gender inequality, hate speech, youth unemployment, and illiteracy will all also be part of a wider de-radicalisation effort. Cross-cultural dialogue, such as that promoted by the Anna Lindh foundation, will be key.

Disrupting organised crime: organised crime and corruption can threaten stability in the wider region. The EU should increase support to partner countries in their fight against serious and organised international crime, including in the fight against migrant smuggling and trafficking of human beings and dismantling criminal networks through promoting the use of financial investigations as a complement to purely criminal law tools. To this end, European Agenda on Security³ committed to extending the work of the 'Policy Cycle' (on serious and organised crime) to neighbouring countries. The EU should also explore the possibility of involving partner countries in existing financial investigation networks (such as networks of Financial Intelligence Units). Furthermore, the EU will continue to work with partner countries on countering the illicit trafficking in human beings, the illicit trafficking of Small Arms and Light Weapons and drug cooperation and support them on the implementation of integrated and balanced national drug policies. Where necessary, the EU will seek to improve the legal framework for judicial and police cooperation with partner countries and work towards its implementation. With Interpol, the need should be examined to build further law enforcement capacity in neighbouring countries and work on facilitating information exchanges with EU Member States and Europol. With Eurojust, the EU will

³The European Agenda on Security ([COM\(2015\)185 final](#))

promote a stronger engagement and cooperation in order to ease judicial cooperation on all serious crimes investigations.

Fighting cybercrime: The EU Cybersecurity Strategy⁴ provides the operational framework for further engagement with partners in the neighbourhood. The EU should offer assistance for capacity building on cybersecurity and resilient information infrastructures, on the fight against cybercrime and cyber terrorism, including through threat analysis, fostering specialisation in law enforcement, judicial training and supporting the creation of relevant national policies, strategies and institutions in third countries. The EU will continue to promote the ratification and implementation of the Budapest Convention on cybercrime with its partners in the neighbourhood. The Convention provides a model for drafting national cybercrime legislation and a basis for international co-operation in this field.

Chemical, Biological, Radiological, and Nuclear Risk Mitigation: help partners improve their preparedness and response capacity, including through the EU-funded Centres of Excellence.

Common Security and Defence Policy (CSDP) cooperation and dealing with protracted conflicts: Structures set up under the EU's security and defence architecture can be a forum for an exchange of best practice, for cooperation on common objectives, and for capacity building. Thus, a new impetus will be given to cooperation on matters related to the CSDP. In order to foster a spirit of partnership and of shared responsibilities – on a case by case basis – the participation of partner countries should be promoted in CSDP missions and operations, EU Battlegroups, and their association to relevant programmes and agencies such as the European Defence Agency and the European Security and Defence College. The EU will seek to establish security and defence dialogues with partner countries and facilitate the participation of officials and officers from partner countries in courses at relevant defence colleges. In line with the EU's Comprehensive approach to external conflict and crises, all means available will be used, including – where necessary, CSDP missions and operations or the EU's Special Representatives – to support the management of crises and the settlement of protracted conflicts in the neighbourhood.

Crisis management and response: The EU should build up partners' early warning, prevention and preparedness capacity offering close partnerships in civil protection and cooperation with the EU's civil protection mechanism. The EU will also put stronger emphasis on health security aspects by strengthening country capacities to respond effectively to health threats including communicable diseases. Subject to an ad hoc decision, access to imagery provided by the EU Satellite Centre could also be considered in light of crisis response needs. Flexibility in programming and the use of ENP and other financial instruments will be crucial in this approach. Therefore close coordination will be ensured between the security work done under the ENI with wider CFSP/CSDP activities, with the work of EU Member States bilaterally and with relevant international organisations. Synergies with other instruments should also be explored together with links to work on

⁴ Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace (JOIN(2013) 1 final)

principled and needs-based humanitarian aid, as well as resilience and stabilisation. In line with the comprehensive approach, involvement of EU Member States and EU agencies will be key both in the design and implementation of support in the security sector.

V. 3. MIGRATION AND MOBILITY

The strong interest of partners in greater mobility towards the EU is confirmed by the consultation, which took place at a moment of major flows of migrants and refugees often transiting neighbouring countries. The ENP will reflect an intensified cooperation on both regular and irregular migration

- * Increase cooperation with partners beyond the neighbourhood
- * Increase support for those receiving and assisting refugees and IDPs
- * Increase cooperation on root causes of irregular migration and forced displacement
- * Effective cooperation on returns and readmission and sustainable reintegration

But also

- * Better identification of skills gaps in EU to facilitate mutually beneficial legal migration;
- * Better support for circular migration
- * Encourage recognition of qualifications
- * Launch dialogues on academic mobility

As the recent refugee crisis shows, addressing the root causes of irregular migration and forced displacement is central to stabilisation in the Neighbourhood.

The European Agenda on Migration; European Council conclusions of 25-26 June and 15-16 October; the High-Level Conference on the Eastern Mediterranean/Western Balkans Route of 8 October and the Valletta Summit on Migration of 11-12 November 2015 – all confirm the new political impetus for deeper cooperation with ENP partners.

Develop partnerships based on an integrated approach

Cooperation with partners on migration and mobility has deepened over the last years through several far-reaching visa dialogues and a number of Mobility Partnerships. Dialogues have also been established with other partners both in the East and in the South. The EU is committed to reinforcing cooperation with neighbours and beyond – not least with the Western Balkans, Turkey, countries of the wider Middle East, the Sahel region and the Horn of Africa. In order to foster reforms and reinforce the commitment of our partner countries to work in closer partnership, differentiation between partner countries will be developed, working more closely on visa and mobility issues with those that are willing to engage with the EU, including visa liberalisation and facilitation dialogues with partners.

There are already ongoing regional dialogues such as the Rabat and Khartoum processes in the South and the Budapest and Prague processes in the East as well as on the Eastern Partnership panel on Migration and Asylum for intra-regional cooperation and programming. A Thematic Framework could be developed to enable more effective cooperation on migration with countries outside the neighbourhood.

Promote mutually-beneficial migration and mobility

Alongside efforts to tackle irregular migration, the EU continues to believe that mobility and people-to-people contacts should be promoted. The EU intends to promote better tools in order to identify skill gaps in the European labour market and encourage the recognition of qualifications of third country nationals working in the EU.

The EU will strengthen its legal framework and promote its full and tailored implementation taking into account the specific situation of ENP partners.

In March 2016, the Commission intends to present a revision of the EU Blue Card Directive, to improve and further facilitate the entry and residence of highly skilled third-country nationals in the EU. The EU should facilitate the extension of academic mobility and improve the legal framework for conditions of entry and residence in the EU applicable to ENP nationals for the purpose of research, studies, pupil exchange, training and voluntary service.

The EU will cooperate with ENP countries to encourage and make progress on facilitating recognition of skills and qualifications.

In cooperation with Member States, we will promote a skilled labour migration scheme, including the possibility of offering preferential schemes for nationals of the ENP countries willing to engage on further cooperation on migration with the EU.

A platform of dialogue with businesses, trade unions and social partners will be established in order to better assess labour market needs and the role that migration could play in that respect. In the longer term a new approach to legal migration would be beneficial, building on the example of "expression of interest" systems which allow employers to identify priority applicants from a pool of pre-selected candidates.

In the same vein, more effective ways of building links with diaspora communities, of reinforcing regional mobility schemes, including South-South mobility, and of working on circular migration will be sought, including through identification of schemes in relevant sectors (e.g. agriculture, or tourism) in line with the 2014 Seasonal Workers Directive. The EU should also promote migration schemes in small and medium size enterprises and training programmes for entrepreneurs in European countries.

The EU should also look at allowing people temporarily residing in the EU to engage in a business, professional or other activity in their country of origin, while maintaining their main residence in one of the Member States. Issues related to efficient transfer of remittances should also be addressed.

We will create a new start-up (Startback) fund to provide capital to promote "brain circulation". This Fund will support migrants returning to their countries of origin after their stay in the European Union, so they can reintegrate and contribute, with the acquired skills and knowledge, to local economic and societal development.

The EU will continue to foster a realistic and fair narrative on migration and to combat vigorously all forms and manifestations of racism and discrimination promoting intercultural dialogue, cultural diversity and mutual understanding.

Ensuring protection for those in need

The EU's wider neighbourhood contains several major protracted crises and hosts close to 40% of the world's refugees and internally displaced persons. Therefore, the EU needs a more integrated and more comprehensive response promoting close linkages between short-term humanitarian needs and longer-term development and security responses.

The EU should assist partner countries in developing their asylum and protection systems by supporting those displaced by conflicts, with particular consideration to unaccompanied refugee children, to ensure that their basic needs are guaranteed, their human rights are protected and their socio-economic and human potential is not wasted and is made available to host societies and communities. The new Regional Development and Protection Programmes (RDPPs) in North Africa and the Horn of Africa which will become operational in 2016, as well as the already existing RDPP in the Middle East (Jordan, Lebanon and Iraq) will be crucial to that end. Their aim is to support partner countries hosting large numbers of displaced people through capacity building and assistance, primarily in the area of international protection and asylum, partly by increasing the resilience of forcibly-displaced populations and their host communities.

Tackling irregular migration

The EU will work with the ENP countries to address and mitigate the root causes of irregular migration both of their nationals and of those transiting their countries.

The EU will work with to return in a dignified and sustainable manner those who do not, or no longer, have the right to stay in the EU, including through the conclusion and full implementation of readmission agreements and voluntary return and readmission schemes, in line with the Commission's Action Plan on return. The EU will also assist ENP countries to develop their own return policy allowing them to return persons to third countries of origin. Appropriate mechanisms should be further developed to ensure that those returning to their countries of origin can reintegrate and contribute, to the local economy and society. All tools will be mobilised to increase cooperation on return and readmission, thus giving readmission a central place in all dialogues with countries of origin and transit of irregular migrants⁵.

The EU should increase support for efforts to devise national and regional strategies addressing migrant smuggling and to build integrated border management standards, working with relevant EU agencies.

Stepping up cooperation on border management

Proactive engagement with partners in the neighbourhood in the field of border management is necessary to better manage migratory pressures. Together with interested partner countries, the EU will further intensify work on information exchange, administrative capacity and operational and technical cooperation. This could be done via training, research, capacity-building projects and pilot projects with partner countries, notably working through relevant EU Agencies, including FRONTEX and EUROPOL.

⁵ EU Action plan on return , 9 September 2015, COM(2015)453 final

VI. THE REGIONAL DIMENSION

The consultation was in part conducted through the existing regional cooperation formats, which will continue. However, the consultation confirmed a strong interest in developing new ways of working with the neighbours of the neighbours.

* New outreach beyond the boundaries of the ENP area

* New thematic frameworks to tackle shared challenges e.g. on migration, energy, security and health

In 2009, the EU and its six Eastern partners launched the Eastern Partnership (EaP), based on a commitment to fundamental values (including democracy, the rule of law and respect for human rights and fundamental freedoms) a market economy, sustainable development and good governance. Since then, the EaP has developed into a vibrant forum for exchange and cooperation on issues ranging from trade to energy, transport and education or environment. The 2015 EaP Summit in Riga listed the strengthening of institutions and good governance, mobility and people-to-people contacts, market opportunities and interconnections as shared priorities which will be taken forward with partners, including in the multilateral framework of the EaP. It is the sole right of the EU and its partners to decide how they want to proceed in their relations.

Regional cooperation in the Southern neighbourhood has seen progress through the Union for the Mediterranean. The organisation has proved to be a valuable forum for political and economic discussion, providing a framework for cooperation on issues of common interest and on operational projects in the region. Many in the public consultation recommended deepening that cooperation. The Commission and the High Representative work to further invigorate this regional cooperation. For this reason, the EU will give priority, wherever suitable, to the UfM in its regional cooperation efforts.

Relations between neighbours themselves should be reinforced, and sub-regional cooperation in both the east and the south should be promoted. Where relevant, regional cooperation between neighbourhood partners and Member States, together with candidate and potential candidate countries, will be pursued through EU macro-regional strategies and territorial cooperation programmes, with a view to fully exploiting their potential.

Where connections and interdependencies with other partners require broader formats of cooperation, third countries should be involved. The EU will use Thematic Frameworks to offer cooperation on regional issues of concern to our neighbourhood to state and multilateral actors in the wider region, including accession and other partners. Thematic Frameworks will be used to provide a regular forum to discuss joint policy approaches, programming and investment that reach beyond the neighbourhood. These will be ad hoc meetings of interested parties from the Southern or Eastern neighbourhood, bringing together interested Member States, neighbourhood countries and regional partners, together with International Financial Institutions (IFIs), international organisations and other donors. Civil society and private sector organisations will be invited where appropriate. The format of these Thematic Frameworks and those involved will depend on the issue and will build on existing structures. Migration, energy and security will be particular priorities.

Turkey is an EU candidate country and an important neighbour to both the EU itself and to several partner countries. When developing the Thematic Frameworks that reach beyond the neighbourhood, the EU should continue to work closely with Turkey on issues of common concern.

The EU's relations with the Russian Federation have deteriorated as a result of the illegal annexation of Crimea and Sebastopol and the destabilisation of eastern Ukraine. There are several issues pertaining to the region on which constructive cooperation would be helpful in terms of addressing common challenges and exploring further opportunities, when conditions allow.

Cooperation in other fora will complement these regional engagements. The EU should increase its outreach to partners in sub-Saharan Africa and the Sahel region and in this context ensure coherence with ongoing work on the post-Cotonou agenda. The EU should also engage all relevant partners in the Middle East and North Africa in the areas of political dialogue, investment and aid. This will include further development of the dialogue with the League of Arab States, cooperation with the Organisation of Islamic Cooperation (OIC), the Gulf Cooperation Council (GCC), the African Union, the Arab Maghreb Union and the work within the framework of the Western Mediterranean Forum (5+5 Dialogue). The Black Sea Synergy Initiative has developed as an important forum for tackling common problems whilst encouraging political and economic reform. The EU should continue to promote regional cooperation and increase coordination with the Council of Europe, the Organisation for Security and Cooperation on Europe (OSCE) and its bodies.

The EU Regional Strategy for Syria and Iraq as well as the ISIL/Da'esh threat outlines actions that the EU and its Member States are taking to help restore peace and security in Syria and Iraq. As concerns Iran, as the recent deal is implemented, there is scope for further cooperation on regional issues, including energy. Given Central Asia's strategic importance, the EU should expand its outreach to relevant partners with a view to establishing strong, durable and stable relationships with countries in the region.

VII. MORE EFFECTIVE DELIVERY

VII.1 FLEXIBILITY OF FINANCIAL INSTRUMENTS

The EU has committed substantial resources to support the major stabilisation challenge in the neighbourhood, with over €15 billion being available through the European Neighbourhood Instrument (ENI) over the period 2014-20. To further maximise impact, the EU will seek to leverage considerable additional funding by further enhancing its cooperation with major International Financial institutions and through the Neighbourhood Investment Facility (NIF). The EU will modernise and strategically align its technical assistance instruments (TAIEX and Twinning) to provide tailor-made support. The EU and the partner countries will continue to work together to ensure that the EU financial assistance reaches the intended beneficiaries and is not diverted by fraud.

Association Agendas and partnership priorities will be the basis for setting priorities for assistance. Bilateral allocations to partner countries will reflect the priorities of the ENP and

the level of their ambitions, and commitment to and implementation of reform will continue to guide the allocation of funds under the ENP umbrella programme.

Developments in the neighbourhood countries have indicated a growing need for international financial and economic support to underpin necessary transition and stability. The European Union's existing toolbox provides for resources that are targeted to a variety of issues, but in many cases limited in size when compared to the needs that have and can be identified. The Commission will therefore conduct an in-depth assessment over the coming months with a view to developing options, including an instrument, that could better and more efficiently address the financial needs of neighbourhood countries, at the same time supporting their on-going necessary reform efforts. This work could build on the experience of existing instruments, including those created over the past years to support EU Member States.

The response to the conflicts in Syria and Ukraine and the use of Trust Funds are examples of how the EU's financial instruments can react quickly and flexibly. However, more needs to be done to accelerate assistance and to ensure it is better adapted to rapidly evolving political circumstances and priorities.

The Commission and the High Representative will seek to speed up aid delivery by streamlining procedures. They will examine the case for a 'flexibility cushion' within the ENI, i.e. to set aside resources until used for urgent programming of unforeseen needs, particularly for conflict and post-conflict needs; refugee support; crises and disaster response; and for security and stabilisation programmes.

Consideration will be given to changing the financial regulations so that unused funds within this 'Flexibility cushion' can be carried forward to the next year. The EU will use the mid-term review of EU external financing instruments in 2017 to look at streamlining administrative procedures and, where required, proposals will be made to amend the underlying legal acts.

Improved donor coordination is essential to maximise resources, but also to make the EU's contribution more visible. Wherever possible a joint EU response in the region should be shaped around the EU brand enhancing the use of joint programming with EU Member States on and of shared analysis from all EU sources, (including EU Delegations, CSDP missions and EU Special Representatives). Simplified approaches should facilitate joint projects with EU Member States and agencies.

The EU will strengthen effective donor co-ordination with other EU funding mechanisms and with major international financial institutions and with the African Union, the League of Arab States, and the Gulf Co-operation Council as well as working through the Union for the Mediterranean, the Eastern Partnership and regional fora.

VII.2 VISIBILITY, COMMUNICATION AND OUTREACH

Better communicating and promoting EU policies will be at the heart of the new ENP. Improved public diplomacy will contribute to better explaining the rationale of EU policies and the positive impact of concrete EU actions. EU should seek to ensure greater visibility for the use of EU funds for the neighbourhood in the period 2014-2020. Visibility for the EU should be made a condition of working with implementing partners.

Support will help promote independent, reliable and credible media. The EU could also support strategic communication capacity within governments for better understanding of public opinion, to plan and adapt campaigns communicating the benefits of reform.

As agreed in the European Council, the EU should work with partners to expose misinformation and respond decisively when it targets the EU. An appropriate mix of proactive strategic and tactical communication tools will allow the EU and its partners to better monitor and analyse the media, to better understand perceptions and narratives in the partner countries and to explain the benefits of each country's cooperation with the EU with the ultimate goal of creating a positive narrative about support and cooperation under the ENP.

More involvement of the Member States in setting communication priorities should help ensure a more coherent EU voice. EU Delegations in the partner countries will work closely together with Member States' representatives in their engagement with key stakeholders, in particular civil society. Outreach activities are also necessary inside the EU to explain to our citizens why stable, secure and prosperous countries in our near vicinity are key to the EU's own stability and security.

The EU should engage more on this public diplomacy agenda with governments, civil society, the business community, academia and other citizens in partner countries, in particular youth, including through science diplomacy.

PARTNERSHIPS FOR YOUTH

Engagement with young people across the neighbourhood will be stepped up by creating partnerships for youth. These partnerships will promote people to people contacts and networks for young people of all ages in the EU and neighbouring countries, to foster mutual respect, understanding and open societies. It should include a substantial increase in exchanges between schools and universities, including the potential for a pilot-project of a European School in the neighbourhood. Lifting the current cap in place on funding for Erasmus students' outgoing travel will encourage more young Europeans to study in partner countries in order to increase links between Member States and partner countries.

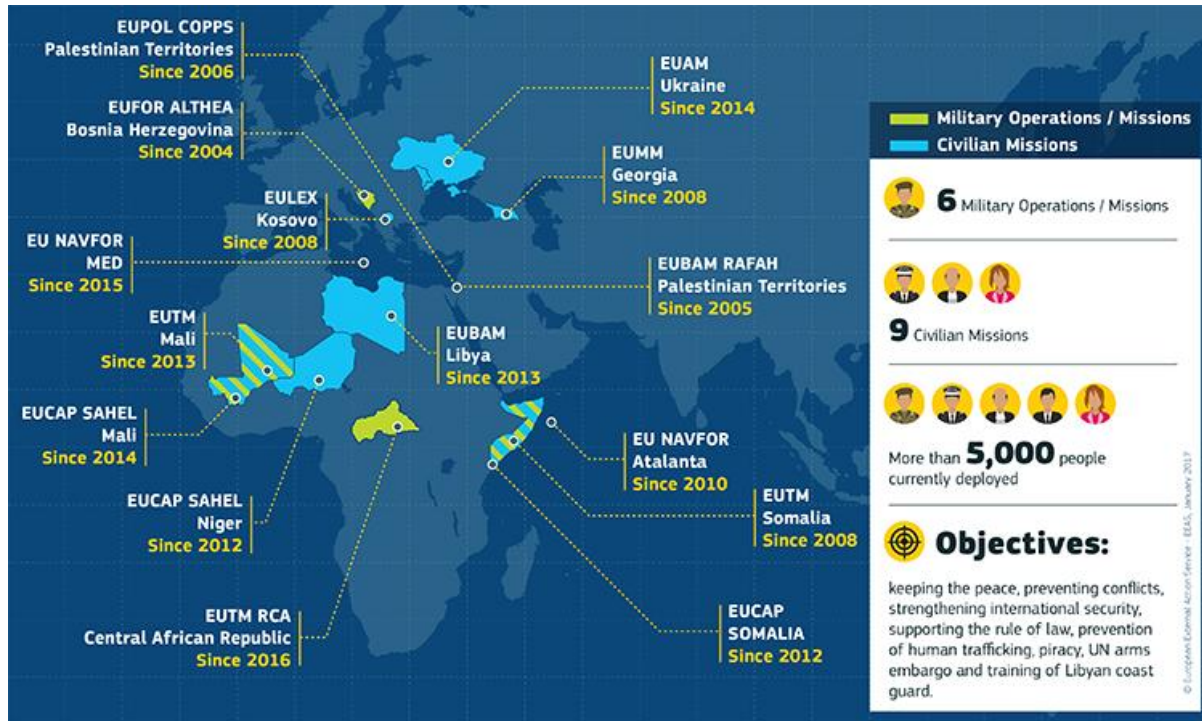
The development 'Friends of Europe' clubs and alumni networks for those who have participated in EU activities, and where possible develop networks of "youth ambassadors" could be tools for such outreach, together with the creation of fora to enable exchanges between young leaders and future opinion formers from across the EU and its neighbourhood.

VIII. NEXT STEPS

This Joint Communication concludes the formal consultation process on the review of the European Neighbourhood Policy. Over the course of 2016, we intend to discuss the proposals contained in this Joint Communication, as well as subsequent positions taken by the EU, with partner countries, with a view to jointly determine the shape of our future relations, based on the recommendations outlined in this Joint Communication.

Annexure 4

Ongoing EU Missions in the World



Sources: European External Action Service 2016 a.